

SUPREME COURT OF THE UNITED STATES

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

J. Scott Matthews, of Chicago, Ill.; J. George Kerr, of Sabetha, Kans.; Howard S. LeRoy, of Washington, D. C.; I. Charles Schwalb, of New York City; Samuel Kaufman, of Newark, N. J.; Pinckney G. McElwee, of St. Louis, Mo.; Homer L. Bruce, of Houston, Tex.; Carver W. Wolfe, of New York City; Louis A. Maxson, of Claremont, N. H.; William P. Allen, of Bartow, Fla.; Thomas G. Gregory, of St. Marys, Pa.; David Richard Thomas, of Minneapolis, Minn.; David J. Shorb, of Washington, D. C.; John L. Gay, of San Juan, P. R.; Isaac Pacht, of Los Angeles, Calif.; Ernest Theodore Simmang, of San Antonio, Tex.; James W. Ewing, of Wheeling, W. Va.; F. S. Spruill, of Rocky Mount, N. C.; Ralph E. Lum, of Newark, N. J.; and John Ruffalo, of Youngstown, Ohio, were admitted to practice.

The Chief Justice announced the following order of the Court:

ORDER

The Court, after entertaining motions for admission to the bar, and other motions noticed for to-day, will adjourn in order that the members of the Court may pay their respects to the President of the United States.

The Court will meet upon Monday next, October 14th, upon which day it will announce orders and receive such motions as may be submitted, and will then adjourn from that day until Monday, October 21st, when oral arguments in cases especially set and cases on the regular docket will be commenced. The Court will thus be enabled to devote time during the next two weeks to the disposition of the petitions for writs of certiorari which are submitted to-day.

No. 52. Commissioner of Internal Revenue, petitioner, *v.* W. J. Howard;

No. 67. Commissioner of Internal Revenue, petitioner, *v.* American Code Company, Incorporated;

No. 92. Commissioner of Internal Revenue, petitioner, *v.* North Texas Lumber Company;

No. 99. Commissioner of Internal Revenue, petitioner, *v.* Guy C. Earl;

No. 323. Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company;

No. 324. Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company; and

No. 356. Commissioner of Internal Revenue, petitioner, *v.* The Pilliod Lumber Company. Robert H. Lucas, present Commissioner of Internal Revenue, substituted as the party petitioner in place of David H. Blair, formerly Commissioner of Internal Revenue, on motion of Mr. Solicitor General Hughes for the petitioner.

No. 109. Wilson Banking Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 114. Frederick C. Renziehausen, petitioner, *v.* Commissioner of Internal Revenue;

No. 175. Warren E. Burns et al., petitioner, *v.* Commissioner of Internal Revenue;

No. 180. John T. Burkett, petitioner, *v.* Commissioner of Internal Revenue;

No. 181. Griffith Henshaw, Executor, etc., petitioner, *v.* Commissioner of Internal Revenue;

No. 182. The Greylock Mills, petitioner, *v.* Commissioner of Internal Revenue;

No. 249. John G. Lonsdale, petitioner, *v.* Commissioner of Internal Revenue;

No. 286. The Hoosier Casualty Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 298. S. Naitove & Co., Inc., petitioner, *v.* Commissioner of Internal Revenue;

No. 348. Ohio Clover Leaf Dairy Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 354. Simmons Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 366. Symington-Anderson Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 369. Uniform Printing & Supply Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 377. Remington Rand, Inc., petitioner, *v.* Commissioner of Internal Revenue;

No. 378. Remington Rand, Inc., petitioner, *v.* Commissioner of Internal Revenue;

No. 406. Paso Robles Mercantile Company, petitioner, *v.* Commissioner of Internal Revenue; and

No. 421. Henry L. Berg and Rose Berg, his wife, petitioners, *v.* Commissioner of Internal Revenue. Robert H. Lucas, present Commissioner of Internal Revenue, substituted as the party respondent in place of David H. Blair, formerly Commissioner of Internal Revenue, on motion of Mr. Solicitor General Hughes for the respondent.

No. 273. Kunglig Jarnvagsstyrelsen, petitioner, *v.* Dexter & Carpenter, Inc. Suggestion as to petitioner's legal status and claim of immunity presented by Mr. Solicitor General Hughes specially appearing for the Department of State of the United States.

No. —, original. Federal Radio Commission, petitioner, *v.* George E. Martin, Chief Justice, et al. Motion for leave to file petition for writ of mandamus and/or prohibition submitted by Mr. Claude R. Branch in behalf of counsel for the petitioner.

No. 272. Chicago Frog & Switch Company, petitioner, *v.* The United States. Leave granted to file brief of Funch, Edye & Co., Inc., and the Associated Operating Company as *amici curiae*, on motion of Mr. John A. Kratz in that behalf.

No. 273. Kunglig Jarnvagsstyrelsen, petitioner, *v.* Dexter & Carpenter, Inc. Leave granted to file statement of Kingdom of Sweden covering petitioner's legal status and claim of immunity, on motion of Mr. J. Harry Covington in behalf of V. Assarsson, Chargé d'Affaires a. i. of the Kingdom of Sweden.

No. 344. Charles A. Corliss, petitioner, *v.* Frank K. Bowers, Collector, etc. Leave granted to file brief of Marcel E. Cerf et al., as *amici curiae*, on motion of Mr. Matthew E. O'Brien in that behalf.

No. 579, of October Term, 1928. International Shoe Company, appellant, *v.* Stratton Shartell, Attorney General, etc., et al. Leave granted to file supplement to the petition for a rehearing on motion of Mr. J. D. Williamson for the appellant.

No. 347. Edward Eliason et al., appellants, *v.* Charles Wilborn et al. Motion of Clayton F. Smith, Registrar of Titles of Cook County, Ill., for leave to appear as *amicus curiae* or to intervene as a party and to dismiss for want of jurisdiction, submitted by Mr. J. Scott Matthews in that behalf.

No. 17, Original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. Leave granted to

file reply of the complainant to the answer of the defendant State of New York, on motion of Mr. Duane E. Minard for the complainant.

No. 18, original. The State of New Jersey, complainant, *v.* The City of New York. Leave granted to file reply of complainant to the answer of the defendant, and motion for the appointment of a Special Master submitted by Mr. Duane E. Minard for the complainant, and by Mr. Arthur J. W. Hilley for the defendant.

No. 254. New Jersey Bell Telephone Company, appellant, *v.* State Board of Taxes and Assessment, etc. Motion to advance submitted by Mr. Duane E. Minard for the appellee.

No. —, original. *Ex parte*: In the matter of Northern Pacific Railway Company, et al., petitioners. Motion for leave to file petition for a writ of mandamus and motion for leave to amend and supplement petition for writ of mandamus, submitted by Mr. John Spaulding Flannery, in behalf of Mr. Bruce Scott, Mr. H. H. Fields, Mr. F. G. Dorety, Mr. M. S. Gunn, and Mr. Dennis F. Lyons for the petitioners.

No. 336. J. Du Pratt White et al., appellants, *v.* Sparkill Realty Corporation et al. Motion to advance submitted by Mr. Walter H. Pollak for the appellants, and suggestions in support thereof submitted by Mr. Jackson A. Dykman for the appellees.

No. 226. Thomas A. Early, Receiver, etc., petitioner, *v.* Federal Reserve Bank of Richmond. Leave granted to file brief of J. W. Pole, Comptroller of the Currency of the United States, as *amicus curiae*, on motion of Mr. George P. Barse in that behalf.

No. 162. M. G. McNair, as Receiver, etc., petitioner, *v.* F. Kamer Darragh. Joseph A. Gamble, as Receiver of the England National Bank of Little Rock, substituted as the party petitioner, on motion of Mr. George P. Barse in behalf of counsel for the petitioner.

No. 94. John F. Sherry, petitioner, *v.* The Baltimore & Ohio Railroad Company. Leave granted to file brief of the respondent on motion of Mr. Union C. DeFord for the respondent.

No. 240. Pennsylvania Railroad Company, petitioner, *v.* Harry W. Lutton. Leave granted to file brief of the respondent on motion of Mr. John Ruffalo for the respondent.

No. 19. Alexander Sprunt & Sons, Inc., et al., appellants, *v.* The United States of America et al. Motion to pass and assign submitted by Mr. R. C. Fulbright for the appellants.

No. 9. Hugh W. Grant, Receiver, etc., petitioner, *v.* A. B. Leach & Company, Inc. Motion of Hugh W. Grant, Trustee in bankruptcy, for leave to intervene as a party petitioner, submitted by Mr. Andrew M. Henderson in support of the motion, and by Mr. Conrad H. Poppenhusen, Mr. Edward R. Johnston, and Mr. Henry Jackson Darby for the respondents, in opposition thereto.

No. 299. Bickett Coal & Coke Company, petitioner, *v.* The United States. Motion to remand for additional findings of fact submitted by Mr. Josephus C. Trimble for the petitioner.

No. 267. Geo. T. Cottingham et al., appellants, *v.* Frank G. Snook, as Chief of Division of Motor Vehicles, etc. Motion to consolidate with case No. 86 for hearing as one case submitted by Mr. Abbott P. Mills, in behalf of counsel for the appellants.

No. 19, Original. The State of New Jersey, complainant, *v.* The State of Delaware. Leave granted to file answer of the defendant on motion of Mr. Reuben Satterthwaite, jr., for the defendant.

No. 306. May Cook, petitioner, *v.* The United States of America. Leave granted to file brief for the petitioner on motion of Mr. Allen W. Comstock for the petitioner.

No. 4, Original. State of Nevada, complainant, *v.* Crown Wilamette Paper Company. Leave granted to file stipulation of counsel to continue case, on motion of Mr. Lawrence H. Cake in behalf of counsel.

No. 283. Peter A. Lorenz et al., petitioners, *v.* James S. Mabon et al. Leave granted to file brief of the respondents, on motion of Mr. Robert F. Cogswell in behalf of counsel for the respondent.

No. 578, of October Term, 1928. The Macallen Company, appellants, *v.* Commonwealth of Massachusetts. Leave granted to file brief of the State of New York, as *amicus curiae*, on motion of Mr. Robert Ash in behalf of Mr. Hamilton Ward for the State of New York.

No. 578, of October Term, 1928. The Macallen Company, appellant, *v.* Commonwealth of Massachusetts. Motion for leave to file brief of the American Bankers Association, as *amicus curiae*, submitted by Mr. Edward F. Colladay in that behalf.

No. 578, of October Term 1928. The Macallen Company, appellant, *v.* Commonwealth of Massachusetts. Motion for leave to file brief of Massachusetts National Bank Association, as *amicus curiae*, submitted by Mr. Philip Nichols in that behalf.

No. 360. Behn, Meyer & Company, Limited, petitioner, *v.* Howard Sutherland, as Alien Property Custodian et al. Motion for leave to file brief of W. D. Guthrie, Isadore J. Kresel, and Bernard Hershkopf, submitted by Mr. Charles H. Bradley in support of the motion, and by Mr. Spencer Gordon for the petitioner, in opposition thereto.

No. 89. The Texas & Pacific Railway Company, petitioner, *v.* Mrs. Wallace Guidry, Administratrix, etc. Leave granted to file brief of respondent, on motion of Mr. Wright Patman in that behalf.

No. 90. James S. Harrington et al., appellants, *v.* James Sloan. Motion to dismiss or affirm submitted by Mr. J. A. C. Kennedy and Mr. Charles L. McLaughlin for the appellee in support of the motion,

and by Mr. Wymer Dressler and Mr. Robert D. Neely for the appellants in opposition thereto.

No. 206. Allen & Reed, Inc., appellant, *v.* Walter A. Presbrey et al. Motion to dismiss submitted by Mr. Elmer S. Chace for the appellees in support of the motion, and by Mr. William W. Moss for the appellant, in opposition thereto.

No. 91. Suncrest Lumber Company appellant, *v.* North Carolina Park Commission, Eugene C. Brooks, D. M. Buck, et al. Appeal from the District Court of the United States for the Western District of North Carolina. Dismissed with costs pursuant to paragraph 2 of Rule 13.

No. 223. Aetna Life Insurance Company, petitioner, *v.* Fred H. Allen, Administrator of the Estate of Arthur N. Dority and Carrie J. Dority. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Dismissed per stipulation of counsel.

No. 190. Jennie V. David, petitioner, *v.* Thomas D. Hubbard, as Trustee, etc.; and

No. 191. William V. David, petitioner, *v.* Thomas D. Hubbard as Trustee. Motion for leave to proceed in *forma pauperis* submitted by Mr. Elwood G. Hubert for the petitioners.

No. 269. Robert G. Meadows, petitioner, *v.* The United States of America. Motion for leave to proceed in *forma pauperis* submitted by Mr. Jean S. Breitenstein for the petitioner.

No. 388. Anthony Brown et al., petitioners, *v.* The State of California. Motion for leave to proceed in *forma pauperis* submitted by Mr. George C. Faulkner and Mr. J. J. Henderson for the petitioners.

No. 72. The Second National Bank of Saginaw, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Theodore B. Benson for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Joseph H. Sheppard for the respondent.

No. 74. Arthur E. Colgate, Administrator of the Estate of Clinton G. Colgate, deceased, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George A. King, Mr. Louis Titus, and Mr. C. Bascom Slemper for the petitioner, and by Mr. Solicitor General Hughes and Mr. Assistant Attorney General Galloway for the respondent.

No. 76. Dampskibsselskabet Norden, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Charles R. Hickox for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. J. Frank Staley for the respondent.

No. 78. Piedmont Grocery Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Harry G. Fisher for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Fred K. Dyar for the respondent.

No. 80. E. J. Kelly, petitioner, *v.* F. E. Watkins, Paul S. Cotner, et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. E. E. Blake for the petitioner, and by Mr. J. B. Moore for the respondents.

No. 81. Employers' Liability Assurance Corporation, etc., petitioner, *v.* Mrs. Myrtis Cook et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Clyde A. Sweeton and Mr. W. A. Vinson for the petitioner, and by Mr. D. A. Simmons for the respondents.

No. 82. William M. Abbott, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. John F. McCarron and Mr. George E. Hamilton for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Fred K. Dyar for the respondent.

No. 83. Higginbotham-Bailey-Logan Company et al., petitioners, *v.* International Shoe Company (Peters Branch) et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Lee Gammage Carter for the petitioners.

No. 84. Benjamin Rogers, petitioner, *v.* Canadian National Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. William R. Walsh and Mr. Joseph Walsh for the petitioner, and by Mr. H. R. Martin and Mr. Leo J. Carrigan for the respondent.

No. 85. Hugh Wilhite, W. N. Pittman, Harris L. Moore, Trustees, etc., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. L. L. Hamby and Mr. Henry J. Richardson for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Fred K. Dyar for the respondent.

No. 87. The Baltimore & Ohio Southwestern Railroad Company, petitioner, *v.* Lula Carroll, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Indiana submitted by Mr. William A. Eggers, Mr. Morison R. Waite, and Mr. Cassius W. McMullen for the petitioner, and by Mr. William J. Hughes and Mr. O. H. Montgomery for the respondent.

No. 88. A. S. Foster, petitioner, *v.* Alabama Dry Dock and Shipbuilding Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by

Mr. Palmer Pillans for the petitioner, and by Mr. Harry H. Smith for the respondent.

No. 89. The Texas and Pacific Railway Company, petitioner, *v.* Mrs. Wallace Guidry, Administratrix, etc. Petition for writ of certiorari to the Court of Civil Appeals, Sixth Supreme Judicial District, State of Texas, submitted by Mr. T. D. Gresham for the petitioner and by Mr. S. P. Jones for the respondent.

No. 92. Robert H. Blair, as Commissioner of Internal Revenue, petitioner, *v.* North Texas Lumber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Attorney General Mitchell, Assistant Attorney General Willebrandt, Mr. Alfred A. Wheat, and Mr. Randolph C. Shaw for the petitioner, and by Mr. Albert B. Hall for the respondent.

No. 93. Anita H. Cooper, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Wayne Johnson for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Lisle A. Smith, and Mr. Henry A. Cox for the respondent.

No. 94. John F. Sherry, petitioner, *v.* The Baltimore & Ohio Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Andrew M. Henderson for the petitioner and by Mr. Union C. De Ford for the respondent.

No. 95. Compagnie Generale Transatlantique, petitioner, *v.* The American Tobacco Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph P. Nolan and Mr. Anthony J. Ernest for the petitioner, and by Mr. Jonothan H. Holmes, Mr. John David Lannon, and Mr. Clinton Robb for the respondent.

No. 96. County of Gallatin, J. S. Taylor, as Treasurer, etc., et al., petitioners, *v.* Yellowstone Park Transportation Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. T. J. Walsh for the petitioners, and by Mr. T. B. Weir for the respondent.

No. 97. Minetta G. Cutting, petitioner, *v.* Mahlon R. Bryan, Spencer K. Mulford, et al. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. Peter F. Dunne for the petitioner, and by Mr. John L. McNab for the respondents.

No. 99. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* Guy C. Earl. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Attorney General Mitchell, Assistant Attorney Gen-

eral Willebrandt, Mr. Alfred A. Wheat, and Mr. Millar E. McGilchrist for the petitioner, and by Mr. Warren Olney, Jr., and Mr. J. M. Mannon, Jr., for the respondent.

No. 100. Mrs. Annie S. Jones, as Administratrix, etc., petitioner, *v.* Parnell Whaley, as Administratrix, etc., et al. Petition for writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. William C. Wolfe for the petitioner, and by Mr. A. J. Hydrick and Mr. Adam H. Moss for the respondents.

No. 101. Wilbert J. McCloskey, Trading as The McCloskey Torch Company, petitioner, *v.* The Toledo Pressed Steel Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George E. Kirk for the petitioner.

No. 102. Francis C. McDonald et al., petitioners, *v.* State of Louisiana ex rel. Dema Realty Company. Petition for writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. W. J. Waguespack and Mr. W. J. Waguespack, jr., for the petitioners.

No. 103. Percy Jay Fuller, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Stanley C. Fowler for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 105. William Morgan, petitioner, *v.* The United States of America; and

No. 106. Henry Hust, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James Hamilton Lewis, Mr. Benjamin P. Epstein, and Mr. Bernhardt Frank for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 107. John C. Prendergast, petitioner, *v.* Silverado Steamship Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William Martin and Mr. J. O. Davies for the petitioner, and by Mr. Frank A. Huffer, Mr. W. H. Hayden, Mr. F. T. Merritt, and Mr. Lane Summers for the respondent.

No. 108. Frederick J. Mohr and Walter R. Mohr, Executors, etc., petitioners, *v.* A. Bruce Bielaski, Trustee, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Murray Corrington for the petitioners.

No. 109. Wilson Banking Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. M. Pepper for the petitioner, and by Mr. Solicitor General Hughes, Mr. Sewall Key, and Mr. Harvey R. Gamble for the respondent.

No. 110. Pauline V. Beyer, doing business as Portland Hotel, petitioner, *v.* Harold M. Smith. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Daniel Thew Wright and Mr. Philip Ershler for the petitioner.

No. 111. The H. Kobacker & Sons Company, petitioner, *v.* Norwich Union Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. James I. Boulger for the petitioner, and by Mr. H. A. Hauxhurst for the respondent.

No. 112. Guaranty Trust Company of New York et al., petitioners, *v.* Noxon Chemical Products Company, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William C. Cannon for the petitioners, and by Mr. Robert Carey for the respondents.

No. 114. Frederick C. Renziehausen, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Seifert and Mr. William Wallace Booth for the petitioner, and by Mr. Solicitor General Hughes, Mr. J. Louis Monarch, and Mr. John Vaughan Groner for the respondent.

No. 116. Loewer Realty Company, petitioner, *v.* Charles W. Anderson, individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. E. Barrett Prettyman, Mr. Karl D. Loos, and Mr. Arthur B. Hyman for the petitioner, and by Mr. Solicitor General Hughes, Mr. John Vaughan Groner, and Mr. C. M. Charest for the respondent.

No. 117. International-Great Northern Railroad Company and American Bonding Company of Baltimore, petitioners, *v.* W. A. Hailey. Petition for writ of certiorari to the Court of Civil Appeals, Tenth Supreme Judicial District, State of Texas, submitted by Mr. W. L. Cook and Mr. Frank Andrews for the petitioners.

No. 118. Florsheim Brothers Drygoods Co., Ltd., petitioner *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. H. Randolph for the petitioner, and by Mr. Solicitor

General Hughes, Mr. Sewall Key, and Mr. Barham R. Gary for the respondent.

No. 120. Galveston Dry Dock & Construction Company, petitioner, *v.* United States Shipping Board Merchant Fleet Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Brantly Harris and Mr. John David Watkins for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, and Mr. J. Frank Staley for the respondent.

No. 121. Charles H. Clark and Clark Car Company, etc., petitioners, *v.* Frank J. Lanahan and Clark Car Company, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. John M. Freeman and Mr. William L. Day for the petitioners, and by Mr. Owen J. Roberts and Mr. John S. Weller for the respondents.

No. 122. Federal Radio Commission, petitioner, *v.* General Electric Co., et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Louis G. Caldwell and Mr. Paul M. Segal for the petitioner, and by Mr. Frank J. Hogan, Mr. William H. Donovan, Mr. Charles E. Hughes, and Mr. Allen S. Hubbard for the respondents.

No. 123. Royal Insurance Co., Ltd., et al., petitioners, *v.* U. S. Shipping Board Merchant Fleet Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John C. Crawley for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, and Mr. J. Frank Staley for the respondent.

No. 124. National City Bank, petitioner, *v.* Edward Carter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. A. Longstreet Heiskell for the petitioner, and by Mr. Sam O. Bates and Mr. Walter Chandler for the respondent.

No. 125. The United States of America, petitioner, *v.* Sidney B. Sligh. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, Mr. W. Clifton Stone, and Mr. James T. Brady for the petitioner, and by Mr. Loy J. Molumby for the respondent.

No. 126. J. E. Thomas, petitioner, *v.* Jay Gates, Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Joseph W. Cox for the petitioner.

No. 127. Universal Battery Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by

Mr. George Maurice Morris for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. R. C. Williamson for the respondent.

No. 128. The United States, petitioner, *v.* American Can Company;

No. 129. The United States, petitioner, *v.* Missouri Can Company; and

No. 130. The United States, petitioner, *v.* Detroit Can Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Hughes, Assistant Attorney General Willebrandt, and Mr. Millar E. McGilchrist for the petitioner, and by Mr. Graham Sumner for the respondents.

No. 131. William P. Whitaker, petitioner, *v.* The United States of America; and

No. 132. John Joseph McCann, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Silas B. Axtell for the petitioner in No. 131, by Mr. John Joseph McCann, *pro se*, in No. 132, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, and Mr. Frank S. Ridgely for the respondent.

No. 134. Ralph W. Harbison, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 135. Joseph Hudson Brooks, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 136. James E. Lewis, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 137. Lee C. Morganroth, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 138. Harry William Croft, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 139. Raymond Willey, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 140. William Walker, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 141. R. H. Youngman, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 142. Otto M. Reif, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 143. Elizabeth W. Pontefract, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 144. William Albert Harbison, petitioner, *v.* C. G. Llewellyn, formerly Collector, etc.;

No. 145. Emma J. Harbison, petitioner, *v.* C. G. Lewellyn, formerly Collector, etc.;

No. 146. Nin McQuillen, petitioner, *v.* C. G. Lewellyn, formerly Collector, etc.;

No. 147. Kenneth Seaver, petitioner, *v.* C. G. Lewellyn, formerly Collector, etc.; and

No. 148. P. R. Hilleman, petitioner, *v.* C. G. Lewellyn, formerly Collector, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. E. McCloskey, jr., and Mr. F. H. Atwood for the petitioners, and by Mr. Solicitor General Hughes, Mr. Howard T. Jones, and Mr. Millar E. McGilchrist for the respondent.

No. 150. Montgomery Cotton Mills (Inc.), petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. H. Stanley Hinrichs for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. R. C. Williamson for the respondent.

No. 151. Ward Baking Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Robert N. Miller and Mr. Stuart Chevalier for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. McClure Kelley for the respondent.

No. 152. Paul G. Huckins, petitioner, *v.* Willis B. Smith, as Trustee in Bankruptcy, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank S. Quinn for the petitioner, and by Mr. Will Steel for the respondent.

No. 153. United States ex rel. American Silver Products Association et al., petitioners, *v.* Andrew W. Mellon, Secretary, etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Charles S. Thomas, Mr. J. Harry Covington, Mr. George K. Thomas, and Mr. Spencer Gordon for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, and Mr. John T. Fowler, jr., for the respondent.

No. 154. American Surety Co. of New York, petitioner, *v.* Blount County Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Douglas Arant for the petitioner.

No. 155. R. P. Shick, Assignee of Walter G. Roland, petitioner, *v.* W. A. Goodman, Trustee of H. M. Albright. Petition for writ of certiorari to the United States Circuit Court of Appeals for the

Third Circuit submitted by Mr. Robert P. Shick for the petitioner, and by Mr. Caleb J. Bieber for the respondent.

No. 156. Abe Schefman et al., etc., petitioners, *v.* Edward De-groot, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Clare J. Hall for the petitioners.

No. 157. Trinidad Asphalt Manufacturing Co., petitioner, *v.* Western Willete Co., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Howard G. Cook for the petitioner, and by Mr. S. Mayner Wallace, Mr. Gurney E. Newlin, and Mr. George Eigel for the respondents.

No. 158. Fidelity and Deposit Co. of Maryland, petitioner, *v.* I. Townsend Burden. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph F. Murray for the petitioner, and by Mr. Charles S. Aronstam for the respondent.

No. 159. Fidelity and Deposit Co. of Maryland, petitioner, *v.* I. Townsend Burden. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph F. Murray for the petitioner, and by Mr. Charles S. Aronstam for the respondent.

No. 160. William H. Gill, petitioner, *v.* Norman H. Smith, Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Carey Van Fleet for the petitioner, and by Mr. Malcolm McAvoy for the respondent.

No. 161. Jonesboro Grocer Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Donald Horne for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. Charles R. Pollard for the respondent.

No. 162. Joseph A. Gamble, as Receiver, etc., petitioner, *v.* F. Kamer Darragh. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. P. A. Lasley and Mr. H. M. Trieber for the petitioner, and by Mr. Ashley Cockrill and Mr. H. M. Armistead for the respondent.

No. 163. John L. Mimnaugh, Jr., Executor, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. L. L. Hamby for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Henry A. Cox for the respondent.

No. 166. G. L. Ramsey and Alice M. Ramsey, petitioners, *v.* The City of Oxford, etc., et al. Petition for writ of certiorari to the

United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John J. Jones, Mr. B. R. Leydig, and Mr. K. M. Geddes for the petitioners, and by Mr. W. A. Ayres, Mr. Austin M. Cowan, and Mr. Chester I. Long for the respondents.

No. 168. Mrs. Walker M. Long, Temporary Administratrix, etc., petitioners, *v.* American Railway Express Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Beeman Strong and Mr. Will E. Orgain for the petitioners.

No. 170. The United States, petitioner, *v.* Frederic J. Middlebrook, as Receiver of Hudson Navigation Company, et al. Petition for writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Hughes, and Mr. Assistant Attorney General Galloway for the petitioner, and by Mr. C. C. Carlin, Mr. M. Carter Hall, and Mr. Leslie C. Garnett for the respondents.

No. 171. Cleveland, Cincinnati, Chicago & St. Louis Railway Company, petitioner, *v.* Louis N. Kepner. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Charles A. Houts, Mr. S. W. Baxter, and Mr. H. N. Quigley for the petitioner, and by Mr. Patrick J. Cullen for the respondent.

No. 172. New York Life Insurance Company, petitioner, *v.* Valentine Gits. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Homer H. Cooper, Mr. Samuel Topliff, and Mr. Louis H. Cooke for the petitioner, and by Mr. Daniel M. Dever for the respondent.

No. 174. Alvaro Boera and Ramon J. Boera, copartners, etc., petitioners, *v.* The Steamship "Buckleigh," her engines, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank I. Finkler for the petitioners and by Mr. L. de Grove Potter for the respondents.

No. 175. Warren E. Burns, Williard A. Walsh, et al., petitioners, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph F. Murray for the petitioners, and by Mr. Solicitor General Hughes, Mr. Randolph C. Shaw, and Mr. John Vaughan Groner for the respondent.

No. 176. Arthur J. Dibble, petitioner, *v.* Unadilla Valley Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. David F. Lee for the petitioner, and by Mr. Merritt Bridges for the respondent.

No. 177. Frank J. Wolber, petitioner, *v.* Ford Motor Company. Petition for writ of certiorari to the United States Circuit Court of

Appeals for the Seventh Circuit submitted by Mr. Harold A. Smith for the petitioner, and by Mr. Clifford B. Longley and Mr. George T. Buckingham for the respondent.

No. 178. William Cade, petitioner, *v.* Catherine Holt et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. T. Armstrong for the petitioner.

No. 179. The United States Fidelity & Guaranty Company, petitioner, *v.* John F. Guenther. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. M. Horn for the petitioner, and by Mr. James G. Bachman for the respondent.

No. 180. John T. Burkett, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. W. House and Mr. C. H. Moses for the petitioner, and by Mr. Solicitor General Hughes, Mr. Howard T. Jones, and Mr. Morton P. Fisher for the respondent.

No. 181. Griffith Henshaw, Executor, etc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Allen L. Chickering and Mr. Walter C. Fox, jr., for the petitioner, and by Mr. Solicitor General Hughes, Mr. Sewall Key, and Mr. John Vaughan Groner for the respondent.

No. 182. The Greylock Mills, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Sanford Robinson for the petitioner, and by Mr. Solicitor General Hughes, Mr. Sewall Key, and Mr. Millar E. McGilchrist for the respondent.

No. 185. Tracy Waldron Fruit Company, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the District Court of Appeals, First Appellate District, State of California, submitted by Mr. R. F. Gaines for the petitioner, and by Mr. Henley C. Booth for the respondent.

No. 186. Painless Parker Dentist, petitioner, *v.* The People of the State of Colorado. Petition for writ of certiorari to the Supreme Court of the State of Colorado submitted by Mr. J. S. Breitenstein for the petitioner, and by Mr. Charles H. Haines for the respondent.

No. 187. Judice Co., Incorporated, and Louisiana Western Railroad Company, petitioners, *v.* Village of Scott. Petition for writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. Harry McCall for the petitioners.

No. 188. James C. Davis, Federal Agent, petitioner, *v.* Mrs. Mary Preston, Administratrix. Petition for writ of certiorari to the Supreme Court of the State of Texas submitted by Mr. W. L. Cook and Mr. Sidney F. Andrews for the petitioner.

No. 189. Nelson V. McMullen, petitioner, *v.* W. D. Lewis et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Henry Simms and Mr. Wm. Bullitt Dixon for the petitioner, and by Mr. George E. Price and Mr. Robert S. Spillman for the respondents.

No. 192. Southern Pacific Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. William R. Harr and Mr. Charles H. Bates for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, Mr. George C. Butte, and Mr. Louis R. Mehlinger for the respondent.

No. 194. Adrien Hebert, petitioner, *v.* First National Bank of Abbeville. Petition for writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. Charles A. McCoy for the petitioner, and by Mr. Philip S. Pugh for the respondent.

No. 195. Richard S. Woodliff, petitioner, *v.* Citizens Building and Realty Co. et al. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Richard S. Woodliff, *pro se*, and by Mr. Larry S. Davidow for the respondents.

No. 196. Chicago, Rock Island and Pacific Railway Company, petitioner, *v.* Rollin E. Talbert, Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. M. L. Bell, Mr. W. F. Dickinson, Mr. Luther Burns, Mr. Henry S. Conrad, Mr. L. E. Durham, and Mr. Thomas P. Littlepage for the petitioner, and by Mr. Horace Guffin for the respondent.

No. 197. The Public Service Commission of Indiana et al., petitioners, *v.* The Vincennes Water Supply Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Arthur L. Gilliom and Mr. James M. Ogden for the petitioners, and by Mr. Clyde H. Jones for the respondent.

No. 198. The Aluminum Castings Company, petitioner, *v.* Carl F. Routzahn, individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John T. Scott for the petitioner, and by Mr. Solicitor General Hughes, Mr. Sewall Key, and Mr. Millar E. McGilchrist for the respondent.

No. 201. The Frank Miller Company, petitioner, *v.* The Bassick Manufacturing Company. Petition for writ of certiorari to the

United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frank S. Busser for the petitioner, and by Mr. Lynn A. Williams for the respondent.

No. 202. Hubert Bosarge and Clarence Ladnier, petitioners, *v.* The State of Alabama. Petition for writ of certiorari to the Court of Appeals of the State of Alabama submitted by Mr. Harry H. Smith for the petitioners, and by Mr. Charlie C. McCall for the respondent.

No. 203. The Monongahela West Penn Public Service Corporation, petitioner, *v.* George Albey. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Lawrence R. Pugh for the petitioner, and by Mr. Roy N. Merryman for the respondent.

No. 204. Missouri Pacific Railroad Company, petitioner, *v.* James Wheeler. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Edward J. White and Mr. Harry R. Stocker for the petitioner, and by Mr. W. H. Douglass for the respondent.

No. 205. Fort Dodge, Des Moines & Southern Railroad Company, petitioner, *v.* Herbert Yarn. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James C. Davis and Mr. A. A. McLaughlin for the petitioner, and by Mr. Donald Evans for the respondent.

No. 207. O. B. Morrisette, petitioner, *v.* Boulevard Bridge Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Claudian B. Northrop for the petitioner, and by Mr. E. Randolph Williams for the respondent.

No. 208. Richmond Screw Anchor Co. (Inc.), petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. O. Ellery Edwards, Mr. Wm. Houston Kenyon, Mr. Archibald Cox, Mr. Joseph W. Cox, Mr. Douglas H. Kenyon, and Mr. F. M. Sheffield for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. Henry A. Cox for the respondent.

No. 209. Louisville & Nashville Railroad Company, petitioner, *v.* George Bush. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Ashby M. Warren and Mr. Harold R. Small for the petitioner, and by Mr. Thomas T. Fauntleroy and Mr. P. H. Cullen for the respondent.

No. 210. City of Gainesville, petitioner, *v.* Brown-Crummer Investment Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. O. Davis for the petitioner, and by Mr. John T. Suggs, Mr. James G. Martin, Mr. Rhodes S. Baker, Mr. Alex. F. Weisberg, and Mr. F. C. Dillard for the respondent.

No. 211. Henry T. Read, by J. Harrington Edwards, Attorney in Fact, petitioner, *v.* Ray Lyman Wilbur, Secretary, etc., et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Charles R. Pierce for the petitioner, and by Mr. Solicitor General Hughes, Mr. Seth W. Richardson, Mr. Claude R. Branch, and Mr. Perry G. Michener for the respondents.

No. 212. New York Central Railroad Company, petitioner, *v.* Donato Marcone, as Administrator, etc. Petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. Albert C. Wall for the petitioner.

No. 213. Alice G. Kales, petitioner, *v.* Fred L. Woodworth, individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Hal H. Smith and Mr. Archibald Broomfield for the petitioner, and by Mr. Solicitor General Hughes, Mr. Sewall Key, and Mr. J. Louis Monarch for the respondent.

No. 214. United States of America, on the petition of Marinelli Rocco, etc., petitioner, *v.* Arthur J. Karnuth, District Director of Immigration, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Irving W. Cole for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondents.

No. 215. Reynolds Mortgage Company, petitioner, *v.* Abraham Lincoln Life Insurance Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Ernest May for the petitioner, and by Mr. J. H. Barwise for the respondent.

No. 216. Emma Owens, petitioner, *v.* Juriman C. Hudson, as Administrator, etc. Petition for writ of certiorari to the Court of Appeals, Eighth Judicial District, Cuyahoga County, State of Ohio, submitted by Mr. Alexander H. Martin for the petitioner, and by Mr. James C. Waters, jr., for the respondent.

No. 217. Det Forenede Dampskibs Selskab, petitioner, *v.* Insurance Company of North America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Ira A. Campbell for the petitioner, and by Mr. D. Roger Englar and Mr. Oscar R. Houston for the respondent.

No. 218. Joseph Rosenberg and Isadore Rosenberg, copartners, etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Nat Schmulowitz for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Claude R. Branch for the respondent.

No. 219. John C. Lynch, as Receiver, etc., petitioner, *v.* International Banking Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. A. A. DeLigne and Mr. A. E. Shaw for the petitioner, and by Mr. Marcel E. Cerf for the respondent.

No. 220. General Electric Company and Ernest Stoffregen, petitioners, *v.* Thomas E. Robertson, Commissioner of Patents. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Harrison F. Lyman, Mr. Frederick P. Fish, and Mr. Charles E. Tullar for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. Harry E. Knight for the respondent.

No. 221. Royal Baking Powder Company, petitioner, *v.* Federal Trade Commission et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Matthew E. O'Brien and Mr. Matthew H. O'Brien for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Robert E. Healy, Mr. Adrien F. Busick, and Mr. Martin A. Morrison for the respondents.

No. 222. State of Missouri at the relation of Missouri Insurance Company, petitioner, *v.* Frederick Gehner, as Assessor, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. James C. Jones, Lon O. Hocker, Mr. Frank H. Sullivan, Mr. James C. Jones, Jr., and Mr. Ralph T. Finley for the petitioner, and by Mr. Julius T. Muench and Mr. Oliver Senti for the respondents.

No. 224. Johnson-Wentworth Company, petitioner, *v.* Joseph G. McDonough. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles Neave for the petitioner, and by Mr. Amasa C. Paul for the respondent.

No. 225 Arabella E. Bodkin, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Patrick H. Loughran for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. J. Robert Anderson for the respondent.

No. 226. Thomas A. Early, Receiver, etc., petitioner, *v.* Federal Reserve Bank of Richmond. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. R. E. Whiting for the petitioner, and by Mr. M. G. Wallace for the respondent.

No. 227. Illinois Coal Corporation, petitioner, *v.* American Mine Equipment Company et al.; and

No. 228. Illinois Coal Corporation, petitioners, *v.* American Mine Equipment Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. S. O. Levinson and Mr. Benjamin V. Becker for the petitioner, and by Mr. Silas H. Strawn, Mr. Lawrence T. Allen, Mr. Bertram F. Shipman, Mr. Gilbert E. Porter, and Mr. Edward K. Hanlon for the respondents.

No. 229. District of Columbia, petitioner, *v.* Charles H. Fred, alias Hamilton C. Fred. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. William W. Bride for the petitioner.

No. 230. Texas Power & Light Company, petitioner, *v.* Fairbanks Morse & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joe A. Worsham for the petitioner, and by Mr. B. L. Agerton for the respondent.

No. 231. Texas Electric Service Company, petitioner, *v.* Fairbanks Morse & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joe A. Worsham for the petitioner, and by Mr. B. L. Agerton for the respondent.

No. 232. The Home Insurance Company et al., petitioners, *v.* C. J. Dick, Texas & Gulf Steamship Company, et al. Petition for writ of certiorari to the Supreme Court of the State of Texas submitted by Mr. David Rumsey and Mr. Mark W. Maclay for the petitioners, and by Mr. H. C. Hughes, Mr. John Neethe, and Mr. John L. Darrouzet for the respondents.

No. 233. Ringling Trust & Savings Bank et al., petitioners, *v.* Whitfield Estates, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Herbert Sawyer for the petitioners, and by Mr. John C. Cooper and Mr. H. P. Adair for the respondent.

No. 234. C. A. Marrs et al., petitioners, *v.* The City of Oxford et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Harry W. Hart for the petitioners, and by Mr. W. A. Ayres, Mr. Austin M. Cowan, and Mr. Chester I. Long for the respondents.

No. 236. Britain Steamship Company, Ltd., petitioner, *v.* Munson Steamship Line. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles R. Hickox for the petitioner, and by Mr. Mark W. Maclay for the respondent.

No. 239. American Sales Corporation, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United

States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. T. W. Gregory and Mr. James W. Wayman for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Claude R. Branch for the respondent.

No. 240. The Pennsylvania Railroad Company, petitioner, *v.* Harry W. Lutton. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederic D. McKenney, Mr. Union C. DeFord, and Mr. Norman A. Emery for the petitioner, and by Mr. John Ruffalo for the respondent.

No. 241. Navigazione Libera Triestina, S. A., petitioner, *v.* Robins Drydock & Repair Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Homer L. Loomis for the petitioner, and by Mr. E. Curtis Rouse and Mr. Harold Harper for the respondent.

No. 242. Transoceanica Societa Italiana Di Navigazione, petitioner, *v.* Patent Vulcanite Roofing Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Homer L. Loomis for the petitioner, and by Mr. D. Roger Englar and Mr. Arthur W. Clement for the respondent.

No. 243. Norman Lee Freeman, for himself, etc., petitioner, *v.* Timothy Nolan Hopkins. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James Henry Longden for the petitioner.

No. 244. John Lee Mahin, petitioner, *v.* The Positype Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Caruthers Ewing for the petitioner, and by Mr. R. Randolph Hicks for the respondent.

No. 246. Charles P. Howard and International Typographical Union, etc., petitioners, *v.* Walter J. Weissman, James F. Carr, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Robert N. Golding and Mr. Wymouth Kirkland for the petitioners, and by Mr. Frank C. Dailey for the respondents.

No. 248. Victorio Nogueira, petitioner, *v.* The New York, New Haven & Hartford Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Humphrey J. Lynch for the petitioner, and by Mr. John M. Gibbons and Mr. Edward R. Brumley for the respondent.

No. 249. John G. Lonsdale, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the

United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Robert A. Littleton for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. Sewall Key for the respondent.

No. 250. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Ox Fibre Brush Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Solicitor General Hughes, and Mr. Morton P. Fisher for the petitioner, and by Mr. Albert L. Hopkins and Mr. Merritt Starr for the respondent.

No. 251. Rockwood Corporation of St. Louis, petitioner, *v.* Bricklayer's Local Union No. 1, of St. Louis, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Mat J. Holland and Mr. George Eigel for the petitioner, and by Mr. T. J. Rowe and Mr. Thomas J. Rowe, jr., for the respondent.

No. 252. John Hirschi, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Wade H. Ellis and Mr. Don F. Reed for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Lisle A. Smith for the respondent.

No. 253. New Orleans Bank & Trust Company, petitioner, *v.* Mike S. Hart, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Henry P. Dart, jr., for the petitioner.

No. 255. Missouri Pacific Railroad Company, petitioner, *v.* Emma Crouch, Administratrix. Petition for writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. W. P. Waggener and Mr. J. M. Challiss for the petitioner, and by Mr. T. S. Salathiel for the respondent.

No. 256. Charles H. Johnson, petitioner, *v.* Mary N. McCloud, a Free Dealer. Petition for writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. Giles J. Patterson for the petitioner, and by Mr. William E. Kay, Mr. Thomas B. Adams, and Mr. J. T. G. Crawford for the respondent.

No. 257. Frances Perry, petitioner, *v.* Capital Traction Company; and

No. 258. Lulu K. Perry, petitioner, *v.* Capital Traction Company. Petition for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Hyman M. Goldstein for the petitioners, and by Mr. Frank J. Hogan and Mr. Edmund L. Jones for the respondent.

No. 259. Eda Matthiessen, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. M. F. Gallagher and Mr. Samuel M. Rinaker for the petitioner,

and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Fred K. Dyar for the respondent.

No. 260. Southern Surety Company et al., petitioners, *v.* Commercial Casualty Insurance Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James L. Parrish and Mr. Donald Thompson for the petitioners, and by Mr. John M. Freeman for the respondents.

No. 261. William Miller, petitioner, *v.* H. J. McLaughlin, Secretary, etc. Petition for writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. A. Henry Walter for the petitioner.

No. 262. Osage County Motor Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles B. Wilson, jr., for the petitioner, and by Mr. Solicitor General Hughes, Mr. Seth W. Richardson, Mr. Claude R. Branch, and Mr. Pedro Capo-Rodriguez for the respondent.

No. 263. Emmons Coal Mining Corporation and The Fidelity & Deposit Company of Maryland, petitioners, *v.* Sir R. Ropner & Company, Ltd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. T. Manning, jr., for the petitioners, and by Mr. H. Alan Dawson and Mr. Roscoe H. Hupper for the respondent.

No. 264. The State of Ohio ex rel. George B. Moock, petitioner, *v.* The City of Cincinnati et al.; and

No. 265. George B. Moock, petitioner, *v.* City of Cincinnati, etc., et al. Petition for writs of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Province M. Pogue and Mr. Thomas L. Pogue for the petitioner, and by Mr. John D. Ellis, Mr. Ralph A. Kreimer, and Mr. William E. Hess for the respondents.

No. 266. Sarah V. Thacker, petitioner, *v.* Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of the State of Kentucky submitted by Mr. Gardner K. Byers for the petitioner, and by Mr. J. W. Cammack and Mr. Samuel B. Kirby, jr., for the respondent.

No. 268. Andrew T. Matthew, Administrator, etc., petitioner, *v.* Union Central Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Andrew T. Matthew, *pro se*, and by Mr. F. Eldred Boland for the respondent.

No. 270. The Henrietta Mills, petitioner, *v.* Rutherford County, etc., et al. Petition for writ of certiorari to the United States

Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Murray Allen for the petitioner.

No. 271. Aktieselskabet Dampskib Gansfjord, Claimant, etc., et al., petitioners *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John D. Grace for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, Mr. Claude R. Branch, and Mr. J. Frank Staley for the respondent.

No. 272. Chicago Frog & Switch Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Karl D. Loos, Mr. E. Barrett Prettyman, and Mr. Preston B. Kavanaugh for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. George H. Foster for the respondent.

No. 273. Kunglig Jarnvagsstyrelsen, also known as the Royal Administration of The Swedish State Railways, petitioner, *v.* Dexter & Carpenter (Inc.). Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. J. Harry Covington, Mr. Edward B. Burling, Mr. Gastav Lange, jr., and Mr. Newell W. Ellison for the petitioner, and by Mr. Charles S. Haight for the respondent.

No. 274. William T. Graff, Charles M. Graff, et al., petitioners, *v.* Victor H. Wallace, D. Irving Coakley, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harry S. Barger and Mr. Frank Stetson for the petitioners, and by Mr. Victor H. Wallace for the respondents.

No. 275. Vesta Battery Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George M. Morris for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 277. Cady, Schapiro & Schapiro et al., petitioners, *v.* M. D. Mirsky & Co. (Inc.), Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. David Haar for the petitioners, and by Mr. David W. Kahn for the respondent.

No. 278. The Cracker Jack Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George E. Holmes for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. George H. Foster for the respondent.

No. 279. The Cracker Jack Co., Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George E. Holmes for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. George H. Foster for the respondent.

No. 280. The Shotwell Mfg. Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George E. Holmes for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. George C. Butte, and Mr. George H. Foster for the respondent.

No. 283. Peter A. Lorenz et al., petitioners, *v.* James S. Mabon et al. Petition for writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Wm. H. Watkins and Mr. W. Lee Guice for the petitioners, and by Mr. Benjamin B. Taylor, Mr. C. V. Porter, and Mr. Joseph A. Loret, for the respondents.

No. 284. Clyde A. Davis, Trustee, etc., petitioner, *v.* Charles R. Mabee et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George W. Ritter, Mr. D. F. Melhorne, and Mr. E. J. Marshall for the petitioner, and by Mr. James H. Boyd and Mr. Charles A. Thatcher, *pro se* for the respondents.

No. 285. G. C. Abernathy, Administrator, etc., et al., petitioners, *v.* State of Oklahoma ex rel. A. W. Goar et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John Tomerlin, Mr. C. B. Stuart, and Mr. Stephen Chandler for the petitioner.

No. 286. The Hoosier Casualty Co., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Robert A. Littleton and Mr. W. W. Spaulding for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. Sewall Key for the respondent.

No. 287. Abner Francis Dodd, petitioner, *v.* Union Indemnity Co. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Hiram M. Smith for the petitioner and by Mr. Frank H. Atwill for the respondent.

No. 288. Calvin Pardee et al., petitioners, *v.* William H. Howcott et al.; and

No. 289. The Pardee Company, petitioner, *v.* William H. Howcott et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John May and Mr. Russell Duane for the petitioners, and by Mr. William Winans Wall and Mr. Hugh S. Suthon for the respondents.

No. 290. Isaac L. Rosenstein et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. David P. Siegel for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 291. Clinton Corn Syrup Refining Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Richard S. Doyle for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 292. National Candy Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Richard S. Doyle for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 293. Fort Dodge, Des Moines & Southern R. R. Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. R. E. Lee Marshall and Mr. James W. Carmalt for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. Lisle A. Smith for the respondent.

No. 297. Missouri Pacific Railroad Co., petitioner, *v.* Fernia Koonse, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Merritt U. Hayden and Mr. Edward J. White for the petitioner, and by Mr. David W. Hill for the respondent.

No. 298. S. Naitove & Co., Inc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Robert E. Caulsen, Mr. R. Kemp Slaughter, and Mr. Hugh C. Bickford for the petitioner, and by Mr. Solicitor General Hughes and Mr. Claude R. Branch for the respondent.

No. 299. Bickett Coal & Coke Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Jerry A. Mathews, Mr. Josephus C. Trimble, and Mr. Horace S. Whitman for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. J. Robert Anderson for the respondent.

No. 300. Quapaw Land Co., Inc., petitioner, *v.* S. H. Bolinger. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. F. W. Clements and Mr. S. L. Herold for the petitioner, and by Mr. Frank J. Looney and Mr. J. M. Grimmet for the respondent.

No. 302. Abbie Conner et al., petitioners, *v.* Herman D. Cornell, executor, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William Neff for the petitioners, and by Mr. W. H. Francis, Mr. John Rogers, and Mr. Leonard A. Lytle for the respondent.

No. 303. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Mabel G. Toops, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Alfred A. Scott, Mr. E. E. McInnis, and Mr. Alfred G. Armstrong for the petitioner, and by Mr. Carr W. Taylor for the respondent.

No. 304. The Pratt Chuck Company, petitioner, *v.* Crescent Insulated Wire and Cable Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert B. Honeyman for the petitioner, and by Mr. Allen S. Hubbard for the respondent.

No. 305. Franc-Strohmenger & Cowan, Inc., petitioner, *v.* Baro Forchheimer, doing business, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Holland S. Duell, Mr. Clifford E. Dunn, Mr. Frederick P. Fish, and Mr. Charles Neave for the petitioner.

No. 306. May Cook, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Allen W. Comstock for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 308. Edwin A. Krauthoff, petitioner, *v.* The Kansas City Joint Stock Land Bank of Kansas City et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Edwin A. Krauthoff and Mr. Price Wickersham for the petitioner, and by Mr. Cyrus Crane and Mr. E. F. Halstead for the respondents.

No. 310. Sara H. Ross, Executrix, etc., et al., petitioners, *v.* J. L. White, Trustee, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John A. Pitts and Mr. E. W. Ross for the petitioners, and by Mr. C. E. Pigford for the respondents.

No. 311. Walter A. May et al., executors, etc., petitioners, *v.* D. B. Heiner, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles H. Sachs for the petitioners, and by Mr. Solicitor General Hughes and Mr. Sewall Key for the respondent.

No. 312. Louis Clements, Trustee, etc., petitioner, *v.* Fred I. Conners, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William M. Acton and Mr. T. Morton McDonald for the petitioner, and by Mr. Isidor Kahn for the respondent.

No. 313. The Boston and Maine Railroad, petitioner, *v.* Arthur J. Watkins. Petition for writ of certiorari to the Supreme Court of the State of New Hampshire submitted by Mr. William N. Rogers for the petitioner, and by Mr. John E. Benton for the respondent.

No. 314. Niles Bement Pond Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Karl D. Loos, Mr. E. Barrett Prettyman, and Mr. Preston B. Kavanagh for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 315. Universal Insurance Company, petitioner, *v.* Gulf Refining Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar for the petitioner, and by Mr. Van Vechten Veeder for the respondent.

No. 316. Jack Murphy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Gray for the petitioner, and by Mr. Solicitor General Hughes, and Mr. John J. Byrne for the respondent.

No. 317. Pacific Improvement Company, petitioner, *v.* The Pittsburgh Shawmut and Northern Railway Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Adelbert Moot and Mr. John G. Buchanan for the petitioner, and by Mr. J. Merrill Wright and Mr. Edwin E. Tait for the respondents.

No. 318. Ostrander-Seymour Company, petitioner, *v.* Grand Rapids Electrotype Company. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Stuart E. Knappen and Mr. Meyer Abrams for the petitioner, and by Mr. Ben M. Corwin for the respondent.

No. 319. John L. Burke et al., petitioners, *v.* The Sanitary District of Chicago et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John M. Zane for the petitioners, and by Mr. Edmond D. Adcock and Mr. James M. Sheean for the respondents.

No. 320. Charles L. Apfel et al., petitioners, *v.* Andrew W. Mellon et al., etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Vernon E. West for the

petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, Mr. Walter Wyatt, and Mr. Newton D. Baker for the respondents.

No. **321.** August Aschenbach, petitioner, *v.* Sullivan Mining Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James A. Williams for the petitioner and by Mr. Frank T. Post for the respondent.

No. **322.** Huber Hoge, Inc., petitioner, *v.* Smith & Wesson, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Alfred Bennett and Mr. Powell Crichton for the petitioner and by Mr. Robert C. Cooley for the respondent.

No. **323.** Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company; and

No. **324.** Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Hughes, Mr. Sewall Key, and Mr. Randolph C. Shaw for the petitioner, and by Mr. Armwell L. Cooper for the respondent.

No. **325.** H. G. Richardson, petitioner, *v.* Louisville & Nashville Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Ike W. Crabtree for the petitioner, and by Mr. John B. Keeble and Mr. Henry J. Livingston for the respondent.

No. **327.** Blackmore Investment Company, petitioner, *v.* Axel A. Johnson et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Grove J. Fink for the petitioner, and by Mr. Albert H. Elliot for the respondents.

No. **328.** Joseph W. Cline et al., petitioners, *v.* J. S. Cosden et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. R. L. Davidson, Mr. W. I. Williams, and Mr. Nathan Newby for the petitioners, and by Mr. James C. Denton and Mr. Henry M. Gray for the respondents.

No. **329.** Good Springs Anchor Company et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Ralph W. Smith for the petitioners, and by Mr. Solicitor General Hughes and Mr. Sewall Key for the respondent.

No. **330.** Fred Philipps, petitioner, *v.* Chicago & Northwestern Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. F. M. Miner and

Mr. M. H. Boutelle for the petitioner, and by Mr. William T. Faricy and Mr. Samuel H. Cady for the respondent.

No. 331. Southern California Utilities, Inc., petitioner, *v.* City of Huntington Park, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Paul Overton for the petitioner, and by Mr. William E. Evans for the respondents.

No. 332. J. T. Hurley and J. T. Fleishel, Trustees, etc., petitioners, *v.* Illinois Power & Light Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Walter H. Saunders, Mr. John S. Leahy, and Mr. Robert Stone for the petitioners, and by Mr. Thomas F. Doran and Mr. T. M. Pierce for the respondent.

No. 333. Thomas S. Dugan, petitioner, *v.* M. M. Logan, J. A. Siedel et al. Petition for writ of certiorari to the Court of Appeals of Kentucky submitted by Mr. A. O. Stanley for the petitioner, and by Mr. M. M. Logan and Mr. John L. Stout for the respondents.

No. 334. The Becker Steamship Company, petitioner, *v.* William Snyder by his next friend Albert Snyder. Petition for writ of certiorari to the Court of Appeals of the State of Ohio submitted by Mr. Frederick L. Leckie, Mr. S. H. Holding, and Mr. Tracy H. Duncan for the petitioner, and by Mr. Luther Day for the respondent.

No. 335. William Habermel, Trustee, petitioner, *v.* E. B. Mong et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Gardner K. Byers and Mr. William Marshall Bullitt for the petitioner, and by Mr. Charles M. Seymour for the respondents.

No. 337. Southern California Edison Company, petitioner, *v.* Railroad Commission of the State of California, et al. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. Roy V. Reppy, Mr. W. C. Mullendore, and Mr. E. W. Cunningham for the petitioner, and by Mr. Arthur T. George and Mr. W. B. Mathews for the respondents.

No. 340. The United States of America, petitioner, *v.* Nelson B. Updike et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Hughes and Mr. Sewall Key for the petitioner, and by Mr. Francis A. Brogan, Mr. Alfred G. Ellick, and Mr. Anan Raymond for the respondents.

No. 342. Chicago, Milwaukee, St. Paul, and Pacific Railroad Company, petitioner, *v.* Alma Kane, as Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. A. N. Whitlock for the petitioner, and by Mr. H. Lowndes Maury for the respondent.

No. 344. Charles A. Corliss, petitioner, *v.* Frank K. Bowers, as Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. Joseph M. Hartfield for the petitioner, and by Mr. Solicitor General Hughes, Mr. Randolph C. Shaw, and Mr. F. W. Dewart for the respondent.

No. 345. United States Shipping Board Merchant Fleet Corporation, etc., petitioner, *v.* P. LeRoy Harwood, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. Chauncey G. Parker for the petitioner, and by Mr. Frederick H. Wood and Mr. Herbert B. Lee for the respondent.

No. 346. Security Trust Company, South Side Bank & Trust Company, et al., petitioners, *v.* Ben S. Baer. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Max Isaac for the petitioners, and Mr. J. Bernard Handlan and Mr. Charles J. Schuck for the respondent.

No. 348. Ohio Clover Leaf Dairy Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Harry J. Gerrity and Mr. E. J. Marshall for the petitioner, and by Mr. Solicitor General Hughes and Mr. Sewall Key for the respondent.

No. 354. Simmons Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Phillips Ketchum for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. J. Louis Monarch, Mr. Andrew D. Sharpe, Mr. C. M. Charest, and Mr. Allin H. Pierce for the respondent.

No. 355. Royal Leikin and Moe Lieberman, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. George W. Cameron for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 356. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* The Pilliod Lumber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Solicitor General Hughes and Mr. Sewall Key for the petitioner, and by Mr. Herbert W. Nauts for the respondent.

No. 358. Emil Hansen, permanent receiver, etc., petitioner, *v. E. I. Du Pont De Nemours & Company, Inc.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. Catesby Jones and Mr. James W. Ryan for the petitioner, and by Mr. George H. Bond and Mr. William H. Button for the respondent.

No. 359. Chicago, Rock Island and Pacific Railway Company, petitioner, *v. Burr S. Stottle, Administrator, etc.* Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. T. P. Littlepage, Mr. M. L. Bell, Mr. Luther Burns, Mr. Henry S. Conrad, Mr. Lisbon E. Durham, and Mr. W. F. Dickinson for the petitioner, and by Mr. John H. Atwood, Mr. Price Wickersham, and Mr. Oscar S. Hill for the respondent.

No. 360. Behn, Meyer & Company, Limited, petitioner, *v. Howard Sutherland, as Alien Property Custodian, et al;* and

No. 371. Howard Sutherland, as Alien Property Custodian, et al., petitioners, *v. Behn, Meyer & Company, Limited.* Petitions for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Frederic R. Coudert, Mr. J. Harry Covington, and Mr. Mahlon B. Doing for the petitioner in No. 360, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, and Mr. Claude R. Branch for the respondent in No. 360 and for the petitioner in No. 371.

No. 361. Federal Electric Co., Inc., petitioner, *v. Flexlume Corporation;* and

No. 362. Chicago Miniature Lamp Works et al., petitioners, *v. Flexlume Corporation.* Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Clarence E. Mehlhope and Mr. Drury W. Cooper for the petitioners, and by Mr. Wallace R. Lane and Mr. John S. Powers for the respondent.

No. 363. Georgia Power Company, petitioner, *v. City of Decatur.* Petition for writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. Walter T. Colquitt and Mr. Ben J. Conyers for the petitioner, and by Mr. Hooper Alexander for the respondent.

No. 365. Henry Escher, Ancillary Administrator, etc., petitioners, *v. Walter O. Woods, as Treasurer, etc.* Petition for writ of certiorari to the Court of Appeals of the District of Columbia is submitted by Mr. Spier Whitaker and Mr. Lyttleton Fox for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, Mr. Claude R. Branch, and Mr. Henry A. Cox for the respondent.

No. 366. Symington-Anderson Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. R. Kemp Slaughter for the petitioner, and by Mr. Solicitor General Hughes and Mr. Sewall Key for the respondent.

No. 367. Yellow Motor Company of St. Louis, petitioner, *v.* William Broderick and Irene Broderick et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Lon O. Hocker for the petitioner.

No. 368. Wilton McCarthy, petitioner, *v.* United States Fidelity and Guaranty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Casper Schenk and Mr. W. B. Sloan for the petitioner, and by Mr. Jesse A. Miller and Mr. James C. Davis for the respondent.

No. 369. Uniform Printing & Supply Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Walter H. Eckert for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Barham R. Gary for the respondent.

No. 370. Federal Trade Commission, petitioner, *v.* Western Meat Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Solicitor General Hughes, Mr. Robert E. Healy, Mr. Alfred M. Craven, and Mr. Claude R. Branch for the petitioner, and by Mr. Edward I. Barry and Mr. Frank L. Horton for the respondents.

No. 372. The City of Cincinnati, petitioner, *v.* Margaret W. Vester;

No. 373. The City of Cincinnati, petitioner, *v.* James S. Richards et al.; and

No. 374. The City of Cincinnati, petitioner, *v.* Llewellyn B. Reakirt. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John D. Ellis and Mr. Ed F. Alexander for the petitioner, and by Mr. John Weld Peck and Mr. Milton Saylor for the respondents.

No. 375. Western Cartridge Company, petitioner, *v.* Louis L. Emmerson, Secretary of State of the State of Illinois. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Colin C. H. Fyffe for the petitioner, and by Mr. Oscar E. Carlstrom and Mr. Bayard Lacey Catron for the respondent.

No. 376. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* A. L. Garrett, as Administrator, etc. Petition for writ

of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Thomas S. Buzbee, Mr. W. F. Dickinson, and Mr. George B. Pugh for the petitioner, and by Mr. William R. Donham for the respondent.

No. 377. Remington Rand, Inc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue; and

No. 378. Remington Rand, Inc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick H. Wood and Mr. Joseph C. White for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Andrew D. Sharpe for the respondent.

No. 379. Hyman Polski, Charles Geller, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. E. Howard Morphy for the petitioners, and by Mr. Solicitor General Hughes and Mr. John J. Byrne for the respondent.

No. 380. North River Insurance Company, petitioner, *v.* Edmond Becnel et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Walker B. Spencer for the petitioner, and by Mr. A. A. Moreno for the respondents.

No. 381. Swift & Company, petitioner, *v.* American Transportation Company, et al;

No. 382. Armour & Company, petitioner, *v.* American Transportation Company et al; and

No. 383. Wilson & Company, Inc., petitioner, *v.* American Transportation Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles R. Hickox for the petitioners, and by Mr. Homer L. Loomis for the respondents.

No. 384. Tommie Hill and A. W. Karns, petitioners, *v.* The United States of American; and

No. 385. Madge Hill Karns, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Robert B. Keenan for the petitioners, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. M. D. Kiefer for the respondent.

No. 390. Inez M. Jamison et al., petitioners, *v.* Valentin Encarnacion. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. James B. Henney and Mr.

Daniel Miner for the petitioners, and by Mr. William S. Butler and Mr. James A. Gray for the respondent.

No. 393. Carl F. Bogelmann, petitioner, *v.* Steamer "Roseway," James F. Quinn. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. E. Curtis Rouse for the petitioner, and by Mr. Edward L. Logan and Mr. Warner Pyne for the respondent.

No. 397. Charter Shipping Company, Ltd., petitioner, *v.* Bowring, Jones & Tidy, Ltd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Cletus Keating for the petitioner, and by Mr. Theodore L. Bailey for the respondent.

No. 401. The Pittsburgh & West Virginia Railway Company, petitioner, *v.* The Wheeling & Lake Erie Railway Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. F. Taplin for the petitioner, and by Mr. William H. Boyd, Mr. Andrew P. Martin, Mr. H. H. McKeehan, and Mr. George William Cottrell for the respondents.

Adjourned until Monday next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

Paul Z. Hodge, of Niles, Ohio; James E. Bennett, of Youngstown, Ohio; Oscar E. Diser, of Youngstown, Ohio; Charles M. Wilkins, of Youngstown, Ohio; Dean Lake Traxler, of Chicago, Ill.; Millard B. Kennedy, of Chicago, Ill.; Ross H. Snyder, of Chevy Chase, Md.; Eugene McCaffrey, of Chicago, Ill.; Cecil Shane, of Blytheville, Ark.; Robert W. Simons, of Enid, Okla.; Charles A. Russell, of Missoula, Mont.; Robert E. Mulroney, of Los Angeles, Calif.; Daniel H. Carragher, of Washington, D. C.; James O'Connor Roberts, of Washington, D. C.; William R. Murrin, of New York City; William D. L. Starbuck, of New York City; Nelle L. Ingels, of Greenville, Ill.; Frank Herbert McGregor, of Amarillo, Tex.; Almon Ray Smith, of Seattle, Wash.; Hugh Montgomery, of San Francisco, Calif.; Harry M. Andrews, of Washington, D. C.; John D. Fredericks, jr., of Los Angeles, Calif.; Raymond T. Coughlin, of Sacramento, Calif.; and John Frank Martin, of Boise, Idaho, were admitted to practice.

No. 4. Sanitary Refrigerator Co., petitioner, *v.* Alexander F. Winters and Basil R. Crampton. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit; and

No. 14. Alexander F. Winters and Basil R. Crampton, petitioners, *v.* Dent Hardware Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree in case No. 4 affirmed with costs, and the cause remanded to the District Court of the United States for the Eastern District of Wisconsin; decree in case No. 14 reversed with costs, and the cause remanded to the District Court of the United States for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Sanford.

No. 6. Raul Rogerio Gonzalez, by his guardian *ad litem*, Leon Gonzalez, petitioner, *v.* The Roman Catholic Archbishop of Manila. On writ of certiorari to the Supreme Court of the Philippine Islands. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 8. Federal Trade Commission, petitioner, *v.* Alfred Klesner, doing business under the name "Shade Shop," Hooper & Klesner. On writ of certiorari to the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

The Chief Justice announced the following orders of the Court:

No. 578, of October term, 1928. The Macallen Company, appellant, *v.* The Commonwealth of Massachusetts. The motions presented on behalf of the American Bankers Association and on behalf of the Massachusetts National Bank Association for leave to file briefs, as *amici curiae*, in support of the petition for a rehearing in this cause, are granted.

The Court has considered these two briefs, and also the four briefs heretofore permitted to be filed by the States of California, Washington, Oregon, and New York, as friends of the Court. After consideration of these briefs, and of the petition for a rehearing of this cause filed by the State of Massachusetts, such petition for a rehearing is denied.

No. —, original. *Ex parte*: In the matter of Federal Radio Commission, petitioner, the motion of petitioner for leave to file a petition for a writ of mandamus and/or prohibition is set down for hearing with case No. 122. The petition for a writ of certiorari in the related action—No. 122 on the appellate docket—is granted.

The parties are directed to file briefs on the question of what the power of this Court is in respect to the issue of a writ of mandamus or a writ of prohibition in this case.

No. —, original. *Ex parte*: In the matter of Northern Pacific Railway Company et al., petitioners. The motion for leave to file a petition for a writ of mandamus, and the motion for leave to amend and supplement such petition, are granted.

A rule is directed to issue against the respondents, returnable on the first motion day following a period of 30 days from this date, directing them to show cause why a writ of mandamus should not issue in this cause.

No. 18, original. The State of New Jersey, complainant, *v.* The City of New York. The motion for the appointment of a special master is granted; and the Honorable Edward K. Campbell is appointed special master in this cause, with power to summons witnesses, issue subpoenas, and to take such testimony as may be introduced and such as he may desire to call. The master is directed to make findings of fact and conclusions of law, and to submit the same to this Court with all convenient speed, together with his recommendations for a decree. The findings, conclusions, and recommenda-

tions of the master shall be subject to consideration, revision, or approval by the Court.

No. 9. Hugh W. Grant, Receiver, etc., petitioner, *v.* A. B. Leach & Company, Inc. Motion of Hugh W. Grant, Trustee in Bankruptcy, for leave to intervene as a party petitioner is denied.

No. 4, original. The State of Nevada, complainant, *v.* Crown Willamette Paper Company. It is ordered that this cause be continued to the next term, pursuant to the stipulation filed by the parties herein.

No. 360. Behn, Meyer & Company, Ltd., petitioner, *v.* Howard Sutherland, as Alien Property Custodian et al. Causes Nos. 360 and 371 are before the Court on petitions for writs of certiorari. The cases are nominally separate actions by the same corporation against the Custodian and the Treasurer. The Court is informed, however, that the real controversy is between rival sets of claimants, each purporting to be entitled to recover the same funds from the Custodian in the name of the same corporation; and that the Custodian now occupies the position of a mere stakeholder.

For this reason the motion by respondent in No. 371 for leave to file a brief opposing the granting of a writ of certiorari in No. 360 is granted.

No. 190. Jennie V. David, petitioner, *v.* Thomas D. Hubbard, as Trustee in Bankruptcy of William L. David, Bankrupt; and

No. 191. William L. David, petitioner, *v.* Thomas D. Hubbard, as Trustee in Bankruptcy of William L. David, Bankrupt. On petitions for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. *Per curiam:* The motions for leave to proceed further herein *in forma pauperis* are denied. The Court has examined the unprinted records submitted in support of the petitions for certiorari and finds that the attacks upon the action of the court below are without any substantial merit. For this reason the petitions for writs of certiorari are denied, and the clerk is directed to enter the usual order with respect to the payment of costs already incurred, as provided in the order of October 29, 1926.

No. 269. Robert G. Meadows, petitioner, *v.* The United States of America. The motion for leave to proceed *in forma pauperis* is granted. The clerk is directed to cause the record in this case to be printed, and to cause the cost thereof and the clerk's costs already incurred and such as may hereafter properly be incurred to be paid as provided in the order of October 29, 1926.

No. 388. Anthony Brown, Eddie Stokes, Walter E. Burke, et al., petitioners, *v.* State of California. On petition for writ of certiorari to the Supreme Court of the State of California. *Per curiam:* The Court is of opinion that the arguments of petitioners upon

the action of the State court in allowing a juror to sit and in denying a writ of error *coram nobis* are frivolous. For this reason, the motion for leave to proceed further herein *in forma pauperis*, and the petition for a writ of certiorari, are severally denied.

The clerk is directed to enter the usual order for the payment of costs already incurred, as provided in the order of October 29, 1926.

No. 87. The Baltimore & Ohio Southwestern Railroad Company, petitioner, *v.* Lula Carroll, Administratrix, etc. The petition for a writ of certiorari herein to the Supreme Court of the State of Indiana is granted with the limitation, however, that counsel shall confine themselves, in the briefs and in oral argument, to the question whether this suit is barred by the statute of limitations.

No. 123. Royal Insurance Company, Ltd., et al., petitioners, *v.* United States Shipping Board Merchant Fleet Corporation. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit is granted. The question arising in this case is related to the questions presented in three other cases now before the Court on writs of certiorari, and for that reason this case is advanced and set down to be heard with the related causes. The Court desires that the four related cases shall be heard in the following order: First, Nos. 32 and 5, to be heard together as one case when No. 32 is reached in the regular call of the docket; second, No. 123, to be argued separately immediately after the argument of Nos. 32 and 5; third No. 56, to be heard separately after the conclusion of the argument in No. 123.

No. 81. Employers' Liability Assurance Corporation, Ltd., of London, England, petitioner, *v.* Mrs. Myrtis Cook et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 89. The Texas and Pacific Railway Company, petitioner, *v.* Mrs. Wallace Guidry, Administratrix, etc. Petition for a writ of certiorari to the Court of Civil Appeals, Sixth Supreme Judicial District, State of Texas, granted.

No. 92. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* North Texas Lumber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 93. Anita H. Cooper, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 99. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* Guy C. Earl. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 114. Frederick C. Renziehausen, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 118. Florsheim Brothers Drygoods Co., Ltd., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 127. Universal Battery Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 128. The United States, petitioner, *v.* American Can Company;

No. 129. The United States, petitioner, *v.* Missouri Can Company; and

No. 130. The United States, petitioner, *v.* Detroit Can Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 72. The Second National Bank of Saginaw, Saginaw, Michigan, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 74. Arthur E. Colgate, Administrator of the Estate of Clinton G. Colgate, deceased, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 76. Dampskibsselskabet Norden, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 78. Piedmont Grocery Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 80. E. J. Kelly, petitioner, *v.* F. E. Watkins, Paul S. Cotner, and Milo D. Watkins, et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 82. William M. Abbott, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 83. Higginbotham-Bailey-Logan Company et al., petitioners, *v.* International Shoe Company, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 84. Benjamin Rogers, petitioner, *v.* Canadian National Railway Company, a Foreign Corporation. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 85. Hugh Wilhite, W. N. Pittman, et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 88. A. S. Foster, petitioner, *v.* Alabama Dry Dock and Ship-building Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 94. John F. Sherry, petitioner, *v.* The Baltimore & Ohio Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 95. Compagnie Generale Transatlantique, petitioner, *v.* The American Tobacco Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 96. County of Gallatin, J. S. Taylor, as Treasurer, etc., et al., petitioners, *v.* Yellowstone Park Transportation Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 97. Minetta G. Cutting, petitioner, *v.* Mahlon R. Bryan, Spencer K. Mulford, et al. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 100. Mrs. Annie S. Jones, as Administratrix of the Estate of John F. Sawyer, deceased, petitioner, *v.* Parnell Whaley, as Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of South Carolina denied.

No. 101. Wilbert J. McCloskey, Trading as The McCloskey Torch Company, petitioner, *v.* The Toledo Pressed Steel Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 102. Francis C. McDonald et al., petitioners, *v.* State of Louisiana *ex rel.* Dema Realty Company. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 103. Percy Jay Fuller, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 105. William Morgan, petitioner, *v.* The United States of America; and

No. 106. Henry Hust, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 107. John C. Prendergast, petitioner, *v.* Silverado Steamship Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 108. Frederick J. Mohr and Walter R. Mohr, Executors, etc., petitioners, *v.* A. Bruce Bielaski, Trustee of Joseph M. Byrne et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 109. Wilson Banking Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 110. Pauline V. Beyer, doing business as Portland Hotel, petitioner, *v.* Harold M. Smith. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 111. The H. Kobacker & Sons Company, petitioner, *v.* Norwich Union Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 112. Guaranty Trust Company of New York and William J. Robb, Jr., as Executors, etc., deceased, petitioners, *v.* Noxon Chemical Products Company (Inc.), et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 116. Loewer Realty Company, petitioner, *v.* Charles W. Anderson, individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 117. International-Great-Northern Railroad Company and American Bonding Company of Baltimore, petitioners, *v.* W. A. Hailey. Petition for writ of certiorari to the Court of Civil Appeals, Tenth Supreme Judicial District, State of Texas, denied.

No. 120. Galveston Dry Dock & Construction Company, petitioner, *v.* United States Shipping Board Merchant Fleet Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 121. Charles H. Clark and Clark Car Company, petitioners, *v.* Frank J. Lanahan and Clark Car Company, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 124. National City Bank, petitioner, *v.* Edward Carter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 125. The United States of America, petitioner, *v.* Sidney B. Sligh. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 126. J. E. Thomas, petitioner, *v.* Jay Gates, Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 131. William P. Whitaker, petitioner, *v.* The United States of America; and

No. 132. John Joseph McCann, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 134. Ralph W. Harbison, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 135. Joseph Hudson Brooks, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 136. James E. Lewis, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 137. Lee C. Morganroth, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 138. Harry William Croft, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 139. Raymond Willey, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 140. William Walker, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 141. R. H. Youngman, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 142. Otto M. Reif, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 143. Elizabeth W. Pontefract, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 144. William Albert Harbison, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 145. Emma J. Harbison, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 146. Nin McQuillen, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.;

No. 147. Kenneth Seaver, petitioner, *v.* C. G. Lewellyn, formerly collector, etc.; and

No. 148. P. R. Hilleman, petitioner, *v.* C. G. Lewellyn, formerly collector, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 150. Montgomery Cotton Mills, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 151. Ward Baking Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 152. Paul G. Huckins, petitioner, *v.* Willis B. Smith, as Trustee in Bankruptcy, etc. Petition for writ of certiorari to the United States circuit Court of Appeals for the Eighth Circuit denied.

No. 153. United States *ex rel.* American Silver Producers Association, et al., petitioners, *v.* Andrew W. Mellon, Secretary of the

Treasury, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 154. American Surety Company of New York, petitioner, *v.* Blount County Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 155. R. P. Shick, Assignee of Walter G. Roland, petitioner, *v.* W. A. Goodman, Trustee of H. M. Albright. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 156. Abe Schefman and Frank Schefman, doing business as Abe Schefman & Company, petitioners, *v.* Edward De Groot, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 157. Trinidad Asphalt Manufacturing Company, petitioner; *v.* Western Willite Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 158. Fidelity and Deposit Company of Maryland, petitioner, *v.* I. Townsend Burden; and

No. 159. Fidelity and Deposit Company of Maryland, petitioner, *v.* I. Townsend Burden. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 160. William H. Gill, petitioner, *v.* Norman H. Smith, Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 161. Jonesboro Grocer Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 162. Joseph A. Gamble, as Receiver of the England National Bank of Little Rock, petitioner, *v.* F. Kamer Darragh. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 430. Julius Rosenwald, petitioner, *v.* Commissioner of Internal Revenue. Robert H. Lucas, present Commissioner of Internal Revenue, substituted as the party respondent, in place of David H. Blair, formerly Commissioner of Internal Revenue, on motion of Mr. Solicitor General Hughes for the respondent.

No. 358. Emil Hansen, permanent receiver, etc., petitioner, *v.* E. I. DuPont De Nemours & Company, Inc. Leave granted to file reply brief of the petitioner, on motion of Mr. J. Frank Staley in behalf of counsel for the petitioner.

No. 20, original. *Ex parte*: In the matter of Charles F. Hobbs, Commissioner of Insurance of the State of Kansas, et al., petitioners. Leave granted to file reply of the petitioners to the return to the rule to show cause and reply to opposition to petitioners' reply, on motion of Mr. Peter Q. Nyce in behalf of counsel for the petitioners.

No. 20, original. *Ex parte*: In the matter of Charles F. Hobbs, Commissioner of Insurance of the State of Kansas, et al., petitioners. Motion for the appointment of a commissioner, submitted by Mr. Peter Q. Nyce in behalf of counsel for the petitioners.

No. 20, original. *Ex parte*: In the matter of Charles F. Hobbs, Commissioner of Insurance of the State of Kansas, et al., petitioners. Motion for leave to file brief of the respondent in opposition to petitioners' reply to return to rule to show cause and motion for the appointment of a commissioner, submitted by Mr. George W. Offutt in behalf of counsel for the respondent.

No. 399. George F. Henggeler, Administrator, etc., petitioner, *v.* Arthur B. Allen, Collector of Internal Revenue, etc. Leave granted to file brief of Matthew A. Hall and Raymond G. Young, as *amici curiae*, on motion of Mr. H. Stanley Hinrichs in that behalf.

No. 285. G. C. Abernathy, Administrator, etc., petitioners, *v.* State of Oklahoma *ex rel.* A. W. Goar et al. Consideration of petition for writ of certiorari deferred for two weeks, on motion of Mr. Enoch A. Chase in behalf of counsel.

No. 245. State of Texas, *ex rel.*, T. H. Isensee, appellants, *v.* Dee Sims, D. C. Cryor, et al. Leave granted to file statement of appellees opposing jurisdiction, on motion of Mr. Tom Connally in behalf of Mr. Claude V. Birkhead for the appellees.

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and the City of New York. Leave granted to file amended answer of the defendant, city of New York, and to withdraw answer previously filed on motion of Mr. Robert F. Cogswell on behalf of Mr. Arthur J. W. Hilly for the defendant, city of New York.

No. 6, original. State of Oklahoma, complainant, *v.* State of Texas, The United States of America, intervener. Report of the commissioner of survey along the one hundredth meridian and report of work done, time employed, and expenses incurred by the commissioner, presented.

No. 169. Lavaughn Booth, formerly Lavaughn Clapp, et al., appellants, *v.* William Clapp, Jr., et al. Motion for leave to proceed *in forma pauperis* submitted by Mr. Jonathan Taylor for the appellants.

No. 247. Joe Troche, appellant, *v.* The People of the State of California. Motion for leave to proceed *in forma pauperis* submitted by Mr. Roland Becsey for the appellant.

No. 66. The United States of America, appellant, *v.* Harry M. Wurzbach. Statement as to jurisdiction submitted by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Luhring, Mr. Alfred A. Wheat, and Mr. Harry S. Ridgely for the appellant.

No. 69. Hawkeye Stages, Incorporated, appellant, *v.* Board of Railroad Commissioners of the State of Iowa et al. Statement as to jurisdiction submitted by Mr. John J. Halloran for the appellant in support thereof, and by Mr. John Fletcher, Mr. Maxwell A. O'Brien, Mr. J. H. Henderson, and Mr. Stephen Robinson for the appellees, in opposition thereto.

No. 74. Arthur E. Colgate, Administrator, etc., appellant, *v.* The United States. Statement as to jurisdiction submitted by Mr. George A. King, Mr. Louis Titus, and Mr. C. Bascom Slemper for the appellant, in support thereof, and by Mr. Solicitor General Hughes and Mr. Assistant Attorney General Galloway for the appellees, in opposition thereto.

No. 86. Carley & Hamilton, Inc., et al., appellants, *v.* Frank G. Snook, as Chief of the Division of Motor Vehicles, etc. Statement as to jurisdiction submitted by Mr. Edwin C. Ewing, Mr. W. R. Crawford, and Mr. J. F. Vizzard for the appellants.

No. 90. James S. Harrington et al., appellants, *v.* James Sloan. Statement as to jurisdiction submitted by Mr. Wymer Dressler and Mr. Robert D. Nelly for the appellants.

No. 98. William J. Stratton, Secretary, etc., appellant, *v.* St. Louis Southwestern Railway Company. Statement as to jurisdiction submitted by Mr. Oscar E. Carlstrom and Mr. B. L. Catron for the appellant.

No. 104. National Fire Insurance Company of Hartford, appellant, *v.* Joseph B. Thompson, Superintendent, etc. Statement as to jurisdiction submitted by Mr. William S. Hogsett, Mr. Ashley Cockrill, Mr. John S. Leahy, and Mr. Robert J. Folonie for the appellant.

No. 115. Lena M. Jones, appellant, *v.* Consolidated Wagon and Machine Company. Statement as to jurisdiction submitted by Mr. Wilson S. Wiley for the appellant.

No. 119. Mrs. Lessie Vada Gandy et al., appellants, *v.* Louisiana Oil Refining Corporation et al. Statement as to jurisdiction submitted by Mr. E. H. Randolph for the appellants.

No. 164. Piedmont and Northern Railway Company et al., appellants, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. W. S. O'B. Robinson, jr., Mr. Charles E. Hughes, Mr. H. B. Haynsworth, and Mr. John E. Benton for the appellants.

No. 165. The Nashville, Chattanooga & St. Louis Railway and Western & Atlantic Railroad, appellants, *v.* Mrs. Clyde Morgan et al. Statement as to jurisdiction submitted by Mr. Fitzgerald Hall and Mr. Frank Slemmons for the appellants.

No. 167. The Hanover Fire Insurance Company of New York, appellant, *v.* Max Spektor, Abram Lerner, et al. Statement as to jurisdiction submitted by Mr. Henry A. Craig for the appellant in support thereof, and by Mr. William A. Gray for the appellees in opposition thereto.

No. 169. Lavaughn Booth, formerly Lavaughn Clapp, et al., appellants, *v.* William Clapp, Jr., et al. Statement as to jurisdiction submitted by Mr. Jonathan Taylor for the appellant.

No. 173. Central National Bank of Lynn, appellant, *v.* City of Lynn. Statement as to jurisdiction submitted by Mr. Thomas Hunt for the appellant in support thereof, and by Mr. Wm. Harold Hitchcock for the respondent in opposition thereto.

No. 183. Tremont Lumber Company, appellant, *v.* The Police Jury of the Parish of Winn et al. Statement as to jurisdiction submitted by Mr. John C. Theus for the appellant.

No. 184. D. S. Murphey, appellant, *v.* The Corporation Commission of the State of North Carolina. Statement as to jurisdiction submitted by Mr. J. A. Jones for the appellant.

No. 199. Charles M. Workman, appellant, *v.* K. E. Boone and W. S. Kingsbury, Surveyor General, etc. Statement as to jurisdiction submitted by Mr. Robert M. Clarke, Mr. Don G. Bowker, Mr. Arthur R. Smiley, Mr. Alexander T. Sokolow, and Mr. Henry S. Mackay, jr., for the appellant in support thereof, and by Mr. David R. Faries for the appellees in opposition thereto.

No. 200. Charles M. Workman, Katherine Irene Workman, et al., appellants, *v.* K. E. Boone and W. S. Kingsbury, Surveyor General, etc. Statement as to jurisdiction submitted by Mr. Robert M. Clarke, Mr. Don G. Bowker, Mr. Arthur R. Smiley, Mr. Alexander T. Sokolow, and Mr. Henry S. Mackay, jr., for the appellants in support thereof, and by Mr. David R. Faries for the appellees in opposition thereto.

No. 206. Allen & Reed, Inc., appellant, *v.* Walter A. Presbrey et al. Statement as to jurisdiction submitted by Mr. William W. Moss for the appellant.

No. 222. State of Missouri at the relation of Missouri Insurance Company, appellant, *v.* Frederick Gehner, as Assessor, etc., et al. Statement as to jurisdiction submitted by Mr. James C. Jones, Mr. Lon O. Hocker, Mr. Frank H. Sullivan, Mr. James C. Jones, jr., and Mr. Ralph T. Finley for the appellant in support thereof, and by Mr. Julius T. Muench and Mr. Oliver Senti for the appellees in opposition thereto.

No. 232. The Home Insurance Company et al., appellants, *v.* C. J. Dick et al. Statement as to jurisdiction submitted by Mr. David Rumsey and Mr. Mark W. Maclay for the appellants in support

thereof, and by Mr. H. C. Hughes and Mr. John Neethe for the respondents in opposition thereto.

No. 235. J. L. Morgan, appellant, *v.* The State of Georgia. Statement as to jurisdiction submitted by Mr. R. R. Jackson for the appellant.

No. 237. State of Ohio *ex rel.* E. H. Bryant, appellant, *v.* Akron Metropolitan Park District, etc. Statement as to jurisdiction submitted by Mr. Frederick A. Henry and Mr. George D. Hile for the appellant.

No. 238. State of Ohio, *ex rel.*, Pauline Wadsworth, appellant, *v.* John A. Zangerle, Auditor, etc. Statement as to jurisdiction submitted by Mr. Frederick A. Henry and Mr. George D. Hile for the appellant.

No. 245. State of Texas, *ex rel.*, T. H. Isensee, et al., appellants, *v.* Dee Sims et al. Statement as to jurisdiction submitted by Mr. Barry Mohun and Mr. Edward R. Kleberg for the appellant, in support thereof, and by Mr. Claude V. Birkhead for the appellees in opposition thereto.

No. 247. Joe Troche, appellant, *v.* The People of the State of California. Statement as to jurisdiction submitted by Mr. Roland Becsey for the appellant.

No. 254. New Jersey Bell Telephone Company, appellant, *v.* The State Board of Taxes, etc. Statement as to jurisdiction submitted by Mr. Frankland Briggs and Mr. Thomas G. Haight for the appellant.

No. 267. Geo. T. Cottingham and William C. Meginnes, doing business, etc., et al., appellants, *v.* Frank G. Snook, as Chief of Division of Motor Vehicles, etc. Statement as to jurisdiction submitted by Mr. W. R. Crawford and Mr. Henry G. Hotchkiss for the appellants.

No. 276. Memphis & Charleston Railway Company, appellant, *v.* C. L. Pace, G. C. Stephens. Statement as to jurisdiction submitted by Mr. S. R. Prince, Mr. John B. Hyde, and Mr. L. E. Jeffries for the appellant.

No. 281. The United States of America, appellant, *v.* D. D. Adams. Statement as to jurisdiction submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the appellant.

No. 282. The United States of America, appellant, *v.* D. D. Adams. Statement as to jurisdiction submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the appellant.

No. 294. Peter Muselin, appellant, *v.* Commonwealth of Pennsylvania;

No. 295. Tom Zima, appellant, *v.* Commonwealth of Pennsylvania; and

No. 296. Milan Resetar, appellant, *v.* Commonwealth of Pennsylvania. Statement as to jurisdiction submitted by Mr. Thomas M. Henry for the appellants in support thereof, and by Mr. John G. Frazer for the appellee in opposition thereto.

No. 301. Railroad Commission of Wisconsin, et al., etc., appellants, *v.* W. G. Maxcy, as Receiver, etc. Statement as to jurisdiction submitted by Mr. John W. Reynolds for the appellants.

No. 307. The Staten Island Rapid Transit Railway Company, appellant, *v.* Phoenix Indemnity Co. Statement as to jurisdiction submitted by Mr. Frederick H. Wood for the appellant.

No. 309. Exchange Drug Company, appellant, *v.* Henry S. Long, as Chairman, etc. Statement as to jurisdiction submitted by Mr. R. B. Evins for the appellant in support thereof, and by Mr. Charlie C. McCall and Mr. Richard T. Rives for the appellees in opposition thereto.

No. 336. J. Du Pratt White, Franklin W. Hopkins, et al., appellants, *v.* Sparkill Realty Corporation et al. Statement as to jurisdiction submitted by Mr. Walter H. Pollak for the appellants.

No. 338. Frank H. Dohany, appellant, *v.* Frank F. Rogers, State Highway Commissioner, etc. Statement as to jurisdiction submitted by Mr. Frank H. Dohany, *pro se.*

No. 339. Columbus & Greenville Railway Company, appellant, *v.* Mrs. Lorena S. Buford et al. Statement as to jurisdiction submitted by Mr. William H. Watkins and Mr. J. N. Flowers for the appellant in support thereof, and by Mr. John A. Tyson for the appellees in opposition thereto.

No. 341. Charles Vinyard and W. A. Thompson, appellants, *v.* North Side Canal Company, Limited, etc. Statement as to jurisdiction submitted by Mr. James B. Eldridge for the appellants in support thereof, and by Mr. E. A. Walters for the appellees in opposition thereto.

No. 343. Joseph Dianish, Thomas Ceska, et al., appellants, *v.* The Village of Broadview. Statement as to jurisdiction submitted by Mr. Stuart E. Knappen and Mr. Meyer Abrams for the appellants, in support thereof, and by Mr. James McKeag and Mr. William A. Morrow for the appellee in opposition thereto.

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn et al. Statement as to jurisdiction submitted by Mr. Matthias Concannon for the appellants.

No. 349. Garysburg Manufacturing Company, appellant, *v.* Board of Commissioners of Pender County et al. Statement as to juris-

diction submitted by Mr. George Roundtree and Mr. F. S. Spruill for the appellant.

No. 392. California Delta Farms, Inc., appellant, *v.* Chinese American Farms, Inc. Statement as to jurisdiction submitted by Mr. F. Eldred Boland for the appellant in support thereof, and by Mr. Albert H. Elliot for the appellee in opposition thereto.

No. 357. John Hamilton Chinnis, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Samuel T. Ansell for the petitioner and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. M. C. Masterson for the respondent.

No. 386. George Albrecht et al., petitioners, *v.* August Lohse et al. Petition for writ of certiorari to the Appellate Court of the State of Illinois submitted by Mr. George A. Lytle for the petitioners.

No. 387. Arvid Pearson and A. J. Hennessy, petitioners, *v.* A. W. Higgins, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George D. Collins for the petitioners.

No. 391. Yutaka Fukunaga, also known as Myles Yutaka Fukunaga, etc., petitioner, *v.* Territory of Hawaii. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Eric Lyders for the petitioner, and by Mr. George J. Hatfield, Mr. James F. Gilliland, and Mr. Francis Brooks for the respondent.

No. 394. Jack Applybe and Robert Snyder, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Harold C. Faulkner for the petitioners, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. John J. Byrne for the respondent.

No. 398. The United States of America *ex rel.* Wm. Powlowec, next friend, etc., petitioner, *v.* Benjamin M. Day, Commissioner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Roger O'Donnell for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Assistant Attorney General Luhning, and Mr. Harry S. Ridgely for the respondent.

No. 399. George F. Henggeler, Administrator, etc., petitioner, *v.* Arthur B. Allen, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. George B. Thummel for the petitioner and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Millar E. McGilchrist, and by Mr. Sewall Key for the respondent.

No. 400. Business Men's Assurance Company of America, petitioner, *v.* Georgia A. Campbell. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Egbert F. Halstead for the petitioner, and by Mr. Charles E. Feirich for the respondent.

No. 402. The United States of America, petitioner, *v.* Guaranty Trust Company of New York et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Hughes, Mr. Assistant to the Attorney General O'Brian, Mr. Claude R. Branch, and Mr. Elmer B. Collins for the petitioner, and by Mr. Joseph M. Hartfield, Mr. Edwin S. S. Sunderland, Mr. James H. McIntosh, Mr. Henry V. Poor, Mr. Charles Bunn, Mr. Warren S. Carter, Mr. Mortimer H. Boutelle, and Mr. Edward H. Blanc for the respondents.

No. 404. A. C. Bamsey, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of the State of Iowa submitted by Mr. Frank Wisdom for the petitioner, and by Mr. John Fletcher and Mr. Neill Garrett for the respondent.

No. 405. Jacqueline S. Sankey, a minor, etc., petitioner, *v.* W. G. Skelly et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Robert B. Keenan, Mr. A. J. Hill, and Mr. Benj. F. Bledsoe for the petitioner.

No. 406. Paso Robles Mercantile Company, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Philip G. Sheehy for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. J. Louis Monarch for the respondent.

No. 412. Mari Tollefsen Todok et al., petitioners, *v.* Union State Bank of Harvard, Nebraska, etc. Petition for writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. Frank E. Edgerton and Mr. Norris Brown for the petitioner, and by Mr. Frank D. Williams for the respondent.

No. 425. Panama Mail Steamship Company, petitioner, *v.* Ernestina Isabelle Vargas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas A. Thacher for the petitioner, and by Mr. H. W. Hutton for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 21, will be as follows: Nos. 7, 60, 39, 45, 70, 17, 18, 20, 21, and 22.

SUPREME COURT OF THE UNITED STATES

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

Arthur G. Logan, of Baltimore, Md.; Samuel M. Haskins, of Los Angeles, Calif.; E. H. Hogueland, of Kansas City, Mo.; Mangum Weeks, of Washington, D. C.; Louis C. Henin, of Springfield, Mass.; Erwin P. Werner, of Los Angeles, Calif.; Leonard S. Barnes, of Los Angeles, Calif.; William H. Carey, of Jersey City, N. J.; William Judson Holloway, of Oklahoma City, Okla.; Frederick von Schrader, of Los Angeles, Calif.; Samuel Work Garratt, of Hot Springs, Ark.; Louis B. Montfort, of Washington, D. C.; Joseph Very Quarles, of Chenequa, Wis.; Floyd Eugene Thompson, of Chicago, Ill.; and John F. Lillard, of Washington, D. C., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 179. United States Fidelity & Guaranty Company, petitioner, *v.* John F. Guenther. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 188. James C. Davis, Federal Agent, petitioner, *v.* Mrs. Mary Preston, Administratrix. Petition for writ of certiorari to the Supreme Court of the State of Texas granted.

No. 198. The Aluminum Castings Company, petitioner, *v.* Carl F. Routzahn, Individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 212. New York Central Railroad Company, petitioner, *v.* Donato Marcone, as Administrator, etc. Petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey granted.

No. 226. Thomas A. Early, Receiver, etc., petitioner, *v.* Federal Reserve Bank of Richmond. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 229. District of Columbia, petitioner, *v.* Charles H. Fred, *alias*, Hamilton C. Fred. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 248. Victorio Nogueira, petitioner, *v.* The New York, New Haven & Hartford Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 250. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Ox Fibre Brush Company. Petitioner for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 261. William Miller, petitioner, *v.* H. J. McLaughlin, Secretary, etc. Petition for writ of certiorari to the Supreme Court of the State of Nebraska granted.

No. 270. The Henrietta Mills, petitioner, *v.* Rutherford County in the State of North Carolina and W. C. Hardin, Sheriff. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 300. Quapaw Land Company, Inc., petitioner, *v.* S. H. Bolinger. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 303. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Mabel G. Toops, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Kansas granted.

No. 305. Franc-Strohmer & Cowan, Inc., petitioner, *v.* Baro Forchheimer, doing business, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 311. Walter A. May, Herbert L. May, et. al., etc., petitioners, *v.* D. H. Heiner, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 314. Niles Bement Pond Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 323. Robert H. Lucas, as Commissioner, etc., petitioner, *v.* Kansas City Structural Steel Company; and

No. 324. Robert H. Lucas, as Commissioner, etc., petitioner, *v.* Kansas City Structural Steel Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 334. The Becker Steamship Company, petitioner, *v.* William Snyder, etc. Petition for writ of certiorari to the Court of Appeals of the State of Ohio granted.

No. 340. The United States of America, petitioner, *v.* Nelson B. Updike et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 344. Charles A. Corliss, petitioner, *v.* Frank K. Bowers, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 345. United States Shipping Board Merchant Fleet Corporation, etc., petitioner, *v.* P. LeRoy Harwood, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 356. Robert H. Lucas, as Commissioner, etc., petitioner, *v.* The Pilliod Lumber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 363. Georgia Power Company, petitioner, *v.* City of Decatur. Petition for writ of certiorari to the Supreme Court of the State of Georgia granted.

No. 365. Henry Escher, Ancillary Administrator, etc., petitioners, *v.* Walter O. Woods, as Treasurer, etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 370. Federal Trade Commission, petitioner, *v.* Western Meat Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 372. The City of Cincinnati, petitioner, *v.* Margaret W. Vester;

No. 373. The City of Cincinnati, petitioner, *v.* James S. Richards et al.; and

No. 374. The City of Cincinnati, petitioner *v.* Llewellyn B. Reakirt. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 375. Western Cartridge Company, petitioner, *v.* Louis L. Emmerson, Secretary, etc. Petition for writ of certiorari to the Supreme Court of Illinois granted.

No. 390. Inez M. Jamison, William N. Dykman, et al., etc., petitioners, *v.* Valentin Encarnacion. Petition for writ of certiorari to the Supreme Court of New York granted.

No. 397. Charter Shipping Company, Ltd., petitioner, *v.* Bowring Jones & Tidy, Ltd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 402. The United States of America, petitioner, *v.* Guaranty Trust Company of New York et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 412. Mari Tollefsen Todok, et al., petitioners, *v.* Union State Bank of Harvard, etc. Petition for writ of certiorari to the Supreme Court of Nebraska granted.

No. 425. Panama Mail Steamship Company, petitioner, *v.* Ernestina Isabelle Vargas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 275. Vesta Battery Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted and the case advanced for argument with case No. 127 as one case.

No. 329. Good Springs Anchor Company, a corporation, etc., petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. *Per curiam:* The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted. The judgment of the Circuit Court of Appeals is reversed and the cause is remanded to the District Court of the United States for the Southern District of California with directions to dismiss the suit.

No. 163. John L. Mimnaugh, Jr., Executor of the Will of John L. Mimnaugh, deceased, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 166. G. L. Ramsey and Alice M. Ramsey, petitioners, *v.* The City of Oxford, a Municipal Corporation, O. D. Nevitt, Mayor, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 168. Mrs. Walker M. Long, Temporary Administratrix, etc., et al., petitioners, *v.* American Railway Express Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 170. The United States, petitioner, *v.* Frederick J. Middlebrook, as Receiver, etc. Petition for writ of certiorari to the Court of Claims denied.

No. 171. Cleveland, Cincinnati, Chicago & St. Louis Railway Company, petitioner, *v.* Louis N. Kepner. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 172. New York Life Insurance Company, petitioner, *v.* Valentine Gits. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 174. Alvaro Boera and Ramon J. Boera, copartners, etc., petitioners, *v.* The Steamship "Buckleigh," her engines, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 175. Warren E. Burns, Williard A. Walsh, et al., petitioners, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 176. Arthur J. Dibble, petitioner, *v.* Unadilla Valley Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 177. Frank J. Wolber, petitioner, *v.* Ford Motor Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 178. William Cade, petitioner, *v.* Catherine Holt et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 180. John T. Burkett, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 181. Griffith Henshaw, Executor, etc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 182. The Greylock Mills, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 185. Tracy Waldron Fruit Company, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the District Court of Appeals, First Appellate District, State of California denied.

No. 186. Painless Parker Dentist, petitioner, *v.* The People of the State of Colorado. Petition for writ of certiorari to the Supreme Court of the State of Colorado denied.

No. 187. Judice Co., Incorporated, and Louisiana Western Railroad Company, petitioners, *v.* Village of Scott. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 189. Nelson V. McMullen, petitioner, *v.* W. D. Lewis, Mrs. Mary Dickinson et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 192. Southern Pacific Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 194. Adrien Hebert, petitioner, *v.* First National Bank of Abbeville. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 195. Richard S. Woodliff, petitioner, *v.* Citizens Building and Realty Co., Charles M. Ross, et al. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 196. Chicago, Rock Island and Pacific Railway Company, petitioner, *v.* Rollin E. Talbert, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 197. The Public Service Commission of Indiana et al., petitioner, *v.* The Vincennes Water Supply Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 201. The Frank Miller Company, petitioner, *v.* The Bassick Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 202. Hubert Bosarge and Clarence Ladnier, petitioners, *v.* The State of Alabama. Petition for writ of certiorari to the Court of Appeals of the State of Alabama denied.

No. 203. The Monongahela West Penn Public Service Corporation, petitioner, *v.* George Albey. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 204. Missouri Pacific Railroad Company, petitioner, *v.* James Wheeler. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 205. Fort Dodge, Des Moines & Southern Railroad Company, petitioner, *v.* Herbert Yarn. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 207. O. B. Morrisette, petitioner, *v.* Boulevard Bridge Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 208. Richmond Screw Anchor Co., Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 209. Louisville & Nashville Railroad Company, petitioner, *v.* George Bush. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 210. City of Gainesville, petitioner, *v.* Brown-Crummer Investment Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 211. Henry T. Read, by J. Harrington Edwards, Attorney in Fact, petitioner, *v.* Ray Lyman Wilbur, Secretary of the Interior. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 213. Alice G. Kales, petitioner, *v.* Fred L. Woodworth, individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 214. United States of America, on the petition of Marinelli Rocco on the relation of Marinelli Costantino, petitioner, *v.* Arthur J. Karnuth, District Director of Immigration, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 215. Reynolds Mortgage Company, petitioner, *v.* Abraham Lincoln Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 216. Emma Owens, petitioner, *v.* Juriman C. Hudson, as Administrator, etc. Petition for writ of certiorari to the Court of Appeals, Eighth Judicial District, Cuyahoga County, State of Ohio, denied.

No. 217. Det Forenede Dampskibs Selskab, petitioner, *v.* Insurance Company of North America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 218. Joseph Rosenberg and Isadore Rosenberg, copartners, etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 219. John C. Lynch, as Receiver of Pacific Coast Casualty Company, petitioner, *v.* International Banking Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 220. General Electric Company and Ernst Stoffregen, petitioners, *v.* Thomas E. Robertson, Commissioner of Patents. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 221. Royal Baking Powder Company, petitioner, *v.* Federal Trade Commission and John F. Nugent et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 224. Johnson-Wentworth Company, petitioner, *v.* Joseph G. McDonough. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 225. Arabella E. Bodkin, sometimes named and referred to as Mrs. Patrick H. Bodkin, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 227. Illinois Coal Corporation, petitioner, *v.* American Mine Equipment Company et al.; and

No. 228. Illinois Coal Corporation, petitioner, *v.* American Mine Equipment Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 230. Texas Power & Light Company, petitioner, *v.* Fairbanks Morse & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 231. Texas Electric Service Company, petitioner, *v.* Fairbanks Morse & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 233. Ringling Trust & Savings Bank et al., petitioners, *v.* Whitfield Estates, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 234. C. A. Marrs et al., petitioners, *v.* The City of Oxford et al. Petition for writ of certiorari to the United States Circuit Court of Appeals or the Eighth Circuit denied.

No. 236. Britain Steamship Company, Ltd., petitioner, *v.* Munson Steamship Line. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 239. American Sales Corporation, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 240. The Pennsylvania Railroad Company, petitioner, *v.* Harry W. Lutton. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 241. Navigazione Libera Triestina, S. A., petitioner, *v.* Robins Drydock & Repair Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 242. *Transoceanica Societa Italiana Di Navigazione*, petitioner, *v. Patent Vulcanite Roofing Company, Inc.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 243. Norman Lee Freeman, for himself, etc., petitioner, *v. Timothy Nolan Hopkins, etc.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 244. John Lee Mahin, petitioner, *v. The Positype Corporation of America.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 246. Charles P. Howard and International Typographical Union petitioners, *v. Walter J. Weissman, James F. Carr, et al.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 249. John G. Lonsdale, petitioner, *v. Robert H. Lucas, as Commissioner of Internal Revenue.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 251. Rockwood Corporation of St. Louis, petitioner, *v. Bricklayer's Local Union No. 1, of St. Louis, et al.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 252. John Hirschi, petitioner, *v. The United States.* Petition for writ of certiorari to the Court of Claims denied.

No. 253. New Orleans Bank & Trust Company, petitioner, *v. Mike S. Hart, Receiver, Pere Marquette Building Company.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 255. Missouri Pacific Railroad Company, petitioner, *v. Emma Crouch, Administratrix.* Petition for writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 256. Charles H. Johnson, petitioner, *v. Mary N. McCloud, a Free Dealer.* Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 257. Frances Perry, petitioner, *v. Capital Traction Company;* and

No. 258. Lulu K. Perry, petitioner, *v. Capital Traction Company.* Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied.

No. 259. Eda Matthiessen, petitioner, *v. The United States.* Petition for writ of certiorari to the Court of Claims denied.

No. 260. Southern Surety Company and National Surety Company, petitioners, *v.* Commercial Casualty Insurance Company and County of Allegheny. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 262. Osage County Motor Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 263. Emmons Coal Mining Corporation et al., petitioners, *v.* Sir R. Ropner & Company, Ltd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 264. The State of Ohio *ex rel.* George B. Mook, petitioner, *v.* The City of Cincinnati and C. O. Sherrill, City Manager, etc.; and

No. 265. George B. Mook, petitioner, *v.* City of Cincinnati, etc. Petition for writs of certiorari to the Supreme Court of the State of Ohio denied.

No. 266. Sarah V. Thacker, petitioner, *v.* Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of the State of Kentucky denied.

No. 268. Andrew T. Matthew, Administrator, etc., petitioner, *v.* Union Central Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 271. Aktieselskabet Dampskib Gansfjord, Claimant, etc., et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 272. Chicago Frog & Switch Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 273. Kunglig Jarnvagsstyrelsen, etc., petitioner, *v.* Dexter & Carpenter, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 274. William T. Graff, Charles M. Graff, et al., petitioners, *v.* Victor H. Wallace, D. Irving Coakley, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 277. Cady, Schapiro & Schapiro et al., petitioners, *v.* M. D. Mirsky & Co., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 278. The Cracker Jack Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 279. The Cracker Jack Co., Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 280. The Shotwell Mfg. Co., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 283. Peter A. Lorenz et al., petitioners, *v.* James S. Mabon et al. Petition for writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 284. Clyde A. Davis, Trustee in Bankruptcy, etc., petitioner, *v.* Charles R. Mabee, May C. Mabee, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 286. The Hoosier Casualty Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 287. Abner Francis Dodd, petitioner, *v.* Union Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 288. Calvin Pardee et al., petitioners, *v.* William H. Howcott et al.; and

No. 289. The Pardee Company, petitioner, *v.* William H. Howcott et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 290. Isaac L. Rosenstein, Louis Marcus, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 291. Clinton Corn Syrup Refining Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 292. National Candy Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 293. Fort Dodge, Des Moines & Southern Railroad Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 297. Missouri Pacific Railroad Company, petitioner, *v.* Fertia Koonse, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 298. S. Naitove & Co., Inc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 299. Bickett Coal & Coke Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 302. Abbie Conner, Nettie Conner, et al., petitioners, *v.* Herman D. Cornell, Executor of the Estate of Robert Oglesby, deceased, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 304. The Pratt Chuck Company, petitioner, *v.* Crescent Insulated Wire & Cable Co. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 306. May Cook, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 308. Edwin A. Krauthoff, petitioner, *v.* The Kansas City Joint Stock Land Bank, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 310. Sara H. Ross, Executrix of John W. Ross, deceased, and individually, et al., petitioners, *v.* J. L. White, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 312. Louis Clements, Trustee in Bankruptcy, etc., petitioner, *v.* Fred I. Conyers, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 313. The Boston and Maine Railroad, petitioner, *v.* Arthur J. Watkins. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 315. Universal Insurance Company, petitioner, *v.* Gulf Refining Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 316. Jack Murphy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 317. Pacific Improvement Company, petitioner, *v.* The Pittsburgh, Shawmut and Northern Railroad Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 318. Ostrander-Seymour Co., petitioner, *v.* Grand Rapids Electrotype Company. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 319. John L. Burke, Frank W. Burke, et al., petitioners, *v.* The Sanitary District of Chicago et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 320. Charles L. Apfel, Stephen B. Gibbons, et al., petitioners, *v.* Andrew W. Mellon, J. W. McIntosh, et al., etc. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied.

No. 321. August Aschenbach, petitioner, *v.* Sullivan Mining Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 322. Huber Hoge, Inc., petitioner, *v.* Smith & Wesson, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 325. H. G. Richardson, petitioner, *v.* Louisville & Nashville Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 327. Blackmore Investment Company, petitioner, *v.* Alel A. Johnson, Ida Johnson, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 328. Joseph W. Cline, Henry V. Wall, et al., petitioners, *v.* J. S. Cosden, J. S. Cosden, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 330. Fred Phillips, petitioner, *v.* Chicago & Northwestern Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 331. Southern California Utilities, Inc., petitioner, *v.* City of Huntington Park, a Municipal corporation, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 332. J. T. Hurley and J. T. Fleishel, Trustees, etc., petitioners, *v.* Illinois Power & Light Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 333. Thomas S. Dugan, petitioner, *v.* M. M. Logan, J. A. Siedel, et al. Petition for writ of certiorari to the Court of Appeals of the State of Kentucky denied.

No. 335. William Habermel, Trustee, petitioner, *v. E. B. Mong et al.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 337. Southern California Edison Company, petitioner, *v. Railroad Commission of the State of California et al.* Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 342. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, petitioner, *v. Alma Kane, as administratrix, etc.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 346. Security Trust Company et al., petitioners, *v. Ben S. Baer.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 348. Ohio Clover Leaf Dairy Company, petitioner, *v. Robert H. Lucas, as Commissioner of Internal Revenue.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 354. Simmons Company, petitioner, *v. Robert H. Lucas, as Commissioner of Internal Revenue.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 355. Royal Leikin and Moe Lieberman, petitioners, *v. The United States of America.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 358. Emil Hansen, permanent receiver, etc., petitioner, *v. E. I. Du Pont De Nemours & Company, Inc.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 359. Chicago, Rock Island and Pacific Railway Company, petitioner, *v. Burr S. Stottle, Administrator, etc.* Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 360. Behn, Meyer & Company, Limited, petitioner, *v. Howard Sutherland, as Alien Property Custodian, et al.;* and

No. 371. Howard Sutherland, as Alien Property Custodian, et al., petitioners, *v. Behn, Meyer & Company, Limited.* Petitions for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 361. Federal Electric Company, Inc., petitioner, *v. Flexlume Corporation;* and

No. 362. Chicago Miniature Lamp Works et al., petitioners, *v.* Flexlume Corporation. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 366. Symington-Anderson Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District Columbia denied.

No. 367. Yellow Motor Company of St. Louis, petitioner, *v.* William Broderick and Irene Broderick et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 368. Wilton McCarthy, petitioner, *v.* United States Fidelity and Guaranty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 369. Uniform Printing & Supply Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 376. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* A. L. Garrett, as Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 377. Remington Rand, Inc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue; and

No. 378. Remington Rand, Inc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 379. Hyman Polski, Charles Geller, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 380. North River Insurance Company, petitioner, *v.* Edmond Becnel et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 381. Swift & Company, petitioner, *v.* American Transportation Company et al.;

No. 382. Armour & Company, petitioner, *v.* American Transportation Company et al.;

No. 383. Wilson & Company, Inc., petitioner, *v.* American Transportation Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 384. Tommie Hill and A. W. Karns, petitioners, *v.* The United States of America; and

No. 385. Madge Hill Karns, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 393. Carl F. Bogelmann, petitioner, *v.* Steamer "Roseway" James F. Quinn. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 401. The Pittsburgh & West Virginia Railway Company, petitioner, *v.* The Wheeling & Lake Erie Railway Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 357. John Hamilton Chinnis, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 386. George Albrecht, William Albrecht, et al., petitioners, *v.* August Lohse and Nichols Shephard Company. Petition for writ of certiorari to the Appellate Court of the State of Illinois denied.

No. 387. Arvid Pearson and A. J. Hennessy, petitioners, *v.* A. W. Higgins, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 391. Yutaka Fukunaga, petitioner, *v.* Territory of Hawaii. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 394. Jack Applybe and Robert Snyder, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 398. The United States of America *ex rel.* Wm. Powlowec, next friend, etc., petitioner, *v.* Benjamin M. Day, Commissioner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 399. George F. Henggeler, Administrator, etc., petitioner, *v.* Arthur B. Allen, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 400. Business Men's Assurance Company, petitioner, *v.* Georgia A. Campbell. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 404. A. C. Bamsey, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 405. Jacqueline S. Sankey, a minor, by Faye Williams, her guardian, etc., petitioner, *v.* W. G. Skelly, F. P. Lieuallen, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 406. Paso Robles Mercantile Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 299. Bickett Coal & Coke Company, petitioner, *v.* The United States. The motion to remand this case to the Court of Claims for additional findings is denied.

No. 415. Lillie A. La Plain et al., appellants, *v.* Annie Allard. Leave granted to file statement of points to be relied upon and designation of parts of the record to be printed, on motion of Mr. Charles F. Consaul for the appellants.

No. 6, original. State of Oklahoma, complainant, *v.* State of Texas, defendant, The United States of America, intervener. Motion to postpone consideration of Commissioner's report submitted by Mr. J. Berry King for the complainant, The State of Oklahoma.

No. 326. Ramon A. Arnaldo, petitioner, *v.* The Roman Catholic Bishop of Jaro and Rev. F. Sofronio Barando. Petition for writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Wade H. Ellis, Mr. Daniel C. Roper, Mr. Henry J. Richardson, and Mr. W. D. Jameson for the petitioner, and by Mr. Daniel C. Donoghue for the respondents.

No. 407. New York Marine Company, petitioner, *v.* Cranberry Creek Coal Company et al.;

No. 408. New York Marine Company, petitioner, *v.* Robert Loughlin;

No. 409. New York Marine Company, petitioner, *v.* Thomas J. Howard;

No. 410. New York Marine Company, petitioner, *v.* Sinram Brothers, Inc.; and

No. 411. New York Marine Company, petitioner, *v.* Red Star Towing & Transportation Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Chauncey I. Clark for the petitioner, and by Mr. John C. Prizer and Mr. Carroll Single for the respondents.

No. 413. William S. Murray, Anna Jane Murray, et al., etc., petitioners, *v.* Monidah Trust, a corporation, et al. Petition for writ

of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Alfred Lucking, Mr. William Lucking, and Mr. Nat Schmulowitz for the petitioners, and by Mr. Edward I. Barry for the respondents.

No. 414. Thomas W. White, Collector of Internal Revenue, petitioner, *v.* Hood Rubber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Barham R. Gary for the petitioner, and by Mr. Frank S. Bright and Mr. H. Stanley Hinrichs for the respondent.

No. 416. Mary S. Young, as Executrix, etc., petitioners, *v.* Southern Pacific Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Dudley F. Phelps and Mr. Frank M. Swacker for the petitioners, and by Mr. Gordon M. Buck for the respondent.

No. 418. Atlanta Terminal Company, petitioner, *v.* Georgia Public Service Commission. Petition for writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. Mark Bolding and Mr. Arthur Heyman for the petitioner, and by Mr. Samuel D. Hewlett for the respondent.

No. 419. Bush Terminal Company, petitioner, *v.* S. S. "Sidney M. Hauptman," her engines, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. O. D. Duncan and Mr. Russell T. Mount for the petitioner, and by Mr. Mark W. Maclay and Mr. John Tilney Carpenter for the respondents.

No. 423. Ruffin Collie, Clinton Cook, et al., petitioners, *v.* Thomas D. Fergusson, F. W. Darling, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Jacob L. Morewitz for the petitioners.

No. 7. The Ann Arbor Railroad Company, The Atchison, Topeka & Santa Fe Railway Company, et al., appellants, *v.* The United States of America, The Interstate Commerce Commission, et al. Reargument commenced by Mr. Herman Phleger for the appellants, and continued by Mr. Solicitor General Hughes for the appellees, The United States of America and The Interstate Commerce Commission.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 22, will be as follows: Nos. 7, 60, 39, 45, 70, 17, 18, 20, 21, and 22.

SUPREME COURT OF THE UNITED STATES

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

Edwin L. English, of Urbana, Ohio; William Harris Thomas, of Union, S. C.; O. H. Greenwell, of Atlanta, Ga.; Ralph S. Pierce, of Seattle, Wash.; Thomas MacMahon, of Tacoma, Wash.; Chester Morrill, of Washington, D. C.; Carrie M. Lambert, of Phoenix, Ariz.; F. G. Lambert, of Phoenix, Ariz.; William A. Reynolds, of Chehalia, Wash.; and William Leland Irvin, of Broken Bow, Nebr., were admitted to practice.

No. 20. Safe Deposit & Trust Company of Baltimore, Maryland, appellant, *v.* The Commonwealth of Virginia. Leave granted to file brief of the City Bank Farmers Trust Company of New York, as *amicus curiae*, on motion of Mr. Russell L. Bradford in that behalf.

No. 221. Royal Baking Powder Company, petitioner, *v.* The Federal Trade Commission et al., etc. Stay of order denying petition for writ of certiorari for two weeks granted, on motion of Mr. Matthew H. O'Brien for the petitioner.

No. 7. The Ann Arbor Railroad Company et al., appellants, *v.* The United States of America et al. Reargument concluded by Mr. Solicitor General Hughes for the appellees, the United States, and the Interstate Commerce Commission.

No. 60. Railroad Commission of the State of California and City of Los Angeles, appellants, *v.* Los Angeles Railway Corporation. Argued by Mr. Arthur T. George for the appellant, the Railroad Commission of California, by Mr. Frederick von Schrader, for the appellant, the City of Los Angeles, and by Mr. Woodward M. Taylor for the appellee.

No. 39. J. R. Wheeler, petitioner, *v.* Howard Green, Receiver, etc. Argument commenced by Mr. Floyd E. Thompson for the petitioner, and continued by Mr. Edwin S. Mack for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 23, will be as follows: Nos. 39, 45, 70, 17, 18, 20, 21, 22, 23, and 24.

Wednesday, October 23, 1929

SUPREME COURT OF THE UNITED STATES

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

Harry E. McCoy, of Norfolk, Va.; Benjamin R. Howell, of Salt Lake City, Utah; and Harold T. Gassaway, of Cleveland, Ohio, were admitted to practice.

No. 39. J. R. Wheeler, petitioner, *v.* Howard Green, Receiver of the Bankers Joint Stock Land Bank, etc. Argument continued by Mr. Edwin S. Mack for the respondent, and concluded by Mr. Joseph Very Quarles for the petitioner.

No. 45. Tagg Bros. & Moorhead et al., etc., appellants, *v.* The United States of America, William M. Jardine, as Secretary, etc. Arthur M. Hyde, present Secretary of Agriculture, and William D. Mitchell, present Attorney General, substituted as parties appellee in place of William M. Jardine, formerly Secretary of Agriculture, and John G. Sargent, formerly Attorney General, on motion of Mr. Francis A. Brogan for the appellees.

No. 45. Tagg Bros. & Moorhead et al., etc., appellants, *v.* The United States of America et al. Argued by Mr. Francis A. Brogan and Mr. James M. Beck for the appellants, and by Mr. Assistant to the Attorney General O'Brian for the appellees.

No. 70. Fred I. King, petitioner, *v.* The United States of America. Argued by Mr. Assistant Attorney General Sisson for the respondent, and case submitted by Mr. Clarence Wood for the petitioner.

No. 17. Karl Herbring, appellant, *v.* Claire A. Lee, as Insurance Commissioner of the State of Oregon. Argument commenced by Mr. Thomas MacMahon for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 24th, will be as follows: Nos. 17, 18, 20, 21, 22, 23, 24, 25, 26, and 27.

SUPREME COURT OF THE UNITED STATES

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

Alexander E. Graham, of Okmulgee, Okla.; Archibald J. Treat, of San Francisco, Calif.; Clifford W. Mills, of Denver, Colo.; Littleton M. Wickham, of Richmond, Va.; and William Pepper Constable, of Baltimore, Md., were admitted to practice.

No. 285. G. C. Abernathy, Administrator, etc., et al., petitioners, *v.* State of Oklahoma, *ex rel.* A. W. Goar et al. Consideration of petition for writ of certiorari deferred for an additional two weeks, on motion of Mr. Enoch A. Chase for the petitioners.

No. 17. Karl Herbring, appellant, *v.* Claire A. Lee, as Insurance Commissioner of the State of Oregon. Argument continued by Mr. Thomas MacMahon for the appellant. The Court declined to hear further argument.

No. 18. O. E. Sutter, H. H. Birkett, et al., petitioners, *v.* Midland Valley Railroad Company. Argument commenced by Mr. Harry William Hart for the petitioners. The Court declined to hear further argument.

No. 20. Safe Deposit and Trust Company of Baltimore, Maryland, appellant, *v.* The Commonwealth of Virginia. Argued by Mr. Littleton M. Wickham for the appellants, and by Mr. Henry R. Miller, jr., for the appellee.

No. 21. Chesapeake & Ohio Railway Company, petitioner, *v.* Nick Mihas. Argued by Mr. David H. Leake for the petitioner, and by Mr. Joseph D. Ryan for the respondent.

No. 22. Kansas City Southern Railway Company, petitioner, *v.* Guardian Trust Company et al. Argument commenced by Mr. Samuel W. Moore for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 25, will be as follows: Nos. 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31.

SUPREME COURT OF THE UNITED STATES

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

William L. Hadden, of West Haven, Conn.; Thomas R. Robinson, of New Haven, Conn.; Herman Levine, of New Haven, Conn.; Ellsworth Bishop Foote, of North Branford, Conn.; David M. Reilly, of New Haven, Conn.; Thomas H. Anderson, of Miami, Fla.; Cecil J. Dowd, of Washington, D. C.; Henry D. Harlan, of Baltimore, Md.; Joseph Stadtfeld, of Pittsburgh, Pa.; Harry L. Robertson, of Council Bluffs, Iowa; and Oscar H. Brinkman, of Washington, D. C., were admitted to practice.

No. 22. Kansas City Southern Railway Company, petitioner, *v.* Guardian Trust Company et al. Argument continued by Mr. Samuel W. Moore for the petitioner, by Mr. Justin D. Bowersock for the respondent, and concluded by Mr. Samuel W. Moore for the petitioner.

No. 23. General Insurance Company of America, petitioner, *v.* Northern Pacific Railway Company. Argued by Mr. Ralph S. Pierce for the petitioner and by Mr. Dennis F. Lyons for the respondent.

No. 24. Mae Silver, appellant, *v.* Benjamin Silver. Argument commenced by Mr. Thomas R. Robinson for the appellant. The Court declined to hear further argument.

No. 25. C. A. Lindgren, Administrator, etc., petitioner, *v.* The United States of America and Colonna's Shipyard, Inc. Leave granted to Mr. D. A. Kelsey to appear and present oral argument *pro hac vice*, on motion of Mr. Jacob L. Morewitz in that behalf.

No. 25. C. A. Lindgren, Administrator, etc., petitioner, *v.* The United States of America and Colonna's Shipyard, Inc. Argument commenced by Mr. D. A. Kelsey, *pro hac vice* by special leave of Court for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Monday, October 28, will be as follows: Nos. 25, 54, 55 (and 64), 16, original, 26, 27, 28, 29, 30, and 31.

SUPREME COURT OF THE UNITED STATES

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

James H. Kiernan, of Providence, R. I.; John W. Hart, of Los Angeles, Calif.; William W. Johnson, of Long Beach, Calif.; Joe G. Sweet, of San Francisco, Calif.; Norman Gluck, of Pittsburgh, Pa.; Ward Bonsall, of Pittsburgh, Pa.; Paul D. P. Spearman, of Fulton, Miss.; Edwin C. Matthias, of Seattle, Wash.; Helen Rembert Carloss, of Washington, D. C.; Norman D. Keller, of Washington, D. C.; and Robert E. Marshall, of Sidney, Ohio, were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn et al. Further consideration of the motion for leave to appear as *amicus curiae* or to intervene as a party and to dismiss, and further consideration of the jurisdiction of this Court is postponed to the hearing of the case on the merits.

No. 267. Geo. T. Cottingham et al., appellants, *v.* Frank G. Snook, as Chief of Division of Motor Vehicles, etc. The motion to consolidate with case No. 86 for hearing as one case is granted.

No. 254. New Jersey Bell Telephone Company, appellant, *v.* The State Board of Taxes, etc. The motion to advance this case is granted, and the case assigned for argument on Monday, November 25 next.

No. 336. J. Du Pratt White et al., appellants, *v.* Sparkill Realty Corporation et al. The motion to advance this case is granted, and the case assigned for argument on Monday, November 25 next, after the case heretofore assigned for that day.

No. 90. James S. Harrington et al., appellants, *v.* James Sloan. Appeal from the Supreme Court of the State of Nebraska. *Per curiam*: The appeal is dismissed and certiorari is denied for the want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 119. Mrs. Lessie Vada Gandy, Mrs. Lena Brown, Mrs. Hazel McDonald, et al., appellants, *v.* Louisiana Oil Refining Corporation, Charles A. O'Neill, J. E. Reynolds, et al. Appeal from the Supreme Court of the State of Louisiana. *Per curiam*: The appeal is dismissed and certiorari is denied for the want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 173. Central National Bank of Lynn, appellant, *v.* City of Lynn. Appeal from the Superior Court for County of Essex, State of Massachusetts. *Per curiam*: The appeal is dismissed and certiorari is denied for the want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 183. Tremont Lumber Company, appellant, *v.* The Police Jury of the Parish of Winn and John Sholars, Sheriff of the Parish of Winn. Appeal from the Supreme Court of the State of Louisiana. *Per curiam*: The appeal is dismissed and certiorari is denied for the want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712; 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 199. Charles M. Workman, appellant, *v.* K. E. Boone and W. S. Kingsbury, Surveyor General of the State of California and ex-Officio Register of the State Land Office. Appeal from the Supreme Court of the State of California. *Per curiam*: The appeal is dismissed and certiorari is denied for the want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 200. Charles M. Workman, Katherine Irene Workman, Jerome Workman, et al., appellants, *v.* K. E. Boone and W. S. Kingsbury, Surveyor General of the State of California and Ex Officio Register of the State Land Office. Appeal from the Supreme Court of the State of California. *Per curiam*: The appeal is dismissed and certiorari is denied for the want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 294. Peter Muselin, appellant, *v.* Commonwealth of Pennsylvania;

No. 295. Tom Zima, appellant, *v.* Commonwealth of Pennsylvania; and

No. 296. Milan Resetar, appellant, *v.* Commonwealth of Pennsylvania. Appeals from the Supreme Court of the State of Pennsylvania. The appeals are dismissed and certiorari is denied for the

want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 343. Joseph Dianish, Thomas Ceska, Joseph Vancura, and Agnes Vancura, appellants, *v. The Village of Broadview*. Appeal from the Supreme Court of the State of Illinois. *Per curiam*: The appeal is dismissed and certiorari is denied for the want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 206. Allen & Reed, Inc., appellant, *v. Walter A. Presbrey, Benjamin P. Moulton, Edward J. McCaffrey, etc., et al.* Appeal from the Superior Court for Counties of Providence and Bristol of the State of Rhode Island. *Per curiam*: It appearing that this case has become moot, the appeal is dismissed and the cause is remanded to the Superior Court for the Counties of Providence and Bristol of the State of Rhode Island in order that that court may take such further proceedings as may be appropriate in the premises. This is done upon the authority of *Mills v. Green*, 159 U. S. 651; *American Book Co. v. Kansas*, 193 U. S. 49, 51; and *Brownlow v. Schwartz*, 261 U. S. 216.

No. 169. Lavaughn Booth, formerly Lavaughn Clapp, and Maxine Clapp, by her next best friend, Lavonne Booth, appellant, *v. William Clapp, jr., James C. Carlin, and Mary R. Carlin et al.* Appeal from the Supreme Court of the State of Ohio. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied. The appeal is dismissed and certiorari is denied for the want of a substantial Federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. The costs already incurred herein by direction of the Court shall be paid by the clerk as provided in the order of October 29, 1926.

No. 247. Joe Troche, appellant, *v. The People of the State of California*. Further consideration of the jurisdiction of this Court in this case is postponed to the hearing of the cause upon the merits. The motion for leave to proceed *in forma pauperis* is granted, and the cause is advanced and set for hearing on Monday, December 2 next. The clerk is directed to cause the printing of the portions of the record heretofore designated by the parties under paragraph 9 of rule 13, and to pay the costs thereof as well as the clerk's costs as provided in the order of October 29, 1926.

No. 20, original. *Ex Parte*: In the matter of Charles F. Hobbs, Commissioner of Insurance of the State of Kansas et al. The order of October 14, 1929, granting leave to file reply herein is vacated.

Further consideration of the motion for the appointment of a commissioner and for leave to file reply is postponed to the hearing on the petition and return. The case is set for hearing on the petition and return on Monday, November 25 next, after the cases heretofore assigned for that day.

No. 6, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant, The United States of America, Intervenor. Consideration of the report of the commissioner of the survey along the one hundredth meridian is postponed until February 24 next.

No. 222. State of Missouri at the relation of Missouri Insurance Company, appellant, *v.* Frederick Gehner, as Assessor, etc. Further consideration of the petition for a writ of certiorari herein is postponed to the hearing of the case on the appeal.

No. 232. The Home Insurance Company and Franklin Fire Insurance Company, appellants, *v.* C. J. Dick, Texas & Gulf Steamship Company, and Suderman & Young, Inc. Further consideration of the petition for a writ of certiorari herein and further consideration of the jurisdiction of this Court is postponed to the hearing of the case on its merits.

No. 66. The United States of America, appellant, *v.* Harry M. Wurzbach;

No. 69. Hawkeye Stages, Incorporated, appellant, *v.* Board of Railroad Commissioners of the State of Iowa et al.;

No. 86. Carley & Hamilton, Inc., et al., appellants, *v.* Frank G. Snook, etc.;

No. 98. William J. Stratton, Secretary, etc., appellant, *v.* St. Louis Southwestern Railway Company;

No. 104. National Fire Insurance Company of Hartford, appellant, *v.* Joseph B. Thompson, Superintendent, etc.;

No. 164. Piedmont and Northern Railway Company et al., appellants, *v.* The United States of America et al.;

No. 165. The Nashville, Chattanooga & St. Louis Railway and Western & Atlantic Railroad, appellants, *v.* Mrs. Clyde Morgan et al.;

No. 167. The Hanover Fire Insurance Company, of New York, appellant, *v.* Max Spektor, Abram Larner, et al.;

No. 184. D. S. Murphey, appellant, *v.* The Corporation Commission of the State of North Carolina;

No. 222. State of Missouri at the relation of Missouri Insurance Company, appellant, *v.* Frederick Gehner, as Assessor, etc.;

No. 235. J. L. Morgan, appellant, *v.* The State of Georgia;

No. 245. State of Texas, *ex rel.*, T. H. Isensee, et al., appellants, *v.* Dee Sims et al.;

No. 254. New Jersey Bell Telephone Company, appellant, *v.* The State Board of Taxes, etc.;

No. 267. Geo. T. Cottingham et al, appellants, *v.* Frank G. Snook, as Chief of Division of Motor Vehicles, etc.;

No. 276. Memphis & Charleston Railway Company, appellant, *v.* C. L. Pace, G. C. Stephens, et al.;

No. 281. The United States of America, appellant, *v.* D. D. Adams;

No. 282. The United States of America, appellant, *v.* D. D. Adams;

No. 301. Railroad Commission of Wisconsin et al., appellants, *v.* W. G. Maxcy, as Receiver, etc.;

No. 307. The Staten Island Rapid Transit Railway Company, appellant, *v.* Phoenix Indemnity Co.;

No. 309. Exchange Drug Company, appellant, *v.* Henry S. Long, as Chairman, etc.;

No. 336. J. Du Pratt White et al., appellants, *v.* Sparkill Realty Corporation et al.;

No. 338. Frank H. Dohany, appellant, *v.* Frank F. Rogers, State Highway Commissioner, etc.; and

No. 339. Columbus & Greenville Railway Company, appellant, *v.* Mrs. Lorena S. Buford, etc. In these cases the Court finds that probable jurisdiction has been shown.

No. 237. State of Ohio, *ex rel.* E. H. Bryant, appellant, *v.* Akron Metropolitan Park District, etc.; and

No. 238. State of Ohio, *ex rel.* Pauline Wadsworth, appellant, *v.* John A. Zangerle, Auditor, etc. Further consideration of the jurisdiction of this Court is postponed to the hearing of the cases on the merits.

No. 115. Lena M. Jones, appellant, *v.* Consolidated Wagon and Machine Company. Appeal from the District Court of the United States for the District of Idaho. *Per curiam:* The appeal is dismissed for the want of jurisdiction on the authority of section 238 of the Judicial Code, as amended by the act of February 13, 1925, c. 229, sec. 1, 43 Stat. 938.

No. 341. Charles Vinyard and W. A. Thompson, appellants, *v.* North Side Canal Company, Limited, a corporation, and C. C. Winburn, et al. Appeal from the Supreme Court of the State of Idaho. *Per curiam:* The appeal is dismissed and certiorari is denied for the want of a properly presented substantial Federal question on the authority of *St. Louis and San Francisco R. R. Co. v. Shephard*, 240 U. S. 240; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S. 1; *Consolidated Turnpike Co. v. Norfolk & Ocean View Ry.*, 228 U. S. 326.

No. 349. Garysburg Manufacturing Company, appellant, *v.* Board of Commissioners of Pender County et al. Appeal from the Su-

preme Court of the State of North Carolina. *Per curiam*: The appeal is dismissed for the reason that the judgment of the State court sought here to be reviewed was based on a non-Federal ground adequate to support it. *Bilby v. Stewart*, 246 U. S. 255, 257; *Farson Son & Co. v. Bird*, 248 U. S. 268, 271.

No. 392. California Delta Farms, Inc., appellant, *v.* Chinese American Farms, Inc. Appeal from the Supreme Court of the State of California. *Per curiam*: The appeal is dismissed on the authority of section 237 (a) of the Judicial Code, as amended by the act of Feb. 13, 1925 (43 Stat. 936, 937), for lack of jurisdiction, on the ground that the decree sought to be reviewed is not a final one. *Haseltine v. Central Bank of Springfield*, 183 U. S. 130, 131; *Schlosser v. Hemphill*, 198 U. S. 173, 175; *Arnold v. United States for the use of Guimarin & Co.*, 263 U. S. 427, 434.

No. 70. Fred I. King, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. *Per curiam*: Judgment affirmed on the authority of *Albrecht v. United States*, 273 U. S. 1.

No. 18. O. E. Sutter, H. H. Birkett, The Derby Oil Company, et al., petitioners, *v.* Midland Valley Railroad Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: The writ of certiorari herein is dismissed as improvidently granted, in that it now appears that the petition for certiorari did not adequately and fairly disclose the questions involved and the grounds upon which the State court rested its decision. See *Davis v. Currie*, 266 U. S. 182.

No. 414. Thomas W. White, Collector, etc., petitioner, *v.* Hood Rubber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 423. Ruffin Collie et al., petitioners, *v.* Thomas D. Fergusson et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 326. Ramon A. Arnaldo, petitioner, *v.* The Roman Catholic Bishop of Jaro and Rev. F. Sofronio Barando. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 407. New York Marine Company, petitioner, *v.* Cranberry Creek Coal Company et al.;

No. 408. New York Marine Company, petitioner, *v.* Robert Loughlin;

No. 409. New York Marine Company, petitioner, *v.* Thomas J. Howard;

No. 410. New York Marine Company, petitioner, *v.* Sinram Brothers, Inc.; and

No. 411. New York Marine Company, petitioner, *v.* Red Star Towing & Transportation Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 413. William S. Murray, Anna Jane Murray, et al., administrators of the estate of Essie Minnick, deceased, petitioners, *v.* Monidah Trust, a corporation, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 416. Mary S. Young, as Executrix under the Last Will and Testament of David G. Legget, deceased, et al., petitioners, *v.* Southern Pacific Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 418. Atlanta Terminal Company, petitioner, *v.* Georgia Public Service Commission. Petition for writ of certiorari to the Supreme Court of the State of Georgia denied.

No. 419. Bush Terminal Company, petitioner, *v.* S. S. "Sidney M. Hauptman," her engines, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

ORDER

The Court will take a recess from Monday, November 4, to Monday, November 25, next.

No. 453. Jacob A. Jacobs et al., petitioner, *v.* Commissioner of Internal Revenue. Robert H. Lucas, present Commissioner of Internal Revenue, substituted as party respondent in place of David H. Blair, formerly Commissioner of Internal Revenue, on motion of Mr. Solicitor General Hughes for the respondent.

No. 16, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Leave granted to file (1) motion of complainant, Commonwealth of Kentucky, to strike answers; that the bill of complaint as amended be taken *pro confesso*, and for a decree *pro confesso*; and (2) second supplemental brief for complainant, on motion of Mr. Clifford E. Smith for the complainant.

No. 54. Interstate Commerce Commission, petitioner, *v.* United States of America, at the Relation of the City of Los Angeles. Leave granted to file brief of A. S. Halsted, C. W. Durbrow, Frank Karr, Robert Brennan, and E. W. Camp, as *amici curiæ*, on motion of Mr. Frank Karr in that behalf.

No. 402. The United States of America, petitioner, *v.* Guaranty Trust Company of New York et al. Motion to advance submitted by Mr. J. C. Trimble for the respondents.

No. 364. Board of Railroad Commissioners of the State of North Dakota, et al., appellants, *v.* Great Northern Railway Company et al. Statement as to jurisdiction submitted by Mr. James Morris for the appellants.

No. 395. The United States of America and Interstate Commerce Commission, appellants, *v.* Chicago, Milwaukee, St. Paul and Pacific Railroad Company. Statement as to jurisdiction submitted by Mr. Attorney General Mitchell, Mr. Assistant to the Attorney General O'Brian, Mr. Daniel W. Knowlton, and Mr. Claude R. Branch for the appellants.

No. 403. Carl Moe, The City of Madison, and George E. Gill, appellants, *v.* Wm. J. P. Aberg et al. Statement as to jurisdiction submitted by Mr. R. M. Rieser and Mr. H. L. Butler for the appellants in support thereof, and by Mr. John W. Reynolds, Mr. Franklin E. Bump, Mr. John B. Sanborn, and Mr. Chauncey E. Blake for the appellees in opposition thereto.

No. 350. The Bassick Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George M. Wilmeth for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 351. F. W. Stewart Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George M. Wilmeth for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 352. Gemco Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George M. Wilmeth for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 353. Frank H. Sweet, as trustee, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Theodore B. Benson for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, Mr. Claude R. Branch, and Mr. George H. Foster for the respondent.

No. 420. The United States of America, petitioner, *v.* Kohler Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Solicitor General Hughes, Mr. Howard T. Jones, and Mr. George H. Foster for the petitioner.

No. 421. Henry L. Berg et al., petitioners, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certio-

rari to the Court of Appeals of the District of Columbia submitted by Mr. Robert Bibb Hardison for the petitioners, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Harvey R. Gamble for the respondent.

No. 422. Louis Oneal, petitioner, *v.* San Jose Canning Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Clarence A. Linn for the petitioner, and by Mr. R. M. J. Armstrong for the respondent.

No. 424. Ike Danovitz, surviving partner etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. John W. Dunkle for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Howard T. Jones, and Mr. John J. Byrne for the respondent.

No. 427. J. C. Tingley, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Warren K. Snyder for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 430. Julius Rosenwald, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Robert N. Miller, Mr. Charles Lederer, Mr. Stuart Chevalier, and Mr. Ward Loveless for the petitioner, and by Mr. Solicitor General Hughes, Mr. Sewall Key, Mr. Barham R. Gary, Mr. C. M. Charest, and Mr. Allin H. Pierce for the respondent.

No. 431. The United States of America, petitioner, *v.* The Newport News Shipbuilding and Dry Dock Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, Mr. Claude R. Branch, Mr. H. H. Rumble, Mr. J. Frank Staley, Mr. Chauncey G. Parker, and Mr. F. R. Conway for the petitioner, and by Mr. Roscoe H. Hupper for the respondent.

No. 25. C. A. Lindgren, Administrator, etc., petitioner, *v.* The United States of America et al. Argument continued by Mr. Claude R. Branch for the United States and concluded by Mr. Jacob L. Morewitz for the petitioner. Leave granted to file memorandum for the United States by to-morrow and leave granted petitioner to file additional brief on or before Thursday morning next.

No. 54. Interstate Commerce Commission, petitioner, *v.* United States of America, at the Relation of City of Los Angeles. Argument commenced by Mr. Daniel W. Knowlton for the petitioner, and continued by Mr. Jess E. Stephens and Mr. Max Thelen for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 29, will be as follows: Nos. 54, 55 (and 64), 16 Original, 26, 27, 28, 29, 30, and 32 (and 5).

SUPREME COURT OF THE UNITED STATES

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

Fred E. Pettit, jr., of Los Angeles, Calif.; Louis I. Shapiro, of Chicago, Ill.; William C. Mathes, of Los Angeles, Calif.; Ralph A. Cusick, of Washington, D. C.; and William Fulton Tarver, of Houston, Tex., were admitted to practice.

No. 54. Interstate Commerce Commission, petitioner, *v.* United States of America, at the relation of the City of Los Angeles. Argument concluded by Mr. Max Thelen for the respondent.

No. 55. The United Railways and Electric Company of Baltimore, appellant, *v.* Harold E. West, Chairman, et al., etc.; and

No. 64. Harold E. West, Chairman, et al., etc., appellants, *v.* The United Railways and Electric Company of Baltimore. Argued by Mr. Charles Markell and Mr. Charles McHenry Howard for the United Railways and Electric Company of Baltimore, and by Mr. Thomas J. Tingley and Mr. Raymond S. Williams for the Public Service Commission of Maryland.

No. 16, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Argument on motion to dismiss commenced by Mr. Thomas P. Littlepage for defendants, James Duane Duncan et al., citizens of the State of Indiana, in support of the motion.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 30, will be as follows: Nos. 16, original, 26, 27, 28, 29, 30, 31, 32 (and 5), 123, and 56.

SUPREME COURT OF THE UNITED STATES

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

Julius Eanet, of Washington, D. C.; Allen Wight, of Dallas, Tex.; Adrien Winston Vollmer, of Philadelphia, Pa.; Frank Troutman, of Atlanta, Ga.; Edward G. Davidson, of St. Louis, Mo.; Lena Frank Oakley, of St. Louis, Mo.; Harrison E. Knauss, of Washington, D. C.; Thomas L. Mead, jr., of Washington, D. C.; Frank L. Lowe, of Washington, D. C.; and R. L. Read, of Des Moines, Iowa, were admitted to practice.

No. 16, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Argument on motion to dismiss continued by Mr. Thomas P. Littlepage, for defendants James Duane Duncan et al., citizens of the State of Indiana, in support of the motion; by Mr. Clifford E. Smith for the complainant in opposition to the motion, and concluded by Mr. Thomas P. Littlepage for defendants James Duane Duncan et al., citizens of the State of Indiana, in support of the motion.

No. 26. The Farmers Loan & Trust Co., as sole surviving executor, etc., appellant, *v.* The State of Minnesota. Argued by Mr. Cleon Headley for the appellant, and by Mr. A. G. Youngquist for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 31, will be as follows: Nos. 27, 28, 19, 29, 30, and 31.

SUPREME COURT OF THE UNITED STATES

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

No. 27. Joseph H. Bromley *v.* Blakely D. McCaughn, Collector, etc. Argued by Mr. Ira Jewell Williams for Joseph H. Bromley, and by Mr. Solicitor General Hughes for Blakely D. McCaughn, Collector, etc.

No. 28. Superior Oil Company, appellant, *v.* State of Mississippi *ex rel.* Rush H. Knox. George T. Mitchell, present Attorney General of the State of Mississippi, substituted as a party appellee, in place of Rush H. Knox, formerly Attorney General of the State of Mississippi, on motion of Mr. William H. Watkins, per stipulation of counsel.

No. 28. Superior Oil Company, appellant, *v.* State of Mississippi, *ex rel.* George T. Mitchell. Leave granted Mr. James W. Cassidy, jr., to appear and present oral argument on behalf of the appellee, *pro hac vice*, on motion of Mr. William H. Watkins in that behalf.

No. 28. Superior Oil Company, appellant, *v.* State of Mississippi, *ex rel.* George T. Mitchell. Argued by Mr. Warren Lee Guice and Mr. William H. Watkins for the appellant, and by Mr. James W. Cassidy, jr., for the appellee, *pro hac vice*, by special leave of Court.

No. 19. Alexander Sprunt & Son, Inc., et al., appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Argument commenced by Mr. John W. Davis for the appellants, and continued by Mr. J. Stanley Payne for the appellee, Interstate Commerce Commission.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 1, will be as follows: Nos. 19, 29, 30, and 31.

SUPREME COURT OF THE UNITED STATES

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

Doroteo Karagdag, of Zamboanga, Zamboanga, P. I.; Thomas A. Thorntan, of Pittsburgh, Pa.; Robert Merwin Duncan, of Burns, Oreg.; John C. White, of Houston, Tex.; and Robert Mellin, of Pittsburgh, Pa., were admitted to practice.

No. 19. Alexander Sprunt & Son, Inc., et al., appellants, *v.* The United States of America, Interstate Commerce Commissioner, et al. Argument continued by Mr. J. Stanley Payne for appellees, The United States and the Interstate Commerce Commission; by Mr. Albert L. Reed for appellees, Arkansas Cotton Trade Association et al.; and concluded by Mr. R. C. Fulbright for the appellants. Leave granted counsel to file supplemental briefs within two weeks.

No. 29. Alice Barbee Wick, appellant, *v.* Chelan Electric Company. Argued by Mr. Joseph D. Sullivan and Mr. Adrien W. Vollmer for the appellant, and by Mr. Edwin C. Matthias for the appellee.

No. 30. The United States of America and Interstate Commerce Commission, appellants, *v.* Erie Railroad Company et al. Argued by Mr. Edward M. Reidy for the appellant, Interstate Commerce Commission, and by Mr. Marion B. Pierce for the appellees.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Butler, and Mr. Justice Stone.

Guy Richards Crump, of Los Angeles, Calif.; Jos. Fromberg, of Charleston, S. C.; Donald H. Sweet, of Chicago, Ill.; William Hyman, of Cincinnati, Ohio; Vincent W. Hughes, of Washington, D. C.; D. Heywood Hardy, of Houston, Tex.; Charles A. Appel, jr., of Washington, D. C.; Hartford Allen, of Chevy Chase, Md.; and Norman S. Richards, of Portland, Oreg., were admitted to practice.

No. 39. J. R. Wheeler, petitioner, *v.* Howard Greene, Receiver of the Bankers Joint Stock Land Bank of Milwaukee, Wisconsin. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of Wisconsin for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 74. Arthur E. Colgate, Administrator of the Estate of Clinton G. Colgate, deceased, appellant, *v.* The United States. Appeal from the Court of Claims. Appeal dismissed. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the Court:

No. 402. The United States of America, petitioner, *v.* Guaranty Trust Company of New York et al. The motion to advance this case is granted, the case assigned for argument on Monday, January 6 next.

No. 350. The Bassick Manufacturing Company, petitioner, *v.* The United States;

No. 351. F. W. Stewart Manufacturing Company, petitioner, *v.* The United States; and

No. 352. Gemco Manufacturing Company, petitioner, *v.* The United States. The petitions for writs of certiorari herein to the Court of Claims are granted, and the cases assigned for argument with cases Nos. 127 and 275, as one case.

No. 424. Ike Danovitz, surviving partner of Feitler Bottle Company, claimants, petitioner, *v.* The United States of America. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit is granted, with the limitation, however, that counsel shall confine themselves, in the briefs and in oral argument, to the question whether the property seized is forfeitable under section 25, Title II, of the national prohibition act.

No. 353. Frank H. Sweet, as Trustee, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 420. The United States of America, petitioner, *v.* Kohler Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 421. Henry L. Berg and Rose Berg, his wife, petitioners, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied.

No. 422. Louis Oneal, petitioner, *v.* San Jose Canning Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 427. J. C. Tingley, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 430. Julius Rosenwald, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 431. The United States of America, petitioner, *v.* The Newport News Shipbuilding and Dry Dock Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 16, original. Commonwealth of Kentucky, complainant, *v.* The State of Indiana, James Duane Duncan, Claude F. Johnson, Walter L. Brandt, Robert N. Losey, Frank D. Hatfield, Todd Stoops, John F. Carson, Robert E. Rogers, and Lester R. McCool. After due consideration of the motion of James Duane Duncan and the other individual defendants to dismiss the bill of complaint herein, it is ordered that such motion be overruled in so far as it questions the jurisdiction of this Court to entertain the bill of complaint and proceed to a hearing and determination of the merits of the controversy and case therein presented, and that all other questions sought to be presented by such motion be reserved for further consideration at the hearing upon the merits.

No. 364. Board of Railroad Commissioners of the State of North Dakota et al., etc., appellants, *v.* Great Northern Railway Company et al.; and

No. 395. The United States of America and Interstate Commerce Commission, appellants, *v.* Chicago, Milwaukee, St. Paul and Pacific Railroad Company. In these cases the Court finds that probable jurisdiction has been shown.

No. 403. Carl Moe, The City of Madison, and George E. Gill, appellants, *v.* Wm. J. P. Aberg, George P. Hambrecht, H. A. Smythe, Jr., et al., as Trustees, etc., et al. Appeal from the Supreme Court of the State of Wisconsin. *Per curiam:* The appeal herein is dismissed, and certiorari is denied, for the want of a question adequate to support the jurisdiction of this Court.

No. 462. Commissioner of Internal Revenue, petitioner, *v.* David A. Reed. Robert H. Lucas, present Commissioner of Internal Revenue, substituted as party petitioner in place of David H. Blair, formerly Commissioner of Internal Revenue, on motion of Mr. Solicitor General Hughes for the petitioner.

No. 99. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* Guy C. Earl. Motion to pass and assign submitted by Mr. Alexander T. Vogelsang on behalf of counsel for the respondent.

No. —, original. *Ex parte:* In the matter of Kate Atwood, individually, etc., et al., petitioners. Motion for leave to file petition for writ of mandamus submitted by Mr. Lyman K. Clark, jr., for the petitioners.

No. 417. Thomas A. Baldwin et al., plaintiffs in error and appellants, *v.* State of Missouri. Leave granted to file statement as to jurisdiction on motion of Mr. John H. Zabel on behalf of counsel for the plaintiffs in error and appellants.

No. 465. Eino A. Hill, petitioner, *v.* The United States of America. Motion for leave to proceed *in forma pauperis* submitted by Mr. John J. Sullivan for the petitioner.

No. 472. William H. Hallam, petitioner, *v.* Samuel J. Grant. Motion for leave to proceed *in forma pauperis* submitted by Mr. William H. Hallam, *pro se*.

No. 389. The Chesapeake & Potomac Telephone Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Stanton C. Peelle, Mr. C. F. R. Ogilby, Mr. Paul E. Lesh, Mr. Dale D. Drain, and Mr. Jerome F.

Barnard for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Galloway, and Mr. Claude R. Branch for the respondent.

No. 428. James E. Tyler, Jr., et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth District submitted by Mr. Frank S. Bright and Mr. H. Stanley Hinrichs for the petitioners and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Sewall Key, and Helen R. Carloss for the respondent.

No. 432. David Pollock, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John Philip Hill for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. Barham R. Gary for the respondent.

No. 433. Levina Cooper, *née* Perry, petitioner, *v.* Spiro State Bank, Spiro, Oklahoma. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Cicero F. Murray, Mr. R. A. Rittenhouse, and Mr. E. D. Means for the petitioner.

No. 434. Annie Eva Jacobs, *née* Carney, petitioner, *v.* Sallie E. Ambrister et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Cicero F. Murray and Mr. F. A. Rittenhouse for the petitioner, and Mr. T. J. Flannelly and Mr. W. D. Potter for the respondents.

No. 439. Kate Atwood, individually and as administratrix, etc., et al., petitioners, *v.* Rhode Island Hospital Trust Company, Administrator, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Lyman K. Clark and Mr. William E. Carnochan for the petitioners, and by Mr. Robert Thorne, Mr. William R. Tillinghast, Mr. James C. Collins, and Mr. Dallas S. Townsend for the respondent.

No. 441. Southwestern Oil & Gas Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James Walton for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Millar E. McGilchrist for the respondent.

No. 447. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* Benjamin F. Hendricks. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Edward R. Brumley and Mr. John M. Gibbons for the petitioner, and by Mr. Thomas J. O'Neill for the respondent.

No. 448. John W. Dickey, petitioner, *v.* Lizzie E. Hurd et al., executrices; and

No. 449. John W. Dickey, petitioner, *v.* Lizzie E. Hurd et al., executrices. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Marcus B. May for the petitioner, and by Mr. E. H. Calloway for the respondents.

No. 450. Tiffany & Company, a corporation, and Floyd Hurst, petitioners, *v.* George Davis et al. Petition for writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. Kenneth I. McKay and Mr. Maynard Ramsey for the petitioners, and by Mr. O. K. Reaves for the respondent.

No. 451. Fairmount Glass Works, petitioner, *v.* Cub Fork Coal Company and Paragon Colliery Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Henry H. Hornbrook for the petitioner and by Mr. C. W. Nichols for the respondents.

Adjourned until Monday, November 25, at 12 o'clock.

The day call for Monday, November 25, will be as follows: Nos. 254, 336, 20 original, 31, 32 (and 5), 123, 56, 34, 35, and 36.

SUPREME COURT OF THE UNITED STATES

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

Louis E. Miller, of St. Louis, Mo.; William C. Ralston, of Topeka, Kans.; John Solan, of Trenton, N. J.; John Dewey Sadler, of Washington, D. C.; Alton Luther Jordan, of Norfolk, Va.; and Walter Jones, of Ebensburg, Pa., were admitted to practice.

No. 24. Mae Silver, appellant, *v.* Benjamin Silver. Appeal from the Supreme Court of Errors of the State of Connecticut. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 27. Joseph H. Bromley *v.* Blakely D. McCaughn, Collector of Internal Revenue for the First District of Pennsylvania. On certificate from the United States Circuit Court of Appeals for the Third Circuit. Both questions answered in the negative. Opinion by Mr. Justice Stone. Dissenting opinion by Mr. Justice Sutherland, announced by Mr. Justice Butler, in which Mr. Justice Van Devanter and Mr. Justice Butler concur.

No. 33. D. Basil O'Connor, petitioner, *v.* Charles W. Anderson, as Collector of Internal Revenue for the Third District of New York. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed, with costs *per* stipulation of counsel, and cause remanded to the District Court of the United States for the Southern District of New York.

No. 17. Karl Herbring, appellant *v.* Claire A. Lee, as Insurance Commissioner of the State of Oregon. Appeal from the Supreme Court of the State of Oregon. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 29. Alice Barbee Wick, appellant, *v.* Chelan Electric Company. Appeal from the Supreme Court of the State of Washington. Dismissed for want of jurisdiction. Opinion by Mr. Justice Butler.

No. 21. The Chesapeake and Ohio Railway Company, petitioner, *v.* Nick Mihas. On writ of certiorari to the Appellate Court for the First District of the State of Illinois. Judgment reversed with costs, and the cause remanded to the said Appellate Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Sutherland, announced by Mr. Chief Justice Taft.

No. 30. The United States of America and Interstate Commerce Commission, appellants, *v.* Erie Railroad Company and Hoboken Manufacturers' Railroad Company. Appeal from the District Court of the United States for the District of New Jersey. Decree reversed and the cause remanded to said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 12. Geo. B. Williams, William J. Finn, M. L. Myers, et al., appellants, *v.* Ray L. Riley, as State Controller of the State of California. Appeal from the District Court of the United States for the Northern District of California. Decree affirmed with costs. Opinion by Mr. Justice McReynolds, announced by Mr. Chief Justice Taft. Separate opinion by Mr. Justice Van Devanter, in which Mr. Chief Justice Taft and Mr. Justice Butler concur.

No. 13. Bekins Van Lines, Inc., Chew Chick, doing business as Bay City Hauling Co.; Kenneth C. Clark, et al., etc., et al., appellants, *v.* Ray L. Riley, as State Controller of the State of California. Appeal from the District Court of the United States for the Northern District of California. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds, announced by Mr. Chief Justice Taft.

No. 20. Safe Deposit and Trust Company of Baltimore, Maryland, appellant, *v.* The Commonwealth of Virginia. Appeal from and on petition for writ of certiorari to the Special Court of Appeals of the State of Virginia. Petition for writ of certiorari denied. Judgment reversed with costs and cause remanded to said Special Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds, announced by Mr. Chief Justice Taft. Concurring opinion by Mr. Justice Stone in which Mr. Justice Brandeis concurs. Dissenting opinion by Mr. Justice Holmes.

No. 54. Interstate Commerce Commission, petitioner, *v.* United States of America, at the Relation of City of Los Angeles. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed with costs and cause remanded to the Court of Appeals of the District of Columbia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Taft.

No. 23. General Insurance Company of America, petitioner, *v.* Northern Pacific Railway Company. 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 Western District of Washington. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the Court:

No. 99. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* Guy C. Earl. The motion to pass and assign is granted and the case is set for hearing on Monday, March 3, next.

No. 465. Eino A. Hill, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari can be issued. The petition for certiorari is therefore also denied. The Clerk is directed to pay the costs already incurred in this cause in the manner provided in the order of October 29, 1926.

No. 472. William H. Hallam, petitioner, *v.* Samuel J. Grant. On petition for writ of certiorari to the Supreme Court of the State of Oregon. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no substantial federal question upon which a writ of certiorari can be issued. The petition for a writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 336. J. Du Pratt White et al., appellants, *v.* Sparkill Realty Corporation et al. It is ordered that this case heretofore assigned for today be, and it is hereby, reassigned for argument on Monday, January 6 next, after the case heretofore assigned for that day.

No. 389. The Chesapeake & Potomac Telephone Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No 428. James E. Tyler, Jr., and William G. Tyler, administrators, etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 285. G. C. Abernathy, Administrator of the Estate of Robert Lee Alexander, deceased, et al., petitioners, *v.* State of Oklahoma *et rel.* A. W. Goar et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 432. David Pollock, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 433. Levina Cooper, *nee* Perry, petitioner, *v.* Spiro State Bank, Spiro, Oklahoma. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 434. Annie Eva Jacobs, *nee* Carney, petitioner, *v.* Sallie E. Ambrister, Dave Daube, Sam Daube, et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 439. Kate Atwood, individually etc., et al., petitioners, *v.* Rhode Island Hospital Trust Company, Administrator, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 441. Southwestern Oil & Gas Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 447. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* Benjamin F. Hendricks. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 448. John W. Dickey, petitioner, *v.* Lizzie E. Hurd et al., executrices; and

No. 449. John W. Dickey, petitioner, *v.* Lizzie E. Hurd et al., executrices. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 450. Tiffany & Company, a corporation, and Floyd Hurst, petitioners, *v.* George Davis and David Davis et al. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 451. Fairmount Glass Works, petitioner, *v.* Cub Fork Coal Company and Paragon Colliery Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. —, original. *Ex parte:* In the matter of Kate Atwood, individually, etc., et al., petitioners. The motion for leave to file petition for writ of mandamus is denied.

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. Motion for the appointment of a Special Master submitted by Mr. Joseph A. Devery in behalf of Mr. Arthur J. W. Hilly for the defendant, the City of New York.

No. —, original. *Ex parte:* In the matter of United States *ex rel.* Hugo de Watteville Senitha, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Curley C. Hoffpauir for the petitioner.

No. 85. Hugh Wilhite, et al., etc., petitioners, *v.* The United States. Leave granted to file petition for rehearing on motion of Mr. L. L. Hamby for the petitioners.

No. 13, original. The State of Connecticut, complainant, *v.* Commonwealth of Massachusetts. Motion for leave to file motion to dismiss defendant's answer submitted by Mr. Ernest L. Averill for the complainant in support thereof, and by Mr. Bentley W. Warren for the defendant in opposition thereto.

No. 13, original. The State of Connecticut, complainant, *v.* Commonwealth of Massachusetts. Motion for leave to file motion to strike out certain parts of defendant's answer submitted by Mr. Ernest L. Averill for the complainant in support thereof, and by Mr. Bentley W. Warren for the defendant in opposition thereto.

No. 13, original. The State of Connecticut, complainant, *v.* Commonwealth of Massachusetts. Motion for the appointment of a Special Master submitted by Mr. Bentley W. Warren for the defendant.

No. 13, original. The State of Connecticut, complainant, *v.* Commonwealth of Massachusetts. Motion for leave to file motion to amend answer to the bill of complaint submitted by Mr. Bentley W. Warren for the defendant.

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. Motion to set case for hearing on bill and answer submitted by Mr. Duane E. Minard for the complainant.

No. 423. Ruffin Collie et al., petitioners, *v.* Thomas D. Fergusson et al. Motion to advance submitted by Mr. Silas B. Axtell in behalf of Mr. Jacob L. Morewitz for the petitioners.

No. 123. Royal Insurance Company, Ltd., et al., petitioners, *v.* United States Shipping Board Merchant Fleet Corporation. Leave granted to amend the record *nunc pro tunc* in accordance with a stipulation of counsel, on motion of Mr. John C. Crawley for the petitioners.

No. —, original. *Ex parte*: In the matter of Minnie Rishel, petitioner. Motion for leave to file petition for a writ of mandamus and motion for leave to proceed in forma pauperis submitted by Minnie Rishel *pro se*.

No. 21, original. *Ex parte*: In the matter of the Northern Pacific Railway Company et al., petitioners. Return of the Judges of the District Court of the United States for the District of Montana to Rule to Show Cause, presented.

No. 113. The Chesapeake & Ohio Railway Company, petitioner, *v.* R. L. Bryant, Administrator, etc. Motion to dismiss submitted by Mr. Charles Curry for the respondent in support thereof, and by Mr. J. M. Perry for the petitioner, in opposition thereto.

No. 396. Felix De Leon and Vincente Sotto, petitioners, *v.* Sotero Ignacio. Petition for writ of certiorari to the Supreme Court

of the Philippine Islands submitted by Mr. Felix De Leon and Mr. Vincente Sotto *pro se*.

No. 436. Arthur Kasherman, petitioner, *v.* State of Minnesota. Petition for writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Benjamin M. Rigler for the petitioner, and by Mr. James E. Markham for the respondent.

No. 437. Fidelity-Philadelphia Trust Company, Executor, etc., petitioner, *v.* Blakely D. McCaughn, formerly Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. H. Gordon McCouch for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Millar E. McGilchirst for the respondent.

No. 438. Irving Levy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Richard L. Merrick and Mr. Howard F. Bresee for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 443. Maurice Campbell, Federal Prohibition Administrator, etc., et al., petitioners, *v.* Galeno Chemical Company, Inc., et al.;

No. 444. Maurice Campbell, Federal Prohibition Administrator, etc., et al., petitioners, *v.* D. P. Paul and Company, Incorporated; and

No. 445. Maurice Campbell, Federal Prohibition Administrator, etc., et al., petitioners, *v.* W. H. Long & Company, Incorporated. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Hughes, Mr. John Henry McEvers, and Mr. Mahlon D. Kiefer for the petitioners, and by Mr. Charles Dickerman Williams for the respondents in Nos. 443 and 444, and Mr. Lewis Landes for the respondent in No. 445.

No. 446. The Chesapeake and Ohio Railway, petitioner, *v.* Kanawha Black Bank Coal Company and Glenn Coal Company. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. C. W. Strickling, Mr. M. Carter Hall, and Mr. David H. Leake for the petitioner, and by Mr. A. A. Lilly for the respondent.

No. 452. Richbourg Motor Company, Intervenor, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Joseph G. Myerson and Mr. R. R. Williams for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. Mahlon D. Keifer for the respondent.

No. 453. Jacob A. Jacobs, George G. Gambrill, et al., petitioners, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. David Goldsmith for the petitioners, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Sewall Key, and Helen R. Carlross for the respondent.

No. 455. Kokusai Kisen Kabushiki Kaisha, Claimant of the S. S. "Etna Maru," petitioner, *v.* Texas Gulf Sulphur Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George C. Sprague and Mr. Geo. Whitefield Betts, jr., for the petitioner, and by Mr. Henry M. Longley and Mr. Ezra G. Benedict Fox for the respondent.

No. 456. Harry P. Coursey and True Miller, Partners, etc., petitioners, *v.* Firestone Tire & Rubber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Fred A. Wright and Mr. James C. Kinsler for the petitioners, and by Mr. P. E. Boslaugh for the respondent.

No. 457. Alpha Steamship Corporation, et al., petitioners, *v.* Robert Cain. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Carver W. Wolfe for the petitioners, and by Mr. Melville J. France for the respondent.

No. 461. The Dry Dock, East Broadway and Battery Railroad Company, petitioner, *v.* The City of New York. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Alfred T. Davison for the petitioner, and by Mr. Arthur J. W. Hilly, Mr. J. Joseph Lilly, and Mr. Elliot S. Benedict for the respondent.

No. 462. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* David A. Reed. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Hughes for the petitioner, and by Mr. Maynard Teall for the respondent.

No. 463. Charles Jackson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Thomas Amory Lee for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, and Mr. W. Clifton Stone for the respondent.

No. 464. Brinkerhoff-Faris Trust & Savings Company, petitioner, *v.* Walter O. Hill, Treasurer, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr.

Roy W. Rucker for the petitioner, and by Mr. Lieutellus Cunningham for the respondent.

No. 466. Massachusetts Gasoline & Oil Company, petitioner, *v.* The Go Gas Company et al. Petition for writ of certiorari to the Superior Court in and for the County of Worcester, State of Massachusetts, submitted by Mr. Harry M. Welch for the petitioner, and by Mr. LaRue Brown for the respondents.

No. 467. Fairbanks, Morse & Company and Sheffield Car Company petitioners, *v.* American Valve & Meter Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Fred L. Chappell and Mr. Howard M. Cox for the petitioners, and by Mr. F. A. Whiteley for the respondents.

No. 471. Saint Paul Fire and Marine Insurance Company, petitioner, *v.* Rudolph Eldracher et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. S. H. West and Mr. Henry Davis for the petitioner, and by Mr. Patrick H. Cullen for the respondents.

No. 476. James Robinson Hatmaker, petitioner, *v.* The Dry Milk Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James Robinson Hatmaker *pro se*, and by Mr. Fritz v. Briessen for the respondent.

No. 487. Robert C. Morris, Trustee, etc., et al., petitioners, *v.* Antonio Melian Pavia. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edwin L. Garvin for the petitioners, and by Mr. Samuel J. Rosensohn for the respondent.

No. 35. State of Ohio *ex rel.* John C. Popovice, Vice Consul of Roumania, petitioner, *v.* Abram W. Agler et al. Passed until January 6 per stipulation of counsel.

No. 254. New Jersey Bell Telephone Company, appellant, *v.* The State Board of Taxes, etc. Argued by Mr. Thomas G. Haight for the appellant, and by Mr. Duane E. Minard for the appellee.

No. 20, original. *Ex parte*: In the matter of Charles F. Hobbs, Commissioner, etc., petitioners. Argument on petition and return to rule to show cause commenced by Mr. John G. Egan for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 26, will be as follows: Nos. 20 original, 31, 32 (and 5), 123, 56, 36, 34, 37 (and 38), 40, and 41.

SUPREME COURT OF THE UNITED STATES

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

Louis Connick, of New York City; William E. Furey, of Washington, D. C.; Paul V. Rogers, of Washington, D. C.; Jerome L. Richardson, of Riverside, Calif.; John S. Wurts, of Philadelphia, Pa.; Joseph S. Belt, of Amarillo, Tex.; Christian M. Ozias, of Fresno, Calif.; Cornelius D. Ehret, of Philadelphia, Pa.; Claude C. Wild, of San Angelo, Tex.; Thomas E. Hayden, jr., of Abilene, Tex.; Albert F. Williams, of Columbus, Kans.; and Frederick Steiwer, of Portland, Oreg., were admitted to practice.

No. 39. J. R. Wheeler, petitioner, *v.* Howard Green, Receiver of the Bankers Joint Stock Land Bank, etc. Motion for leave to file brief of Herman M. Langworthy, receiver of the Kansas City Joint Stock Land Bank, and Floyd L. Rogers, receiver of the Ohio Joint Stock Land Bank, *as amici curiæ* in support of petition for rehearing submitted by Mr. Cyrus Crane in that behalf.

No. 39. J. R. Wheeler, petitioner, *v.* Howard Green, Receiver of the Bankers Joint Stock Land Bank, etc. Motion for leave to file brief of Bondholders' Protective Committee *as amicus curiæ*, in support of petition for rehearing, submitted by Mr. Cyrus Crane in behalf of Mr. James A. Reed and Mr. Massey Holmes.

No. 41. Louis J. Tyson, appellant, *v.* Roland H. Hartley, as Governor of the State of Washington, et al. Motion for leave to file brief of the State of Oregon, *as amicus curiæ* and to participate in oral argument submitted by Mr. Frederick Steiwer in behalf of Mr. I. H. Van Wenkle and Mr. J. M. Devers.

No. 20, original. *Ex parte*: In the matter of Charles F. Hobbs, Commissioner of Insurance, etc., et al. Argument on the petition and return to rule to show cause concluded by Mr. Robert J. Folonie for the respondent.

No. 31. Edward J. Gunning, petitioner, *v.* Gertrude L. Cooley. Argued by Mr. H. Prescott Gatley for the petitioner and by Mr. Alvin L. Newmyer for the respondent.

No. 32. United States Shipping Board Merchant Fleet Corporation, etc., petitioners, *v.* Benjamin Lustgarten, an infant, etc.; and

No. 5. John Johnson, petitioner, *v.* United States Shipping Board Emergency Fleet Corporation. Argument commenced by Mr. Claude R. Branch for the petitioner in No. 32 and respondent in No. 5.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 27, will be as follows: Nos. 32 (and 5), 123, 56, 36, 34, 37 (and 38), 40, 41, 42, and 43.

SUPREME COURT OF THE UNITED STATES

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

Mr. William S. Doty, of Pittsburgh, Pa., and Mr. John H. Caldwell, of Newport, Ark., were admitted to practice.

No. 5. John Johnson, petitioner *v.* United States Shipping Board Emergency Fleet Corporation. Leave granted Mr. Myron Scott to appear and present oral argument for the petitioner *pro hac vice*, on motion of Mr. Silas Blake Axtell, in that behalf.

No. 32. United States Shipping Board Merchant Fleet Corporation etc., petitioners, *v.* Benjamin Lustgarten, an infant, etc.; and

No. 5. John Johnson, petitioner, *v.* United States Shipping Board Emergency Fleet Corporation. Argument continued by Mr. Silas Blake Axtell for the respondent in No. 32; by Mr. Myron Scott *pro hac vice* by special leave of Court for the petitioner in No. 5; and concluded by Mr. Claude R. Branch for the petitioner in No. 32 and the respondent in No. 5.

No. 123. Royal Insurance Company, Ltd., et al., petitioners, *v.* United States Shipping Board Merchant Fleet Corporation. Argued by Mr. John C. Crawley for the petitioners, and by Mr. Claude R. Branch for the respondent.

No. 56. Federal Sugar Refining Company, petitioner, *v.* The United States of America. Argued by Mr. Oscar R. Houston for the petitioner, and by Mr. Claude R. Branch for the respondent.

No. 36. The Corn Exchange Bank, appellant, *v.* Bird S. Coler, Commissioner of Public Welfare of the City of New York. Argued by Mr. Spotswood D. Bowers for the appellant, and by Mr. J. Joseph Lilly for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 2, will be as follows: Nos. 247, 34, 37 (and 38), 40, 41, 42, 43, 44, 46, and 47.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

R. H. Chapman, of Lake City, Fla.; Anne Scheiber, of New York City; Peyton R. Evans, of Amherst, Va.; W. A. Slaton, of Washington, Ga.; W. Marvin Smith, of Washington, D. C.; William F. Cleary, of San Francisco, Calif.; and Edward P. Donnelly, of Seattle, Wash., were admitted to practice.

No. 60. The Railroad Commission of the State of California and The City of Los Angeles, appellants, *v.* Los Angeles Railway Corporation. Appeal from the District Court of the United States for the Southern District of California. Decree affirmed with costs. Opinion by Mr. Justice Butler. Separate opinion by Mr. Justice McReynolds. Dissenting opinion by Mr. Justice Brandeis, in which Mr. Justice Holmes concurs. Dissenting opinion by Mr. Justice Stone.

No. 21, original. *Ex parte*: In the matter of the Northern Pacific Railway Company et al., petitioners. Mr. Chief Justice Taft announced the ruling of the Court. *Per curiam*: This is a petition for a writ of mandamus. A rule to show cause was issued and a return has now been made to the rule. From the petition and the return the facts are shown to be as follows: The Northern Pacific Railway Co. and three others brought a suit in the District Court for the District of Montana against the Board of Railroad Commissioners of that State and others to prevent the enforcement of a rate order made by the board, the objection urged against the order being that it was in conflict with the commerce clause of the Constitution of the United States and with certain provisions of the commerce laws of Congress. The plaintiffs applied for a temporary restraining order and for an interlocutory injunction. District Judge Pray granted a temporary restraining order which was to continue in force "until the plaintiffs' application for an interlocutory injunction be heard and determined by three judges as provided by statute."

Afterwards, but before three judges were assembled to hear the application for an interlocutory injunction, District Judge Bourquin, sitting alone, entertained a motion by the defendants to dissolve the temporary restraining order, and also a motion to dismiss the bill on the merits. The plaintiffs objected that a single judge was without authority to entertain or act upon either motion, but Judge Bourquin overruled the objection, sustained the motion to dismiss, and entered a final decree of dismissal. Of course, the decree, if valid, operated not only as a revocation of the temporary restraining order but also as a denial of the application for an interlocutory injunction.

Manifestly the suit was within the terms and spirit of section 380, title 28, of the United States Code. When Judge Pray granted a temporary restraining order to be effective until the application for an interlocutory injunction, it became his duty under that section immediately to call two other judges, one of whom should be either a circuit justice or a circuit judge, to assist him in hearing and determining the application for an interlocutory injunction. Not only so, but the section as amended by the act of February 13, 1925, c. 29, 43 Stat. 938, extends the requirement respecting the presence of three judges to the final hearing in such a suit. Under our decisions construing and applying the section, Judge Bourquin sitting alone was without jurisdiction to hear either the motion to dissolve the temporary restraining order or the motion to dismiss the bill on the merits. In the presence of the application for an interlocutory injunction—which was at no time withdrawn but constantly pressed—a single judge, whether Judge Pray or Judge Bourquin, was as much without authority to dismiss the bill on the merits as he would be to grant either an interlocutory or a permanent injunction. Our decisions leave no doubt on these points. *Ex parte*: Metropolitan Water Company of West Virginia, 220 U. S. 539; Cumberland Telephone & Telegraph Company v. Louisiana Public Service Commission, 260 U. S. 212, 216-217; Virginian Railway Company v. United States, 272 U. S. 658, 671-673; *Ex parte*: Atlantic Coast Line R. R. Co., 279 U. S. 822.

It follows that the rule against the respondents must be made absolute, with directions to them to vacate the decree of dismissal entered by Judge Bourquin and to take immediate steps for assembling a court of three judges to hear and determine the application for an interlocutory injunction conformably to section 380. We assume it will not be necessary to issue a formal writ. Rule made absolute.

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

ORDER

On the application of the clerk, pursuant to section 221 of the Judicial Code,

It is ordered that Hugh W. Barr be, and he is hereby, appointed a deputy clerk of this court.

No. —, original. *Ex parte*: In the matter of United States *ex rel.* Hugo de Watteville Senitha, petitioner. The motion for leave to file a petition for a writ of mandamus is denied.

No. —, original. *Ex parte*: In the matter of Minnie Rishel, petitioner. The motions for leave to file a petition for a writ of mandamus and for leave to proceed *in forma pauperis* are denied without prejudice.

No. 13, original. State of Connecticut, complainant, *v.* Commonwealth of Massachusetts. The motion for leave to file motion to dismiss the defendant's answer and to file motion to strike out certain parts of defendant's answer is granted.

No. 13, original. State of Connecticut, complainant, *v.* Commonwealth of Massachusetts. The motion for the appointment of a special master in this case is granted; and Charles W. Bunn, Esq., of St. Paul, State of Minnesota, is appointed special master in this cause, with power to summons witnesses, issue subpoenas, and to take such testimony as may be introduced and such as he may deem necessary to call. The master is directed to make findings of fact and conclusions of law, and to submit the same to this court with all convenient speed, together with his recommendations for a decree. The findings, conclusions, and recommendations of the special master shall be subject to consideration, revision, or approval by the Court.

No. 13, original. State of Connecticut, complainant, *v.* The Commonwealth of Massachusetts. The motion for leave to amend answer of the defendant is granted.

No. 17, original. State of New Jersey, complainant, *v.* The State of New York and The City of New York. The motion for the appointment of a special master in this case is denied without prejudice.

No. 17, original. State of New Jersey, complainant, *v.* The State of New York and the City of New York. The motion to set this cause for hearing on bill and answer is granted, and the case assigned for hearing on Monday, January 6 next, after the cases heretofore assigned for that day.

No. 423. Ruffin Collie et al., petitioners, *v.* Thomas D. Fergusson et al. The motion to advance this case is granted, and the case assigned for argument on Monday, January 13 next.

No. 113. The Chesapeake & Ohio Railway Company, petitioner, *v.* R. L. Bryant, Administrator, etc. Further consideration of the motion to dismiss this case is postponed to the hearing of the case on the merits.

No. 41. Louis J. Tyson, appellant, *v.* Roland H. Hartley, as Governor, etc. The motion for leave to file brief of the State of Oregon by its State Highway Commission, and for leave to take part in the oral argument as *amicus curiæ* is granted.

No. 443. Maurice Campbell, Federal Prohibition Administrator, etc., et al., petitioners, *v.* Galeno Chemical Company, Inc., et al.

No. 444. Maurice Campbell, Federal Prohibition Administrator, etc., et al., petitioners, *v.* D. P. Paul and Company, Incorporated, and

No. 445. Maurice Campbell, Federal Prohibition Administrator, etc., et al. *v.* W. H. Long & Co. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 452. Richbourg Motor Company, Intervenor, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 457. Alpha Steamship Corporation et al., petitioners, *v.* Robert Cain. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 462. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* David A. Reed. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 463. Charles Jackson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 396. Felix De Leon and Vincente Sotto, petitioners, *v.* Sotero Ignacio. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 436. Arthur Kasherman, petitioner, *v.* State of Minnesota, Petition for writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 437. Fidelity-Philadelphia Trust Company, Executor, etc., petitioner, *v.* Blakely D. McCaughn, formerly Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 438. Irving Levy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 446. The Chesapeake and Ohio Railway Company, petitioner, *v.* Kanawha Black Band Coal Company et al. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 453. Jacob A. Jacobs et al., petitioners, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 455. Kokusai Kisen Kabushiki Kaisha, Claimant of the S. S. "Etna Maru," petitioner, *v.* Texas Gulf Sulphur Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 456. Harry P. Coursey et al., petitioners, *v.* Firestone Tire & Rubber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 461. The Dry Dock, East Broadway and Battery Railroad Company, petitioner, *v.* The City of New York. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 464. Brinkerhoff-Faris Trust & Savings Company, petitioner, *v.* Walter O. Hill, Treasurer, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 466. Massachusetts Gasoline & Oil Company, petitioner, *v.* The Go Gas Company et al. Petition for writ of certiorari to the Superior Court in and for the County of Worcester, State of Massachusetts, denied.

No. 467. Fairbanks, Morse & Company and Sheffield Car Company, petitioners, *v.* American Valve & Meter Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 471. Saint Paul Fire and Marine Insurance Company, petitioner, *v.* Rudolph Eldracher and Anna Marie Eldracher. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 476. James Robinson Hatmaker, petitioner, *v.* The Dry Milk Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 487. Robert C. Morris, Trustee, etc., et al., petitioners, *v.* Antonio Melian Pavia. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 42. International Shoe Company, petitioner, *v.* Federal Trade Commission. Leave granted to file reply brief of petitioner by Friday next, on motion of Mr. Charles Nagel for the petitioner.

No. 414. Thomas W. White, Collector of Internal Revenue, petitioner, *v.* Hood Rubber Company. Motion to advance submitted by Mr. Frank S. Bright for the respondent.

No. 415. Lillie A. La Plain and Victor A. Roeder, appellants, *v.* Annie Allard. Statement as to jurisdiction submitted by Mr. Charles C. Heltman and Mr. Charles F. Consaul for the appellants in support thereof, and by Mr. W. B. Stratton for the appellee in opposition thereto.

No. 426. Arthur J. Aubrey et al., appellants, *v.* Mahoning Valley Sanitary District, etc. Statement as to jurisdiction submitted by Mr. Luther Day, Mr. William L. Day, and Mr. W. J. Kenealy for the appellants in support thereof, and by Mr. Jas. E. Bennett, Mr. Oscar E. Diser, Mr. Charles M. Wilkins, Mr. Paul Z. Hodge, Mr. Newton D. Baker, and Mr. Carmi Thompson for the appellees in opposition thereto.

No. 429. Manuel Ortega, appellant, *v.* Magma Copper Company. Statement as to jurisdiction submitted by Mr. Norman B. Landreau for the appellant.

No. 435. The State of North Dakota, doing business as the Bank of North Dakota, appellant, *v.* Gunder Olson, as Collector, etc. Statement as to jurisdiction submitted by Mr. James Morris for the appellant in support thereof, and by Mr. Solicitor General Hughes, Mr. Seth W. Richardson, Mr. Sewall Key, and Mr. Morton P. Fisher for the appellee in opposition thereto.

No. 440. The Ohio Oil Company, appellant, *v.* E. A. Conway, Supervisor of Public Accounts of the State of Louisiana. Statement as to jurisdiction submitted by Mr. S. L. Herold and Mr. R. L. Benoit for the appellant.

No. 458. O'Gorman and Young, Incorporated, appellant, *v.* Hartford Fire Insurance Company of Hartford, Connecticut; and

No. 459. O'Gorman and Young, Incorporated, appellant, *v.* Phoenix Assurance Company, Ltd., of London. Statement as to jurisdiction submitted by Mr. Walter Gordon Merritt and Mr. John W. Simpson, 2d, for the appellant.

No. 469. Texas and New Orleans Railroad Company et al., petitioners, *v.* Brotherhood of Railway and Steamship Clerks et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. H. M. Garwood and Mr. J. H. Tallichet for the petitioners, and by Mr. Donald R. Richberg and Mr. John H. Crooker for the respondents.

No. 473. H. F. Worley, petitioner, *v.* W. D. Hawker. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Neal E. McNeill for the petitioner.

No. 474. Odie Oland Owens, petitioner, *v.* David King Battenfield et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Joseph W. Bailey, jr., for the petitioner, and by Mr. J. B. Dudley for the respondents.

No. 477. Barker Painting Company, petitioner, *v.* Local No. 734, Brotherhood of Painters, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Merritt Lane for the petitioner, and by Mr. Morris Hillquit for the respondents.

No. 247. Joe Troche, appellant, *v.* The People of the State of California. Argument commenced by Mr. Ray T. Coughlin for the appellant. The Court declined to hear further argument.

No. 34. Charles Blind et al., appellants and plaintiffs in error, *v.* Phillip H. Brockman, as President of the Board of Police Commissioners, etc. Argument commenced by Mr. Ernest F. Oakley, jr., for the appellants and plaintiffs in error. The Court declined to hear further argument.

No. 37. Wabash Railway Company et al., petitioners, *v.* John C. Barclay et al.; and

No. 38. Shirley P. Austin, petitioner, *v.* John C. Barclay et al. Argued by Mr. Charles E. Hughes for the petitioners, and by Mr. Joseph S. Clark for the respondents.

No. 41. Louis J. Tyson, appellant, *v.* Roland S. Hartley, as Governor of the State of Washington, et al. Argued by Mr. Edward P. Donnelly for the appellees, by Mr. J. M. Devers for the State of Oregon by its State Highway Commission, as *amicus curiæ*, by special leave of court, and submitted by Mr. Thomas Mannix for the appellant.

No. 41. Louis J. Tyson, appellant, *v.* Roland S. Hartley, as Governor of the State of Washington, et al. Motion to dismiss submitted by Mr. Edward P. Donnelly for the appellees.

No. 42. International Shoe Company, petitioner, *v.* Federal Trade Commission. Argument commenced by Mr. Charles Nagel for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 3, will be as follows: Nos. 42, 40, 43, 44, 46, 47, 48, 49, 50, and 51.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

George Culbreth Thomas, of Baltimore, Md.; George E. O'Connor, of Waterford, N. Y.; Alexander H. Bell, jr., of Washington, D. C.; Irving C. Goldstein, of Baltimore, Md.; Alfred T. Edel, of Baltimore, Md.; Michael James Manley, of Baltimore, Md.; Albert F. Wheltle, of Baltimore, Md.; Charles H. Small, of Denver, Colo.; William E. Chilton, of Cleveland, Ohio; Walter E. Beebe, of Chicago, Ill.; Stanley H. Guthrie, of Los Angeles, Calif.; Barge E. Leonard, of Portland, Oreg.; Albert Duffill, of Las Vegas, Nev.; W. L. Matthews, of San Antonio, Tex.; and Thomas D. Hopkins, of Ironton, Ohio, were admitted to practice.

No. 41. Louis J. Tyson, appellant, *v.* Roland S. Hartley, as Governor of the State of Washington, et al. Appeal from the Supreme Court of the State of Washington. Dismissed for want of jurisdiction.

No. 42. International Shoe Company, petitioner, *v.* Federal Trade Commission. Argument continued by Mr. Charles Nagel for the petitioner, and concluded by Mr. Assistant to the Attorney General O'Brian for the respondent.

No. 40. Greenway Apartment Company, appellant, *v.* The Convention of the Protestant Episcopal Church, etc., et al. Argued by Mr. Isaac Lobe Strauss for the appellant, and by Mr. Charles F. Harley and Mr. Edward F. Bassett for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 4, will be as follows: Nos. 43, 44, 46, 47, 48, 49, 50, 51, 52, and 57.

SUPREME COURT OF THE UNITED STATES

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

William H. Eckert, of Pittsburgh, Pa.; John Bernhard Thiess, of Chicago, Ill.; Fred R. Wright, of Milwaukee, Wis.; Frank W. Hall, of Madison, Wis.; William A. Collins, of Bay City, Mich.; Justin Le Roy Johnson, of Stockton, Calif.; J. Sawyer Fitch, of Rochester, N. Y.; George S. Taft, of Uxbridge, Mass.; J. Gaillard Hamilton, of Mobile, Ala.; Cass J. Jankowski, of Detroit, Mich.; B. F. McMillan, jr., of Mobile, Ala.; and Samuel M. Johnston, of Mobile, Ala., were admitted to practice.

The Chief Justice announced the following order of the Court:

ORDER

The Court will take a recess from Monday, December 9 next, to Monday, January 6, 1930.

No. 43. Louisiana Greyhound Club, Inc., appellant, *v.* Frank J. Clancy, Sheriff, etc., et al. Argued by Mr. E. Howard McCaleb for the appellant and by Mr. Eugie V. Parham for the appellees.

No. 44. District of Columbia, petitioner, *v.* Georgiana Thompson. Argued by Mr. Alexander H. Bell, jr., for the petitioner, and by Mr. William E. Furey for the respondent.

No. 46. The Anglo & London Paris National Bank of San Francisco, petitioner, *v.* Consolidated National Bank of Tucson. Argued by Mr. Frederic R. Coudert for the petitioner, and by Mr. John W. Davis for the respondent.

No. 47. Henry Ford & Son, Inc., petitioner, *v.* Little Falls Fibre Company, et al. Argument commenced by Mr. Charles E. Nichols, jr., for the petitioner. The Court declined to hear further argument.

No. 48. Carl H. Kothe, petitioner, *v.* The R. C. Taylor Trust. Argued by Mr. Frank H. Pardee for the petitioner, and by Mr. George F. Taft for the respondent.

No. 49. Luckenbach Steamship Company, petitioner, *v.* The United States. Argument commenced by Mr. George A. King for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 5, will be as follows: Nos. 49, 50, 51, 52, 57, 58, 59, 61, 63, and 65 (and 69).

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SUPREME COURT OF THE UNITED STATES

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

Joseph L. Smith, of Newark, N. J.; Stephen A. George, of Ardmore, Okla.; John J. Chester, jr., of Columbus, Ohio; Ira G. Hersey, of Houlton, Me.; Paul C. Hicks, of Columbus, Ohio; Myron B. Gessaman, of Columbus, Ohio; Ray E. Hughes, of Columbus, Ohio; Thomas O. Marljar, of Toledo, Ohio; and Fritz Hailer, of Detroit, Mich., were admitted to practice.

No. 49. Luckenbach Steamship Company, petitioner, *v.* The United States. Argument continued by Mr. George A. King for the petitioner, and concluded by Mr. Assistant Attorney General Sisson for the respondent.

No. 50. T. L. Carpenter and Lillie V. Carpenter, petitioners, *v.* A. S. J. Shaw, as State Auditor of the State of Oklahoma. Argued by Mr. Stephen A. George for the petitioners, and case submitted by Mr. J. Berry King and Mr. V. P. Crowe for the respondent.

No. 51. Gulf, Mobile & Northern Railroad Company, petitioner, *v.* Ruby Highnote Williams, as Administratrix, etc. Argued by Mr. J. G. Hamilton for the petitioner, and by Mr. B. F. McMillan, jr., and Mr. S. M. Johnston for the respondent.

No. 51. Gulf, Mobile & Northern Railroad Company, petitioner, *v.* Ruby Highnote Williams, as Administratrix, etc. On writ of certiorari to the Supreme Court of the State of Alabama. Writ of certiorari dismissed as improvidently granted.

No. 52. Commissioner of Internal Revenue, petitioner, *v.* W. J. Howard. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and case submitted by Mr. W. J. Howard for the respondent.

No. 57. The United States of America *v.* Kitty Jackson et al. Argued by Mr. Assistant Attorney General Richardson for the United States. No appearance for Jackson et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 6, will be as follows: Nos. 58, 59, 61, 63, 65 (and 69), and 66.

SUPREME COURT OF THE UNITED STATES

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

Andrew W. Huntress, of Washington, D. C.; William H. Burland, of New Haven, Conn.; Earl F. Wisdom, of Des Moines, Iowa; Martin E. Gormley, of Naugatuck, Conn.; Herbert S. Ward, of Washington, D. C.; Thomas S. Griffing, of St. Louis, Mo.; William B. Hornblower, of San Francisco, Calif.; and Harry Griffith Weaver, of Wheaton, Ill., were admitted to practice.

No. 58. First Addition to the Rattle Snake Drainage District et al., appellants, *v.* Walter Bodeman et al. Argued by Mr. Frank W. Hall for the appellees, and case submitted by Mr. H. L. Butler, Mr. R. M. Reiser, Mr. Frank Lucas, and Mr. C. E. Buell for the appellants.

No. 59. Mabel G. Reinecke, Collector of Internal Revenue, etc., petitioner, *v.* Eudora Hull Spalding. Argued by Mr. Claude R. Branch for the petitioner, and by Mr. John M. Zane for the respondent.

No. 61. E. Franklin Brewster, petitioner, *v.* Bert B. Gage, Collector of Internal Revenue. Argued by Mr. John W. Davis and Mr. J. Sawyer Fitch for the petitioner, and by Mr. Solicitor General Hughes for the respondent.

No. 63. Ray Lyman Wilbur, as Secretary of the Interior, petitioner. *v.* The United States of the relation of Emil L. Krushnic. Argument commenced by Mr. George C. Butte for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 9, will be as follows: Nos. 63 and 65 (and 69).

SUPREME COURT OF THE UNITED STATES

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

Charles Henry Quimby, jr., of Washington, D. C.; Charles Henry Quimby, 3d, of Washington, D. C.; Charles Emory Phillips, of Washington, D. C.; Herman O. Stickney, of Norfolk, Va.; Mortimer W. Spaulding, of Denver, Colo.; and Ralph Woods, of Tacoma, Wash., were admitted to practice.

No. 20, original. *Ex parte*: In the matter of Charles F. Hobbs, Commissioner of Insurance of the State of Kansas, et al. Rule to show cause discharged. Mandamus denied. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the Court:

No. 414. Thomas W. White, Collector of Internal Revenue, petitioner, *v.* Hood Rubber Company. The motion to advance this case is granted and the case assigned for argument with No. 118 as one case, on Monday, January 13 next, after the case heretofore assigned for that day.

No. 247. Joe Troche, appellant, *v.* The People of the State of California. Appeal from the Supreme Court of the State of California. *Per curiam*: The appeal is dismissed for the want of a substantial Federal question, on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by section 237 (c) of the Judicial Code, as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938), the certiorari is denied.

No. 34. Charles Blind, William F. Peikert, Otto Burger, et al., appellants and plaintiffs in error, *v.* Phillip H. Brockman, as President of the Board of Police Commissioners of the City of St. Louis and State of Missouri, et al., etc. Appeal from and in error to the Supreme Court of the State of Missouri. *Per curiam*: Judgment affirmed, on the authority of *Adams v. Milwaukee*, 228 U. S.

572, 581, 583; *Patsone v. Pennsylvania*, 232 U. S. 138, 144; *Central Lumber Company v. South Dakota*, 226 U. S. 157, 160.

No. 40. *Greenway Apartment Company, appellant, v. The Convention of the Protestant Episcopal Church of the Diocese of Maryland et al.* Appeal from the Baltimore City Court, State of Maryland. *Per curiam*: The appeal is dismissed for the want of a properly presented Federal question, on the authority of *Jett Bros. Distilling Company v. City of Carrollton*, 252 U. S. 1. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by section 237 (c) of the Judicial Code, as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938), the certiorari is denied.

No. 43. *Louisiana Greyhound Club, Inc., appellant, v. Frank J. Clancy, Sheriff of the Parish of Jefferson, State of Louisiana, John E. Fleury, District Attorney, et al.* Appeal from the Supreme Court of the State of Louisiana. *Per curiam*: Decree affirmed, on the authority of *Smith v. Commonwealth of Kentucky*, 275 U. S. 509, and cases there cited.

No. 46. *The Anglo & London-Paris National Bank of San Francisco, petitioner, v. Consolidated National Bank of Tucson.* On writ of certiorari to the Superior Court of the State of Arizona in and for the County of Pima, and/or to the Supreme Court of the State of Arizona. *Per curiam*: The writ of certiorari herein is dismissed as improvidently granted.

No. 52. *Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, v. W. J. Howard.* On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: Judgment reversed upon the authority of *Metcalf and Eddy v. Mitchell*, 269 U. S. 514.

No. 58. *First Addition to the Rattle Snake Drainage District, Walter Holzheuter, etc., et al., appellants, v. Walter Bodeman et al.* Appeal from the Supreme Court of the State of Wisconsin. *Per curiam*: The appeal is dismissed for the want of a substantial Federal question, on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by section 237 (c) of the Judicial Code, as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938), the certiorari is denied.

No. 415. *Lillie A. La Plain and Victor A. Roeder, appellants, v. Annie Allard.* Appeal from the Supreme Court of the State of Washington. *Per curiam*: The appeal herein is dismissed on the

authority of section 237 (a) of the Judicial Code, as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 937), for the want of jurisdiction. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by section 237 (c) of the Judicial Code, the certiorari is denied for the want of a substantial Federal question, on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 429. Manuel Ortega, appellant, *v. Magma Copper Company*. Appeal from the District Court of the United States for the District of Arizona. *Per curiam*: Appeal dismissed for the lack of jurisdiction, upon the authority of section 238 of the Judicial Code, as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938).

No. 435. The State of North Dakota, doing business as the Bank of North Dakota, appellant, *v. Gunder Olson*, as Collector of Internal Revenue for the District of North Dakota. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: The appeal herein is dismissed for the lack of jurisdiction, upon the authority of section 240 (b) of the Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 939).

No. 426. Arthur J. Aubrey and John A. Callan, appellants, *v. Mahoning Valley Sanitary District et al.* Further consideration of the question of jurisdiction in this case is postponed to the hearing of the case on its merits.

No. 440. The Ohio Oil Company, appellant, *v. E. A. Conway*, Supervisor, etc.;

No. 458. O'Gorman and Young, Incorporated, appellant, *v. Hartford Fire Insurance Company of Hartford, Connecticut*; and

No. 459. O'Gorman and Young, Incorporated, appellant, *v. Phoenix Assurance Co., Ltd.* In these cases the Court finds that probable jurisdiction has been shown.

No. 469. Texas and New Orleans Railroad Company et al., petitioners, *v. Brotherhood of Railway and Steamship Clerks et al.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 477. Barker Painting Company, petitioner, *v. Local No. 734, Brotherhood of Painters, etc.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 473. H. F. Worley, petitioner, *v. W. D. Hawker*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 474. Odie Oland Owens, petitioner, *v.* David King Battenfield et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 399. George F. Henggeler, Administrator, etc., petitioner, *v.* Arthur B. Allen, Collector, etc. Leave granted to file petition for rehearing on motion of Mr. H. C. Kilpatrick in behalf of Mr. George B. Thummel for the petitioner.

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. Motion for leave to file intervening petition of the Commonwealth of Pennsylvania submitted by Mr. Owen J. Roberts for the Commonwealth of Pennsylvania, and memorandums thereon submitted by Mr. Paul Shipman Andrews in behalf of Mr. Hamilton Ward for the defendant, State of New York, and by Mr. Arthur J. W. Hilly and Mr. J. Joseph Lilly for the defendant, the City of New York.

No. 19, original. The State of New Jersey, complainant, *v.* The State of Delaware. Motion for the appointment of a special master submitted by Mr. Duane E. Minard for the complainant.

No. 442. Junius C. Klein, appellant, *v.* Board of Tax Supervisors of Jefferson County, Kentucky. Statement as to jurisdiction submitted by Mr. Edmund F. Trabue for the appellant.

No. 460. New Orleans Public Service Incorporated, appellant, *v.* City of New Orleans. Statement as to jurisdiction submitted by Mr. Charles Rosen for the appellant in support thereof, and by Mr. Bertrand I. Cahn for the appellee in opposition thereto.

No. 478. Southern Surety Company, petitioner, *v.* Ben C. Sheldon and Hervey M. Porter. Suggestion by respondent of a diminution of the record and motion for writ of certiorari submitted by Mr. Ewell D. Moore for the respondent.

No. 269. Robert G. Meadows, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Jean S. Breitenstein for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, Mr. Claude R. Branch, Mr. James O'C. Roberts, and Mr. James T. Brady for the respondent.

No. 478. Southern Surety Company, petitioner, *v.* Ben C. Sheldon et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. C. Mathes for the petitioner, and by Mr. Ewell D. Moore for the respondents.

No. 479. Ellen Mary Dunagan, as Administratrix, etc., petitioner, *v.* Appalachian Power Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. William H. Werth for the petitioner.

No. 480. Stephen Ivanovitch Kolpachnikoff, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Francis B. Bracken for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 481. The Fidelity-Philadelphia Trust Company et al., petitioners, *v.* The Philadelphia-Girard National Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Robert T. McCracken for the petitioners.

No. 482. Robert B. Johnston, petitioner, *v.* Carl M. Wolter, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. S. Leo Rushlander for the petitioner.

No. 489. William Edelstein, petitioner, *v.* Frank Gillmore et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Nathan Burkan for the petitioner, and by Emily Holt for the respondents.

No. 63. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* United States on relation of Emil L. Krushnic. Argument continued by Mr. George C. Butte for the petitioner, by Mr. Langdon H. Larwill for the respondent, and concluded by Mr. Chester I. Long for the respondent.

No. 65. The Iowa Motor Vehicle Association et al., appellants, *v.* Board of Railroad Commissioners of the State of Iowa et al.; and

No. 69. Hawkeye Stages, Incorporated, appellant, *v.* Board of Railroad Commissioners of the State of Iowa et al. Argument commenced by Mr. Casper Schenk for the appellant in No. 65. The Court declined to hear further argument.

Adjourned until Monday, January 6 next, at 12 o'clock.

The day call for Monday, January 6, 1930, will be as follows: Nos. 402, 336, 35, 17 original, 62, 66, 67, 68, 71, and 73.

SUPREME COURT OF THE UNITED STATES

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

Jesse E. Waid, of New York City; Carl S. Stern, of New York City; Samuel M. Goldberg, of Denver, Colo.; William M. Cannon, of New York City; Emanuel Harris, of New York City; Malcolm Y. Yost, of Cleveland, Ohio; David M. Richman, of New Haven, Conn.; John A. Renoe, of Phoenix, Ariz.; Harry Nusbaum, of Canton, Ohio; Albion Z. Blair, of Portsmouth, Ohio; Thomas O'G. Fitz-Gibbon, of New York City; Claude W. Dudley, of Washington, D. C.; Thomas P. Welch, of Buffalo, Minn.; Harold C. Haskell, of Brookline, Mass.; Morton K. Rothschild, of Baltimore, Md.; Frederick G. Ingersoll, of St. Paul, Minn.; Sigmund W. Fischer, jr., of Providence, R. I.; and Henry Clay Carlson, of Minneapolis, Minn., were admitted to practice.

No. 50. T. L. Carpenter and Lillie V. Carpenter, petitioners, *v.* A. S. J. Shaw, as State Auditor of the State of Oklahoma. On writ of certiorari to the Supreme Court of the State of Oklahoma. Judgment reversed with costs, and the cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 47. Henry Ford & Son, Inc., petitioner, *v.* Little Falls Fibre Company, Asbestos Spinning and Weaving Corporation, and Harry A. Furman et al., etc. On writ of certiorari to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 9. Hugh W. Grant, Receiver of the Struthers Furnace Company, petitioner, *v.* A. B. Leach & Company, Inc. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree reversed with costs, and the cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Sanford.

No. 5. John Johnson, petitioner, *v.* United States Shipping Board Emergency Fleet Corporation. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment

reversed and cause remanded to the District Court of the United States for the Eastern District of New York with directions to dismiss the cause for lack of jurisdiction. Opinion by Mr. Justice Butler.

No. 32. United States Shipping Board Merchant Fleet Corporation, sued in the name of the United States Shipping Board Emergency Fleet Corporation, and Consolidated Navigation Company, Inc., petitioners, *v.* Benjamin Lustgarten, an Infant, by His Guardian ad litem, John A. Lydecker. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed and cause remanded to the District Court of the United States for the Southern District of New York with directions to dismiss the cause for lack of jurisdiction. Opinion by Mr. Justice Butler.

No. 56. Federal Sugar Refining Company, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed, and cause remanded to the District Court of the United States for the Southern District of New York with directions to dismiss the cause for lack of jurisdiction. Opinion by Mr. Justice Butler.

No. 123. Royal Insurance Company, Ltd., et al, petitioners, *v.* United States Shipping Board Merchant Fleet Corporation. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment of the District Court of the United States for the Southern District of New York affirmed, and cause remanded to said District Court.

No. 61. E. Franklin Brewster, petitioner, *v.* Bert P. Gage, Collector of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs, and the cause remanded to the District Court of the United States for the Western District of New York. Opinion by Mr. Justice Butler.

No. 254. New Jersey Bell Telephone Company, appellant, *v.* The State Board of Taxes and Assessment of the State of New Jersey. Appeal from the Court of Errors and Appeals of the State of New Jersey. Judgment reversed with costs, and the cause remanded to the said Court of Errors and Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Butler. Dissenting opinion by Mr. Justice Holmes in which Mr. Justice Brandeis concurs. Mr. Justice Stone took no part in the consideration or decision of this case.

No. 55. The United Railways and Electric Company of Baltimore, appellant, *v.* Harold E. West, chairman, and J. Frank Harper and Stuart Purcell, Members, Constituting the Public Service Commission of Maryland; and

No. 64. Harold E. West, chairman, and J. Frank Harper and Stuart Purcell, Members, constituting the Public Service Commission of Maryland, appellants, *v.* The United Railways and Electric Company of Baltimore. Appeals from the Court of Appeals of the State of Maryland. Decree in No. 55 reversed with costs, and cause remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this court. Case No. 64 appeal dismissed with costs, and petition for writ of certiorari denied. Opinion by Mr. Justice Sutherland. Dissenting opinion by Mr. Justice Brandeis in which Mr. Justice Holmes and Mr. Justice Stone concur. Dissenting opinion by Mr. Justice Stone.

No. 42. International Shoe Company, petitioner, *v.* Federal Trade Commission. 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 said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Sutherland. Dissenting opinion by Mr. Justice Stone in which Mr. Justice Holmes and Mr. Justice Brandeis concur.

No. 63. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* United States on relation of Emil L. Krushnic. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment modified and affirmed with costs, and cause remanded to the Supreme Court of the District of Columbia. Opinion by Mr. Justice Sutherland.

No. 26. The Farmers Loan and Trust Company, as Sole Surviving Executor of the Last Will and Testament of Henry R. Taylor, deceased, appellant, *v.* The State of Minnesota. Appeal from the Supreme Court of the State of Minnesota. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds. Concurring opinion by Mr. Justice Stone. Dissenting opinion by Mr. Justice Holmes in which Mr. Justice Brandeis concurs.

No. 36. The Corn Exchange Bank, appellant, *v.* Bird S. Coler, Commissioner of Public Welfare of the City of New York. Appeal from the Court of Appeals of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 48. Carl H. Kothe, Trustee, petitioner, *v.* R. C. Taylor Trust. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree of the United States Circuit Court of Appeals reversed with costs, and decree of the District Court of the United States for the District of Massachusetts affirmed, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 59. Mabel G. Reinecke, Collector of Internal Revenue for the First District of Illinois, petitioner, *v.* Eudora Hull Spalding. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds. Mr. Justice Butler took no part in the consideration or decision of this case.

No. 37. Wabash Railway Company, Myron S. Hall, H. W. Cohu, et al., petitioners, *v.* John C. Barclay and Willoughby Company; and

No. 38. Shirley P. Austin, petitioner, *v.* John C. Barclay and Willoughby Company. On writs of certiorari to 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 Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 49. Luckenbach Steamship Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment reversed and cause remanded to said Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Taft, announced by Mr. Justice Van Devanter.

No. 57. The United States of America, *v.* Kitty Jackson, Hilda J. Foster, and Hilda J. Foster, as Administratrix of the Estate of Jack Jackson, etc. On certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Both questions answered in the affirmative. Opinion by Mr. Chief Justice Taft announced by Mr. Justice Van Devanter.

Mr. Justice Holmes announced the following orders of the Court:

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. The motion of the State of Pennsylvania for leave to intervene in this cause is granted, upon the condition that the State of Pennsylvania shall file a statement of her interests in this cause and of the relief, if any, which she seeks.

No. 19, original. The State of New Jersey, complainant, *v.* The State of Delaware. The motion for the appointment of a special master in this case is granted; and William L. Rawls, esquire, of Baltimore, State of Maryland, is appointed special master in this cause with the power to summon witnesses, issue subpœnas, and to take such testimony as may be introduced and such as he may deem necessary to call. The master is directed to make findings of fact

and conclusions of law, and to submit the same to this Court with all convenient speed, together with his recommendations for a decree. The findings, conclusions, and recommendations of the special master shall be subject to consideration, revision, or approval by the Court.

No. 13, original. The State of Connecticut, complainant, *v.* The Commonwealth of Massachusetts; and

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. It is ordered that these cases heretofore assigned for to-day be, and they are hereby, reassigned for Monday, January 20, next.

No. 65. Iowa Motor Vehicle Association, Carl Heights, et al., appellants, *v.* Board of Railroad Commissioners of the State of Iowa et al.; and

No. 69. Hawkeye Stages, Inc., appellant, *v.* Board of Railroad Commissioners of the State of Iowa et al. Appeals from the Supreme Court of the State of Iowa. *Per curiam*: Decrees affirmed upon the authority of *Bekins Van Line, Inc., et al., v. Ray L. Riley*, as State Controller of California, No. 13, October term 1929 (November 25, 1929).

No. 442. Junius C. Klein, appellant, *v.* Board of Tax Supervisors of Jefferson County, Kentucky. In this case the Court finds that probable jurisdiction has been shown.

No. 460. New Orleans Public Service, Incorporated, appellant, *v.* City of New Orleans. Further consideration of the question of jurisdiction in this case is postponed to the hearing of the case on its merits.

No. 464. Brinkerhoff-Faris Trust & Savings Company, petitioner, *v.* Walter O. Hill, Treasurer, etc. On further consideration, the order of December 2, 1929, denying the petition for certiorari herein to the Supreme Court of the State of Missouri is revoked and the petition is now granted.

No. 7, original. The State of Wisconsin et al., complainants, *v.* the State of Illinois et al.;

No. 11, original. The State of Michigan et al., complainants, *v.* The State of Illinois et al.; and

No. 12, original. The State of New York et al., complainants, *v.* The State of Illinois et al. On consideration of the report of the Special Master herein on the rereference of these causes, filed in this Court on December 17 last,

It is now here ordered that any party to any of these causes may file in this Court such exceptions or objections to this report of the Special Master as such party may be advised;

Provided, however, that such exceptions or objections be filed on or before Monday, February 3, next.

It is further ordered that, should any exceptions or objections be filed as provided in this order, the clerk shall set these causes down for oral hearing on such exceptions or objections at the head of the calendar on Monday, February 24, next.

No. 269. Robert G. Meadows, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 479. Ellen Mary Dunagan, as Administratrix, etc., petitioner, *v.* The Appalachian Power Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 480. Stephen Ivanovitch Kolpachnikoff, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 481. The Fidelity-Philadelphia Trust Company et al., trustees, petitioners, *v.* The Philadelphia-Girard National Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 482. Robert B. Johnston, petitioner, *v.* Carl M. Wolter, Trustee in Bankruptcy of the Diamond Drilling & Exploration Co., Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 489. William Edelstein, petitioner, *v.* Frank Gillmore, Grant Mitchell, and Paul Dulzell. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 478. Southern Surety Company, petitioner, *v.* Ben C. Sheldon and Hervey M. Porter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. Suggestion of a diminution of the record and motion for a writ of certiorari is also denied.

No. —, original. *Ex parte:* In the matter of the Federal Radio Commission, petitioner. Leave granted to withdraw motion for leave to file petition for writ of mandamus and/or prohibition on motion of Mr. Claude R. Branch in that behalf.

No. 122. Federal Radio Commission, petitioner, *v.* General Electric Company et al. Leave granted to Mr. B. M. Webster to appear and present oral argument *pro hac vice* for the petitioner, on motion of Mr. Claude R. Branch in that behalf.

No. —, original. *Ex parte:* In the matter of Ralph B. Bradford, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Otto Gresham for the petitioner.

No. 535. L. M. Willcuts, as Collector of Internal Revenue, etc., petitioner, *v.* Charles W. Bunn. Leave granted to file brief of the State of Massachusetts as *amicus curiæ*, on motion of Mr. Gerald J. Callahan in behalf of counsel.

No. 356. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* The Pilliod Lumber Company. Motion to advance submitted by Mr. Henry M. Ward for the petitioner in support of the motion, and by Mr. Solicitor General Hughes for the respondent in opposition thereto.

No. 16, original. The Commonwealth of Kentucky, complainant, *v.* The State of Indiana et al. Agreed statement of facts and motion to set case for further hearing upon the pleadings and agreed statement of facts submitted by Mr. A. Rea Williams in behalf of counsel.

No. 21, original. *Ex parte*: In the matter of the Northern Pacific Railway Company et al., petitioners. Motion for the issuance of a formal writ of mandamus submitted by Mr. Dennis F. Lyons for the petitioners.

No. 311. Walter A. May et al., petitioners, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Leave granted to file brief of Safe Deposit & Trust Company of Baltimore, as *amicus curiæ*, on motion of Mr. Arthur W. Machen, jr., in that behalf.

No. 440. Ohio Oil Company, appellant, *v.* E. A. Conway, Supervisor, etc. Joint motion to advance submitted by Mr. Robert F. Cogswell in behalf of counsel.

No. —, original. *Ex parte*: In the matter of State of Rhode Island and Providence Plantations, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Sigmund W. Fischer, jr., for the petitioner in support of the motion and by Mr. Solicitor General Hughes for the respondent in opposition thereto.

No. 334. The Becker Steamship Company, petitioner, *v.* William Snyder, by his next friend, Albert Snyder. On writ of certiorari to the Court of Appeals of the State of Ohio. Dismissed per stipulation of counsel.

No. 545. Charles W. Hunter, petitioner, *v.* Baasch-Ross Tool Company et al. Motion for leave to proceed *in forma pauperis* submitted by Mr. Charles W. Hunter *pro se*.

No. 417. Thomas A. Baldwin et al., plaintiffs in error and appellants, *v.* State of Missouri. Statement as to jurisdiction submitted by Mr. John F. Garner for the plaintiffs in error and appellants.

No. 483. Tower Hill Connellsville Coke Company of West Virginia, petitioner, *v.* Piedmont Coal Company et al. Petition for

writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. E. W. Knight for the petitioner, and by Mr. Edwin W. Smith, Mr. Arthur S. Dayton, Mr. E. C. Higbee, and Mr. William M. Robinson for the respondent.

No. 488. The United States of America *ex rel.* Stephen Komlos, petitioner, *v.* Joseph W. Trudell, United States Immigration inspector. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Harold Van Riper for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 496. A. H. Waite et al., petitioners, *v.* The United States of America;

No. 497. A. H. Waite et al., petitioners, *v.* Noah Crooks, Collector of Internal Revenue, etc.; and

No. 498. Mary Z. Hibbard, Administratrix, et al., petitioners, *v.* Noah Crooks, Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Allen McReynolds for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. M. K. Rothschild, Mr. W. Marvin Smith, Mr. C. M. Charest, and Mr. Ottamar Hamele for the respondent.

No. 502. Hoffer Oil Corporation, petitioner, *v.* T. L. Carpenter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Leonard M. Levy for the petitioner, and by Mr. Stephen A. George for the respondent.

No. 504. Illinois Central Railroad Company, petitioner, *v.* City of Mayfield et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Edmund F. Trabue, Mr. John C. Doolan, Mr. Robert V. Fletcher, and Mr. Charles N. Burch for the petitioner, and by Mr. W. V. Gregory for the respondents.

No. 505. O. W. Powell, petitioner, *v.* The State of Washington. Petition for writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. Charles H. Miller for the petitioner, and by Mr. James W. Bryan for the respondent.

No. 506. Highland Milk Condensing Company, petitioner, *v.* David W. Phillips, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Hugh Satterlee for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. C. M. Charest for the respondent.

No. 507. Clemente Liscio, petitioner, *v.* Maurice Campbell, Federal Prohibition Administrator, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Dickerman Williams for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John Henry McEvers, and Mr. W. Marvin Smith for the respondent.

No. 508. Oriole Phonograph Company et al., petitioners, *v.* Kansas City Fabric Products Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. George H. English and Mr. Thomas Hackney for the petitioners, and by Mr. H. B. Manard for the respondents.

No. 512. Charles G. Martin, petitioner, *v.* A. M. Martin et al. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. J. Raymond Gordon for the petitioner, and by Mr. Harold A. Ritz for the respondents.

No. 529. Gulf Smokeless Coal Company et al., petitioners, *v.* Sutton, Steele & Steele et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Walter L. Fisher and Mr. Francis W. Parker, jr., for the petitioners, and by Mr. D. J. F. Strother for the respondents.

No. 532. E. A. Wildermuth, petitioner, *v.* Hazeltine Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Neave and Mr. Cornelius D. Ehret for the petitioner, and by Mr. William H. Davis and Mr. R. Morton Adams for the respondent.

No. 544. Max Gutierrez et al., petitioners, *v.* The Middle Rio Grande Conservancy District et al. Petition for writ of certiorari to the Supreme Court of the State of New Mexico submitted by Mr. E. R. Wright for the petitioners, and by Mr. Pearce C. Rodey for the respondents.

No. 402. The United States of America, petitioner, *v.* Guaranty Trust Company of New York et al. Argument commenced by Mr. Assistant to the Attorney General O'Brian for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 7, will be as follows; Nos. 402, 336, 35, 62, 66, 67, 68, 71, 73, and 75.

SUPREME COURT OF THE UNITED STATES

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

Frederick M. Bradley, of Washington, D. C.; Nichol M. Sandoe, of New York City; Charles A. Wolfe, of Philadelphia, Pa.; J. Harry La Brum, of Philadelphia, Pa.; Ray C. Roberts, of Tacoma, Wash.; Harry S. Wonnell, of Hamilton, Ohio; Walter Welch, of Syracuse, N. Y.; H. Kennedy McCook, of Washington, D. C.; and Joseph Anderson, of San Francisco, Calif., were admitted to practice.

No. 402. The United States of America, petitioner, *v.* Guaranty Trust Company of New York et al. Argument continued by Mr. Assistant to the Attorney General O'Brian for the petitioner, by Mr. Charles Bunn for respondents, mortgage trustees, by Mr. Henry C. Carlson for respondents, executors of the estate of H. H. Sheriff, priority creditor, and concluded by Mr. Assistant to the Attorney General O'Brian for the petitioner.

No. 336. J. DuPratt White et al., appellants, *v.* Sparkill Realty Corporation et al. Argued by Mr. Walter H. Pollak for the appellants, and by Mr. Jackson A. Dykman for the appellees.

No. 35. The State of Ohio, on the relation of John C. Popovici, petitioner, *v.* Abram W. Agler et al. Argument commenced by Mr. Atlee Pomerene for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 8, will be as follows: Nos. 35, 62, 67, 68, 71, 73, 75, 77, 79, and 81.

SUPREME COURT OF THE UNITED STATES

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

Willis Smith, of Raleigh, N. C.; Joe Crail, of Los Angeles, Calif.; Grover C. Spillers, of Tulsa, Okla.; Sam C. Polk, of Houston, Tex.; and Joseph H. P. Bibb, of Marshall, Tex., were admitted to practice.

Mr. Justice Holmes announced the following order of the Court: No.—, original. *Ex parte*: In the Matter of the State of Rhode Island and the Providence Plantations. The motion for leave to file a petition for writ of mandamus is denied.

No. 35. The State of Ohio, on the relation of John C. Popovici, petitioner, *v.* Abram W. Agler et al. Argument continued by Mr. Atlee Pomerene for the petitioner, by Mr. Harry Nusbaum for the respondents, and concluded by Mr. Malcolm Y. Yost for the petitioner.

No. 62. John Baizley Iron Works et al., appellants, *v.* Abraham Span. Argued by Mr. Owen J. Roberts for the appellants, and by Mr. William J. Conlen for the appellees.

No. 67. Commissioner of Internal Revenue, petitioner, *v.* American Code Company, Inc. Argued by Mr. Solicitor General Hughes for the petitioner, and by Mr. Clark H. Hebner for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 9, will be as follows: Nos. 68, 71, 73, 75, 77, 79, 81, 86 (and 267), 87, and 89.

SUPREME COURT OF THE UNITED STATES

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

John William Guider, of Washington, D. C.; Henry M. Dowling, of Indianapolis, Ind.; Shelton Lisenby, of Dothan, Ala.; and Elmer B. Woods, of Glassboro, N. J., were admitted to practice.

No. 86. Carley & Hamilton, Inc., et al., appellants, *v.* Frank G. Snook, as Chief of the Division of Motor Vehicles, etc.; and

No. 267. Geo. T. Cottingham & William C. Meginnes, Doing Business as City Transfer Co., et al., appellants, *v.* Frank G. Snook, as Chief of Division of Motor Vehicles, etc. Submitted by Mr. W. R. Crawford and Mr. Edwin C. Ewing for the appellants, and by Mr. U. S. Webb and Mr. William F. Cleary for the appellees in No. 86; by Mr. W. R. Crawford and Mr. Henry G. Hotchkiss for the appellants in No. 267. No brief filed for the appellees in No. 267.

No. 68. Jesse W. Clarke, Collector of Internal Revenue, etc., petitioner, *v.* The Haberle Crystal Springs Brewing Company. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Arthur A. Ballantine for the respondent.

No. 71. Minerals Separation North American Corporation, petitioner, *v.* Magma Copper Company. Argued by Mr. Henry D. Williams and Mr. William Houston Kenyon for the petitioner, and by Mr. William H. Davis for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 10, will be as follows: Nos. 73, 75, 77, 79, 81, 87, 89, 92, 93, and 98.

SUPREME COURT OF THE UNITED STATES

Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Sanford, and Mr. Justice Stone.

William Harvey Smith, jr., of Larchmont, N. Y.; William Henry Harrison, of Indianapolis, Ind.; and Chester A. Davis, of Bedford, Ind., were admitted to practice.

No. 49. Luckenbach Steamship Company, petitioner, *v.* The United States. Mandate granted on motion of Mr. George A. King for the petitioner.

No. 73. The New York Central Railroad Company, petitioner, *v.* Antonia Ambrose, as Administratrix, etc. Argued by Mr. William H. Carey for the petitioner and by Mr. A. O. Stanley for the respondent.

No. 75. Illinois Central Railroad Company, petitioner, *v.* G. I. Crail, doing business as P. McCoy Fuel Company. Argued by Mr. Edward C. Craig for the petitioner and by Mr. Stanely B. Houck for the respondent.

No. 77. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* The United States of America *ex rel.* Mary I. Kadrie et al. Argument commenced by Mr. Assistant Attorney General Richardson for the petitioner and continued by Mr. Webster Ballenger for the respondents.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 13, will be as follows: Nos. 77, 423, 118 (and 414), 79, 81, 87, 89, 92, 93, and 98.

SUPREME COURT OF THE UNITED STATES

Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Percey Carmel, of Phoebus, Va.; A. B. Freyer, of Shreveport, La.; A. Joseph A. Rossi, of Pittsburgh, Pa.; Max V. Schoonmaker, of Pittsburgh, Pa.; George F. Losche, of Bogota, N. J.; Harry H. Kanter, of Norfolk, Va.; Raymond B. Alberson, of Des Moines, Iowa; Charles S. Bradshaw, of Des Moines, Iowa; and E. F. Bunker, of Bozeman, Mont.

Mr. Justice Holmes announced the following orders of the Court:

No. —, original. *Ex parte*: In the matter of Ralph B. Bradford, petitioner. The motion for leave to file petition for writ of mandamus is denied.

No. 16, original. The Commonwealth of Kentucky, complainant, *v.* The State of Indiana, et al. The motion to set cause for hearing is granted and the cause is assigned for hearing on the pleadings and agreed statement of facts on Monday, March 3, next.

No. 21, original. *Ex parte*: In the matter of the Northern Pacific Railway Company et al., petitioners. On consideration of the motion for the issuance of a formal writ of mandamus herein and of the supplement to such motion.

It is ordered that a formal and peremptory writ of mandamus issue in this cause, conformable to the rule to show cause which was made absolute by this Court's opinion of December 2, 1929, and that there be included in such formal writ a direction requiring the defendant, Bourquin, to vacate so much of his order of December 14, 1929, as assumes to appoint a Special Master to take testimony and assumes to fix a time for the final hearing of the cause before the statutory court of three judges.

No. 356. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* The Pilliod Lumber Company. The motion to advance this case is granted and the case assigned for argument on Monday, January 13, immediately following the argument in Nos. 118 and 414.

No. 440. The Ohio Oil Company, appellant, *v.* E. A. Conway, Supervisor of Public Accounts of the State of Louisiana. The joint motion to advance this case is granted and the case assigned for argument on Monday, March 3, next after the case heretofore assigned for that day.

No. 545. Charles W. Hunter, petitioner, *v.* Baash-Ross Tool Company et al. On petition for writ of certiorari to the Supreme Court of the State of California. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no properly presented substantial federal question. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 417. Thomas A. Baldwin, et al., etc., plaintiffs in error and appellants, *v.* State of Missouri. On consideration of the statement as to the jurisdiction of this Court, filed herein on November 4, 1929.

It is ordered that the plaintiffs in error and appellants show cause, by printed brief to be filed with the Clerk of this Court within three weeks of this date, why the writ of error and the appeal herein should not be dismissed for the want of a final judgment.

No. 483. Tower Hill Connellsville Coke Company of West Virginia, petitioner, *v.* Piedmont Coal Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 488. The United States of America *ex rel.* Stephen Komlos, petitioner, *v.* Joseph W. Trudell, United States Immigration Inspector. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 496. A. H. Waite et al., petitioners, *v.* The United States of America;

No. 497. A. H. Waite et al., petitioners, *v.* Noah Crooks, Collector of Internal Revenue, etc.; and

No. 498. Mary Z. Hibbard, Administratrix, et al., petitioners, *v.* Noah Crooks, Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 502. Hoffer Oil Corporation, petitioner, *v.* T. L. Carpenter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 504. Illinois Central Railroad Company, petitioner, *v.* City of Mayfield, W. T. Vaughan, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 505. O. W. Powell, petitioner, *v.* The State of Washington. Petition for writ of certiorari to the Supreme Court of the State of Washington denied.

No. 506. Highland Milk Condensing Company, petitioner, *v.* David W. Phillips, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 507. Clemente Liscio, petitioner, *v.* Maurice Campbell, Federal Prohibition Administrator, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 508. Oriole Phonograph Company et al., petitioners, *v.* Kansas City Fabric Products Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 512. Charles G. Martin, petitioner, *v.* A. M. Martin, J. E. Gray, and United Fuel Gas Company. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 529. Gulf Smokeless Coal Company and Roberts and Schaefer Company, petitioners, *v.* Sutton, Steele & Steele and American Coal Cleaning Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 532. E. A. Wildermuth, petitioner, *v.* Hazeltine Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 544. Max Gutierrez, The Commissioners of the Nuestra Señora de Belen Community Ditch et al., petitioners, *v.* The Middle Rio Grande Conservancy District et al. Petition for writ of certiorari to the Supreme Court of the State of New Mexico denied.

ORDER

It is ordered that the following rule be adopted and established as an addition to the General Orders in Bankruptcy:

“ XLVI

“ Whenever a custodian, receiver or trustee is a banking institution designated and qualified pursuant to section 61 of the Act to act as depositary for money, said banking institution may, if authorized by rule of the local Bankruptcy Court approved by a majority of the Circuit Judges of the Circuit, keep on deposit with itself money received by it as custodian, receiver or trustee, if said banking institution under the local laws of the state of its domicile is per-

mitted to keep on deposit with itself money collected and received by it acting as receiver or trustee under the appointment of any court. Such local rule shall contain such provisions for the supervision and control of such deposits as the court may deem adequate, and on all sums of money not less than \$100 so kept on deposit interest shall be allowed by such banking institution at such rate, not less than two per centum per annum, as may from time to time be directed by local rule."

It is further ordered that Rule XXXIX, promulgated April 13, 1925 (267 U. S. 613), be amended to read as follows:

"XXXIX

"REPRESENTATION OF CREDITORS BY RECEIVERS OR THEIR ATTORNEYS

"Neither a receiver nor his attorney shall solicit any proof of debt, power of attorney or other authority to act for or represent any creditor for any purpose in connection with the administration of the estate in bankruptcy or the acceptance or rejection of any composition offered by a bankrupt. The local Bankruptcy Court may, however, whenever a banking institution is under local rule or practice always appointed receiver in cases requiring the services of a receiver, by local rule approved by a majority of the Circuit Judges of the Circuit, provide that notice may be given to the creditors of the availability of such institution to act as trustee if elected, and may provide means to facilitate the creditors in filing and voting their claims in favor of the election of such institution as trustee."

No. 546. The United States of America, petitioner, *v.* Provident Trust Company of Pennsylvania et al., etc.; and

No. 547. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Girard Trust Company and Joseph L. Woolston, Executors, etc. Motion to advance submitted by Mr. Paul F. Myers for the respondents.

No. 530. The United States of America, petitioner, *v.* The Equitable Trust Company of New York et al. Suggestion of a diminution of the record and motion for writ of certiorari submitted by Mr. Carroll G. Walter for the respondents in support thereof, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Richardson, Mr. Nat M. Lacy, and Mr. W. Marvin Smith for the petitioner in opposition thereto.

No. —, original. *Ex parte*: Axel Hagenson, petitioner. Motion for leave to file petition for writ of prohibition submitted by Mr. Winter S. Martin for the petitioner.

No. 454. The Corporation Commission of the State of Oklahoma, etc., et al., appellants, *v.* William Lowe, Doing Business under the Trade Name of Capitol Hill Gin Company. Statement as to jurisdiction submitted by Mr. S. P. Freeling for the appellants.

No. 468. Emmett Cochran et al., appellants, *v.* Louisiana State Board of Education et al. Statement as to jurisdiction submitted by Mr. Wade H. Ellis, Mr. Daniel C. Roper, and Mr. W. D. Jamieson for the appellants.

No. 470. Yamhill Electric Company, appellant, *v.* The City of McMinnville, Oregon, etc., et al. Statement as to jurisdiction submitted by Mr. Walter L. Tooze, jr., for the appellant in support thereof, and by Mr. John P. Kavanaugh for the appellees in opposition thereto.

No. 475. Southern California Edison Company, appellant, *v.* Railroad Commission of the State of California et al. Statement as to jurisdiction submitted by Mr. W. C. Mullendore and Mr. Roy V. Reppy for the appellant in support thereof, and by Mr. Edwin P. Werner, Mr. Arthur T. George, and Mr. William B. Mathews for the appellees in opposition thereto.

No. 485. Gabriel Toombs, appellant, *v.* Citizens Bank of Waynesboro. Statement as to jurisdiction submitted by Mr. C. E. Sutton for the appellant.

No. 490. Helen M. Slemp, appellant, *v.* City of Tulsa, etc. Statement as to jurisdiction submitted by Mr. Randolph Shirk for the appellant.

No. 491. J. P. Grubb, appellant, *v.* The Public Utilities Commission of Ohio, etc. Statement as to jurisdiction submitted by Mr. Andrew Wilson for the appellant.

No. 509. The United States of America, appellant, *v.* Francisco Unzeuta. Statement as to jurisdiction submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, and Mr. W. H. Ramsey for the appellant.

No. 513. Harmar Coal Company, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Seifert for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. A. H. Conner, Mr. W. Marvin Smith, Mr. C. M. Charest, and Mr. L. H. Bayliss for the respondent.

No. 514. Indianola Coal Company, petitioner, *v.* D. B. Heiner, Collector, etc.; and

No. 515. Indianola Coal Company, petitioner, *v.* C. G. Lewellyn, formerly Collector, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Seifert for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. A. H. Conner, Mr. W. Marvin Smith, Mr. C. M. Charest, and Mr. L. H. Bayliss for the respondents.

No. 516. Bessemer Coal & Coke Company, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc.; and

No. 517. Bessemer Coal & Coke Company, petitioner, *v.* C. G. Lewellyn, formerly Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Seifert for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. A. H. Connor, Mr. W. Marvin Smith, Mr. C. M. Charest, and Mr. L. H. Bayliss for the respondents.

No. 518. P. G. Walker, Jr., et al., petitioners, *v.* Traylor Engineering & Manufacturing Company. Petition for writ to certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Wilson A. Chase for the petitioners.

No. 521. Lion Laboratories, Inc., and Max Daub, petitioners. *v.* Maurice Campbell, Federal Prohibition Administrator, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Dickerman Williams for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John Henry McEvers, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondents.

No. 527. Bank of China et al., petitioners, *v.* R. T. McDonnell, Assignee, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank E. Hinckley and Mr. Henry M. Campbell for the petitioners, and by Mr. Alfred Sutro and Mr. Cornell S. Franklin for the respondents.

No. 530. The United States of America, petitioner, *v.* The Equitable Trust Company of New York et al. Petition for writ of certiorari, to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Richardson, and Mr. George C. Butte for the petitioner and by Mr. Carroll T. Walter and Mr. Almond D. Cochran for the respondents.

No. 534. Emlenton Refining Company, petitioner, *v.* Walter A. Chambers, Trading as G. L. P. Chambers & Co., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. David A. Reed for the petitioner, and by Mr. J. T. Manning, jr., for the respondent.

No. 546. The United States of America, petitioner, *v.* Provident Trust Company, etc.; and

No. 547. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Girard Trust Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Hughes for the petitioner.

No. 77. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* United States of America *ex rel.*, Mary I. Kadrie et al. Argument continued by Mr. Webster Ballinger for the respondent, and concluded by Mr. Assistant Attorney General Richardson for the petitioner.

No. 423. Ruffin Collie, Clinton Cooke, and Robbie Rowe, petitioners, *v.* Thomas D. Fergusson et al. Argued by Mr. Jacob L. Morewitz for the petitioners, and case submitted by Mr. Leon T. Seawell and Mr. Henry Bowden for the respondents.

No. 118. Florsheim Brothers Drygoods Co., Ltd., petitioner, *v.* The United States of America; and

No. 414. Thomas W. White, Collector of Internal Revenue, petitioner, *v.* Hood Rubber Company. Argument commenced by Mr. James Craig Peacock for the petitioner in No. 118, continued by Mr. Harold C. Haskell for the respondent in No. 414, and by Mr. Claude R. Branch for the respondent in No. 118 and petitioner in No. 414.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 14, will be as follows: Nos. 118 (and 414), 356, 79, 81, 87, 89, 92, 93, 98, and 104.

SUPREME COURT OF THE UNITED STATES

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

Samuel McComas Hawkin, of Washington, D. C.; George H. Harlan, of Sansalito, Calif.; James N. Farley, of Hutchinson, Kans.; and Harry A. Fellows, of Washington, D. C., were admitted to practice.

No. 118. Florsheim Brothers Drygoods Company, Ltd., petitioner, *v.* The United States of America; and

No. 414. Thomas W. White, Collector of Internal Revenue, petitioner, *v.* Hood Rubber Company. Argument continued by Mr. Claude R. Branch for the respondent in No. 118 and for the petitioner in No. 414; and concluded by Mr. Harold C. Haskell for the respondent in No. 414.

No. 356. Commissioner of Internal Revenue, petitioner, *v.* The Pilliod Lumber Company. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Henry M. Ward for the respondent.

No. 79. Harry C. Moore, as Treasurer of Grant County, Indiana, petitioner, *v.* Sidney Z. Mitchell and Niel A. Weathers, etc. Argued by Mr. Henry M. Dowling for the petitioner, and by Mr. Louis Connick for the respondent.

No. 81. Employers' Liability Assurance Corporation, etc., petitioner, *v.* Mrs. Myrtis Cook et al. Argument commenced by Mr. Sam C. Polk for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 15, will be as follows: Nos. 81, 87, 89, 92, 93, 98, 104, 113, 114, and 122.

SUPREME COURT OF THE UNITED STATES

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

Albert L. Cox, of Raleigh, N. C.; William E. Barkman, of Washington, D. C.; Israel J. Medelson, of Washington, D. C.; J. Blaine McGoun, of Beaver Falls, Pa.; Colin A. Smith, of Denver, Colo.; Josiah Whitnel, of East St. Louis, Ill.; Otis F. Glenn, of Murphysboro, Ill.; William David Craig, of Deaver, Pa.; and Thomas E. Troland, of New London, Conn., were admitted to practice.

No. 81. Employers' Liability Assurance Corporation, etc., petitioner, *v.* Mrs. Myrtis Cook et al. Argument concluded by Mr. Sam C. Polk for the respondents, and case submitted by Mr. W. A. Vinson and Mr. Clyde A. Sweeton for the petitioner.

No. 87. The Baltimore & Ohio Southwestern R. R. Company, petitioner, *v.* Lula Carroll, Administratrix, etc. Argued by Mr. William A. Eggers for the petitioner, and by Mr. Oscar H. Montgomery for the respondent.

No. 89. The Texas and Pacific Railway Company, petitioner, *v.* Mrs. Wallace Guidry, Administratrix, etc. Argument commenced by Mr. J. H. T. Bibb for the petitioner. The Court declined to hear further argument.

No. 93. Anita H. Cooper, petitioner, *v.* The United States. Argued by Mr. Wayne Johnson for the petitioner, and by Mr. Solicitor General Hughes for the respondent.

No. 92. Commissioner of Internal Revenue, petitioner, *v.* North Texas Lumber Company. Argument commenced by Mr. Solicitor General Hughes for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 16, will be as follows: Nos. 92, 98, 104, 113, 114, 122, 127 (275, 350, 351, and 352), 128 (129 and 130), 133, and 164.

SUPREME COURT OF THE UNITED STATES

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

Paul H. Arthur, of New York City; Thadeus H. Brown, of Columbus, Ohio; David J. Brophy, of Cleveland, Ohio; John Elmer Neave, of Washington, D. C.; William Wallace Booth, of Pittsburgh, Pa.; and Meyer Abrams, of Chicago, Ill., were admitted to practice.

No. 560. Maurice Sugarman and Jud Purdue, petitioners, *v.* The United States of America. Leave granted petitioner to file brief in support of petition for writ of certiorari within 15 days, with leave to respondent to reply thereto within 20 days thereafter, on motion of Mr. Frank Nebeker, *per* stipulation of counsel.

No. 92. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* The North Texas Lumber Company. Argument concluded by Mr. Solicitor General Hughes for the petitioner, and case submitted by Mr. Albert B. Hall for the respondent.

No. 98. William J. Stratton, Secretary of State, etc., appellant, *v.* St. Louis Southwestern Railway Company. Argued by Mr. Bayard Lacey Catron for the appellant, and by Mr. Josiah Whitnel for the appellee.

No. 104. National Fire Insurance Company of Hartford, appellant, *v.* Joseph B. Thompson, Superintendent, etc. Argued by Mr. Robert J. Folonie for the appellant, and by Mr. John T. Barker and Mr. Floyd E. Jacobs for the appellees.

No. 113. Chesapeake & Ohio Railway Company, petitioner, *v.* R. L. Bryant, Administrator, etc. Argument commenced by Mr. J. M. Perry for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 17, will be as follows: Nos. 113, 114, 122, 127 (275, 350, 351, and 352), 128 (129 and 130), 133, 164, 165, 167, and 179.

SUPREME COURT OF THE UNITED STATES

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

Grester H. LaMar, of Guymon, Okla.; Stephen H. Philbin, of New York City; Roscoe Rizley, of Guymon, Okla.; A. C. Hinds, of Kingstree, S. C.; Peter Glunts, of Boston, Mass.; Eugene A. Bond, of Leadville, Colo.; Roscoe B. Stephenson, of Covington, Va.; and S. F. Hobbs, of Selma, Ala., were admitted to practice.

No. 113. Chesapeake & Ohio Railway Company, petitioner, *v.* R. L. Bryant, Administrator, etc. Argument continued by Mr. J. M. Perry for the petitioner, and concluded by Mr. Charles Curry for the respondent.

No. 114. Frederick C. Renziehausen, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Argued by Mr. William A. Seifert for the petitioner, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 122. Federal Radio Commission, petitioner, *v.* General Electric Company et al. Argument commenced by Mr. Bethuel M. Webster, jr., for the petitioner, *pro hac vice*, by special leave of Court.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 20, will be as follows: Nos. 122, 13, original, 17, original, 66, 127 (275, 350, 351, and 352), 128 (129 and 130), 133, 164, 165, and 167.

SUPREME COURT OF THE UNITED STATES

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

Adrian Bonnelly, of Philadelphia, Pa.; Raymond A. Johnson, of Manchester, Conn.; Ralph E. Atherton, of Schenectady, N. Y.; Sidney P. Chandler, of Corpus Christi, Tex.; David C. Broderick, of New York City; Roscoe Runge, of Mason, Tex.; Thomas Penney, jr., of Buffalo, N. Y.; Tom W. Campbell, of Little Rock, Ark.; and Hugh R. Robertson, of San Antonio, Tex., were admitted to practice.

No. 35. The state of Ohio on the relation of John C. Popovici, Vice Consul of Roumania, petitioner, *v.* Abram W. Agler, Charles Krichbaum, and Edwin W. Diehl, Judges of the Court of Common Pleas of Stark County, Ohio. On writ of certiorari to the Supreme Court of the State of Ohio. Final order affirmed with costs. Opinion by Mr. Justice Holmes.

Mr. Justice Holmes announced the following orders of the Court:

No. 89. The Texas and Pacific Railway Company, petitioner, *v.* Mrs. Wallace Guidry, Administratrix of the Estate of Wallace Guidry, deceased. On writ of certiorari to the Court of Civil Appeals, Fifth Supreme Judicial District, State of Texas. *Per curiam*: Judgment affirmed. *Western & Atlantic R. R. v. Hughes*, Administratrix, 278 U. S. 496, 498.

No. 470. Yamhill Electric Company, appellant, *v.* The City of McMinnville, Oregon, etc., et al. Appeal from the Supreme Court of the State of Oregon. *Per curiam*: The appeal is dismissed for the want of a substantial Federal question. *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by section 237 (c) of the Judicial Code, as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938), certiorari is denied.

No. 475. Southern California Edison Company, appellant, *v.* Railroad Commission of the State of California, City of Los

Angeles, a municipal corporation et al. Appeal from the Supreme Court of the State of California. *Per curiam*: The appeal is dismissed on the authority of section 237 (a) of the Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937), for lack of jurisdiction on the ground that the judgment sought to be reviewed is not a final one. Grays Harbor Logging Company *v.* Coats-Fordney Logging Company, 243 U. S. 251. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by section 237 (c) of the Judicial Code, as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938), certiorari is denied.

No. 454. The Corporation Commission of the State of Oklahoma, etc., et al., appellants, *v.* William Lowe, Doing Business under the Trade Name of Capitol Hill Gin Company;

No. 468. Emmett Cochran et al., appellants, *v.* Louisiana State Board of Education et al.; and

No. 509. The United States of America, appellant, *v.* Francisco Unzenta. In these cases the Court finds that probable jurisdiction has been shown.

No. 485. Gabriel Toombs, appellant, *v.* Citizens Bank of Waynesboro;

No. 490. Helen M. Slemple, appellant, *v.* City of Tulsa et al.; and

No. 491. J. P. Grubb, a natural person, etc., appellant, *v.* The Public Utilities Commission of Ohio et al. Further consideration of the question of jurisdiction in these cases is postponed to the hearing of the cases on their merits.

No. 530. The United States of America, petitioner, *v.* The Equitable Trust Company of New York et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 546. The United States of America, petitioner, *v.* Provident Trust Company of Pennsylvania et al.; and

No. 547. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Girard Trust Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted. The motion to advance is granted and the cases assigned for hearing following the hearing of case No. 428.

No. 513. Harmar Coal Company, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 514. Indianola Coal Company, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc.; and

No. 515. Indianola Coal Company, petitioner, *v.* C. G. Lewellyn, formerly Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 516. Bessemer Coal & Coke Company, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc.; and

No. 517. Bessemer Coal & Coke Company, petitioner, *v.* C. G. Lewellyn, formerly Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 518. P. G. Walker, Jr., O. K. Eysenbach, et al., petitioners, *v.* Traylor Engineering & Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 521. Lion Laboratories, Inc., and Max Daub, petitioners, *v.* Maurice Campbell, Federal Prohibition Administrator, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 527. Bank of China, Bank of Communications, Exchange Bank of China, et al., petitioners, *v.* R. T. McDonnell, Assignee, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 534. Emlenton Refining Company, petitioner, *v.* Walter A. Chambers, Trading as G. L. P. Chambers & Co., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

ORDER

The Court will take a recess from Monday, January 27, until Monday, February 24, next.

No. 548. The United States of America *v.* Mattie Puckett Worley, Administratrix, etc. Motion to advance submitted by Mr. Solicitor General Hughes for The United States of America.

No. 426. Arthur J. Aubrey and John A. Callan, appellants, *v.* Mahoning Valley Sanitary District, etc. Motion of Arthur J. Aubrey and John A. Callan to dismiss and motion of Josephine Gottlieb for leave to intervene submitted by Mr. Harry J. Gerrity in behalf of counsel for the appellants and for Pauline Gottlieb.

No. 13, original. The State of Connecticut, complainant, *v.* The Commonwealth of Massachusetts. Leave granted to file substitute

brief of the defendant in opposition to (1) motion to dismiss the defendant's answer; (2) motion to strike out portions of defendant's answer, and leave granted to file reprint of answer, on motion of Mr. Bentley W. Warren for the defendant.

No. 538. Clarence L. Johnson, A. P. Bonner, L. A. Vaughan, et al., appellants, *v.* State Highway Commission of South Carolina. Motion to dismiss or affirm submitted by Mr. John M. Daniel, Mr. Cordie Page, Mr. William C. Wolfe, and Mr. R. E. Whiting for the appellees in support thereof, and by Mr. L. G. Southard for the appellants in opposition thereto.

No. 493. The State of Florida, and A. S. Wells, E. S. Matthews, et al., etc., appellants, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. Fred H. Davis and Mr. T. T. Turnbull for the appellants.

No. 494. Brooks-Scanlon Corporation et al., appellants, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. August S. Gutheim and Mr. H. P. Adair for the appellants.

No. 495. Wilson Lumber Company of Florida, appellant, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. J. V. Norman for the appellant.

No. 499. C. L. Crawford, in his individual capacity, etc., appellant, *v.* Superior Court of the State of California, etc. Statement as to jurisdiction submitted by Mr. C. L. Crawford *pro se*, in support thereof, and by Mr. George H. Harlan, Mr. Thomas P. Boyd, and Mr. U. S. Webb for the appellees in opposition thereto.

No. 503. Howard M. Hanna, as Executor, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Heber Smith for the petitioner, and by Mr. Solicitor General Hughes, Mr. Claude R. Branch, Mr. Andrew D. Sharpe, Mr. Charles F. Kincheloe, Mr. Fred K. Dyar, and Mr. W. Marvin Smith for the respondent.

No. 519. Jose Gandara, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Edward I. Barry for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Farnum, and Mr. Claude R. Branch for the respondent.

No. 520. Lektophone Corporation, petitioner, *v.* The Rola Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William H. Davis and Mr. Charles E. Hughes for the petitioner.

No. 522. Little Four Oil & Gas Company, a Trust, petitioner, *v.* C. G. Lewellyn, formerly Collector, etc.; and

No. 523. Little Four Oil & Gas Company, a Trust, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William G. Heiner for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. A. H. Conner, Mr. W. Marvin Smith, Mr. C. M. Charest, and Mr. L. L. Baylies for the respondents.

No. 528. Broad River Power Company et al., petitioners, *v.* State of South Carolina *ex rel.* John M. Daniel, Attorney General. Petition for writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. William Marshall Bullitt for the petitioners, and by Mr. John M. Daniel, Mr. Cordie Page, and Mr. W. S. Nelson for the respondent.

No. 531. Missouri Pacific Railroad Company, petitioner, *v.* Mike Begley. Petition for writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. William P. Waggener and Mr. J. M. Challis for the petitioner, and by Mr. Fred Robertson for the respondent.

No. 533. E. W. Roach, petitioner, *v.* Los Angeles & Salt Lake Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Utah submitted by Mr. Charles M. Morris for the petitioner, and by Mr. George H. Smith for the respondent.

No. 535. L. M. Willcuts, as Collector of Internal Revenue, etc., petitioner, *v.* Charles W. Bunn. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, and Mr. Sewall Key for the petitioner, and by Mr. Charles Bunn for the respondent.

No. 537. Edwin J. Brach, Emily Upton Brach, et al., petitioners, *v.* E. C. Moen. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Edward R. Johnston and Mr. Henry J. Darby for the petitioners, and by Mr. Joseph P. Shoup for the respondent.

No. 540. National Surety Company, petitioner, *v.* Austin Machinery Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Marion G. Evans and Mr. J. W. Cutrer for the petitioner, and by Mr. William P. Metcalf for the respondents.

No. 543. Missouri Pacific Railroad Company, petitioner, *v.* D. O. Ramey. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Harry R. Stocker and Mr.

Edward J. White for the petitioner, and by Mr. Ed. L. Abington and Mr. Carl C. Abington for the respondent.

No. 122. Federal Radio Commission, petitioner, *v.* General Electric Company and People of the State of New York. Argument continued by Mr. Bethuel M. Webster, jr., for the petitioner, *pro hac vice*, by special leave of Court. The Court declined to hear further argument.

No. 13, original. The State of Connecticut, complainant, *v.* The Commonwealth of Massachusetts. Argument on the motions to strike out certain parts of answer and to dismiss answer commenced by Mr. Benedict M. Holden for the complainant and continued by Mr. Ernest L. Averill for the complainant. The Court declined to hear further argument.

No. 13, original. The State of Connecticut, complainant, *v.* The Commonwealth of Massachusetts. On consideration of the motions of the complainant to strike out certain parts of the answer of the defendant and to dismiss answer of the defendant, and of the argument of counsel thereupon had,

It is now here ordered by this Court that the said motions be, and they are hereby, denied.

And it is further ordered by this Court that the complainant file its reply to the answer of the defendant within one week from this date.

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. Argument commenced by Mr. Duane E. Minard for the complainant. Leave granted complainant to withdraw the motion to set cause for hearing on the bill and answer.

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. Leave granted the defendants to file by to-morrow a joint motion for the appointment of a special master, on motion of Mr. Thomas Penny, jr., for the defendant the State of New York, and Mr. Arthur J. W. Hilly for the defendant the City of New York.

No. 66, The United States of America, appellant, *v.* Harry M. Wurzbach. Argued by Mr. Assistant Attorney General Richardson for the appellant, and by Mr. Hugh R. Robertson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 21, will be as follows: Nos. 127 (275, 350, 351, and 352), 128 (129 and 130), 133, 164, 165, 167, 179, 188, 193, and 245.

SUPREME COURT OF THE UNITED STATES

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

Orva Orris Vrooman, of Cleveland, Ohio; Martin J. Teigan, of Chicago, Ill.; Edward F. Peters, of Cincinnati, Ohio; Thomas F. Dolan, of Boston, Mass.; Edward B. Levy, of New York City; Frederick A. Lind, of Chicago, Ill.; Harold Richard Kelly, of Los Angeles, Calif.; Thad M. Talcott, jr., of South Bend, Ind.; Frank W. Stonecipher, of Pittsburgh, Pa.; Lamar G. Seeligson, of San Antonio, Tex.; and Charles W. Anderson, of San Antonio, Tex., were admitted to practice.

No. **127**. Universal Battery Company, petitioner, *v.* The United States;

No. **275**. Vesta Battery Corporation, petitioner, *v.* The United States;

No. **350**. The Bassick Manufacturing Company, petitioner, *v.* The United States;

No. **351**. F. W. Stewart Manufacturing Company, petitioner, *v.* The United States; and

No. **352**. Gemco Manufacturing Company, petitioner, *v.* The United States. Argued by Mr. George Maurice Morris for the petitioners in Nos. **127** and **275**, by Mr. George M. Wilmeth for the petitioners in Nos. **350**, **351**, and **352**, and by Mr. Claude R. Branch for the respondent.

No. **127**. Universal Battery Company, petitioner, *v.* The United States. Motion to remand submitted by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. Ralph C. Williamson for the respondent in support thereof, and by Mr. George Maurice Morris for the petitioner in opposition thereto.

No. **350**. The Bassick Manufacturing Company, petitioner, *v.* The United States. Motion to remand submitted by Mr. Solicitor General Hughes, Mr. Claude R. Branch, and Mr. Ralph C. Williamson for the respondent.

No. 128. The United States, petitioner, *v.* American Can Company;

No. 129. The United States, petitioner, *v.* Missouri Can Company; and

No. 130. The United States, petitioner, *v.* Detroit Can Company. Argued by Mr. Solicitor General Hughes for the petitioner, and by Mr. Graham Sumner for the respondents.

No. 133. Thos. A. Early, as Receiver of the Farmers & Merchants National Bank of Lake City, S. C., *v.* J. L. Richardson. Argument commenced by Mr. R. E. Whiting for Thos. A. Early, as receiver, etc.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 22, will be as follows: Nos. 133, 164, 165, 179, 188, 193, 245, 167, 184, and 229.

SUPREME COURT OF THE UNITED STATES

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

Isaac Mayo Bailey, of Raleigh, N. C.; William M. Byrnes, of Cleveland, Ohio; George H. Carter, of Marland, Tex.; and Marcellus G. Eckhardt, jr., of Corpus Christi, Tex., were admitted to practice.

No. 133. Thos. A. Early, as Receiver of the Farmers & Merchants National Bank of Lake City, S. C., *v.* J. L. Richardson. Argument continued by Mr. R. E. Whiting for Thos. A. Early, as Receiver, etc., and concluded by Mr. A. C. Hinds for J. L. Richardson.

No. 164. Piedmont and Northern Railway Company and National Association of Railroads, etc., appellants, *v.* United States of America, Interstate Commerce Commission, and Southern Railway Company et al. Argument commenced by Mr. W. S. O'B. Robinson, jr., for the appellant, Piedmont and Northern Railway Company; continued by Mr. Daniel W. Knowlton for the appellees, the United States and the Interstate Commerce Commission; by Mr. Sidney S. Alderman for the appellees, Southern Railway Company et al.; and concluded by Mr. John E. Benton for the appellant, the National Association of Railroads and Utilities Commissioners.

No. 165. The Nashville, Chattanooga & St. Louis Railway & Western & Atlantic R. R., appellants, *v.* Mrs. Clyde Morgan and The Nash Motor Sales Co. Argued by Mr. Fitzgerald Hall for the appellants, and case submitted by Mr. J. B. Sizer for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 23, will be as follows: Nos. 179, 188, 193, 245, 167, 184, and 229.

SUPREME COURT OF THE UNITED STATES

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

Mark McGee, of Fort Worth, Tex.; J. O. Guleke, of Amarillo, Tex.; Walter W. L. Meyer, of Chicago, Ill.; Arthur F. Schmidt, of Pittsburgh, Pa.; Edward S. Boyles, of Houston, Tex.; Aaron M. Sargent, of San Francisco, Calif.; and Fremont Evans, of St. Joseph, Mich., were admitted to practice.

No. 179. United States Fidelity & Guaranty Company, petitioner, *v.* John F. Guenther. Argued by Mr. C. M. Horn for the petitioner, and by Mr. William M. Byrnes for the respondent.

No. 188. James C. Davis, Federal Agent, et al., petitioners, *v.* Mrs. Mary Preston, Administratrix. Argued by Mr. W. L. Cook for the petitioners, and by Mr. Robert L. Cole for the respondent. Leave granted petitioners to file brief within fifteen days on the question of substitution and leave granted respondent to file reply thereto within three days thereafter.

No. 193. Chicago & Northwestern Railway Company *v.* O. N. Lindell. Argued by Mr. Nelson Trottman for the Chicago & Northwestern Railway Company, and case submitted by Mr. F. DeJournal for O. N. Lindell.

No. 245. State of Texas *ex rel.* T. H. Isensee et al., Appellants, *v.* Dee Sims et al. Argument commenced by Mr. M. G. Eckhardt, jr., for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 24, will be as follows: Nos. 245, 184, 167, and 229.

SUPREME COURT OF THE UNITED STATES

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

Horace Michener Schell, of Philadelphia, Pa.; Hugh Carney, of Atlanta, Tex.; and Robert Levin, of Philadelphia, Pa., were admitted to practice.

No. 245. State of Texas *ex rel.* T. H. Isensee et al., appellants, *v.* Dee Sims et al. Argument continued by Mr. M. G. Eckhardt, jr., for the appellants. The Court declined to hear further argument.

No. 245. State of Texas *ex rel.* T. H. Isensee, R. Morgan, J. S. Byerly, et al., appellants, *v.* Dee Sims, D. C. Cryor, I. S. York, et al., etc. Appeal from the Supreme Court of the State of Texas. Dismissed for want of jurisdiction.

No. 184. D. S. Murphey, appellant, *v.* The Corporation Commission of the State of North Carolina. Argument commenced by Mr. J. A. Jones for the appellant. The Court declined to hear further argument.

No. 167. The Hanover Fire Insurance Company of New York, appellant, *v.* Max Spektor, Abram Larner, et al. Argued by Mr. Horace Michener Schell for the appellant, and by Mr. William A. Gray for the appellees.

No. 229. District of Columbia, petitioner, *v.* Charles H. Fred, *alias* Hamilton C. Fred. Argued by Mr. Richmond B. Keech for the petitioner, and by Mr. S. McComas Hawkin for the respondent.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

John F. Carlisle, of Columbus, Ohio; Morris H. Frank, of New York City; Walter C. Blakely, of Philadelphia, Pa.; Charles L. Smith, of Seattle, Wash.; and Kenneth M. Spence, of New York City, were admitted to practice.

No. 68. Jesse W. Clarke, Collector of Internal Revenue for the Twenty-first District of New York, petitioner, *v.* The Haberle Crystal Springs Brewing Company. 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 Northern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes, announced by Mr. Justice Van Devanter. Mr. Justice McReynolds and Mr. Justice Stone concur in the result.

No. 114. Frederick C. Renziehausen, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed with costs, and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Holmes, announced by Mr. Justice Van Devanter. Mr. Justice McReynolds and Mr. Justice Stone concur in the result.

Mr. Justice Van Devanter announced the following orders of the Court:

No. —, original. *Ex Parte*: Axel Hagenson, petitioner. The motion for leave to proceed in *forma pauperis* and for leave to file petition for a writ of prohibition is denied.

No. 548. The United States of America *v.* Mattie Puckett Worley, Administratrix, etc. The motion to advance this case is granted, and it is also ordered that case No. 463, Charles Jackson, petitioner, *v.* The United States of America, be advanced and the two cases are

assigned for argument as one case on Monday, March 3, next, after the cases heretofore assigned for that day.

No. 426. Arthur J. Aubrey and John A. Callan, appellants, *v.* Mahoning Valley Sanitary District, etc., et al. The motion to dismiss as to the parties appellants, Aubrey and Callan, is granted, and the motion of Pauline Gottlieb for leave to intervene and to be substituted as the party appellant is also granted.

No. 538. Clarence L. Johnson, A. P. Bonner, et al., appellants, *v.* State Highway Commission of South Carolina et al. Further consideration of the motion of counsel for the appellees to dismiss or to affirm is postponed to the hearing of this cause on the merits, and the cause is advanced and assigned for argument at the head of the assigned cases for Monday, February 24 next.

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. The motion for the appointment of a special master in this case is granted; and Charles N. Burch, Esquire, of Memphis, State of Tennessee, is appointed special master in this cause with power to issue subpoenas for witnesses and to take such evidence as may be introduced and such as he may deem necessary. The master is directed to make findings of fact and conclusions of law, and to submit the same to this Court with all convenient speed, together with his recommendations for a decree. The findings, conclusions, and recommendations of the special master shall be subject to consideration, rejection, revision, or approval by the Court.

No. 509. The United States of America, appellant, *v.* Francisco Unzeuta. It is ordered that this criminal case upon the docket be, and it is hereby, advanced and assigned for argument on Monday, March 10 next.

No. 165. The Nashville, Chattanooga & St. Louis Railway and Western & Atlantic Railroad, appellants, *v.* Mrs. Clyde Morgan and The Nash Motor Sales Company. Appeal from the Supreme Court of the State of Tennessee. *Per curiam:* The judgment herein is affirmed by an equally divided Court.

No. 184. D. S. Murphey, appellant, *v.* The Corporation Commission of the State of North Carolina. Appeal from the Supreme Court of the State of North Carolina. *Per curiam:* Judgment affirmed. Coffin Brothers & Company *v.* Bennett, 277 U. S. 29; Missouri Pacific Ry. Co. *v.* Nebraska, 164 U. S. 403, 414; Knights of Pythias *v.* Meyer, 265 U. S. 30, 32-33.

No. 167. The Hanover Fire Insurance Company of New York, appellant, *v.* Max Spektor, Abram Lerner, et al., etc. Appeal from the Supreme Court of the State of Pennsylvania. *Per curiam:*

The appeal is dismissed for the want of a substantial Federal question. *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by section 237 (c) of the Judicial Code as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938), certiorari is denied.

No. 493. The State of Florida and A. S. Wells, et al., etc., appellants, *v.* The United States of America et al.;

No. 494. Brooks-Scanlon Corporation et al., appellants, *v.* The United States of America et al.; and

No. 495. Wilson Lumber Company of Florida, appellant, *v.* The United States of America et al. In these cases the Court finds that probable jurisdiction has been shown.

No. 499. C. L. Crawford, in his individual capacity, etc., appellant, *v.* Superior Court of the State of California, etc., et al. Further consideration of the question of the jurisdiction of this Court in this cause is postponed to the hearing on the merits; and the case is advanced and set for hearing on Monday, February 24 next, immediately after the hearing of No. 538, heretofore advanced and placed at the head of the assigned cases for that day.

No. 520. Lektophone Corporation, petitioner, *v.* The Rola Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 528. Broad River Power Company et al., petitioner, *v.* State of South Carolina *ex rel.* John M. Daniel, Attorney General. Petition for writ of certiorari to the Supreme Court of the State of South Carolina granted.

No. 535. L. M. Willcuts, as Collector, etc., petitioner, *v.* Charles W. Bunn. Petition for writ of certiorari to the United States Circuit of Appeals for the Eighth Circuit granted.

No. 503. Howard M. Hanna, as Executor of the Last Will and Testament of H. Melville Hanna, deceased, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 519. Jose Gandara, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 522. Little Four Oil & Gas Company, a Trust, petitioner, *v.* C. G. Lewellyn, formerly Collector, etc.; and

No. 523. Little Four Oil & Gas Company, a Trust, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 531. Missouri Pacific Railroad Company, petitioner, *v.* Mike Begley. Petition for writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 533. E. W. Roach, petitioner, *v.* Los Angeles & Salt Lake Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Utah denied.

No. 537. Edwin J. Brach, Emily Upton Brach, and Aurora C. Upton, petitioners, *v.* E. C. Moen. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 540. National Surety Company, petitioner, *v.* Austin Machinery Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 543. Missouri Pacific Railroad Company, petitioner, *v.* D. O. Ramey. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 597. George L. Vincent, petitioner, *v.* The United States of America. Motion for leave to proceed *in forma pauperis* submitted by Mr. James Conlon for the petitioner.

No. 7, original. State of Wisconsin et al., complainants, *v.* State of Illinois et al.;

No. 11, original. State of Michigan, complainant, *v.* State of Illinois et al.; and

No. 12, original. State of New York, complainant, *v.* State of Illinois et al. Upon consideration of the motion of the defendants in these causes for a reassignment of the same for final hearing and for a direction respecting the condensation of the evidence to be considered on such hearing it is

Ordered, That these causes be set down for final hearing on Wednesday, March 12 next, upon the report of the special master made on the rereference and upon any exceptions or objections taken thereto; and it is further

Ordered, That the parties make and cause to be printed and filed with the clerk on or before February 20 next a condensation or joint abstract of so much of the evidence taken before the special master as may be necessary to a proper consideration and determination of such exceptions or objections as may be taken to the special master's report on the rereference, and that in any instance where the parties are unable to agree upon a proper condensation of particular evidence the same shall be set forth at length in such abstract.

No. 17, original. The State of New Jersey, complainant, *v.* The State of New York and The City of New York. Leave granted to

file reply to the amended answer of the defendant, The City of New York, on motion of Mr. Duane E. Minard for the complainant.

No. 6, original. The State of Oklahoma, complainant, *v.* The State of Texas et al. Motion of the State of Texas to approve the report of expenses of the commissioner submitted by Mr. C. G. Calhoun for the defendant, the State of Texas.

No. 491. J. P. Grubb, a natural person, etc., appellant, *v.* The Public Utilities Commission of Ohio et al. Motion to dismiss or affirm submitted by Mr. Gilbert Bettman and Mr. A. R. Johnson, jr., for the appellees in support thereof, and by Mr. Andrew Wilson and Mr. John F. Carlisle for the appellant, in opposition thereto.

No. 600. James Morrison, petitioner, *v.* The Warden of the United States Penitentiary, Atlanta, Georgia. Motion for leave to proceed *in forma pauperis* submitted by Mr. James Morrison, *pro se*.

No. 500. *Ex parte*: Joseph Murray, also known as William O'Brien, appellant. Statement as to jurisdiction submitted by Mr. Roland Becsey and Mr. William F. Herron for the appellant.

No. 501. Charles E. Dropps, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles E. Dropps, *pro se*, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, and Mr. Claude R. Branch for the respondent.

No. 539. Michael Gaglione, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William H. Lewis and Mr. Matthew L. McGrath for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 541. The Baltimore and Ohio Railroad Company, petitioner, *v.* Ralph Contrella et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William H. Eckert and Mr. Allen T. C. Gordon for the petitioner, and by Mr. H. Fred Mercer for the respondents.

No. 542. The Baltimore and Ohio Railroad Company, petitioner, *v.* Mary Perucca et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William H. Eckert and Mr. Allen T. C. Gordon for the petitioner, and by Mr. H. Fred Mercer for the respondents.

No. 549. Lem Motlow and Ophelia Motlow, petitioners, *v.* The United States of America. Petition for writ of certiorari to the

United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles A. Houts and Mr. P. H. Cullen for the petitioners, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 550. Marie Bevington, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Thomas F. Bevington for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, and Mr. Claude R. Branch for the respondent.

No. 552. Chicago North Shore & Milwaukee Railroad Company, petitioner, *v.* D. W. Ellis. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin submitted by Mr. Edgar L. Wood and Mr. A. L. Gardner for the petitioner.

No. 553. The Fairfax Drainage District, etc., petitioner, *v.* Kansas City, Missouri. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. T. M. Lillard for the petitioner, and by Mr. John T. Barker, Mr. J. C. Petherbridge, and Mr. Fred Robertson for the respondent.

No. 556. Noah Crooks, Collector of Internal Revenue, petitioner, *v.* Benjamin Harrelson et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, and Mr. John Vaughan Groner for the petitioner, and by Mr. Frank S. Bright and Mr. S. L. Swarts for the respondents.

No. 559. The City of Newark, petitioner, *v.* William M. Mills et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Thomas G. Haight for the petitioner, and by Mr. Horace L. Cheyney for the respondents.

No. 569. Davies Motors, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Duane R. Dills for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. Mahlon D. Kiefer for the respondent.

Adjourned until Monday, February 24 next, at 12 o'clock.

The day call for Monday, February 24, will be as follows: Nos. 538, 499, 53, 198, 212, 222, 226, 232, 235, and 237.

SUPREME COURT OF THE UNITED STATES

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

H. Hanson Drummond McKenney, of Baltimore, Md.; William K. Young, of Los Angeles, Calif.; Homer B. Aikman, of Terre Haute, Ind.; Harold E. Simpson, of Ithaca, N. Y.; C. C. Wyche, of Spartanburg, S. C.; Charles E. Snyder, of Herkimer, N. Y.; John P. Kirby, of Chicopee, Mass.; William A. Roberts, of Boston, Mass.; Hal M. Stone, of Bloomington, Ill.; Casper A. Ornbaun, of San Francisco, Calif.; A. T. W. Manning, of Lexington, Ky.; Guy H. Wells, of Dayton, Ohio; J. Ivey Humphrey, of Columbia, S. C.; Theodore H. Lord, of Brooklyn, N. Y.; Lloyd E. Anderson, of Washington, D. C.; John H. Watson, jr., of Cleveland, Ohio; Howard Cobb, of Ithaca, N. Y.; Harry W. Morgan, of Toledo, Ohio; Alfred P. Thom, jr., of Washington, D. C.; Walter J. Freund, of Jersey City, N. J.; Henry A. Jones, of Pittsburgh, Pa.; Howard M. Cox, of Chicago, Ill.; W. Carl Wyatt, of Washington, D. C.; Hardee E. Wyatt, of Washington, D. C.; Abraham J. Isserman, of Newark, N. J.; Seymour J. Solomon, of Newark, N. J.; Ralph H. Henney, of Columbus, Ohio; James Lawrence Fly, of New York City; Asbury Hayne de Yampert, of New York City; Harold F. Mook, of Erie, Pa.; Paul D. Miller, of Chicago, Ill.; James Maxwell Fassett, of New York City; Jack Boothe Blalock, of Marshall, Tex.; Arthur M. Spiegel, of Cincinnati, Ohio; Ernest Osmon Ricketts, of Columbus, Ohio; H. H. Hoppe, of Cleveland, Ohio; Walter I. Sundlun, of Providence, R. I.; and James B. McDonough, jr., of New York City, were admitted to practice.

Mr. Justice Holmes said:

"This is a moment of sorrow and of happiness to us. To our deep grief our beloved Chief Justice has been compelled by his health to resign. But it is a happiness to know that to fill his place as Chief Justice our old-time associate, Mr. Charles Evans Hughes, has been appointed. I understand that he is present, and the clerk will read his commission. Mr. Hughes then will take the oath, and the marshal will escort him to his seat upon the bench."

The clerk then read the commission as follows:

HERBERT HOOVER

PRESIDENT OF THE UNITED STATES OF AMERICA

To all who shall see these presents, greeting:

Know ye, that reposing special trust and confidence in the wisdom, uprightness, and learning of Charles Evans Hughes, of New York, I have nominated, and, by and with the advice and consent of the Senate, do appoint him Chief Justice of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and Laws of the said United States, and to have and to hold the said office, with all the powers, privileges, and emoluments to the same of right appertaining, unto him, the said Charles Evans Hughes, during his good behavior.

In testimony Whereof I have caused these letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Done at the city of Washington this 13th day of February, in the year of our Lord one thousand nine hundred and thirty, and of the independence of the United States of America the one hundred and fifty-fourth.

[SEAL.]

HERBERT HOOVER.

By the President:

WILLIAM D. MITCHELL,
Attorney General.

The oath of office was then administered by the clerk and Mr. Chief Justice Hughes was escorted, by the marshal, to the seat of the Chief Justice on the bench.

No. 229. District of Columbia, petitioner, *v.* Charles H. Fred, alias Hamilton C. Fred. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed with costs and cause remanded to said Court of Appeals for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Stone.

No. 423. Ruffin Collie, Clinton Cook, and Robbie Rowe, petitioners, *v.* Thomas D. Fergusson, F. W. Darling, and J. S. Darling, trading as J. S. Darling & Son et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decree modified as indicated in the opinion of this court, and as so modified affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Virginia. Opinion by Mr. Justice Stone.

No. 75. Illinois Central Railroad Company, petitioner, *v.* G. I. Crail, doing business as P. McCoy Fuel Company. 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 Stone.

No. 86. Carley & Hamilton, Inc.; Edward Malde, Doing Business as A. B. C. Transfer & Storage Company; S. Brizzolara, etc., et al., appellants, *v.* Frank G. Snook, as Chief of the Division of Motor Vehicles, State of California; and

No. 267. Geo. T. Cottingham and William C. Meginnes, doing business as City Transfer Company, et al., appellants, *v.* Frank G. Snook, as Chief of Division of Motor Vehicles of the State of California, and Ray L. Riley, as State Controller of the State of California. Appeals from the District Court of the United States for the Northern District of California. Decrees affirmed with costs. Opinion by Mr. Justice Stone.

No. 44. District of Columbia, petitioner, *v.* Georgiana Thompson. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment affirmed with costs, and cause remanded to the said Court of Appeals. Opinion by Mr. Justice Sanford.

No. 179. United States Fidelity & Guaranty Company, petitioner, *v.* John F. Guenther. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Northern District of Ohio for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 25. C. A. Lindgren, Administrator of the Estate of C. E. Barford, deceased, petitioner, *v.* The United States of America and Colonna's Shipyard, Incorporated. On writ of certiorari to 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 Eastern District of Virginia. Opinion by Mr. Justice Sanford.

No. 6, original. The State of Oklahoma, complainant, *v.* The State of Texas, Defendant, The United States of America, Intervener. It appearing from the statement dated October 21, 1929, filed herein by Samuel S. Gannett, commissioner, as to the work done, time employed, and expenses incurred by him in running, locating, and marking the boundary line between the States of Texas and Oklahoma, along the one hundredth meridian of longitude west from Greenwich, as directed by the decree herein of January 3, 1927 (273 U. S. 93), by clause 7 of which it was ordered, adjudged, and decreed that the costs of its execution, including the compensation

and expenses of the commissioner, should be borne in three equal parts by the two States and the United States, that the total net cost thereof, including the expenses of the commissioner and his compensation at the rate of \$25 per day, was \$33,482.91, and that this entire amount has been paid by the State of Texas; and it further appearing from the motion filed herein by the State of Texas on January 27, 1930, that one-third of this amount has been refunded to the State of Texas by the State of Oklahoma but that no part thereof has been paid by the United States;

It is, on the motion of the State of Texas, ordered, adjudged, and decreed that the commissioner's said statement showing the cost of executing the decree be and is ratified, confirmed, and approved, and that the United States repay to the State of Texas one-third thereof, namely, \$11,160.97.

Announced by Mr. Justice Sanford.

No. 22. The Kansas City Southern Railway Company, petitioner, *v.* Guardian Trust Company, Henry C. Flower, Receiver. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree of the Circuit Court of Appeals reversed with costs, and that of the District Court affirmed, and cause remanded to the District Court of the United States for the Western District of Missouri for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 92. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* North Texas Lumber 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 said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 193. Chicago & Northwestern Railway Company, a corporation, *v.* O. N. Lindell. On certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Question answered in the negative. Opinion by Mr. Justice Butler.

No. 79. Harry C. Moore, as Treasurer of Grant County, Indiana, petitioner, *v.* Sidney Z. Mitchell and Niel A. Weathers (Sued as Neil A. Weathers), as Executors of the Last Will and Testament of Richard Edwards Breed, deceased. 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 Butler.

No. 73. New York Central Railroad Company, petitioner, *v.* Antonia Ambrose, as Administratrix of the Estate of John Ambrose, deceased. On writ of certiorari to the Circuit Court of Hudson

County, State of New Jersey. Judgment reversed with costs, and cause remanded to the said Circuit Court of Hudson County for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 87. The Baltimore and Ohio Southwestern Railroad Company, petitioner, *v.* Lula Carroll, Administratrix of the Estate of Guerney O. Burtch, deceased. On writ of certiorari to the Supreme Court of the State of Indiana. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 133. Thos. A. Early, as Receiver of the Farmers and Merchants National Bank of Lake City, S. C., *v.* J. L. Richardson. On certificate from the United States Circuit Court of Appeals for the Fourth Circuit. Question answered in the affirmative. Opinion by Mr. Justice Sutherland.

No. 336. J. Du Pratt White, Franklin W. Hopkins, Edward J. Partridge, et al., appellants, *v.* Sparkhill Realty Corporation and Standard Trap Rock Corporation. Appeal from the District Court of the United States for the Southern District of New York. Decree reversed with costs, and cause remanded to the said District Court with directions to dismiss the bill of complaint. Opinion by Mr. Justice Sutherland.

No. 45. Tagg Bros. & Moorhead, Richard M. Laverty, Engaged in Business under the name and Style of Laverty Bros.; Will H. Wood et al., etc., et al., appellants, *v.* The United States of America, Arthur M. Hyde, as Secretary of Agriculture, et al. Decree affirmed. Opinion by Mr. Justice Brandeis.

No. 67. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* American Code Company, Incorporated. 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 said Circuit Court of Appeals for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 118. Florsheim Brothers Drygoods Company, Ltd., petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Western District of Louisiana. Opinion by Mr. Justice Brandeis.

No. 414. Thomas W. White, Collector of Internal Revenue, petitioner, *v.* Hood Rubber Company. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

Judgment reversed with costs, and cause remanded to the 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 Brandeis.

No. 164. Piedmont and Northern Railway Company and National Association of Railroad and Utilities Commissioners, appellants, *v.* United States of America, Interstate Commerce Commission, and Southern Railway Company, et al. Appeal from the District Court of the United States for the Western District of South Carolina. Decree reversed, and cause remanded to the said District Court with directions to dismiss the bill for want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 402. The United States of America, petitioner, *v.* Guaranty Trust Company of New York et al. On writ of certiorari to 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 Minnesota. Opinion by Mr. Justice Brandeis.

No. 93. Anita H. Cooper, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 128. The United States, petitioner, *v.* American Can Company;

No. 129. The United States, petitioner, *v.* Missouri Can Company;

No. 130. The United States, petitioner, *v.* Detroit Can Company. On writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgments reversed, and causes 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 McReynolds.

No. 188. James C. Davis, Federal Agent, et al., petitioners, *v.* Mrs. Mary Preston, Administratrix. On writ of certiorari to the Supreme Court of the State of Texas. Motion to substitute denied. Writ of certiorari dismissed with costs. Opinion by Mr. Justice Van Devanter.

No. 28. Superior Oil Company, appellant, *v.* The State of Mississippi *ex rel.* George T. Mitchell, Attorney General. Appeal from the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Van Devanter and Mr. Justice Butler.

No. 66. The United States of America, appellant, *v.* Harry M. Wurzbach. Appeal from the District Court of the United States for the Western District of Texas. Judgment reversed, and cause remanded to the said District Court for further proceedings in con-

formity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 71. Minerals Separation North American Corporation, petitioner, *v.* Magma Copper Company. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Maine. Opinion by Mr. Justice Holmes.

No. 113. The Chesapeake & Ohio Railway Company, petitioner, *v.* R. L. Bryant, Administrator of the Estate of M. L. Bryant, deceased. On writ of certiorari to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the Court:

It is ordered by the court that the accompanying correspondence between members of the court and Mr. Chief Justice Taft upon his retirement as Chief Justice of the United States be this day spread upon the minutes and that it also be printed in the reports of the court.

SUPREME COURT OF THE UNITED STATES,
Washington, D. C., February 10, 1930.

DEAR CHIEF JUSTICE: We call you Chief Justice still, for we can not quickly give up the title by which we have known you for all these later years and which you have made so dear to us. We can not let you leave us without trying to tell you how dear you have made it. You came to us from achievements in other fields, and with the prestige of the illustrious place that you lately had held, and you showed in a new form your voluminous capacity for work and for getting work done, your humor that smoothed the rough places, your golden heart that has brought you love from every side, and, most of all, from your brethren whose tasks you have made happy and light. We grieve at your illness, but your spirit has given life an impulse that will abide whether you are with us or are away.

Affectionately yours,

(Signed)

OLIVER WENDELL HOLMES.
WILLIS VAN DEVANTER.
J. C. McREYNOLDS.
LOUIS D. BRANDEIS.
GEO. SUTHERLAND.
PIERCE BUTLER.
EDWARD T. SANFORD.
HARLAN F. STONE.

HON. WILLIAM H. TAFT.

UNITED STATES SUPREME COURT,
Washington, D. C., February 12, 1930.

MY DEAR BRETHREN: I can not adequately say how deeply I am touched by your affectionate letter. I regretted for many reasons the necessity of tendering my resignation, but none so strong as the ending of those pleasant associations with each and all of you, which during the past nine years have been so dear to me. Only the advice of my doctors and my own conviction that I would be unable to continue adequately the great work of the court forced me to leave you. That work, in your hands, will go on as well without me, but I am grateful, nevertheless, for your words of appreciation.

Sincerely yours,

(Signed) W. M. H. TAFT.

MR. JUSTICE HOLMES, *Acting Chief Justice.*

MR. JUSTICE VAN DEVANTER.

MR. JUSTICE McREYNOLDS.

MR. JUSTICE BRANDEIS.

MR. JUSTICE SUTHERLAND.

MR. JUSTICE BUTLER.

MR. JUSTICE SANFORD.

MR. JUSTICE STONE.

No. 417. Thomas A. Baldwin et al., plaintiffs in error and appellants, *v.* The State of Missouri. Upon consideration of the return to the rule to show cause in this case, the court finds that probable jurisdiction has been shown.

No. 597. George L. Vincent, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals of the District of Columbia. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the court, upon examination of the unprinted record herein submitted, finds no grounds upon which a writ of certiorari can be issued. The petition for certiorari is therefore also denied. The clerk is directed to pay the costs already incurred in this cause in the manner provided in the order of October 29, 1926.

No. 600. James Morrison, petitioner, *v.* The Warden of the United States Penitentiary, Atlanta, Georgia. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis*, is denied, for the reason that the court, upon examination of the unprinted record herein submitted, finds no grounds upon which a writ of certiorari can be issued. The petition for certiorari is therefore also denied, and the clerk is directed

to pay the costs already incurred in this cause in the manner provided in the order of October 29, 1926.

No. 500. *Ex parte*: Joseph Murray, also known as William O'Brien, appellant. Appeal from the Supreme Court of the State of California. *Per curiam*: The appeal is dismissed for the want of a substantial Federal question. *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by sec. 237 (c) of the Judicial Code, as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938), the certiorari is denied.

No. 9. Hugh W. Grant, Receiver, etc., petitioner, *v.* A. B. Leach & Company, Inc. It is ordered that the printed opinion handed down in this case on January 6, 1930, be amended by striking out the last clause in the second sentence of section 1 at the top of page 2, reading "in exchange for 3,000 shares of the seven per cent preferred stock of the Furnace Company, at 85 and accrued dividends," and substituting therefor the following: "for which it paid partly in shares of the seven per cent preferred stock of the Furnace Company, at 85 and accrued dividends, and partly in cash."

No. —. In the Matter of Albert T. Patrick:

It having been shown to the court that Albert T. Patrick, a member of the bar of this court, formerly of the New York State bar, and now, or lately, of Tulsa, Okla., has been disbarred from practice in the State of New York;

It is ordered that the clerk send notice to him and to the clerks of the highest courts of New York and Oklahoma, as provided in rule 2, paragraph 5 of the Rules of this court.

No. —. In the matter of H. A. Ledbetter:

It having been shown to the court that H. A. Ledbetter, of Ardmore, Okla., a member of the bar of this court, and formerly of the Oklahoma State bar, has been disbarred from practice in the courts of that state;

It is ordered that the clerk send notice to him and to the clerk of the highest court of Oklahoma as provided in rule 2, paragraph 5 of the Rules of this court.

No. 556. Noah Crooks, Collector of Internal Revenue, petitioner, *v.* Benjamin Harrelson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 569. Davies Motors, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted, and it is ordered that the case be assigned with No. 452, *Richbourg Motor Co. v. The United States*, for argument as one case.

No. 501. Charles E. Dropps, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 539. Michael Gaglione, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 541. Baltimore & Ohio Railroad Company, petitioner, *v.* Ralph Contrella and Catherine Contrella. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 542. Baltimore & Ohio Railroad Company, petitioner, *v.* Mary Perucca and Peter M. Perucca. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 549. Lem Motlow and Ophelia Motlow, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 550. Marie Bevington, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 552. Chicago, North Shore & Milwaukee Railroad Company, petitioner, *v.* D. W. Ellis. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin denied.

No. 553. The Fairfax Drainage District of Wyandotte County, Kansas, petitioner, *v.* Kansas City, Missouri. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 559. The City of Newark, petitioner, *v.* William M. Mills and Andrew H. Mills as former owners of the steamer "South Shore." Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 510. S. O. Wynne, Federal Prohibition Administrator, etc., et al., *v.* Swanson Chemical Corporation; and

No. 511. James M. Doran, Prohibition Commissioner of the United States, et al., *v.* Martin H. Casper, trading as Delmar Manufacturing and Chemical Co. Motion to advance submitted by Mr. Claude R. Branch for Wynne and Doran.

No. 605. Skinner and Eddy Corporation, petitioner, *v.* The United States. Submission of petition for writ of certiorari postponed and leave granted respondent to file brief by March 10 next, on motion of Mr. Claude R. Branch for the respondent.

No. 535. L. M. Willcuts, as Collector of Internal Revenue, etc., petitioner, *v.* Charles W. Bunn. Leave granted to file brief of the people of the State of New York, as *amicus curiae*, on motion of Mr. Henry S. Manley in that behalf.

No. 12, original. The State of New York, complainant, *v.* The State of Illinois and Sanitary District of Chicago et al. Leave granted to file complainant's substitute exceptions to the report of the special master on reference, on motion of Mr. Henry S. Manley for the complainant.

No. 680. The Pittsburgh & West Virginia Railway Company, appellant, *v.* The United States of America et al. Motion to advance submitted by Mr. H. H. Hoppe for the appellants.

No. 524. Harvey Cox, appellant, *v.* The People of the State of Colorado et al.;

No. 525. Harvey Cox, appellant, *v.* The People of the State of Colorado et al.; and

No. 526. Harvey Cox, appellant, *v.* The People of the State of Colorado. Leave granted to file statements as to jurisdiction out of time and 20 days additional time to that prescribed by the rule granted appellees to file statements opposing jurisdiction, on motion of Mr. William R. Eaton, *per stipulations* of counsel.

No. 689. James Howard Snook, petitioner, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Arthur M. Spiegel for the petitioner, and right to file brief in opposition thereto waived by Mr. John J. Chester, jr., for the respondent.

No. 634. Henry R. Tyroler et al., petitioners, *v.* Carl F. Routzahn, Collector of Internal Revenue. Leave granted to file brief of George E. Holmes, Randolph E. Paul, and Valentine B. Havens, as *amici curiae*, on motion of Mr. Charles B. McInnis in that behalf.

No. 574. Edward B. Weston et al., appellants, *v.* Beaver-Remmers-Graham Company et al. Leave granted to file amendment to designation of parts of record to be printed, on motion of Mr. Wellmore B. Turner for the appellants.

No. —, original. *Ex parte*: Buenaventura Lopez, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. William J. Rohde for the petitioner.

No. 21, original. *Ex parte*: Northern Pacific Railway Company et al., petitioners. Returns to the writ of mandamus by Hon. George M. Bourquin and Hon. Charles N. Pray, district judges of the District Court of the United States for the District of Montana, presented.

No. 468. Emmett Cochran et al., appellants, *v.* Louisiana State Board of Education et al. Motion to dismiss submitted by Mr. Percy Saint, Mr. Peyton R. Sandoz, Mr. Walter J. Burke, Mr. H. H. White, and Mr. R. F. White, for the appellees.

No. 663. Mrs. Rebecca Grant, appellant, *v.* Glynn Canning Company et al. Motion for leave to proceed *in forma pauperis* submitted by Mr. Virgil E. Adam for the appellant.

No. 484. Albert Turner, appellant, *v.* W. P. Winters. Statement as to jurisdiction submitted by Mr. Samuel A. King for the appellant in support thereof, and by Mr. Charles M. Morris and Mr. Edward R. Callister for the appellee in opposition thereto.

No. 551. Robert Carnahan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank P. Walsh for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. John J. Byrne for the respondent.

No. 554. Charles H. Stange, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. W. W. Spalding for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Morton Poe Fisher, Mr. Joseph H. Sheppard, and Mr. W. Marvin Smith for the respondent.

No. 555. The United States of America, petitioner, *v.* Alfred E. Norris. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. John J. Byrne, and Mr. Mahlon D. Kiefer for the petitioner, and by Mr. Frederic L. Ballard for the respondent.

No. 558. Charles Stockton, petitioner, *v.* L. C. Massey (D. H. Stephenson), Sheriff of Kanawha County. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Raymond Gordon for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. Paul D. Miller for the respondent.

No. 560. Maurice Sugarman and Jud Purdue, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Otto Christensen and Mr. Samuel A. King for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. Paul D. Miller for the respondent.

No. 561. Herbert Goudchaux, petitioner, *v.* M. A. Joy, Receiver. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Claude W. Dudley for the petitioner.

No. 562. Michele Piccolella, petitioner, *v.* Commissioner of Immigration, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Dickerman Williams and Mr. Carol Weiss King for the petitioner, and by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondents.

No. 565. James H. Hooper, petitioner, *v.* Philip Goldstein. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. James H. Hooper, *pro se*, and by Mr. Sherman C. Spitzer for the respondent.

No. 566. The Delaware, Lackawanna and Western Railroad Company, petitioner, *v.* Nellie Reardon, General Administratrix, etc. Petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. Frederic B. Scott and Mr. Walter J. Larrabee for the petitioner, and by Mr. Clement K. Corbin for the respondent.

No. 567. The Continental National Bank, petitioner, *v.* Holland Banking Company, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. George L. Edwards and Mr. Edward J. White for the petitioner, and by Mr. Roscoe C. Patterson for the respondent.

No. 568. Receivers of Gulf States Oil & Refining Corporation, petitioners, *v.* Island Oil and Transport Corporation, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Leavitt J. Hunt for the petitioners and by Mr. Francis L. Kohlman, Mr. Carl J. Austrian, Mr. Saul J. Lance, Mr. Charles A. Boston, and Mr. Wm. M. Chadbourne for the respondents.

No. 571. The Royal Indemnity Company of New York, The Fidelity & Casualty Company of New York, et al., petitioners, *v.* L. A. Andrew, Superintendent of Banking of the State of Iowa, etc. Petition for writ of certiorari to the Supreme Court of the State of Iowa submitted by Mr. Casper Schenk for the petitioners.

No. 572. American Surety Company of New York, petitioner, *v.* Henry Mullendore, Receiver. Petition for a writ of certiorari to the Supreme Court of the State of Montana submitted by Mr. Sterling M. Wood for the petitioner, and by Mr. Charles H. Loud and Mr. William B. Leavitt for the respondent.

No. 575. George A. Moffett and Benjamin Niport, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Isaac Lobe Strauss and Mr. Edgar Allan Poe for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. Mahlon D. Kiefer for the respondent.

No. 576. Jess M. Caldwell, petitioner, *v.* The United States of America; and

No. 577. Jess M. Caldwell, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Mark Goode for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 578. Robert A. Uihlein, petitioner, *v.* City of St. Paul et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Edward S. Stringer for the petitioner, and by Mr. Eugene M. O'Neill and Mr. Lewis L. Anderson for the respondents.

No. 579. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Sanford & Brooks Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. J. Louis Monarch, Helen R. Carloss, Mr. C. M. Charest, and Mr. Prew Savoy for the petitioner, and by Mr. Charles McH. Howard for the respondent.

No. 580. Phoenix Building and Homestead Association, petitioner, *v.* E. A. Carreres' Sons. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Royal E. Burnham for the petitioner.

No. 581. Anna Urvic, as Administratrix, etc., petitioner, *v.* F. Jarka Company, Inc., et al. Petition for writ of certiorari to the Supreme Court of New York submitted by Mr. Vernon S. Jones for the petitioner and by Mr. Ernie Adamson for the respondents.

No. 582. Cincinnati, New Orleans and Texas Pacific Railway Company, petitioner, *v.* Mary A. McGill, as Administratrix, etc. Petition for writ of certiorari to the Court of Appeals of the State of Tennessee submitted by Mr. John Weld Peck and Mr. Horace M. Carr for the petitioner and by Mr. W. T. Kennerly for the respondent.

No. 585. Aldine Realty Company of Pittsburgh, petitioner, *v.* Manor Real Estate and Trust Company. Petition for writ of cer-

corari to the Supreme Court of the State of Pennsylvania submitted by Mr. Joseph Stadtfeld for the petitioner, and by Mr. William S. Dalzell and Mr. Frederic D. McKenney for the respondent.

No. 587. Titus A. Haffa, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John B. Boddie for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. Paul D. Miller for the respondent.

No. 588. Alabama Chemical Company, petitioner, *v.* International Agricultural Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. S. H. Dent and Mr. Fred S. Ball for the petitioner, and by Mr. B. P. Crum, Mr. John D. Little, and Mr. Marion Smith for the respondent.

No. 589. R. E. Graham and E. E. Foster, copartners, etc., petitioners, *v.* Rex. B. Goodcell, Former Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John E. Hughes for the petitioners and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. J. Louis Monarch for the respondent.

No. 592. Atlantic Coast Line Railroad Company, petitioner, *v.* State of Florida *ex rel.* Fred H. Davis, etc. Petition for writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. F. B. Grier, Mr. W. E. Kay, and Mr. Thos. B. Adams for the petitioner, and by Mr. Fred H. Davis and Mr. Theo. T. Turnbull for the respondents.

No. 593. Henderson County, State of Kentucky, petitioner, *v.* State Bank of New York et al.; and

No. 594. Henderson County, State of Kentucky, petitioner, *v.* State Bank of New York et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. James W. Henson and Mr. John C. Worsham for the petitioner and by Mr. Edmund F. Trabue for the respondents.

No. 595. Henderson County, State of Kentucky, petitioner, *v.* State Bank of New York et al.; and

No. 596. Henderson County, State of Kentucky, petitioner *v.* State Bank of New York et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. James W. Henson and Mr. John C. Worsham for the petitioner and by Mr. Edmund F. Trabue for the respondents.

No. 599. Missouri Pacific Railroad Company, petitioner, *v.* Mrs. Effie R. Bushey, Administratrix, etc. Petition for writ of certiorari

to the Supreme Court of the State of Arkansas submitted by Mr. Thomas B. Pryor and Mr. Edward J. White for the petitioner and by Mr. Frank Pace for the respondent.

No. 601. Cheney Brothers, petitioner, *v.* Doris Silk Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John W. Davis for the petitioner and by Mr. Jesse S. Epstein for the respondent.

No. 602. George A. Gaston and J. W. Redmond, as Receivers, etc., petitioners, *v.* Rutland Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. J. W. Redmond and Mr. Horace H. Powers for the petitioners and by Mr. Edwin W. Lawrence for the respondent.

No. 603. S. L. Miller, A. J. Biddison, et al., etc., petitioners, *v.* Annie Take et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. A. J. Biddison for the petitioners.

No. 606. Chicago, Milwaukee, St. Paul & Pacific Railroad Company, petitioner, *v.* Wilfred Garedpy, a minor, etc. Petition for writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. F. W. Root, Mr. A. C. Erdall, and Mr. O. W. Dynes for the petitioner, and by Mr. Frederick M. Miner for the respondent.

No. 608. Robert W. Bingham, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Robert N. Miller and Mr. J. Robert Sherrod for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Morton Poe Fisher, and Mr. C. M. Charest for the respondent.

No. 609. S. Homer Federman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Joseph G. M. Browne and Mr. Solon J. Carter for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. Paul D. Miller for the respondent.

No. 612. City of New York, petitioner, *v.* Federal Radio Commission. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Arthur J. W. Hilly and Mr. Joseph A. Devery for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant to the Attorney General O'Brian, Mr. Claude R. Branch, Mr. Charles H. Weston, Mr. W. Marvin Smith, and Mr. Thad H. Brown for the respondent.

No. 613. George Graham Rice et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James A. Reed, Mr. Louis Titus, and Mr. John Wattawa for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Lohring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. Paul D. Miller for the respondent.

No. 616. Samuel D. Leidesdorf, as trustee, etc., petitioner, *v.* Union Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Bernard Hershkopf for the petitioner, and by Mr. Robert H. Elder for the respondent.

No. 619. McCord Radiator & Manufacturing Company, petitioner, *v.* Geza Horvath. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. James M. Beck, Mr. Charles E. Lewis, and Mr. Sherwin A. Hill for the petitioner, and by Mr. Merlin Wiley, Mr. O. L. Smith, and Mr. Robert Crosser for the respondent.

No. 638. The Auglaize Box Board Company, petitioner, *v.* The Kansas City Fibre Box Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Wellmore B. Turner for the petitioner, and by Mr. Murray Seasongood for the respondent.

No. 650. Louis H. Ensten and Lion Knitting Mills Company, petitioner, *v.* Simon Aschler & Company, Incorporated. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. O. Ellery Edwards for the petitioners.

No. 235. J. L. Morgan, appellant, *v.* The State of Georgia. Submitted per stipulation.

No. 538. Clarence L. Johnson et al., appellants, *v.* The State Highway Commission of South Carolina et al. Argument commenced by Mr. L. G. Southard for the appellant. The Court declined to hear further argument.

No. 499. C. L. Crawford, in his individual capacity and on behalf of other protesting taxpayers, appellant, *v.* Superior Court of the State of California in and for the County of Mendocino, et al. Argument commenced by Mr. Casper A. Ornbaun for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 25, will be as follows: Nos. 499, 53, 198, 212, 222, 226, 232, 237, 238, and 248.

SUPREME COURT OF THE UNITED STATES

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

Frederick J. Singley, of Baltimore, Md.; Bonifant Hamilton, of Washington, D. C.; Maurice M. Thomas, of Oklahoma City, Okla.; Thomas P. Dudley, jr., of Washington, D. C.; Harry B. Sutter, of Chicago, Ill.; Robert P. Smith, of Washington, D. C.; Daniel W. Hone, of San Francisco, Calif.; Samuel B. Bassett, of Seattle, Wash.; Jose Lopez del Castillo, of Manila, P. I.; Walter C. McKain, of Youngstown, Ohio; Carroll L. Beedy, of Portland, Me.; Ralph T. Finley, of St. Louis, Mo.; Francis Seiberling, of Akron, Ohio; Simon H. Rifkind, of New York City; John H. Tucker, jr., of Shreveport, La.; Thomas M. Milling, of Shreveport, La.; Francis P. Whitehair, of De Land, Fla.; Howard P. Castle, of Chicago, Ill.; Frank N. Bancroft, of Denver, Colo.; Sam R. Owens, of Denver, Colo.; and Charles H. Blatchford, of Portland, Me., were admitted to practice.

The Chief Justice announced the following order of the Court:

No. 689. James Howard Snook, petitioner, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of the State of Ohio denied. Order to issue forthwith.

No. 499. C. L. Crawford, in his individual capacity, etc., appellant, *v.* Superior Court of the State of California et al. Argument continued by Mr. Casper A. Ornbaun for the appellant. The Court declined to hear further argument.

No. 53. John Patton, Harold Conant, et al., *v.* The United States of America. Argued by Mr. Claude Nowlin for John Patton et al., and by Mr. Solicitor General Hughes for the United States.

No. 198. The Aluminum Castings Company, petitioner, *v.* Carl F. Routzahn, Individually and as Collector of Internal Revenue. Argued by Mr. John T. Scott for the petitioner, and by Mr. Claude R. Branch for the respondent.

No. 212. New York Central Railroad Company, petitioner, *v.* Donato Marcone, as Administrator, etc. Argument commenced by Mr. William H. Carey for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 26, will be as follows: Nos. 212, 222, 226, 232, 237, 238, 248, 250, 261, and 269.

SUPREME COURT OF THE UNITED STATES

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

Warren Cubbon Lee, of Jacksonville, Fla.; Sol Gelb, of New York City; Barritt Galloway, of Oklahoma City, Okla.; Frederick W. Green, of Cleveland, Ohio; George R. Hargreaves, of Akron, Ohio; Jerome Alper, of Newark, N. J.; William A. Spencer, of Akron, Ohio; Donovan D. Isham, of Akron, Ohio; Ralph Wolcott Brown, of New York City; Justin M. Hannick, of Detroit, Mich.; Chester L. Dinsmore, of Akron, Ohio; and Seymour L. Smith, of Omaha, Nebr., were admitted to practice.

No. **212**. New York Central Railroad Company, petitioner. *v.* Donato Marcone, as Administrator, etc. Argument continued by Mr. William H. Carey for the petitioner, and concluded by Mr. A. Owsley Stanley for the respondent.

No. **222**. State of Missouri at the relation of Missouri Insurance Company, appellant, *v.* Frederick Gehner, as Assessor, etc. Argued by Mr. Ralph T. Finley for the appellant, and by Mr. Oliver Senti for the appellee.

No. **226**. Thomas A. Early, Receiver of the Farmers & Merchants National Bank of Lake City, petitioner, *v.* Federal Reserve Bank of Richmond. Argument commenced by Mr. George P. Barse for the petitioner, and continued by Mr. M. G. Wallace for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 27, will be as follows: Nos. **226, 232, 237** (and **238**), **248, 250, 261, 269, 270, 276**, and **281**.

SUPREME COURT OF THE UNITED STATES

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

Louis Tucker, of Detroit, Mich.; Herman L. Bush, of Boston, Mass.; C. T. Carpenter, of Marked Tree, Ark.; and C. A. Sorensen, of Lincoln, Nebr., were admitted to practice.

No. 226. Thomas A. Early, Receiver of the Farmers & Merchants National Bank of Lake City, petitioner, *v.* Federal Reserve Bank of Richmond. Argument continued by Mr. M. G. Wallace for the respondent and concluded by Mr. R. E. Whiting for the petitioner.

No. 232. Home Insurance Company and Franklin Insurance Company, appellants, *v.* C. J. Dick et al. Argued by Mr. David Rumsey and Mr. Mark W. Maclay for the appellants and by Mr. John Neethe for the appellees.

No. 237. State of Ohio ex rel. E. H. Bryant, appellant, *v.* Akron Metropolitan Park District for Summit County et al.; and

No. 238. State of Ohio ex rel. Pauline Wadsworth, appellant, *v.* John A. Zangerle, Auditor of Cuyahoga County, et al. Three hours allowed for oral argument on motion of Mr. Frederick A. Henry. Argument commenced by Mr. Frederick A. Henry for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 28, will be as follows: Nos. 237 (and 238), 248, 250, 261, 269, 270, 276, 281, 282, and 300.

SUPREME COURT OF THE UNITED STATES

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

Theodore A. Kolb, of Chicago, Ill.; N. C. Harris, of Rutherfordton, N. C.; Donald W. Kling, of Cleveland, Ohio; Harrison B. Martin, of Chicago, Ill.; Frederick D. Hamrick, of Rutherfordton, N. C.; Lee W. Hagerman, of St. Louis, Mo.; Benjamin H. Charles, of St. Louis, Mo.; and Harold H. Healy, of Denver, Colo., were admitted to practice.

No. 613. George Graham Rice et al., petitioners, *v.* The United States of America. Leave granted petitioner to file reply brief by Monday next, on motion of Mr. Louis Titus for the petitioner.

No. 237. State of Ohio *ex rel.* E. H. Bryant, appellant, *v.* Akron Metropolitan Park District for Summit County et al.; and

No. 238. State of Ohio *ex rel.* Pauline Wadsworth, appellant, *v.* John A. Zangerle, Auditor of Cuyahoga County et al. Argument continued by Mr. Luther Day for the appellants. The Court declined to hear further argument.

No. 248. Victorio Nogueira, petitioner, *v.* New York, New Haven & Hartford Railroad Company. Argued by Mr. Sol Gelb for the petitioner, and by Mr. Edward R. Brumley for the respondent.

No. 250. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Ox Fibre Brush Company. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Harry B. Sutter for the respondent.

No. 261. William Miller, petitioner, *v.* H. J. McLaughlin, Secretary, etc. Argument commenced by Mr. Seymour L. Smith for the petitioner, and continued by Mr. C. A. Sorensen for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 3, will be as follows: Nos. 261, 99, 16 original, 440, 548 (and 463), 269, 270, 276, 281, and 282.

SUPREME COURT OF THE UNITED STATES

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

Charles Hervey Naylor, of Indianapolis, Ind.; Samuel Heavrin Breidenbach, of Washington, D. C.; Arthur J. Gross, of Boston, Mass.; Harold F. Noneman, of Washington, D. C.; Peter J. Mitchell, of Washington, D. C.; Oliver V. Emery, of Washington, D. C.; Leon O'Quin, of Shreveport, La.; George Seth Guion, of New Orleans, La.; Henry Clay Walker, jr., of Shreveport, La.; William Osmond, of Great Bend, Kans.; William R. Smith, of Topeka, Kans.; Laurel E. Anderson, of Burlingame, Calif.; Clarence T. Spier, of Omaha, Nebr.; Robert Fountain Higgins, of Marlin, Tex.; Ben H. Powell, of Austin, Tex.; James A. Cunningham, of Booneville, Miss.; and Milo J. Warner, of Toledo, Ohio, were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. —, original. *Ex parte*: Buenaventura Lopez, petitioner. The motion for leave to file a petition for a writ of mandamus is denied.

No. 21, original. *Ex parte*; Northern Pacific Railway Company et al., petitioners. *Per curiam*: The returns of Charles N. Pray and George M. Bourquin, district judges of the United States, to the peremptory writ of mandamus heretofore issued in this cause have been received and are ordered to be filed;

It is ordered that an entry be made upon the minutes and journal of this Court showing that the writ of mandamus has been obeyed.

No. 555. The United States of America, petitioner, *v.* Alfred E. Norris. The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted, and the cause is advanced and assigned for argument at the head of the call on Monday, April 14 next.

No. 510. S. O. Wynne, Federal Prohibition Administrator, etc., et al., *v.* Swanson Chemical Corporation; and

No. 511. James M. Doran, Prohibition Commissioner, etc., et al., *v.* Martin H. Casper, Trading as Delmar Manufacturing and Chemi-

cal Company. The motion to advance these cases is granted and the cases assigned for argument on Monday, April 14 next, after the case heretofore assigned for that day.

No. 680. The Pittsburgh & West Virginia Railway Company, appellant, *v.* The United States of America et al. The motion to advance this case is granted and the case assigned for argument on Monday, April 14, next, after the cases heretofore assigned for that day.

No. 468. Emmett Cochran, W. M. Guice, Jr., Henry Steinau, et al., appellants, *v.* Louisiana State Board of Education et al. Further consideration of the motion to dismiss is postponed to the hearing of the case on its merits. The case is advanced and assigned for argument on Monday, April 14 next, after the cases heretofore assigned for that day.

No. 663. Mrs. Rebecca Grant, appellant *v.* Glynn Canning Company and Maryland Casualty Company. Appeal from the Supreme Court of the State of Georgia. *Per curiam:* The appeal herein is dismissed for the want of jurisdiction upon the authority of section 237 (a) of the Judicial Code as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari, as required by section 237 (c) of the Judicial Code as amended by the act of February 13, 1925 (43 Stat. 936, 938), certiorari is denied. The motion for leave to proceed further herein *in forma pauperis* is therefore also denied, and the clerk is directed to pay the costs already incurred in this cause in the manner provided in the order of October 29, 1926.

No. 235. J. L. Morgan, appellant, *v.* The State of Georgia. Appeal from the Supreme Court of the State of Georgia. *Per curiam:* The appeal herein is dismissed for the want of a substantial Federal question. Griffith *v.* State of Connecticut, 218 U. S. 563, 571; Wabash R. R. Co. *v.* Flannigan, 192 U. S. 29; Erie R. R. Co. *v.* Solomon, 237 U. S. 427; Zucht *v.* King, 260 U. S. 174; Sugarman *v.* United States, 249 U. S. 182; C. A. King & Co. *v.* Horton, 276 U. S. 600; Bank of Indianola *v.* Miller, 276 U. S. 605; Roe *v.* Kansas, 278 U. S. 191.

No. 538. Clarence L. Johnson, A. P. Bonner, L. A. Vaughan, et al., appellants, *v.* State Highway Commission of South Carolina, John G. Richards, Governor, et al. Appeal from the Supreme Court of the State of South Carolina. *Per curiam:* The appeal herein is dismissed for the want of a substantial Federal question. Wabash R. R. Co. *v.* Flannigan, 192 U. S. 29; Erie R. R. Co. *v.* Solomon, 237 U. S. 427; Zucht *v.* King, 260 U. S. 174; Sugarman *v.* United

States, 249 U. S. 182; C. A. King & Co. v. Horton, 276 U. S. 600; Bank of Indianola v. Miller, 276 U. S. 605; Roe v. Kansas, 278 U. S. 191. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by sec. 237 (c) of the Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 938), certiorari is denied.

No. 499. C. L. Crawford, in his individual capacity and on behalf of other protesting taxpayers, appellant, v. Superior Court of the State of California, in and for the County of Mendocino, et al. Appeal from the Supreme Court of the State of California. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. Wabash R. R. Co. v. Flannigan, 192 U. S. 29; Erie R. R. Co. v. Solomon, 237 U. S. 427; Zucht v. King, 260 U. S. 174; Sugarman v. United States, 249 U. S. 182; C. A. King & Co. v. Horton, 276 U. S. 600; Bank of Indianola v. Miller, 276 U. S. 605; Roe v. Kansas, 278 U. S. 191. Treating the papers whereon the appeal was allowed as a petition for certiorari, as required by section 237 (c) of the Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 938), certiorari is denied.

No. 484. Albert Turner, appellant, v. W. P. Winters. Appeal from the Supreme Court of the State of Utah. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. Section 237 (a), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for certiorari as required by section 237 (c) of the Judicial Code as amended by the act of February 13, 1925 (43 Stat. 936, 938), certiorari is denied.

No. 554. Charles H. Stange, petitioner, v. The United States. The petition for a writ of certiorari to the Court of Claims in this cause is granted, with the limitation, however, that counsel shall confine themselves, in the briefs and in oral argument, to the questions involving the validity and effect of the waiver of the statute of limitations executed in this cause.

No. 579. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, v. Sanford & Brooks Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 581. Anna Uravic, as Administratrix, etc., petitioner, v. F. Jarka Company, Inc., et al. Petition for writ of certiorari to the Supreme Court of the State of New York granted.

No. 589. R. E. Graham and E. E. Foster, copartners, etc., petitioners, v. Rex B. Goodcell, Former Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 551. Robert Carnahan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 558. Charles Stockton, petitioner, *v.* L. C. Massey (D. H. Stephenson), Sheriff of Kanawha County. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 560. Maurice Sugarman and Jud Purdue, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 561. Herbert Goudchaux, petitioner, *v.* M. A. Joy, Receiver. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 562. Michele Piccolella, petitioner, *v.* Commissioner of Immigration, Ellis Island, New York Harbor. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 565. James H. Hooper, petitioner, *v.* Philip Goldstein. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 566. The Delaware, Lackawanna and Western Railroad Company, petitioner, *v.* Nellie Beardon, General Administratrix of the Estate of Joseph A. Smith, deceased. Petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 567. The Continental National Bank, petitioner, *v.* Holland Banking Company, a corporation, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 568. Receivers of Gulf States Oil & Refining Corporation, petitioners, *v.* Island Oil and Transport Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 571. The Royal Indemnity Company of New York et al., petitioners, *v.* L. A. Andrew, Superintendent of Banking of the State of Iowa, as Receiver, etc. Petition for writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 572. American Surety Company of New York, petitioner, *v.* Henry Mullendore, Receiver. Petition for writ of certiorari to the Supreme Court of the State of Montana denied.

No. 575. George A. Moffett and Benjamin Niport, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 576. Jess M. Caldwell, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 577. Jess M. Caldwell, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 578. Robert A. Uihlein, petitioner, *v.* City of St. Paul, a Municipal Corporation, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 580. Phoenix Building and Homestead Association, petitioner, *v.* E. A. Carrere's Sons. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 582. Cincinnati, New Orleans and Texas Pacific Railway Company, petitioner, *v.* Mary A. McGill, as Administratrix of the Estate of W. I. McGill, deceased. Petition for writ of certiorari to the Court of Appeals of the State of Tennessee denied.

No. 585. Aldine Realty Company of Pittsburgh, petitioner, *v.* Manor Real Estate and Trust Company. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 587. Titus A. Haffa, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 588. Alabama Chemical Company, petitioner, *v.* International Agricultural Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 707. Minnie Rishel, petitioner, *v.* The County of McPherson, Kansas, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn et al. Leave granted to file brief of Clayton F. Smith Registrar of Titles, of Cook County, Illinois, as *amicus curiae*, provided service has been made and notice given to the parties, on motion of Mr. J. Scott Matthews in that behalf. The motion of Clayton F. Smith, Registrar, etc., to present oral argument is denied.

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn et al. Motion of Mr. Floyd E. Thompson and Mr. Henry Jackson Darby for leave to file brief of the Cook County Real Estate Board of Chicago as *amicus curiae* and to appear and present oral argument submitted by Mr. J. Scott Matthews in that behalf, and the motion denied.

No. —, original. *Ex parte*: Hugo De Watteville Senitha, petitioner. Motion for leave to file petition for reconsideration of motion for leave to file petition for writ of mandamus submitted by Mr. Hugo De Watteville Senitha *pro se*.

No. 630. William Brace, petitioner, *v.* Gauger-Korsmo Contruction Company et al.; and

No. 631. Fidelity Bond and Mortgage Company et al., petitioners, *v.* Gauger-Korsmo Construction Company et al. Leave granted to file brief of the State of Arkansas as *amicus curiae* on motion of Mr. Claude Duty in that behalf. Service of brief to be made and counsel for respondent granted leave to file a reply within 20 days.

No. —, original. *Ex parte*: H. D. Smith and J. V. Smith, petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. C. C. Calhoun in behalf of counsel for the petitioners.

No. 463. Charles Jackson, petitioner, *v.* The United States of America. Leave granted to file brief of Milo J. Warner as *amicus curiae*, on motion of Mr. Milo J. Warner in that behalf.

No. 536. Paul Bernard Wiss, a minor, by his guardian *ad litem*, Jos. Van Hoomissen, appellant, *v.* Booth Fisheries Company. Appeal from the District Court of the United States for the District of Oregon. Dismissed with costs pursuant to Rule 12.

No. 557. Joseph Wall et al., appellants, *v.* Bankers Life Company of Des Moines, Iowa. Statement as to jurisdiction submitted by Mr. Howard L. Bump, Mr. Louis H. Salinger, Mr. J. M. Parsons, and Mr. Clarence I. Spencer for the appellants, in support thereof, and by Mr. Charles S. Bradshaw and Mr. Raymond B. Alberson for the appellee in opposition thereto.

No. 570. Mead-Morrison Manufacturing Company, appellant, *v.* Russell B. Marchant, as Trustee, etc. Statement as to jurisdiction submitted by Mr. Edward F. McClennen and Mr. Arthur P. French for the appellant, and by Mr. Kenneth M. Spence for the appellee, in opposition thereto.

No. 583. Harold J. Coolidge and Augustus P. Loring, Trustees, appellants, *v.* Henry F. Long, Commissioner, etc.; and

No. 584. Harold J. Coolidge and Augustus P. Loring, Trustees, appellants, *v.* Henry F. Long, Commissioner, etc. Statements as to jurisdiction submitted by Mr. Robert G. Doge for the appellants.

No. 604. The Rex Company et al., petitioners, *v.* Wenatchee Rex Spray Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted to

Mr. Francis C. Downey and Mr. Fred L. Chappell for the petitioners, and by Mr. John H. Miller, Mr. A. W. Boykin, and Mr. Alfred Gfeller for the respondents.

No. 614. F. M. Hatch et al., petitioners, *v.* The United States of America; and

No. 615. Frank M. Hatch et al., petitioners, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. H. M. Brackney for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Barham R. Gary for the respondent.

No. 617. Axel Langnes, Owner, etc., petitioner, *v.* Winfield A. Green, Claimant. Petitioner for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Ira Bronson and Mr. H. B. Jones for the petitioner.

No. 620. The United States of America, on the relation of Shults Bread Company, petitioner, *v.* Board of Tax Appeals. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. William C. Sullivan and Mr. Leon F. Cooper for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Morton K. Rothschild, Mr. C. M. Charest, and Mr. Charles T. Hendler for the respondent.

No. 621. Valentine Becker, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Max V. Schoonmaker and Mr. Joseph A. Rossi for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondent.

No. 624. Vincent E. Barnes and Ellen L. Barnes, petitioners, *v.* City of Springfield. Petition for writ of certiorari to the Superior Court in and for the County of Hampden, Commonwealth of Massachusetts, submitted by Mr. Louis C. Henin for the petitioners, and by Mr. John P. Kirby for the respondent.

No. 626. M. Samuel & Sons, Incorporated, petitioner, *v.* The Second National Bank of Toledo. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Morris D. Kopple for the petitioner, and by Mr. Robert C. Morris for the respondent.

No. 629. Earl M. Wilcox, petitioner, *v.* The New York Central Railroad Company. Petition for writ of certiorari to the United

States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. G. A. Boone for the petitioner.

No. 630. William Brace, petitioner, *v.* Gauger-Korsmo Construction Company et al.; and

No. 631. Fidelity Bond and Mortgage Company et al., petitioners, *v.* Gauger-Korsmo Construction Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James Love Hopkins for the petitioners, and by Mr. Will G. Akers and Mr. A. Longstreet Heiskell for the respondents.

No. 635. Norman W. Church, petitioner, *v.* George S. Harnit et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. T. Kinder and Mr. John B. McMahon for the petitioner, and by Mr. Lloyd T. Williams for the respondents.

No. 644. The Merard Holding Company, petitioner, *v.* Margaret Cook Fitzgerald. Petition for writ of certiorari to the Supreme Court of Errors and Appeals of the State of Connecticut submitted by Mr. William Harvey Smith for the petitioner, and by Mr. Homer Cummings and Mr. Charles D. Lockwood for the respondent.

No. 654. Madeline Padgett, petitioner, *v.* District of Columbia;

No. 655. Edna Ellis Hilton, petitioner, *v.* District of Columbia;

No. 656. Edith W. Ely, petitioner, *v.* District of Columbia;

No. 657. Flora G. Steinberg, petitioner, *v.* District of Columbia;

No. 658. Marian A. Newman, petitioner, *v.* District of Columbia;

and

No. 659. Laskey W. Johnson, petitioner, *v.* District of Columbia;

and

No. 660. Evva M. Herron, petitioner, *v.* District of Columbia. Petition for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Paul E. Lesh, Mr. Stanton C. Peelle, Mr. C. F. R. Ogilby, Mr. Dale D. Drain, and Mr. Jerome F. Barnard for the petitioner, and by Mr. William W. Bride and Mr. F. H. Stephens for the respondent.

No. 692. John Hinkley and Fidelity Trust Company of Baltimore, petitioners, *v.* The Art Students League of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frederick J. Singley for the petitioners, and by Mr. Charles McH. Howard for the respondents.

No. 261. William Miller, petitioner, *v.* H. J. McLaughlin, Secretary of the Department of Agriculture for the State of Nebraska,

et al. Argument continued by Mr. C. A. Sorensen for the respondents, and concluded by Mr. A. Henry Walter for the petitioner.

No. 99. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* Guy C. Earl. Argued by Mr. Solicitor General Hughes for the petitioner, and by Mr. Warren Olney, jr., for the respondent.

No. 16, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Argument commenced by Mr. Clifford E. Smith for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 4, will be as follows: Nos. 16, original, 440, 548 (and 463), 269, 270, 276, 281, 282, 300, and 301.

SUPREME COURT OF THE UNITED STATES

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

William C. Van Vleck, of Washington, D. C.; Howard D. Moses, of Chicago, Ill.; Richard S. Flaherty, of Oakland, Calif.; and Jacob H. Berman, of Portland, Me., were admitted to practice.

No. 16, original. The Commonwealth of Kentucky, complainant, *v.* The State of Indiana et al. Argument continued by Mr. Clifford E. Smith for the complainant, and concluded by Mr. Thomas P. Littlepage for James Duane Duncan et al., individual defendants.

No. 440. The Ohio Oil Company, appellant, *v.* E. A. Conway, Supervisor of Public Accounts of the State of Louisiana. Argued by Mr. Sidney L. Herold for the appellant, and by Mr. W. H. Thompson and Mr. George S. Guion for the appellees.

No. 548. The United States of America *v.* Mattie Puckett Worley, Administratrix, etc.; and

No. 463. Charles Jackson, petitioner, *v.* The United States of America. Argument commenced by Mr. Thomas Amory Lee for the petitioner in No. 463; continued by Mr. L. T. Spier for Worley, Administratrix, in No. 548; and by Mr. Claude R. Branch for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 5, will be as follows: Nos. 548 (and 463), 269, 270, 276, 281, 282, 300, 301, 303, and 305.

SUPREME COURT OF THE UNITED STATES

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

Roy F. Steward, of Washington, D. C.; Joshua C. Taylor, of Chester, Pa.; Guy George Gabrielson, of East Orange, N. J., and Suel O. Arnold, of Milwaukee, Wis., were admitted to practice.

No. 305. Franc-Strohmenger & Cowan, Inc., petitioner, *v.* Baro Forchheimer, Doing Business under the name and style of B. Forchheimer & Co., et al. Continued per stipulation of counsel.

No. 548. The United States of America *v.* Mattie Puckett Worley, Administratrix, etc.; and

No. 463. Charles Jackson, petitioner, *v.* The United States of America. Argument concluded by Mr. Clarence T. Spier for Worley, Administratrix, in No. 548.

No. 269. Robert G. Meadows, petitioner, *v.* The United States of America. Argued by Mr. Charles Kerr for the petitioner, and by Mr. Claude R. Branch for the respondent.

No. 270. The Henrietta Mills, petitioner, *v.* Rutherford County et al. Argued by Mr. Willis Smith for the petitioner, and by Mr. Clyde R. Hoey for the respondent.

No. 276. Memphis & Charleston Railway Company, appellant, *v.* C. L. Pace et al. Argued by Mr. John B. Hyde for the appellant, and by Mr. W. W. Montgomery and Mr. B. H. Charles for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 6, will be as follows: Nos. 281 (and 282), 300, 301, 303, 307, 309, 311, 314, 323 (and 324), and 338.

SUPREME COURT OF THE UNITED STATES

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

Jeremiah F. Connor, of New York City; Oscar Ross Ewing, of New York City; Frederick J. Schmitt, of Detroit, Mich.; Ira Chase Kochne, of Indianapolis, Ind.; Eugene C. McCage, of Boston, Mass.; Godfrey von Hofe, of New York City; and Charles A. Chandler, of Muskogee, Okla.; were admitted to practice.

No. 311. Walter A. May, Herbert L. May, et al., etc., petitioners, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Leave granted to file brief of Ward Loveless as *amicus curiae*, on motion of Mr. Ward Loveless in that behalf.

No. 281. The United States of America, appellant, *v.* D. D. Adams; and

No. 282. The United States of America, appellant, *v.* D. C. Adams. Argued by Mr. Assistant Attorney General Sisson for the appellant, and by Mr. T. H. Caraway for the appellee.

No. 300. Quapaw Land Company, Inc., petitioner, *v.* S. H. Bolinger. Argument commenced by Mr. Sidney L. Herold for the petitioner. The Court declined to hear further argument.

No. 301. Railroad Commission of Wisconsin et al., etc., appellants, *v.* W. G. Maxcy, as Receiver, etc. Argument commenced by Mr. Suel O. Arnold for the appellants and continued by Mr. Adolph Kanneberg for the appellants. The Court declined to hear further argument.

No. 303. Atchison, Topeka & Santa Fe Ry. Co., petitioner, *v.* Mabel G. Toops, Administratrix, etc. Argument commenced by Mr. William Osmond for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 7, will be as follows: Nos. 303, 307, 309, 311, 314, 323 (and 324), 338, 339, 340, and 344.

SUPREME COURT OF THE UNITED STATES

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

George M. Wolcott, of Washington, D. C.; Raymond A. Latting, of Grand Ledge, Mich.; Royden Dixon, of Memphis, Tenn.; John C. Ristine, of Washington, D. C.; and George D. Burroughs, of Edwardsville, Ill., were admitted to practice.

No. **303.** Atchison, Topeka & Santa Fe Ry. Co., petitioner, *v.* Mabel G. Toops, Administratrix, etc. Argument continued by Mr. William Osmond for the petitioner, by Mr. Carr M. Taylor for the respondent, and concluded by Mr. William R. Smith for the petitioner.

No. **307.** Staten Island Rapid Transit Railway Company, appellant, *v.* Phoenix Indemnity Company. Argument commenced by Mr. Frederick H. Wood for the appellant. The Court declined to hear further argument.

No. **309.** Exchange Drug Company, appellant, *v.* Henry S. Long, as Chairman of the State Tax Commission of Alabama, et al. Argument commenced by Mr. R. B. Evins for the appellant. The Court declined to hear further argument.

No. **311.** Walter A. May, Herbert L. May, et al., petitioners. *v.* D. B. Heiner, Collector of Internal Revenue, etc. Argued by Mr. Charles H. Sachs for the petitioners, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. **314.** Niles Bement Pond Company, petitioner, *v.* The United States. Argument commenced by Mr. Karl D. Loos for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 10, will be as follows: Nos. **314, 509, 323 (and 324), 338, 339, 347, 340, 344, 345, and 363.**

SUPREME COURT OF THE UNITED STATES.

Present: Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, and Mr. Justice Sutherland.

Mr. Justice Holmes said:

“On Saturday, just as we were expecting him at a conference of the Justices, we were informed that our brother, Mr. Justice Sanford, had become unconscious pending a slight operation. Five minutes later we received word that he was dead. Thus suddenly the light of a faithful worker who was born also to charm went out. Afterwards came the news that the late Chief Justice had found relief from his hopeless illness in death. Such events must be accepted in silent awe.

“A committee of the Court, consisting of the Chief Justice, Mr. Justice McReynolds, Mr. Justice Butler, and Mr. Justice Stone, has gone to Tennessee for the services over the late Mr. Justice Sanford, and on Tuesday the whole Court will attend the funeral of Mr. Taft.

“In pursuance of the statute the Court will stand adjourned until to-morrow, when it will be adjourned again until Wednesday next at 12 o'clock, when the matters then in order will be taken up.”

Adjourned until to-morrow at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 12, will be as follows: Nos. 314, 509, 7, original (11, original, and 12, original), 323 (and 324), 338, 339, 344, 345, and 365.

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SUPREME COURT OF THE UNITED STATES

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

Loyola M. Coyne, of Washington, D. C.; Elijah B. Howarth, of Royal Oak, Mich.; Kit F. Clardy, of Lansing, Mich.; Edward J. O'Mara, of Jersey City, N. J.; John A. Hynds, of Atlanta, Ga.; Walter A. Harris, of Macon, Ga.; Henry N. Benson, of St. Peter, Minn.; Wellington D. Rankin, of Helena, Mont.; and Elam I. Feemster, of Visalia, Calif., were admitted to practice.

No. 31. Edward J. Gunning, petitioner, *v.* Gertrude L. Cooley. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Butler. Mr. Chief Justice Hughes took no part in the consideration or decision of this case.

No. 226. Thomas A. Early, Receiver of the Farmers & Merchants National Bank of Lake City, petitioner, *v.* Federal Reserve Bank of Richmond. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Eastern District of South Carolina. Opinion by Mr. Justice Holmes.

No. 237. State of Ohio *ex rel.* E. H. Bryant, appellant, *v.* Akron Metropolitan Park District for Summit County, F. A. Seiberling, et al.; and

No. 238. State of Ohio *ex rel.* Pauline Wadsworth, appellant, *v.* John A. Zangerle, Auditor of Cuyahoga County; The Board of Park Commissioners of the Metropolitan Park District in Cleveland, Harry M. Farnsworth, et al. Appeals from the Supreme Court of the State of Ohio. Judgments affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 301. Railroad Commission of Wisconsin, Lewis E. Gettle, Adolph Kanneberg, et al., etc., appellants, *v.* W. G. Maxcy, as Receiver of the Washburn Water Works and Washburn Water Works Company. Appeal from the District Court of the United States for

the Western District of Wisconsin. *Per curiam*: The decree is set aside and the cause remanded to the said District Court, to state its findings of fact and conclusions of law and enter a decree thereon, the restraining order entered in this suit to be continued, pending further action by the District Court.

Announced by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. —, original. *Ex Parte*: H. D. Smith and J. V. Smith, petitioners. The motion for leave to file petition for a writ of mandamus is denied.

No. 510. S. O. Wynne, Federal Prohibition Administrator, etc., *v.* Swanson Chemical Corporation; and

No. 511. James M. Doran, Prohibition Commissioner of the United States, et al., *v.* Martin H. Casper. It is ordered that these cases, heretofore assigned for Monday, April 14th next, be and they are hereby reassigned for hearing with Nos. 443, 444, and 445 as one case.

No. 300. Quapaw Land Company, Inc., petitioner, *v.* S. H. Bolinger. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: The judgment herein is set aside, and the case is remanded to the District Court with directions to dismiss the petition for the want of jurisdiction. Taylor *v.* Anderson, 234 U. S. 74; Joy *v.* St. Louis, 201 U. S. 332; Shulthis *v.* McDougal, 225 U. S. 561.

No. 309. Exchange Drug Company, appellant, *v.* Henry S. Long, as Chairman of the State Tax Commission of Alabama, et al. Appeal from the Supreme Court of the State of Alabama. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. Wabash R. R. Co. *v.* Flannigan, 192 U. S. 29; Erie R. R. Co. *v.* Solomon, 237 U. S. 427; Zucht *v.* King, 260 U. S. 174; Sugarman *v.* United States, 249 U. S. 182; C. A. King & Co. *v.* Horton, 276 U. S. 600; Bank of Indianola *v.* Miller, 276 U. S. 605; Roe *v.* Kansas, 278 U. S. 191.

No. 557. Joseph Wall, Charles Gramm, et al., appellants, *v.* Bankers Life Company, of Des Moines, Iowa.; and

No. 570. Mead-Morrison Manufacturing Company, appellant, *v.* Russell B. Marchant, as Trustee in Bankruptcy of Bear Tractors, Inc. Further consideration of the question of jurisdiction of this Court in these cases is postponed to the hearing on the merits.

No. 583. Harold J. Coolidge and Augustus P. Loring, Trustees, appellants, *v.* Henry F. Long, Commissioner, etc.; and

No. 584. Harold J. Coolidge and Augustus P. Loring, Trustees, appellants, *v.* Henry F. Long, Commissioner, etc. In these cases the Court finds that probable jurisdiction has been shown.

No. 650. Louis H. Ensten et al., petitioners, *v.* Simon Ascher & Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 617. Axel Langnes, Owner, etc., petitioner, *v.* Winfield A. Green, Claimant. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 592. Atlantic Coast Line Railroad Company, petitioner, *v.* State of Florida, *ex rel.* Fred H. Davis, as Attorney General, et al. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 593. Henderson County, State of Kentucky, petitioner, *v.* State Bank of New York and George A. Eyer, doing business under the name of Eyer & Company; and

No. 594. Henderson County, State of Kentucky, petitioner, *v.* State Bank of New York and George A. Eyer, doing business under the name of Eyer & Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 595. Henderson County, State of Kentucky, petitioner, *v.* State Bank of New York and George A. Eyer, doing business under the name of Eyer & Company; and

No. 596. Henderson County, State of Kentucky, petitioner, *v.* State Bank of New York and George A. Eyer, doing business under the name of Eyer & Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 599. Missouri Pacific Railroad Company, petitioner, *v.* Mrs. Effie R. Bushey, Administratrix of the Estate of George M. Bushey, deceased. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 601. Cheney Brothers, petitioner, *v.* Doris Silk Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 602. George A. Gaston and J. W. Redmond, as Receivers of Central Vermont Railway Company, petitioners, *v.* Rutland Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 603. S. L. Miller, A. J. Biddison, et al., etc., petitioners, *v.* Annie Take, now Toy, Louisa Take, et al., etc. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 606. Chicago, Milwaukee, St. Paul & Pacific Railroad Company, petitioner, *v.* Wilfred Garedpy, a minor, appearing by L. Meisenhelder, his Guardian *ad litem*. Petition for writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 608. Robert W. Bingham, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 609. S. Homer Federman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 612. City of New York, petitioner, *v.* Federal Radio Commission. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 613. George Graham Rice, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 616. Samuel D. Leidesdorf, as Trustee in Bankruptcy of Universal Pile Fabric Coat House, Inc., bankrupt, petitioner, *v.* Union Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 619. McCord Radiator & Manufacturing Company, petitioner, *v.* Geza Horvath. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 638. The Auglaize Box Board Company, petitioner, *v.* The Kansas City Fibre Box Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 604. The Rex Company et al., petitioners, *v.* Wenatchee Rex Spray Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 614. F. M. Hatch, H. U. Carpenter, and James Volin, petitioners, *v.* The United States of America; and

No. 615. Frank M. Hatch, Hiram U. Carpenter, and James F. Volin, petitioners, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 620. The United States of America, on the relation of Shults Bread Company, petitioner, *v.* Board of Tax Appeals. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 621. Valentine Becker, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 624. Vincent E. Barnes and Ellen L. Barnes, petitioners, *v.* City of Springfield. Petition for writ of certiorari to the Superior Court in and for the County of Hampden, Commonwealth of Massachusetts, denied.

No. 626. M. Samuel & Sons, Inc., petitioner, *v.* The Second National Bank of Toledo. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 629. Earl M. Wilcox, petitioner, *v.* The New York Central Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 635. Norman W. Church, petitioner, *v.* George S. Harnit et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 644. The Merard Holding Company, Inc., petitioner, *v.* Margaret Cook Fitzgerald. Petition for writ of certiorari to the Supreme Court of Errors and Appeals, State of Connecticut, denied.

No. 654. Madeline Padgett, petitioner, *v.* District of Columbia;

No. 655. Edna Ellis Hilton, petitioner, *v.* District of Columbia;

No. 656. Edith W. Ely, petitioner, *v.* District of Columbia;

No. 657. Flora G. Steinberg, petitioner, *v.* District of Columbia;

No. 658. Marian A. Newman, petitioner, *v.* District of Columbia;

No. 659. Laskey W. Johnson, petitioner, *v.* District of Columbia;
and

No. 660. Evva M. Herron, petitioner, *v.* District of Columbia. Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied.

No. 692. John Hinkley and Fidelity Trust Company of Baltimore, Trustees, etc., petitioners, *v.* The Art Students League of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

The Chief Justice also announced the following orders :

ORDER OF ALLOTMENT OF JUSTICES

There having been a Chief Justice of this Court appointed since the order of allotment of Justices entered April 10, 1929,

It is ordered, That the present allotment of the Chief Justice and Associate Justices of this Court among the circuits, agreeably to the act of Congress in such case made and provided, be altered by making the following allotment, which shall be entered of record, viz :

For the Fourth Circuit, Charles Evans Hughes, Chief Justice.

ORDER

The Court will take a recess from Monday, March 17, until Monday, April 14 next.

No. 605. Skinner and Eddy Corporation, petitioner, *v.* The United States of America. Submission of petition for writ of certiorari deferred and leave granted to file brief of the respondent on or before March 24 next on motion of Mr. Claude R. Branch for the respondent.

No. 667. American Fruit Growers, Inc., petitioner, *v.* Brogdex Company. Leave granted to file brief of the United States as *amicus curiæ*, on motion of Mr. Claude R. Branch in that behalf.

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn et al. Motion of National Conference of Commissioners on Uniform State Laws for leave to appear and join in briefs as *amicus curiæ* submitted by Mr. Nathan William MacChesney in that behalf.

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn et al. Motion of National Association of Real Estate Boards for leave to appear and join in briefs as *amicus curiæ* submitted by Mr. Nathan William MacChesney in that behalf.

No. 667. American Fruit Growers, Inc., petitioner, *v.* Brogdex Company. Leave granted to file reply of respondent to briefs *amici curiæ*, on motion of Mr. Melville Church for the respondent.

No. 667. American Fruit Growers, Inc., petitioner, *v.* Brogdex Company. Leave granted to file brief of the State of Florida as *amicus curiæ* on motion of Mr. Barry Mohun in that behalf.

No. 667. American Fruit Growers, Inc., petitioner, *v.* Brogdex Company. Motion for leave to file brief of the Florida Citrus Growers Clearing House Association as *amicus curiæ* submitted by Mr. Barry Mohun and the motion denied.

No. 667. American Fruit Growers, Inc., petitioner, *v.* Brogdex Company. Motion for leave to file brief of the International Apple Association as *amicus curiæ* submitted by Mr. James P. Burns, and the motion denied.

No. 372. The City of Cincinnati, petitioner, *v.* Margaret W. Vester; and

No. 373. The City of Cincinnati, petitioner, *v.* James S. Richards et al. Leave granted to file brief of the State of New York as *amicus curiæ*, on motion of Mr. Hamilton Ward in that behalf.

No. 652. The Live Stock National Bank, petitioner, *v.* The United States of America. Submission of petition for writ of certiorari deferred for 60 days on motion of Mr. J. Robert Sherrod in that behalf.

No. 336. J. Du Pratt White et al., appellants, *v.* Sparkill Realty Corporation et al. Mandate granted on motion of Mr. Adrian Sizer in behalf of Mr. Jackson A. Dykman for the appellee.

No. 574. Edward B. Weston et al., appellants, *v.* Beaver-Remmers-Graham Company et al. Statement as to jurisdiction submitted by Mr. Wellmore B. Turner for the appellants.

No. 590. Mack C. Davis, appellant, *v.* Theodore Dewitt Teague. Statement as to jurisdiction submitted by Mr. Mack C. Davis *pro se.*

No. 610. St. Louis Southwestern Railway Company, petitioner, *v.* C. F. Teague. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. Q. Mahaffey, Mr. J. R. Turney, and Mr. John J. King for the petitioner, and by Mr. Wright Patman for the respondent.

No. 618. The Butler Hotel Co., Inc., et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Arthur E. Griffin and Mr. Samuel B. Bassett for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. Paul D. Miller for the respondent.

No. 622. Herbert Pearson, Receiver of the Fourth National Bank of Macon, Georgia, petitioner, *v.* Farmers National Bank of Monticello et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George S. Jones and Mr. A. O. Bacon Sparks for the petitioner, and by Mr. Orville A. Park for the respondents.

No. 628. Leslie T. Alward, petitioner, *v.* C. G. Johnson, Treasurer of the State of California. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. Burke Corbet for the petitioner.

No. 632. The United States of America, petitioner, *v.* Boston Buick Company; and

No. 633. The United States of America, petitioner, *v.* Iron Cap Copper Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Solicitor General Hughes, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, Miss Helen Carlross, Mr. C. M. Charest, and Mr. R. E. Smith for the petitioner, and by Mr. Robert N. Miller for the respondent in No. 632 and Mr. Burton E. Eames for the respondent in No. 633.

No. 634. Henry R. Tyroler, Rena Rae Tyroler, et al., petitioners, *v.* Carl F. Rutzahn, Collector of Internal Revenue. Petition for

writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Leon F. Cooper and Mr. M. S. Farmer for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewal Key, Mr. John Vaughan Groner, and Mr. W. Marvin Smith for the respondent.

No. 639. Board of County Commissioners of the County of Weld, petitioner, *v.* Union Pacific Railroad Company; and

No. 640. Board of County Commissioners of the County of Prowers, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. William B. Kelly and Mr. Charles Roach for the petitioner, and by Mr. Clayton C. Dorsey, Mr. Nelson H. Loomis, Mr. Gerald Hughes, Mr. W. W. Grant, jr., Mr. Morrison Shafroth, and Mr. E. E. McInnis for the respondents.

No. 641. The Austin Company, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. B. Stewart and Mr. C. M. Horn for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, and Mr. W. Marvin Smith for the respondent.

No. 645. Saint Louis-San Francisco Railway Company et al., petitioners, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Thomas B. Pryor, Mr. Edward T. Miller, Mr. Edward L. Westbrook, and Mr. Edward J. White for the petitioners, and by Mr. Hal L. Norwood, Mr. Frank Pace, and Mr. Tom W. Campbell for the respondent.

No. 646. Mickey Meyers, petitioner, *v.* The United States of America;

No. 647. Gus Meyers, petitioner, *v.* The United States of America;

No. 648. Sam Meyers, petitioner, *v.* The United States of America; and

No. 649. James Swift, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Arthur F. Schmidt for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. John J. Byrne for the respondent.

No. 651. The Kant-Skore Piston Company, petitioner, *v.* Sinclair Manufacturing Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit sub-

mitted by Mr. William L. Symons, Mr. Leonard Garver, jr., and by Mr. David Lorbach for the petitioner.

No. 653. Paul P. Scott, petitioner, *v.* Frank Corn. Petition for writ of certiorari to the Court of Civil Appeals, 2d Supreme Judicial District, State of Texas, submitted by Mr. Sam R. Sayers for the petitioner.

No. 661. United States of America *ex rel.* Joseph Derencz, petitioner, *v.* Harry C. Martin, Warden of the Baltimore City Jail; and

No. 662. Joseph Derencz, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. R. Palmer Ingram for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. Mahlon D. Kiefer for the respondents.

No. 664. Fullerton Lumber Company, petitioner, *v.* Chicago, Milwaukee, St. Paul & Pacific Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Stanley S. Gillam for the petitioner, and by Mr. F. W. Root, Mr. A. C. Erdall, and Mr. O. W. Dynes for the respondent.

No. 666. Board of County Commissioners of the County of Garvin, etc., petitioners, *v.* A. B. Dennis, T. J. Stewart, et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Cicero I. Murray for the petitioners.

No. 667. American Fruit Growers, Inc., petitioner, *v.* Brogdex Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. R. T. M. McCready for the petitioner, and by Mr. Melville Church, Mr. Charles Neave, and Mr. Roy F. Steward for the respondent.

No. 668. Edward G. Spencer, petitioner, *v.* Chicago and North Western Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Richard J. Finn for the petitioner, and by Mr. Ray N. Van Doren and Mr. Samuel H. Cady for the respondent.

No. 676. American Can Company, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue, etc.;

No. 677. Missouri Can Company, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue, etc.;

No. 678. American Can Company of Massachusetts, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue, etc.; and

No. 679. American Can Company of Utah, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the

Second Circuit submitted by Mr. Graham Sumner for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. J. Louis Monarch for the respondent.

No. 687. The Maytag Company, petitioner, *v.* The Meadows Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Wallace R. Lane, Mr. Edward S. Rogers, and Mr. William J. Hughes for the petitioner, and by Mr. Hal M. Stone for the respondent.

No. 700. The United States, petitioner, *v.* Swift and Company. Petition for writ of certiorari to the Court of Claims submitted by Mr. Attorney General Mitchell for the petitioner, and by Mr. G. Carroll Todd for the respondent.

No. 717. Orenstein and Koppel Aktiengesellschaft, petitioners, *v.* Koppel Industrial Car and Equipment Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Dean Hill Stanley, Mr. Arthur Garfield Hays, and Mr. Wm. Catron Rigby for the petitioner, and by Mr. Charles Henry Butler, Mr. John A. Kratz, and Mr. Godfrey L. Munter for the respondent.

No. 314. Niles Bement Pond Company, petitioner, *v.* The United States. Argument continued by Mr. Karl D. Loos for the petitioner, by Mr. Claude R. Branch for the respondent, and concluded by Mr. Karl D. Loos for the petitioner.

No. 509. The United States of America, appellant, *v.* Francisco Unzeuta. Argued by Mr. Assistant Attorney General Richardson for the appellant, and case submitted by Mr. Allen G. Fisher for the appellee.

No. 7, original. The State of Wisconsin et al., complainant, *v.* The State of Illinois et al.;

No. 11, original. The State of Michigan et al., complainant, *v.* The State of Illinois et al.; and

No. 12, original. The State of New York et al., complainant, *v.* The State of Illinois et al. Five hours allowed for oral argument of these cases. Argument commenced by Mr. John W. Davis for the defendant, the Sanitary District of Chicago, and continued by Mr. Raymond T. Jackson for the complainant, the State of Wisconsin.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 13, will be as follows: Nos. 7, original (11, original, and 12, original), 323 (and 324), 338, 339, and 344.

SUPREME COURT OF THE UNITED STATES

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

Maurice Fourcade, jr., of New Orleans, La.; John P. Cooper, of Kansas City, Mo.; Charles E. Frohman, of Sandusky, Ohio; A. F. Gardner, of Greenwood, Miss.; Clay Carpenter, of Los Angeles, Calif.; Frederick O. Roth, of Washington, D. C.; and J. Y. E. Allen, of Roxboro, N. C., were admitted to practice.

Mr. William Tyler Page, Clerk of the House of Representatives of the United States, presented the following resolutions:

IN THE HOUSE OF REPRESENTATIVES,

March 10, 1930.

The House having learned with profound sensibility and sorrow of the death of William Howard Taft, former President of the United States and Chief Justice of the United States Supreme Court:

Resolved, That as a token of honor to the many virtues, public and private, of the illustrious statesman, and as a mark of respect to one who has held such eminent public station, the Speaker of this House shall appoint a committee to attend the funeral of Mr. Taft on behalf of the House.

Resolved, That such committee may join such committee as may be appointed on the part of the Senate to consider and report by what further token of respect and affection it may be proper for the Congress of the United States to express the deep sensibility of the Nation.

Resolved, That the Clerk communicate these resolutions to the Senate and to the Supreme Court and transmit a copy of the same to the afflicted family of the illustrious dead.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That as a further mark of respect to the memory of the late William Howard Taft and the late Edward Terry Sanford this House do now adjourn until Wednesday, March 12, 1930.

Attest:

[SEAL.]

WM. TYLER PAGE, *Clerk*.

IN THE HOUSE OF REPRESENTATIVES, U. S.,

March 10, 1930.

Resolved, That the House has heard with profound sorrow of the death of Hon. Edward Terry Sanford, Associate Justice of the Supreme Court of the United States.

Resolved, That the Clerk communicate these resolutions to the Senate and to the Supreme Court and transmit a copy thereof to the family of the deceased.

Attest:

[SEAL.]

WM. TYLER PAGE, *Clerk*.

The Chief Justice said:

“The resolutions adopted by the House of Representatives and presented by the Clerk of the House are received, and it is ordered that they be spread upon the records of the Court.”

No. 7, original. State of Wisconsin et al., complainants, *v.* the State of Illinois et al.;

No. 11, original. State of Michigan et al., complainants, *v.* the State of Illinois et al.; and

No. 12, original. State of New York et al., complainants, *v.* the State of Illinois et al. Argument continued by Mr. Gilbert Bettman for the complainant, the State of Ohio; by Mr. Wilbur M. Brucker for the complainant, the State of Michigan; by Mr. Newton D. Baker for the complainants; by Mr. Edmond D. Adcock for the defendant, the Sanitary District of Chicago; and concluded by Mr. James M. Beck for the defendant, the Sanitary District of Chicago; and case submitted on printed brief by Mr. Hamilton Ward for the complainant, the State of New York.

No. 323. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company; and

No. 324. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company. Argument commenced by Mr. Solicitor General Hughes for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 14, will be as follows: Nos. 323 (and 324), 338, 339, and 344.

SUPREME COURT OF THE UNITED STATES

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

Sydney Lerner Geiger, of Alliance, Ohio; Robert F. Wagner, of New York City; Manton Davis, of New York City; De Witt Clinton Edwards, of Minneapolis, Minn., and John J. Mahoney, of Chicago, Ill., were admitted to practice.

No. 555. The United States of America, petitioner, *v.* Alfred E. Norris. Motion to reassign submitted by Mr. Claude R. Branch for the petitioner.

No. 323. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company; and

No. 324. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company. Argument continued by Mr. Solicitor General Hughes for the petitioner, and concluded by Mr. Armwell L. Cooper for the respondent.

No. 338. Frank H. Dohany, appellant, *v.* Frank F. Rogers, State Highway Commissioner for the State of Michigan et al. Argued by Mr. Frank H. Dohany, *pro se*, and by Mr. Kit F. Clardy and Mr. Wilbur F. Brucker for the appellees. Leave granted appellant to file reply brief within five days.

No. 339. Columbus & Greenville Railway Company, appellant, *v.* Mrs. Lorena S. Buford et al. Argued by Mr. William H. Watkins for the appellant, and case submitted by Mr. John Ambrose Tyson for the appellees.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

Olive B. Lacy, of Washington, D. C.; Edwin H. Brownley, of Baltimore, Md.; Charles E. Boles, of Glasgow, Ky.; George H. Gardner, of Louisville, Ky.; Harvey L. Lechner, of Philadelphia, Pa.; George C. Vournas, of Clarendon, Va.; Augustus W. Bennet, of Newburgh, N. Y.; Edward P. Kelly, of Minneapolis, Minn.; Harry Markson, of Elmira, N. Y.; Thomas E. Knight, jr., of Montgomery, Ala.; Morris Brandon, of Atlanta, Ga.; Barnett L. Hollander, of New York City; and Edward L. Boyle, of Duluth, Minn., were admitted to practice.

No. 99. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* Guy C. Earl. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed with costs, and cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes. Mr. Chief Justice Hughes took no part in the consideration or decision of this case.

No. 307. The Staten Island Rapid Transit Railway Company, appellant, *v.* Phoenix Indemnity Co. Appeal from the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 6, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant, The United States of America, intervener. On consideration of the report dated July 15, 1929, of Samuel S. Gannett, commissioner, heretofore designated to run, locate, and mark the boundary between the State of Oklahoma and the State of Texas along the true one hundredth meridian of longitude west from Greenwich as determined by the decree of January 3, 1927 (273 U. S. 83), modified by the decree of March 5, 1928 (276 U. S. 596), showing that he has run, located, and marked such boundary;

And no objection or exception to such report being presented, and the time therefor having expired;

It is now adjudged, ordered, and decreed as follows:

1. The said report is in all things confirmed.
 2. The boundary line delineated and set forth in said report and on the accompanying maps is established and declared to be the true boundary between the States of Texas and Oklahoma along said meridian.
 3. The clerk of this Court shall transmit to the chief magistrates of the States of Texas and Oklahoma and the Secretary of the Interior, copies of this decree, duly authenticated under the seal of this Court, together with copies of said report and of the accompanying maps.
 4. As it appears that the said commissioner has completed his work conformably to said decrees, he is hereby discharged.
 5. The clerk of this Court shall distribute and deliver to the chief magistrates of the States of Texas and Oklahoma and the Secretary of the Interior all copies of the said report made by the commissioner, with the accompanying maps, now in the clerk's hands, save that he shall retain 20 copies of each for purposes of certification and other needs that may arise in his office. Decree announced by Mr. Chief Justice Hughes.
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The Chief Justice announced the following orders of the Court:
No. 555. The United States of America, petitioner, *v.* Alfred E. Norris. The motion to reassign this case is granted and the case is set for argument on Monday, April 28, next, at the head of the call for that day.

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn et al. The motions of the National Conference of Commissioners on Union State Law and of the National Association of Real Estate Boards for leave to appear as *amici curiae* are denied.

No. 10. Powers-Kennedy Contracting Corporation et al., petitioners, *v.* Concrete Mixing and Conveying Company;

No. 11. Concrete Mixing and Conveying Company, petitioner, *v.* R. C. Storrie & Company; and

No. 198. The Aluminum Castings Company, petitioner, *v.* Carl F. Routzahn, Collector of Internal Revenue. It is ordered that these cases be restored to the docket for reargument.

No. 574. Edward B. Weston et al., appellants, *v.* Beaver-Remmers-Graham Company et al. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits.

No. 590. Mack C. Davis, appellant, *v.* Theodore Dewitt Teague. Appeal from the Supreme Court of the State of Alabama. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. *Wabash R. R. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *Zucht v. King*, 260 U. S. 174; *Sugarman v. United States*, 249 U. S. 182; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191.

No. 339. Columbus & Greenville Railway Company, appellant, *v.* Mrs. Lorena S. Buford, in her own behalf and as next friend of and for Lucile Buford, et al., minors, et al. Appeal from the Supreme Court of the State of Mississippi. *Per curiam*: The appeal herein is dismissed for the want of a properly presented substantial Federal question. *Wabash R. R. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *Zucht v. King*, 260 U. S. 174; *Sugarman v. United States*, 249 U. S. 182; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191; *Sayward v. Denny*, 158 U. S. 180, 183, 184; *Consolidated Turnpike Co. v. Norfolk & Ocean View Ry. Co.*, 228 U. S. 326, 334.

No. 628. Leslie T. Alward, petitioner, *v.* C. G. Johnson, Treasurer of the State of California. Petition for writ of certiorari to the Supreme Court of the State of California granted.

No. 632. The United States of America, petitioner, *v.* Boston Buick Company; and

No. 633. The United States of America, petitioner, *v.* Iron Cap Copper Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 700. The United States, petitioner, *v.* Swift and Company. Petition for writ of certiorari to the Court of Claims granted.

No. 664. Fullerton Lumber Company, petitioner, *v.* Chicago, Milwaukee, St. Paul & Pacific Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 667. American Fruit Growers, Inc., petitioner, *v.* Brogdex Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 717. Orenstein and Koppel Aktiengesellschaft, petitioner, *v.* Koppel Industrial Car and Equipment Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 610. St. Louis Southwestern Railway Company, petitioner, *v.* C. F. Teague. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 618. The Butler Hotel Co., Inc., John E. Savage, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 622. Herbert Pearson, Receiver of the Fourth National Bank of Macon, Georgia, petitioner, *v.* Farmers National Bank of Monticello et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 634. Henry R. Tyroler, Rena Rae Tyroler, et al., petitioners, *v.* Carl F. Routzahn, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 639. Board of County Commissioners of the County of Weld, petitioners, *v.* Union Pacific Railroad Company; and

No. 640. Board of County Commissioners of the County of Prowers, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Co. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 641. The Austin Company, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 645. Saint Louis-San Francisco Railway Company and Missouri Pacific Railroad Company, petitioners, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 646. Mickey Meyers, petitioner, *v.* The United States of America;

No. 647. Gus Meyers, petitioner, *v.* The United States of America;

No. 648. Sam Meyers, petitioner, *v.* The United States of America; and

No. 649. James Swift, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 651. The Kant-Skore Piston Company, a corporation under the laws of the State of Ohio, petitioner, *v.* Sinclair Manufacturing Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 653. Paul P. Scott, petitioner, *v.* Frank Corn. Petition for writ of certiorari to the Court of Civil Appeals, Second Supreme Judicial District. State of Texas, denied.

No. 661. United States of America, *ex rel.* Joseph Derencz, etc., petitioner, *v.* Harry C. Martin, Warden of the Baltimore City Jail; and

No. 662. Joseph Derencz, otherwise known as Joseph G. Derencz, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 666. Board of County Commissioners of the County of Garvin, State of Oklahoma, et al., petitioners, *v.* A. B. Dennis, T. J. Stewart, et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 668. Edward G. Spencer, petitioner, *v.* Chicago and North Western Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 676. American Can Company, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue:

No. 677. Missouri Can Company, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue;

No. 678. American Can Company of Massachusetts, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue; and

No. 679. American Can Company of Utah, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 687. The Maytag Company, petitioner, *v.* The Meadows Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 605. Skinner and Eddy Corporation, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed on motion of Mr. Louis Titus for the petitioner.

No. 591. The Greenfield Tap and Die Corporation, petitioner, *v.* The United States. Motion to remand submitted by Mr. A. Henry Walter for the petitioner in support of the motion, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. Percy M. Cox, and Mr. Paul D. Miller for the respondents in opposition thereto.

No. 563. Vermont Loan & Trust Company, appellant, *v.* W. D. Gillis, as Attorney General of the State of Idaho; and

No. 564. New World Life Insurance Company, appellant, *v.* W. D. Gillis, as Attorney General of the State of Idaho. Leave granted to file statements of points to be relied upon and jurisdictional statements, on motion of Mr. Charles V. Inlay in behalf of counsel for the appellants.

No. —, original. *Ex parte*: William T. Kemper, petitioner. Motion for leave to file petition for writ of mandamus and/or prohibition submitted by Mr. Porter R. Chandler for the petitioner.

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn et al. Passed and assigned for argument on Monday, April 28 next, after the case heretofore assigned for that day, on motion of Mr. Nathan W. MacChesney in that behalf.

No. 607. Stanley Kestian and John Conrad, plaintiffs in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Dismissed with costs pursuant to Rule 12.

No. 680. The Pittsburgh & West Virginia Railway Company, appellant, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. C. F. Taplin for the appellant.

No. 591. The Greenfield Tap and Die Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. A. Henry Walter for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. Percy M. Cox, and Mr. Paul D. Miller for the respondent.

No. 598. International Paper Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. John W. Davis and Mr. Montgomery B. Angell for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, and Mr. George C. Butte for the respondent.

No. 671. George W. Armstrong and Jno. H. Kirby, petitioners, *v.* City National Bank of Galveston, Texas. Petition for writ of certiorari to the Court of Civil Appeals, First Supreme Judicial District, State of Texas, submitted by Mr. George W. Armstrong and Mr. Jno. H. Kirby, *pro se*.

No. 672. Seaboard Air Line Railway Company, petitioner, *v.* Atlanta, Birmingham and Coast Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. R. C. Cocke, Mr. James F. Wright and Mr. Robert S. Parker for the petitioner, and by Mr. John A. Hynds for the respondent.

No. 673. The Wisconsin Electric Company, petitioner, *v.* The Dumore Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George Bayard Jones, Mr. Walter F. Murray, and Mr. Greer Marechal for the petitioner.

No. 682. John F. Degener, Jr., et al., petitioners, *v.* Melville Boyd, Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Otto C. Wierum for the petitioners.

No. 683. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Willingham Loan and Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, Mr. Harvey R. Gamble, and Mr. C. M. Charest for the petitioner, and by Mr. J. C. Murphy for the respondent.

No. 685. The Early & Daniel Company, petitioner, *v.* Herbert Pearson, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. O. B. Sparks and Mr. R. F. Brock for the petitioner.

No. 688. Meinrath Brokerage Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Chester A. Gwinn for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Barham R. Gary for the respondent.

No. 704. Story Parchment Company, petitioner, *v.* The Paterson Parchment Paper Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Edward O. Proctor for the petitioner, and by Mr. Edward F. McClennen for the respondent.

Adjourned until Monday, April 14 next, at 12 o'clock.

The day call for Monday, April 14, will be as follows: Nos. 680, 468, 340, 344, 345, 363, 364, 365, 370, and 372 (373 and 374).

SUPREME COURT OF THE UNITED STATES

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

James U. Galloway, of Shreveport, La.; Russell M. Robinson, of Greensboro, N. C.; Clan Crawford, of Cleveland, Ohio; Charles F. Close, of Cleveland, Ohio; Otto Bock, of Denver, Colo.; Alfred D. Raun, of Walthill Nebr.; Constantine Thomas Dinu, of Detroit, Mich.; Nathan R. Margold, of New York City; Ulysses S. Grant, of New York City; Marcial P. Lichauco, of Manila, P. I.; William Nash Johnson, of Shreveport, La.; Nicholas S. Beckett, of Lewisburg, Pa.; Charles A. Prentice, of Denver, Colo.; Dorothy Ashby Moncure, of Washington, D. C.; P. T. Farnsworth, jr., of Salt Lake City, Utah; C. Edward Paxson, of New York City; Henry Woog, of New York City; George M. LePine, of New York City; Ethel B. Burnside, of Washington, Pa.; Lois Gates Gorman, of Washington, D. C.; Robert Eckels Burnside, of Washington, Pa.; Russell Z. Moninger, of Washington, Pa.; Benjamin A. Javits, of New York City; Edward W. Mullins, of Columbia, S. C.; Irvine F. Belser, of Columbia, S. C.; and Henry S. Fraser, of Syracuse, N. Y., were admitted to practice.

No. 212. New York Central Railroad Company, petitioner, *v.* Donato Marcone, as Administrator of the Estate of Joseph Marcone, deceased. On writ of certiorari to the Court of Errors and Appeals of the State of New Jersey. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 303. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Mabel G. Toops, Administratrix of the Estate of M. G. Toops, deceased. On writ of certiorari to the Supreme Court of the State of Kansas. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 314. Niles Bement Pond Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Stone.

No. 338. Frank H. Dohany, appellant, *v.* Frank F. Rogers, State Highway Commisisoner for the State of Michigan, et al. Appeal from the District Court of the United States for the Eastern District of Michigan. Decree affirmed with costs. Opinion by Mr. Justice Stone.

No. 222. State of Missouri at the relation of Missouri Insurance Company, appellant, *v.* Frederick Gehner, as Assessor of the City of St. Louis and as President of the Board of Equalization of the City of St. Louis, et al., etc. Appeal from the Supreme Court of the State of Missouri. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Butler. Mr. Chief Justice Hughes concurs on the ground that this case is governed by *National Life Insurance Company v. United States*, 277 U. S. 508. Dissenting opinion by Mr. Justice Stone in which Mr. Justice Holmes and Mr. Justice Brandeis concur.

No. 104. National Fire Insurance Company of Hartford, appellant, *v.* Joseph B. Thompson, Superintendent of the Insurance Department of the State of Missouri, and Stratton Shartel, Attorney General of the State of Missouri. Appeal from the District Court of the United States for the Western District of Missouri. Decree affirmed with costs. Opinion by Mr. Justice Butler. Mr. Chief Justice Hughes took no part in the consideration or decision of this case.

No. 548. The United States of America *v.* Mattie Puckett Worley, Administratrix of the Estate of Emmet A. Puckett, deceased, and Mattie Puckett Worley, intervener. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Question 1 is not answered. Questions 2, 3, and 4 are answered in the negative. Opinion by Mr. Justice Butler.

No. 463. Charles Jackson, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the District of Kansas. Opinion by Mr. Justice Butler.

No. 62. John Baizley Iron Works and The Ocean Accident and Guarantee Corporation, Limited, appellants, *v.* Abraham Span. Appeal from the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds. Dissenting opinion by Mr. Justice Stone in which Mr. Justice Holmes and Mr. Justice Brandeis concur. Mr. Chief Justice Hughes took no part in the consideration or decision of this case.

No. 81. Employers' Liability Assurance Corporation, Ltd., of London, England, petitioner, *v.* Mrs. Myrtis Cook et al. 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 McReynolds. Dissenting opinion by Mr. Justice Stone in which Mr. Justice Holmes and Mr. Justice Brandeis concur. Mr. Chief Justice Hughes took no part in the consideration or decision of this case.

No. 311. Walter A. May, Herbert L. May, Edwin C. May, et al., executors of the Last Will and Testament of Pauline May, deceased, petitioners, *v.* D. B. Heiner, Collector of Internal Revenue for the 23d District of Pennsylvania. 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 Western District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 356. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* The Pilliod Lumber Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree reversed, and cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 269. Robert G. Meadows, petitioner, *v.* The United States of America. 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 District of Colorado. Opinion by Mr. Justice Sutherland.

No. 53. John Patton, Harold Conant, and Jack Baker *v.* The United States of America. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Question answered in the affirmative. Opinion by Mr. Justice Sutherland. Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice Stone concur in the result. The Chief Justice took no part in the consideration or decision of this case. Mr. Justice Sanford participated in the consideration and agreed to a disposition of the case in accordance with this opinion.

No. 19. Alexander Sprunt & Son, Inc.; Anderson, Clayton & Co., Houston Compress Company, et al., appellants, *v.* The United States of America, Interstate Commerce Commission, Arkansas Cotton Trade Association et al. Appeal from the District Court of the United States for the Southern District of Texas. Decree reversed,

and cause remanded to the said District Court with directions to dismiss the appellants' bill without costs. Opinion by Mr. Justice Brandeis. Mr. Chief Justice Hughes took no part in the consideration or decision of this case.

No. 261. William Miller, petitioner, *v.* H. J. McLaughlin, Secretary of the Department of Agriculture for the State of Nebraska, and Frank O'Connell, Chief Game Warden for the State of Nebraska. On writ of certiorari to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 323. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company; and

No. 324. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Kansas City Structural Steel Company. On writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decrees reversed, and cases remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Mr. Chief Justice Hughes took no part in the consideration or decision of this case.

No. 77. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* United States of America *ex rel.* Mary I. Kadrie, Evelina Kadrie, Amit K. Kadrie, et al., etc. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment of the Court of Appeals reversed with costs and the judgment of the Supreme Court of the District of Columbia affirmed and cause remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

No. 7, original. State of Wisconsin, State of Minnesota, State of Ohio, and State of Pennsylvania, complainants, *v.* State of Illinois and Sanitary District of Chicago; defendants, State of Missouri, State of Kentucky, State of Tennessee, State of Louisiana, State of Mississippi, and State of Arkansas, intervening defendants;

No. 11, original. State of Michigan, complainant, *v.* State of Illinois and Sanitary District of Chicago; and

No. 12, original. State of New York, complainant, *v.* State of Illinois and Sanitary District of Chicago. Opinion and decree announced by Mr. Justice Holmes. Mr. Chief Justice Hughes took no part in the consideration or decision of these cases.

No. 281. United States of America, appellant, *v.* D. D. Adams; and

No. 282. United States of America, appellant, *v.* D. D. Adams. Appeals from the District Court of the United States for the Eastern District of Arkansas. Judgment in case No. 281 affirmed. Judgment

ment in case No. 282 reversed, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 250. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Ox Fibre Brush Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Chief Justice Hughes.

No. 270. The Henrietta Mills, petitioner, *v.* Rutherford County, in the State of North Carolina, and W. C. Hardin, Sheriff. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decree affirmed with costs without prejudice to proceedings at law, and cause remanded to the District Court of the United States for the Western District of North Carolina. Opinion by Mr. Chief Justice Hughes.

No. 248. Victorio Nogueira, petitioner, *v.* The New York, New Haven & Hartford Railroad Company. 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. Chief Justice Hughes.

No. 509. The United States of America, appellant, *v.* Francisco Unzeuta. Appeal from the District Court of the United States for the District of Nebraska. Judgment reversed, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Hughes.

No. 440. The Ohio Oil Company, appellant, *v.* E. A. Conway, Supervisor of Public Accounts of the State of Louisiana. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 16, original. Commonwealth of Kentucky, complainant, *v.* The State of Indiana, James Duane Duncan, et al. Dismissed as to individual defendants. Decree for complainant against the defendant State. The complainant and the defendant State will be accorded twenty days within which to submit a form of decree. Costs to be equally divided between the States. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 680. Pittsburgh & West Virginia Railway Company, appellant, *v.* The United States of America et al. In this case the Court finds that probable jurisdiction has been shown.

No. 276. Memphis & Charleston Railway Company, appellant, *v.* C. L. Pace et al. It is ordered that this case be restored to the docket for reargument.

No. 598. International Paper Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 673. The Wisconsin Electric Company, petitioner, *v.* The Dumore Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 683. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Willingham Loan and Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 704. Story Parchment Company, petitioner, *v.* Paterson Parchment Paper Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 591. The Greenfield Tap and Die Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied. Motion to remand denied.

No. 671. George W. Armstrong and Jno. H. Kirby, petitioners, *v.* City National Bank of Galveston, Texas. Petition for writ of certiorari to the Court of Civil Appeals, 1st Supreme Judicial District, State of Texas, denied.

No. 672. Seaboard Air Line Railroad Company, petitioner, *v.* Atlanta, Birmingham and Coast Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 682. John F. Degener, Jr., et al., petitioner, *v.* Melville Boyd, Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 685. The Early & Daniel Company, petitioner, *v.* Herbert Pearson, Receiver of the Fourth National Bank of Macon. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 688. Meinrath Brokerage Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 630. William Brace, petitioner, *v.* Gauger-Korsmo Construction Company, et al.; and

No. 631. Fidelity Bond and Mortgage Company, et al., petitioners, *v.* Gauger-Korsmo Construction Company et al. Petition for writs

of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 68. Jesse W. Clarke, Collector, etc., petitioner, *v.* The Haberle Crystal Springs Brewing Company. Leave granted to file petition for rehearing out of time, on motion of Mr. Walter Welch for the respondent.

No. 528. Broad River Power Company et al., petitioners, *v.* State of South Carolina *ex rel.* John M. Daniel, Attorney General. Motion to advance submitted by Mr. Cordie Page for the respondent in support of the motion, and by Mr. William Marshall Bullitt for the petitioners, in opposition thereto.

No. 10. Powers-Kennedy Contracting Corporation et al., petitioners, *v.* Concrete Mixing and Conveying Co.; and

No. 11. Concrete Mixing & Conveying Company *v.* R. C. Storrie & Co. Motion to advance submitted by Mr. Charles L. Sturtevant on behalf of counsel for respondent in No. 10 and petitioner in No. 11, in support of the motion, and by Mr. Charles E. Townsend for the respondent in No. 11, in opposition thereto.

No. —. In the matter of: Albert T. Patrick. Response to notice issued pursuant to notice under Rule 2 submitted by Mr. Tom D. McKeown in behalf of Albert T. Patrick.

No. 364. Board of Railroad Commissioners of the State of North Dakota et al., appellants, *v.* Great Northern Railway Company et al. Motion for leave to file brief of the Public Service Commission of Alabama et al., as *amici curiæ*, submitted by Mr. John E. Benton.

No. 554. Charles H. Stange, petitioner, *v.* The United States. Motion to set aside part of limitation of order granting writ of certiorari submitted by Mr. Guy Mason for the petitioner in support of the motion, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. Joseph H. Sheppard for the respondent in opposition thereto.

No. —, original. *Ex parte*: William T. Kemper, petitioner. Leave granted to withdraw motion for leave to file petition for writ of mandamus and/or prohibition, on motion of Mr. Newell W. Ellison in behalf of counsel for the petitioner.

No. —, original. *Ex parte*: Jehudah Benjamin, petitioner. Motion for leave to file petition for writ of *habeas corpus* submitted by Mr. Jehudah Benjamin *pro se*.

No. 426. Pauline Gottlieb, appellant, *v.* Mahoning Valley Sanitary District, a corporation, City of Youngstown, Ohio, et al. Appeal

from the Supreme Court of the State of Ohio. Dismissed with costs on motion of counsel for the appellant.

No. 669. Bain Peanut Company of Texas et al., appellants, *v.* Dave Pinson et al. Motion to dismiss submitted by Mr. Gib Callaway for the appellee in support thereof, and by Mr. B. L. Agerton for the appellants in opposition thereto.

No. 770. Olive S. McGrew, petitioner, *v.* John L. McGrew and Catherine D. McGrew; and

No. 771. Olive S. McGrew, petitioner, *v.* John L. McGrew et al. Motion for leave to proceed in *forma pauperis* submitted by Olive B. Lacy for the petitioner.

No. 799. William W. Middleton, petitioner, *v.* The People of the State of California. Motion for leave to proceed in *forma pauperis* submitted by Mr. William W. Middleton, *pro se*.

No. 524. Harvey Cox, appellant, *v.* The People of the State of Colorado et al.;

No. 525. Harvey Cox, appellant, *v.* The People of the State of Colorado et al.; and

No. 526. Harvey Cox, appellant, *v.* The People of the State of Colorado et al. Statement as to jurisdiction submitted by Mr. M. W. Spaulding for the appellant, in support thereof, and by Mr. Colin A. Smith and Mr. J. G. Scott for the appellee in opposition thereto.

No. 563. Vermont Loan & Trust Company, appellant, *v.* W. D. Gillis, as Attorney General of the State of Idaho. Statement as to jurisdiction submitted by Mr. Oliver O. Haga and Mr. W. G. Graves for the appellant.

No. 564. New World Life Insurance Company, appellant, *v.* W. D. Gillis, as Attorney General of the State of Idaho. Statement as to jurisdiction submitted by Mr. Oliver O. Haga and Mr. W. G. Graves for the appellant.

No. 669. Bain Peanut Company of Texas et al., appellants, *v.* Dave Pinson and G. B. Guyger. Statement as to jurisdiction submitted by Mr. B. L. Agerton for the appellants, in support thereof, and by Mr. Gib Callaway for the appellees, in opposition thereto.

No. 732. The United States of America, appellant, *v.* James E. Farrar. Statement as to jurisdiction submitted by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, and Mr. John J. Byrne for the appellant.

No. 611. Utica Knitting Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Harry A. Fellows and Mr. Henry M. Ward for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant At-

torney General Rugg, Mr. Claude R. Branch, and Mr. Charles R. Pollard for the respondent.

No. 623. Russian Volunteer Fleet, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Charles Recht and Mr. Horace S. Whitman for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. Henry A. Cox for the respondent.

No. 625. Fawcus Machine Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. J. S. Y. Ivins for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. Joseph H. Sheppard for the respondent.

No. 627. Autoquip Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George M. Wilmeth for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 636. Herbert Du Puy, petitioner, *v.* The United States; and

No. 637. Amy H. DuPuy, petitioner, *v.* The United States. Petition for writs of certiorari to the Court of Claims submitted by Mr. H. B. McCawley and Mr. Lamar Hardy for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. Charles R. Pollard, and Mr. W. Marvin Smith for the respondent.

No. 665. Lillian R. Warren, as executrix, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. J. Gilbert Hardgrove for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. Heber H. Rice, and Mr. Paul D. Miller for the respondent.

No. 675. Saranac Automatic Machine Corporation, petitioner, *v.* Wirebounds Patents Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. A. C. Paul for the petitioner.

No. 684. Edward S. Rich, petitioner, *v.* Nu-Enamel Paint Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Ray Van Cott and Mr. George Sergeant for the petitioner, and by Mr. John Davis for the respondents.

No. 686. W. F. Kasiska, petitioner, *v.* Isaac McDougall, Trustee, etc. Petition for writ of certiorari to the Supreme Court of the

State of Idaho submitted by Mr. T. C. Coffin for the petitioner, and by Mr. W. G. Bissell for the respondent.

No. 690. Chicago and Eastern Illinois Railway Company, petitioner, *v.* Calvin L. McCoy. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. H. B. Aikman for the petitioner, and by Mr. Arthur H. Greenwood for the respondent.

No. 691. Maria Cully, petitioner, *v.* S. D. Mitchell et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Chester I. Long, Mr. J. D. Houston, Mr. Peter Q. Nyce, Mr. Austin M. Cowan, and Mr. Thos. H. Owen for the petitioner, and by Mr. Thomas J. Flannelly, Mr. Nathan A. Gibson, Mr. Joseph L. Hull, Mr. Hunter L. Johnson, and Mr. C. A. Summers for the respondents.

No. 693. P. W. Brooks & Company, Inc., petitioner, *v.* North Carolina Public Service Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Chester Rohrlich and Mr. Frank P. Hobgood for the petitioner, and by Mr. W. S. O'B. Robinson, jr., for the respondent.

No. 695. Carbice Corporation of America, petitioner, *v.* American Patents Development Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel E. Darby, jr., for the petitioner, and by Mr. Charles Neave, Mr. George C. Dean, and Mr. Clarence D. Kerr for the respondents.

No. 698. Claude Neon Lights, Inc., petitioner, *v.* E. Machlett & Son and Rainbow Light, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edwin J. Prindle, Mr. Thomas Ewing, and Mr. William Bohleber for the petitioner, and by Mr. Dean S. Edmonds and Mr. William H. Davis for the respondents.

No. 699. The New Haven Bank, Executor, etc., petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Adrian C. Humphreys and Mr. Newton K. Fox for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John Vaughan Groner, Mr. Paul D. Miller, Mr. C. M. Charest, and Mr. P. S. Crewe for the respondent.

No. 701. Joseph Danciger, petitioner, *v.* Nelson Kavanaugh Smith, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. I. J. Ringolsky and Mr. J. M. McCormick for the petitioner.

No. 702. Fridolin Pabst, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harry A. Fellows and Mr. Camden R. McAtee for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Andrew D. Sharpe, and Mr. Paul D. Miller for the respondent.

No. 703. Corning Glass Works, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Lawrence Graves for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Morton P. Fisher, Mr. Paul D. Miller, and Mr. C. M. Charest for the respondent.

No. 705. Belt Railway Company of Chicago, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. R. Kemp Slaughter and Mr. Hugh C. Bickford for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Barham R. Gary, and Mr. W. Marvin Smith for the respondent.

No. 706. Concordia Land & Timber Company, petitioner, *v.* Willetts Wood Products Company et al. Petition for writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. G. P. Bullis for the petitioner, and by Mr. J. C. Theus and Mr. J. W. House for the respondents.

No. 708. Samuel Cohen, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Gray for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 709. Crown Central Petroleum Corporation, petitioner, *v.* F. J. Bates. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edward S. Boyles for the petitioner.

No. 710. The Cleveland Railway Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Andrew Squire and Mr. Atlee Pomereene for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr.

Sewall Key, Mr. Morton P. Fisher, and Mr. C. M. Charest for the respondent.

No. 711. Charles Onley, petitioner, *v.* Lehigh Valley Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Sol Gelb for the petitioner, and by Mr. Clifton P. Williamson for the respondent.

No. 712. Wood Towing Corporation, etc., petitioner, *v.* Southern Transportation Company, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John W. Oast, jr., for the petitioner, and by Mr. Henry H. Little, Mr. Francis S. Laws, Mr. Edward R. Baird, jr., and Mr. George M. Lanning for the respondents.

No. 713. Julia Fish et al., petitioners, *v.* F. E. Kennamer, Judge of the District Court of the United States, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Charles West and Mr. J. M. Springer for the petitioners, and by Mr. James C. Denton, Mr. John Rogers, Mr. Joseph L. Hull, and Mr. Nathan A. Gibson for the respondent.

No. 714. Security Life Insurance Company of America, petitioner, *v.* Margaret Brimmer, Executrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James C. Jones, jr., for the petitioner.

No. 715. Oxford Paper Company, petitioner, *v.* Steamship "Nidarholm," A. S. Nidaros. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. John W. Lawrence for the petitioner.

No. 716. Clyde Steamship Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Roscoe H. Hupper and Mr. William J. Dean for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant to the Attorney General John Lord O'Brian, Mr. Claude R. Branch, Mr. Charles H. Weston, and Mr. Paul D. Miller for the respondent.

No. 718. United States Smelting, Refining & Mining Company, petitioner, *v.* P. M. Evans. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John Jensen and Mr. G. A. Marr for the petitioner.

No. 719. Charles H. Nauts, Collector of Internal Revenue, petitioner, *v.* W. L. Slayton. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, Mr. Andrew D. Sharpe, Mr. C. M.

Charest, and Mr. T. H. Lewis, jr., for the petitioner, and by Mr. E. J. Marshall, and Mr. Thos. O. Marlar for the respondent.

No. 720. Robert D. Kercheval, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Herbert C. Wade and Mr. S. J. Callaway for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 721. Christen Knudsen, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. John J. Sullivan and Mr. Roger O'Donnell for the petitioner, and by Mr. Ewing Dean Colvin for the respondent.

No. 722. George M. Swift, petitioner, *v.* Martha Jackson, an incompetent, by her Guardian Ad Litem etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Chester I. Long, Mr. Peter Q. Nyce, Mr. J. B. Campbell, Mr. J. D. Houston, and Mr. W. D. Stanley for the petitioner, and by Mr. Webster Ballinger for the respondents.

No. 724. Rosa B. Hylton, petitioner, *v.* Southern Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. James A. Fowler for the petitioner, and by Mr. S. R. Prince, Mr. H. O'B. Cooper, and Mr. Chas. H. Smith for the respondent.

No. 725. Kaichiro Sugimoto, petitioner, *v.* John D. Nagle, as Commissioner of Immigration, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Aylett R. Cotton for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. Paul D. Miller for the respondent.

No. 726. Muriel E. Colthurst, petitioner, *v.* Metropolitan Casualty Insurance Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Joseph A. Burkart for the respondent.

No. 727. Sam Martin, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Jed C. Adams and Mr. W. B. Harrell for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 728. Odie Oland Owens, petitioner, *v.* Ben B. Dancy and The State of Oklahoma. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Henry B. Martin for the petitioner, and by Mr. J. Berry King and Mr. Wm. L. Murphy for the respondents.

No. 730. The United States of America, petitioner, *v.* Harry M. Blackmer. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Atlee Pomerene and Mr. Owen J. Roberts for the petitioner, and by Mr. George Gordon Battle for the respondent.

No. 731. The United States of America, petitioner, *v.* Harry M. Blackmer. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Atlee Pomerene and Mr. Owen J. Roberts for the petitioner, and by Mr. George Gordon Battle for the respondent.

No. 733. M. R. McGehee, petitioner, *v.* C. W. Hall, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George P. Garrett for the petitioner.

No. 734. Frank Morris, petitioner, *v.* Royal Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank Morris, *pro se*, and by Mr. Richard T. Lynch for the respondent.

No. 735. Raul Jebbia and Owen Palmer, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Benjamin L. Rosenbloom for the petitioners, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney Youngquist, Mr. Claude R. Branch, and by Mr. W. Marvin Smith for the respondent.

No. 736. Albert L. Lohm, Receiver, etc., petitioner, *v.* Bragg, Millsaps & Blackwell, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George S. Jones for the petitioner, and by Mr. Walter A. Harris for the respondent.

No. 737. Steamship "Waalhaven," et al., petitioners, *v.* Potash Importing Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John W. Crandall and Mr. Geo. Whitefield Betts, jr., for the petitioners, and by Mr. Carroll Single for the respondent.

No. 738. Herbert Pearson, Receiver, etc., petitioner, *v.* Summey & Tolson, Trading as Geo. M. McFadden & Bros. Agency. Petition

for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George S. Jones for the petitioner.

No. 739. Archibald Courson, petitioner, *v.* Howard Ridall. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Howard Cobb and Mr. Harold E. Simpson for the petitioner, and by Mr. Riley H. Heath for the respondent.

No. 740. The Insurance and Title Guarantee Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Hugh Satterlee, Mr. Alfred S. Weill, Mr. Walter C. Blakely, and Mr. Albert S. Lisenby for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, Mr. Norman D. Keller, and Mr. W. Marvin Smith for the respondent.

No. 741. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Niagara Falls Brewing Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, Mr. Norman D. Keller, and Mr. C. M. Charest for the petitioner, and by Mr. Basil Robillard for the respondents.

No. 742. Lehigh & Hudson River Railway Company, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. R. Kemp Slaughter and Mr. Hugh C. Bickford for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, Mr. John Vaughan Groner, Mr. C. M. Charest, and Mr. P. S. Crewe for the respondent.

No. 743. The Chesapeake and Ohio Railway Company, petitioner, *v.* Roberta Harper Coffey. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Samuel H. Williams for the petitioner, and by Mr. Charles Curry for the respondent.

No. 744. Florence B. Laws, petitioner, *v.* Eleanor Bradford Davis et al. Petition for writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Walter A. DeCamp for the petitioner, and by Mr. John Weld Peck for the respondents.

No. 745. William Ball, petitioner, *v.* Western Marine and Salvage Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Lawrence

Koenigsberger for the petitioner, and by Mr. Edwin C. Brandenburg and Mr. Louis M. Denit for the respondent.

No. 747. Catherine V. Massey, Elizabeth Massey, et al., petitioners, *v.* The Miller Rubber Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John J. Mahoney for the petitioners, and by Mr. Louis M. Denit for the respondent. .

No. 748. Alan Kissock, petitioner, *v.* Duquesne Steel Foundry Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Harvey L. Lechner, Mr. Drury W. Cooper and Mr. John D. Morgan for the petitioner, and by Mr. Lawrence Bristol for the respondents.

No. 749. Jessie Margaret Budlong, petitioner, *v.* Milton J. Budlong. Petition for writ of certiorari to the Superior Court for the County of Newport, State of Rhode Island, submitted by Jessie Margaret Budlong *pro se*, and by Mr. Arthur M. Allen for the respondent.

No. 751. Wrightsville & Tennille Railroad Company, petitioner, *v.* The Citizens & Southern National Bank et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alexander R. Lawton for the petitioner, and by Mr. Charles E. Wainwright for the respondents.

No. 752. George T. Robinson, Trustee for Mortgage Bondholders, petitioner, *v.* S. E. Dickey, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Arthur O. Fording for the petitioner, and by Mr. Robert F. Cogswell for the respondent.

No. 762. Herkimer National Bank, petitioner, *v.* A. Grant Blue, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles E. Snyder for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 15, will be as follows: Nos. 680, 468, 340, 344, 345, 363, 364, 365, 370, and 372 (373 and 374).

SUPREME COURT OF THE UNITED STATES

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

Arnold C. Hanson, of Washington, D. C.; Thomas K. O'Brien, of New York City; Charles B. Hosmer, of Washington, D. C.; Russell M. Everett, of Newark, N. J.; Bernard Eugene Gilbert, of Memphis, Tenn.; Annie L. Treadwell, of Washington, D. C.; Harry B. Rook, of New York City; George Kerrie Perkins, of Washington, D. C.; Thomas J. Burke, of Bismarck, N. Dak.; Loren A. Butts, of Fresno, Calif.; David William Fletcher, of Des Moines, Iowa; Emanuel M. Davidove, of Cleveland, Ohio; Robert E. Hennay, jr., of San Antonio, Tex.; James H. Kane, of Seattle, Wash.; Ebenezer L. Compere, of Hamburg, Ark.; William P. Ellis, of Salem, Oreg.; M. E. Sanderson, of Texarkana, Ark.; Elton L. Marshall, of Chillicothe, Mo.; Thomas Bryan Miller, of Wilkes-Barre, Pa.; and Gomer Morgan, of Scranton, Pa.; were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 732. United States of America, appellant, *v.* James E. Farrar. In this case the Court finds that probable jurisdiction has been shown and the case is assigned for argument following the hearing of case No. 555, United States *v.* Norris, heretofore assigned for argument on Monday, April 28.

No. 364. Board of Railroad Commissioners of the State of North Dakota et al., appellants, *v.* Great Northern Railway Company et al. Leave granted to file brief of the Alabama Public Service Commission et al., as *amici curiae*, with leave to counsel for the appellees to file brief in reply within five days from this date.

No. 364. Board of Railroad Commissioners of the State of North Dakota et al., appellants, *v.* Great Northern Railway Company et al. Leave granted to file brief of the Railroad and Warehouse Commission of the State of Minnesota, as *amicus curiae*, on motion of Mr. John F. Bonner in that behalf, with leave to counsel for the appellees to file brief in reply within five days from this date.

No. 680. Pittsburgh & West Virginia Railroad Company, appellant, *v.* The United States of America et al. Argument commenced by Mr. H. H. Hoppe for the appellants. The Court declined to hear further argument.

No. 468. Emmett Cochran, W. M. Guice, Jr., et al., appellants, *v.* Louisiana State Board of Education et al. Argument commenced by Mr. Challen B. Ellis for the appellants. The Court declined to hear further argument.

No. 340. The United States of America, petitioner, *v.* Nelson B. Updike et al. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Francis A. Brogan and Mr. Alfred G. Ellick for the respondents.

No. 344. Charles A. Corliss, petitioner, *v.* Frank K. Bowers, as Collector, etc. Argument commenced by Mr. Joseph M. Hartfield for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 16, will be as follows: Nos. 344, 345, 363, 364, 365, 370, 372 (373 and 374), 375, 389, and 390.

SUPREME COURT OF THE UNITED STATES

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

Sidney L. Sinnott, of Richmond, Va.; George T. Howard, of Panama, Canal Zone; Raymond J. Kelly, of Detroit, Mich.; W. H. L. Edwards, of New York City; George Dixon Shrum, of Pittsburgh, Pa.; Thomas D. Thacher, of New York City; and Bruce Harrison, of Pittsburgh, Pa., were admitted to practice.

No. 509. The United States of America, appellant, *v.* Francisco Unzeuta. Mandate granted on motion of Mr. Assistant Attorney General Richardson for the appellant.

No. 344. Charles A. Corliss, petitioner, *v.* Frank K. Bowers, as Collector, etc. Argument continued by Mr. Joseph M. Hartfield for the petitioner, and concluded by Mr. Solicitor General Hughes for the respondent.

No. 345. United States Shipping Board Merchant Fleet Corporation, etc., petitioner, *v.* P. LeRoy Harwood, as Trustee, etc., et al. Argued by Mr. Claude R. Branch for the petitioner, and by Mr. Frederick H. Wood for the respondents.

No. 363. Georgia Power Company, petitioner, *v.* City of Decatur. Argument commenced by Mr. Walter T. Colquitt for the petitioner, and continued by Mr. Hooper Alexander for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 17, will be as follows: Nos. 363, 364, 365, 370, 372 (373 and 374), 375, 389, 390, 395, and 397.

SUPREME COURT OF THE UNITED STATES

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

John E. Curtis, of Lincoln, Nebr.; David A. Embury, of New York City; Samuel M. Clark, of Conway, Ark.; Raymond Ives Blakeslee, of Los Angeles, Calif.; Milton Saylor, of Cincinnati, Ohio; Herberta Leonardy, of Sanford, Fla.; and Frank H. Shaffer, jr., of Cincinnati, Ohio, were admitted to practice.

No. 363. Georgia Power Company, petitioner, *v.* City of Decatur. Argument continued by Mr. Hooper Alexander for the respondent, and concluded by Mr. Walter T. Colquit for the petitioner.

No. 364. Board of Railroad Commissioners of the State of North Dakota et al., appellants, *v.* Great Northern Railway Company et al. Argument commenced by Mr. John E. Benton for the appellants, and continued by Mr. R. J. Hagman for the appellees. The Court declined to hear further argument.

No. 365. Henry Escher, Ancillary Administrator, etc., et al., petitioners, *v.* Walter O. Woods, as Treasurer of the United States et al. Argued by Mr. Spier Whitaker for the petitioners, and by Mr. Assistant Attorney General Rugg for the respondents.

No. 372. City of Cincinnati, petitioner, *v.* Margaret W. Vester;

No. 373. City of Cincinnati, petitioner, *v.* James S. Richards et al.; and

No. 374. City of Cincinnati, petitioner, *v.* Llewellyn B. Reakirt. Argument commenced by Mr. John D. Ellis for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 21, will be as follows: Nos. 372 (373 and 374), 375, 370, 389, 390, 397, 412, 417, 424, and 425.

SUPREME COURT OF THE UNITED STATES

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

Walter E. Sloat, of Jefferson City, Mo.; Stratton Shartel, of Jefferson City, Mo.; Chalmers G. Graham, of San Francisco, Calif.; Edwin S. Murphy, of New York City; Thomas A. Kane, of New York City; T. T. Oughterson, of Stuart, Fla.; Walter D. James, of Cambridge, Nebr.; Edward W. Fehling, of St. Johns, Mich.; Alexander M. Meyer, of Jefferson City, Mo.; Raymond S. Wilkins, of Boston, Mass.; Benjamin A. Levy, of Boston, Mass.; Leo Golden, of Boston, Mass.; Elmer B. Collins, of Washington, D. C.; Elton J. Layton, of Silver Spring, Md.; and James E. Anderson, of Amarillo, Tex., were admitted to practice.

Mr. Attorney General Mitchell presented Hon. Thomas D. Thacher, Solicitor General of the United States, and it was ordered that his commission be recorded.

Mr. Justice Holmes announced the following order of the Court:

No. 7, original. The State of Wisconsin et al., complainants, *v.* The State of Illinois and Sanitary District of Chicago et al.;

No. 11, original. State of Michigan et al., complainants, *v.* The State of Illinois and Sanitary District of Chicago et al.; and

No. 12, original. State of New York et al., complainants, *v.* State of Illinois and Sanitary District of Chicago et al. Decree entered pursuant to the opinion announced April 14, 1930, and order entered fixing compensation and allowing expenses of Special Master. The Chief Justice took no part in the consideration of the matters involved in this order.

The Chief Justice announced the following orders of the Court:

No. 98. William J. Stratton, Secretary of State of Illinois, appellant, *v.* St. Louis Southwestern Railway Company. It is ordered that this case be restored to the docket for reargument.

No. 10. Powers-Kennedy Contracting Corporation et al., petitioners, *v.* Concrete Mixing and Conveying Company; and

No. 11. Concrete Mixing and Conveying Company, petitioner, *v.* R. C. Storrie & Company. The motion to advance these cases is denied.

No. 528. Broad River Power Company et al., petitioners, *v.* State of South Carolina, *ex rel.* John M. Daniel, Attorney General. The motion to advance this case is granted and the case assigned for argument on Friday, May 2 next, at the head of the call for that day.

No. 554. Charles H. Stange, petitioner, *v.* The United States. The motion to set aside limitation of order granting writ of certiorari is denied.

No. —, original. *Ex Parte*: Jehudah Benjamin, petitioner. The motion for leave to file petition for a writ of *habeas corpus* is denied.

No. 770. Olive S. McGrew, petitioner, *v.* John L. McGrew and Catherine D. McGrew; and

No. 771. Olive S. McGrew, petitioner, *v.* John L. McGrew and Catherine D. McGrew. On petitions for writs of certiorari to the Court of Appeals of the District of Columbia. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds no grounds upon which writs of certiorari should be issued. The petition for writs of certiorari is therefore also denied. The Clerk is directed to pay the costs already incurred in this cause in the manner provided in the order of October 29, 1926.

No. 799. William W. Middleton, petitioner, *v.* The People of the State of California. On petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, State of California. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted finds that there is no properly presented substantial Federal question. The petition for a writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 524. Harvey Cox, appellant, *v.* The People of the State of Colorado et al. Further consideration of the question of jurisdiction in this case is postponed to the hearing of the case on the merits.

No. 525. Harvey Cox, appellant, *v.* The People of the State of Colorado; the Public Utilities Commission of the State of Colorado, et al., etc.; and

No. 526. Harvey Cox, appellant, *v.* The People of the State of Colorado, the Public Utilities Commission of the State of Colorado,

et al., etc. Appeals from the District Court of the United States for the District of Colorado. *Per curiam*: Appeals dismissed for the want of jurisdiction, upon the authority of Sec. 238 of the Judicial Code, as amended by the Act of February 13th, 1925 (c. 229, 43 Stat. 938).

No. 563. Vermont Loan & Trust Company, appellant, *v.* W. D. Gillis, as Attorney General of the State of Idaho; and

No. 564. New World Life Insurance Company, appellant, *v.* W. D. Gillis, as Attorney General of the State of Idaho. In these cases the Court finds that probable jurisdiction has been shown.

No. 669. Bain Peanut Company of Texas et al., appellants, *v.* Dave Pinson et al. Further consideration of the question of jurisdiction and of the motion to dismiss is postponed to the hearing of the case on the merits.

No. 623. Russian Volunteer Fleet, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 625. Fawcus Machine Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 675. Saranac Automatic Machine Corporation, petitioner, *v.* Wirebounds Patents Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 695. Carbice Corporation of America, petitioner, *v.* American Patents Development Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 611. Utica Knitting Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 636. Herbert DuPuy, petitioner, *v.* The United States; and

No. 637. Amy H. DuPuy, petitioner, *v.* The United States. Petition for writs of certiorari to the Court of Claims denied.

No. 665. Lillian R. Warren, as executrix of the estate of James Vinson Wiggins, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims, denied.

No. 684. Edward S. Rich, petitioner, *v.* Nu-Enamel Paint Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, denied.

No. 686. W. F. Kasiska, petitioner, *v.* Isaac McDougall, Trustee in Bankruptcy, etc. Petition for writ of certiorari to the Supreme Court of the State of Idaho, denied.

No. 690. Chicago and Eastern Illinois Railway Company, petitioner, *v.* Calvin L. McCoy. Petition for writ of certiorari to the

United States Circuit Court of Appeals for the Seventh Circuit, denied.

No. 691. Maria Cully, petitioner, *v.* S. D. Mitchell, C. B. Billington et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit, denied.

No. 693. P. W. Brooks & Company, Inc., petitioner, *v.* North Carolina Public Service Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit, denied.

No. 698. Claude Neon Lights, Inc., petitioner, *v.* E. Machlett & Son and Rainbow Light, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, denied.

No. 699. The New Haven Bank, Executor of Joseph E. Hubinger, deceased, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, denied.

No. 701. Joseph Danciger, petitioner, *v.* Nelson Kavanaugh Smith, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, denied.

No. 702. Fridolin Pabst, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia, denied.

No. 703. Corning Glass Works, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 705. Belt Railway Company of Chicago, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 706. Concordia Land & Timber Company, petitioner, *v.* Willetts Wood Products Company et al. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 708. Samuel Cohen, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 709. Crown Central Petroleum Corporation, petitioner, *v.* F. J. Bates. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 710. The Cleveland Railway Company, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of

certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 711. Charles Onley, petitioner, *v.* Lehigh Valley Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 712. Wood Towing Corporation, Owner of Steam tugs "Alvah H. Boushell" and "C. H. Hix," petitioner, *v.* Southern Transportation Company, a corporation, owner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

ORDER

It is now here ordered by this Court that the call of the docket be suspended for the term on Friday, May 2 next, and that the Court will take a recess from Monday, May 5, until Monday, May 19 next.

It is further ordered by this Court that no petitions for writs of certiorari or other motions, except motions for admission to practice, will be received after Monday, May 26 next.

No. 570. Mead-Morrison Manufacturing Company, appellant, *v.* Russell B. Marchant, as Trustee, etc. Motion to advance submitted by Mr. Horace L. Lohnes on behalf of counsel for the appellees.

No. 831. Daisy D. Perkins, appellant, *v.* The State of Ohio. Appeal from the Supreme Court of the State of Ohio. Docketed and dismissed on motion of counsel for the appellee.

No. 372. The City of Cincinnati, petitioner, *v.* Margaret W. Vester;

No. 373. The City of Cincinnati, petitioner, *v.* James S. Richards, et al.; and

No. 374. The City of Cincinnati, petitioner, *v.* Llewellyn B. Reakirt. Leave granted to file brief of the State of Ohio, as *amicus curiae*, on motion of Mr. John D. Ellis in that behalf.

No. 717. Orenstein and Koppel Aktiengesellschaft, petitioner, *v.* Koppel Industrial Car and Equipment Company. Motion to dismiss or affirm submitted by Mr. Charles Henry Butler, Mr. John A. Kratz, and Mr. Godfrey L. Munter for the respondent in support of the motion, and by Mr. Dean Hill Stanley, Mr. Arthur Garfield Hays, and Mr. Wm. Catron Rigby for the petitioner, in opposition thereto.

No. 642. The Beaumont, Sour Lake & Western Railway Company et al., appellants, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. Frank H. Moore, Mr. W. E. Davis, Mr. M. G. Roberts, Mr. G. H. Muckley, Mr. C. S. Burg, Mr.

Robert Thompson, Mr. E. T. Miller, Mr. J. R. Bell, Mr. H. H. Larimore, Mr. J. R. Turney, and Mr. S. W. Moore for the appellants.

No. 643. The United States of America et al., appellants, *v.* The Beaumont, Sour Lake & Western Railway Company, et al. Statement as to jurisdiction submitted by Mr. Attorney General Mitchell, Mr. Assistant to the Attorney General O'Brian, Mr. Elmer B. Collins, and Mr. Edward M. Reidy for the appellants.

No. 681. W. C. Clark, appellant, *v.* A. J. Maxwell, Commissioner, etc. Statement as to jurisdiction submitted by Mr. Albers L. Cox for the appellant in support thereof, and by Mr. Dennis G. Brummitt for the appellees in opposition thereto.

No. 696. Railway Express Agency, Inc., appellant, *v.* The Commonwealth of Virginia. Statement as to jurisdiction submitted by Mr. Wyndham R. Meredeth, Mr. Harry S. Marx, and Mr. Albert M. Hartung for the appellant.

No. 750. Abie State Bank, appellant, *v.* Arthur J. Weaver, as Governor, etc. Statement as to jurisdiction submitted by Mr. Frank H. Gaines, and Mr. Leonard A. Flansburg for the appellant, in support thereof and by Mr. C. A. Sorensen and Mr. Charles E. Abbott for the appellees in opposition thereto.

No. 694. George A. Bew, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. R. Palmer Ingram, Mr. George R. Shields, and Mr. George A. King for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. Joseph H. Sheppard for the respondent.

No. 758. Emil Hansen, Permanent Receiver, etc., petitioner, *v.* E. I. DuPont de Nemours & Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Emil Hansen, *pro se*, and by Mr. George H. Bond and Mr. William H. Button for the respondent.

No. 759. Charles F. Silva, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Marshall B. Woodworth for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 768. The Interstate Commerce Commission, petitioner, *v.* Northern Pacific Railroad Company et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Daniel W. Knowlton and Mr. Nelson Thomas for the petitioner, and by Mr. R. J. Hagman, Mr. D. F. Lyons, and Mr. F. G. Dorety for the respondents.

No. 769. American Mutual Liability Insurance Company, petitioner, *v.* W. H. McCaffrey et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Palmer Hutcheson and Mr. Benjamin Brooks for the petitioner.

No. 772. Miller Brothers Company, petitioner, *v.* Lektophone Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Samuel E. Darby, jr., for the petitioner, and by Mr. William H. Davis for the respondent.

No. 773. Louisiana Oil Refining Corporation, petitioner, *v.* Harry L. Reed et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Leon O'Quin and Mr. H. C. Walker, jr., for the petitioner, and by Mr. Frank J. Looney for the respondents.

No. 776. William W. Wheelock et al., petitioners, *v.* Dora E. Norton, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Ralph T. Finley, Mr. James C. Jones, Mr. Lon O. Hocker, Mr. Frank H. Sullivan, Mr. James C. Jones, jr., and Mr. Silas H. Strawn for the petitioners, and by Mr. David W. Hill for the respondent.

No. 777. Annette Aiken, Administratrix, etc., petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. L. Karlton Mosteller for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. J. Louis Monarch for the respondent.

No. 778. Lillie B. Thompson et al., petitioners, *v.* Houston Oil Company, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William D. Gordon for the petitioners.

No. 779. Frank Guile et al., petitioners, *v.* E. M. Statler, as Owner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. S. B. Axtell for the petitioners, and by Mr. Charles R. Hickox and Mr. Edwin S. Murphy for the respondent.

No. 800. The United States of America, petitioner, *v.* Anthony LaFranca. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. John J. Byrne, and Mr. Paul D. Miller for the petitioner, and by Mr. E. Howard McCaleb for the respondent.

No. **370**. Federal Trade Commission, petitioner, *v.* Western Meat Company et al. Continued per stipulation of counsel.

No. **372**. The City of Cincinnati, petitioner, *v.* Margaret W. Vester;

No. **373**. The City of Cincinnati, petitioner, *v.* James S. Richards et al.; and

No. **374**. The City of Cincinnati, petitioner, *v.* Llewellyn B. Reakirt. Argument continued by Mr. John D. Ellis for the petitioner, by Mr. John Weld Peck for the respondents, and concluded by Mr. Ed F. Alexander for the petitioner.

No. **375**. Western Cartridge Company, petitioner, *v.* Louis L. Emmerson, Secretary of State, etc. Argued by Mr. Colin C. H. Fyffe for the petitioner, and by Mr. Bayard Lacey Catron for the respondent.

No. **389**. Chesapeake & Potomac Telephone Company, petitioner, *v.* The United States. Argument commenced by Mr. Stanton C. Pelle for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 22, will be as follows: Nos. **389**, **390**, **397**, **412**, **417**, **424**, **425**, **428**, **546** (and **547**), and **442**.

SUPREME COURT OF THE UNITED STATES

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

Harry Carstarphen, of Hannibal, Mo.; James L. Krusemark, of Minneapolis, Minn.; La Verne Norris, of Chicago, Ill.; Delvaille H. Theard, of New Orleans, La.; Maury Kemp, of El Paso, Tex.; and Julian C. Ryer, of Chicago, Ill., were admitted to practice.

The Chief Justice announced the following orders of the Court:

In re disbarment of Albert T. Patrick: It having been brought to the attention of the Court, by the filing of a certified copy of the disbarment order, that Albert T. Patrick has been disbarred from the practice of the law by the Appellate Division of the Supreme Court of the State of New York, First Department; and a notice having issued to him by order of this Court entered on February 24 last pursuant to Rule 2, par. 5, of the Rules of this Court, suspending him from the practice and notifying him to show cause why he should not be disbarred from the practice of the law in this Court; and the said Patrick having filed his response to such notice:

It is now here ordered that the disbarment order of the Appellate Division of the Supreme Court of the State of New York, First Department, the notice issued pursuant to the order of this Court of February 24, 1930, the response thereto filed April 12, 1930, with the exhibits thereto attached, be, and the same are hereby, referred to Mr. Nathan L. Miller, of New York, State of New York; to Mr. Charles C. Burlingham, of New York, State of New York; and to Mr. Henry W. Taft, of New York, State of New York, as a committee of the bar of this Court, to make such inquiry into the matter as may be necessary or appropriate, and thereupon to make a report and recommendation respecting the final action to be taken herein by this Court conformably to Rule 2, par. 5, of the Rules of this Court.

In re disbarment of H. A. Ledbetter: It having been brought to the attention of the Court, by the filing of a certified copy of the disbarment order, that H. A. Ledbetter has been disbarred from the

practice of the law by the Supreme Court of the State of Oklahoma; and a notice having issued to him by order of this Court entered on February 24 last pursuant to Rule 2, par. 5, of the Rules of this Court, suspending him from the practice and notifying him to show cause why he should not be disbarred from the practice of the law in this Court; and the said Ledbetter having filed his response and answer to such notice:

It is now here ordered that the disbarment order of the Supreme Court of the State of Oklahoma, the notice issued pursuant to the order of this Court of February 24, 1930, the response and answer thereto filed April 2, 1930, with exhibits attached thereto, be, and the same are hereby, referred to Mr. Thomas Francis Howe, of Chicago, State of Illinois; to Mr. William L. Frierson, of Chattanooga, State of Tennessee; and Mr. W. H. H. Piatt, of Kansas City, State of Missouri, as a committee of the bar of this Court, to make such inquiry into the matter as may be necessary or appropriate, and thereupon to make a report and recommendation respecting the final action to be taken herein by this Court conformably to Rule 2, par. 5, of the Rules of this Court.

No. 835. James J. Martin, alias James J. Ryan, plaintiff in error, *v.* Leslie Rudolph, Warden of the Missouri State Penitentiary, Jefferson City, Missouri. In error to the Supreme Court of the State of Missouri. Docketed and dismissed on motion of Mr. Walter E. Sloat for the appellee.

No. 442. Junius C. Klein, appellant, *v.* Board of Tax Supervisors of Jefferson County, Kentucky. Continued per stipulation of counsel.

No. 389. Chesapeake & Potomac Telephone Co., petitioner, *v.* The United States. Argument continued by Mr. Assistant Attorney General Richardson for the respondent and concluded by Mr. Stanton C. Peelle for the petitioner.

No. 390. Inez M. Jamison et al., petitioners, *v.* Valentin Encarnacion. Argued by Mr. Theodore H. Lord for the petitioners, and by Mr. William S. Butler for the respondent.

No. 397. Charter Shipping Company, Ltd., petitioner, *v.* Bowring, Jones & Tidy, Ltd. Argued on the motion to dismiss by Mr. Theodore L. Bailey for the respondent. Motion to dismiss denied.

No. 397. Charter Shipping Company, Ltd., petitioner, *v.* Bowring, Jones & Tidy, Ltd. Argued by Mr. Cletus Keating for the petitioner, and by Mr. Theodore L. Bailey for the respondent.

No. 412. Mari Tollefsen Todok et al., petitioners, *v.* Union State Bank of Harvard, Nebraska, etc., et al. Argued by Mr. Frank E. Edgerton for the petitioners, and by Mr. Walter D. James for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 23, will be as follows: Nos. 417, 424, 425, 428, 546 (and 547), 443 (444, 445, 510, and 511), 452 (and 569), 454, 457, and 458 (and 459).

SUPREME COURT OF THE UNITED STATES

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

Leonard J. Meyberg, of Los Angeles, Calif.; Charles C. Flaesch, of Unadilla, N. Y.; John Fletcher Caskey, of New York City; Harold Elno Smith, of Cleveland, Ohio; and John R. Yates, of Washington, D. C., were admitted to practice.

No. 428. James E. Tyler, Jr., et al., Administrators, etc., petitioners, *v.* The United States of America. Leave granted to file brief of Edward H. Blane and Russell L. Bradford, as *amici curiæ*, on motion of Mr. Russell L. Bradford in that behalf.

No. 417. Thomas A. Baldwin et al., etc., plaintiffs in error and appellants, *v.* State of Missouri. Argued by Mr. Harry Carstarphen and Mr. John F. Garner for the plaintiffs in error and appellants, and by Mr. Stratton Shartel and Mr. A. M. Meyer for the defendant in error and appellee.

No. 424. Ike Danovitz, surviving partner of Feitler Bottle Company, claimants, petitioner, *v.* The United States of America. Argued by Mr. Ward Bonsall for the petitioner, and by Mr. Assistant Attorney General Sisson for the respondent.

No. 425. Panama Mail Steamship Company, petitioner, *v.* Ernestina Isabelle Vargas. Argument commenced by Mr. Thomas A. Thacher for the petitioner, and continued by Mr. H. W. Hutton for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 24, will be as follows: Nos. 425, 428, 546 (and 547), 395, 443 (444, 445, 510, and 511), 452 (and 569), 454, 457, 458 (and 459), and 460.

SUPREME COURT OF THE UNITED STATES

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

Al C. Kammer, of New Orleans, La.; William F. Conkerton, of New Orleans, La.; Jack Bernard Tate, of Washington, D. C.; Reginald D. Williams, of New York City; Charles G. Lee, jr., of Asheville, N. C.; and Patrick J. Friel, of Philadelphia, Pa., were admitted to practice.

No. 510. S. O. Wynne, Federal Prohibition Administrator, etc., et al., *v.* Swanson Chemical Corporation. Leave granted Mr. Michael Serody to appear and present oral argument *pro hac vice* for the Swanson Chemical Corporation, on motion of Mr. Harry S. Barger in that behalf.

No. 425. Panama Mail Steamship Company, petitioner, *v.* Ernestina Isabelle Vargas. Argument continued by Mr. H. W. Hutton for the respondent, and concluded by Mr. Thomas A. Thacher for the petitioner.

No. 428. James E. Tyler, Jr., et al., Administrators, etc., petitioners, *v.* The United States of America. Argued by Mr. Frank S. Bright for the petitioners, and by Mr. Claude R. Branch for the respondent.

No. 546. The United States of America, petitioner, *v.* Provident Trust Company of Pennsylvania et al., etc.; and

No. 547. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Girard Trust Company et al. Argued by Mr. Claude R. Branch for the petitioners, and by Mr. John S. Sinclair for the respondents.

No. 395. The United States of America and Interstate Commerce Commission, appellants, *v.* Chicago, Milwaukee, St. Paul and Pacific Railroad Company. Argument commenced by Mr. Assistant to the Attorney General O'Brian for the appellants, and continued by Mr. John W. Davis for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 25, will be as follows: Nos. 395, 443 (444, 445, 510, and 511), 452 (and 569), 454, 457, 458 (and 459), 460, 462, 464, and 469.

SUPREME COURT OF THE UNITED STATES

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

J. M. Feigenbaum, of St. Louis, Mo.; Harold O. Clayton, of South Bend, Ind.; W. S. Babcock, of Sandusky, Ohio; Vine H. Smith, of New York City; Milton Pinkus, of New York City; and Fontaine C. Bradley, of Washington, D. C., were admitted to practice.

No. 734. Frank Morris, petitioner, *v.* Royal Indemnity Company. Leave granted to file amended and supplemental petition for writ of certiorari and brief in support thereof, on motion of Mr. Winship Wheatley for the petitioner.

No. 395. The United States of America and Interstate Commerce Commission, appellants, *v.* Chicago, Milwaukee, St. Paul and Pacific Railroad Company. Argument continued by Mr. John W. Davis for the appellee, and concluded by Mr. Assistant to the Attorney General O'Brian for the appellants.

No. 443. Maurice Campbell, Federal Prohibition Administrator, etc., et al., petitioners, *v.* Galeno Chemical Co., Inc., et al.;

No. 444. Maurice Campbell, Federal Prohibition Administrator, etc., et al., petitioners, *v.* D. P. Paul and Company, Inc.;

No. 445. Maurice Campbell, Federal Prohibition Administrator, etc., et al., petitioners, *v.* W. H. Long & Company, Inc.;

No. 510. S. O. Wynne, Federal Prohibition Administrator, etc., et al., *v.* Swanson Chemical Corporation; and

No. 511. James M. Doran, Prohibition Commissioner, etc., et al., *v.* Martin H. Casper, Trading as Delmar Mfg. & Chemical Co. Argued by Mr. Assistant Attorney General Youngquist for the petitioners in Nos. 443, 444, and 445; for Wynne, Federal Prohibition Administrator, in No. 510; and for Doran, Prohibition Commissioner in No. 511; and by Mr. John Fletcher Caskey for respondents in Nos. 443 and 444, and submitted by Mr. Lewis Landes for the respondent in No. 445; by Mr. Harry S. Barger for Swanson Chemi-

cal Corporation in No. **510**; and by Mr. Patrick J. Friel for Casper, Trading as Delmar Mfg. & Chemical Co., in No. **511**.

No. **452**. Richboug Motor Company, petitioner, *v.* The United States of America; and

No. **569**. Davies Motors, Inc., petitioner, *v.* The United States of America. Argued by Mr. Joseph G. Myerson for the petitioner in No. **452**; by Mr. Duane R. Dills for the petitioner in No. **569**; and by Mr. Assistant Attorney General Richardson for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 28, will be as follows: Nos. **555, 732, 347, 454, 457, 458 (459), 460, 462, 464, and 469**.

SUPREME COURT OF THE UNITED STATES

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

Franklin T. Voelker, of Brooklyn, N. Y.; Edward M. Box, of Oklahoma City, Okla.; Richard K. Bridges, of Tulsa, Okla.; Allen Hunter White, of Philadelphia, Pa.; Charles E. Cotterill, of Atlanta, Ga.; Smith O'Brien, of Rochester, N. Y.; Myron Melvin Cohen, of Des Moines, Iowa; Alexander P. Stewart, of St. Louis, Mo.; Frank C. Mann, of Springfield, Mo.; Raymond Parmer, of New York City; John G. Lerch, of Washington, D. C.; Aloys C. Link, of Springfield, Ohio; John G. Whitmore, of Ridgway, Pa.; Charles J. Margiotti, of Punxsutawney, Pa.; Hallock P. Long, of Washington, D. C.; Charles M. Candy, of Chicago, Ill.; Isadore Isenberg, of Chicago, Ill.; Franklin E. Vaughan, of Chicago, Ill.; Warren E. Miller, of Washington, D. C.; Arthur Gladstone, of Detroit, Mich.; and James A. Cresswell, of Boston, Mass., were admitted to practice.

No. 344. Charles A. Corliss, petitioner, *v.* Frank K. Bowers, as Collector of Internal Revenue for the Second District of New York. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. The Chief Justice took no part in the consideration or decision of this case.

No. 365. Henry Escher, Ancillary Administrator of Jak. Robert Sigg-Fehr, Deceased, et al., petitioners, *v.* Walter O. Woods, as Treasurer of the United States, and Howard Sutherland, as Alien Property Custodian. On writ of certiorari to the Court of Appeals of the District of Columbia. Decree reversed with costs, and cause remanded to the Supreme Court of the District of Columbia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 468. Emmett Cochran, W. M. Guice, Jr., Henry Steinau, et al., appellants, *v.* Louisiana State Board of Education et al. Appeal from the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court.

In the Matter of Leroy B. Delaney:

On consideration of the motion of Arthur O. Fording, and of the exhibits filed in support thereof, in which it is alleged that Leroy B. Delaney, a member of the bar of this Court now resident in France, is an unfit person to be a member of the bar of this Court.

It is now here ordered that so much of the said motion as prays that notice be issued to the said Delaney to show cause why he should not be disbarred from the practice of the law in this Court is granted; and it is ordered that notice issue to the said Delaney to show cause, on or before the first Monday in October next, why he should not be so disbarred.

It is further ordered that in all other respects the motion of the said Fording be, and the same is hereby, dismissed.

No. 570. Mead-Morrison Manufacturing Company, appellant, *v.* Russell B. Marchant, as Trustee, etc. The motion to advance this case is denied.

No. 717. Orenstein and Koppel Aktiengesellschaft, petitioner, *v.* Koppel Industrial Car and Equipment Company. Further consideration of the motion to vacate, dismiss or affirm is postponed to the hearing of the case on the merits.

No. 642. The Beaumont, Sour Lake & Western Railway Company, et al., appellants, *v.* The United States of America et al.; and

No. 643. The United States of America and The Interstate Commerce Commission, appellants, *v.* The Beaumont, Sour Lake & Western Railway Company et al. In this cause the Court finds that probable jurisdiction has been shown.

No. 681. W. C. Clark, appellant, *v.* A. J. Maxwell, Commissioner, etc;

No. 696. Railway Express Agency, Inc., appellant, *v.* The Commonwealth of Virginia; and

No. 750. Abie State Bank, appellant, *v.* Arthur J. Weaver, as Governor, etc. In these cases it is ordered that further consideration of the question of the jurisdiction of this Court be postponed to the hearing of the cases on their merits.

No. 715. Oxford Paper Company, petitioner, *v.* Steamship "Nidarholm" A. S. Nidaros. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 719. Charles H. Nauts, Collector of Internal Revenue, petitioner, *v.* W. L. Slayton. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 741. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Niagara Falls Brewing Company et al., etc. Petition

for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 713. Julia Fish et al., petitioners, *v.* F. E. Kennamer, Judge of the District Court of the United States for the Northern District of Oklahoma. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 714. Security Life Insurance Company of America, petitioner, *v.* Margaret Brimmer, Executrix of the Last Will and Testament of Estella D. Clabaugh, deceased. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 716. Clyde Steamship Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 718. United States Smelting, Refining & Mining Company, petitioner, *v.* P. M. Evans. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 720. Robert D. Kercheval, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 721. Christen Knudsen, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of the State of Washington denied.

No. 722. George M. Swift, petitioner, *v.* Martha Jackson, an incompetent, by her Guardian *Ad Litem*, James H. Genert et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 724. Rosa B. Hylton, petitioner, *v.* Southern Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 725. Kaichiro Sugimoto, petitioner, *v.* John D. Nagle, as Commissioner of Immigration, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 726. Muriel E. Colthurst, petitioner, *v.* Metropolitan Casualty Insurance Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 727. Sam Martin, *alias* Sam Lachinsky, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 728. Odie Oland Owens, petitioner, *v.* Ben B. Dancy and The State of Oklahoma. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 730. The United States of America, petitioner, *v.* Harry M. Blackmer. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 731. The United States of America, petitioner, *v.* Harry M. Blackmer. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 733. M. R. McGehee, petitioner, *v.* C. W. Hall, Trustee of Orlando Paper Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 735. Paul Jebbia and Owen Palmer, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 736. Albert L. Lohm, Receiver of the First National Bank of Dublin, petitioner, *v.* Bragg, Millsaps & Blackwell, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 737. Steamship "Waalhaven," N. V. Maats, S. S. "Waalhaven," et al., etc., petitioners, *v.* Potash Importing Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 738. Herbert Pearson, Receiver of the Fourth National Bank of Macon, Georgia, petitioner, *v.* Summey & Tolson, Trading as Geo. M. McFadden & Bro. Agency. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 739. Archibald Courson, petitioner, *v.* Howard Ridall. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 740. The Insurance and Title Guarantee Company, petitioner, *v.* Robert H. Lucas, as Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 486. William A. Sherman et al. *v.* The United States of America. Joint motion for a writ of certiorari to bring up the entire record and cause submitted by Mr. Solicitor General Thacher in that behalf.

No. 642. The Beaumont, Sour Lake & Western Railway Company, et al., appellants, *v.* The United States of America et al.; and

No. 643. The United States of America et al., appellants, *v.* The Beaumont, Sour Lake & Western Railway Company et al. Motion to advance submitted by Mr. A. Rae Williams in behalf of counsel for the appellants in No. 642 and appellees in No. 643.

No. 845. Frank L. Smith et al., appellants, *v.* Illinois Bell Telephone Company. Motion to advance submitted by Mr. James M. Beck in behalf of counsel for the appellants.

No. 485. Gabriel Toombs, appellant, *v.* Citizens Bank of Waynesboro. Submitted on printed briefs, *per* stipulation of counsel under Rule 25.

No. 670. L. B. Ivey et al., appellants, *v.* J. R. Keeling et al. Statement as to jurisdiction submitted by Mr. Thomas E. Hayden, jr., for the appellants.

No. 674. O. W. Holmes, appellant, *v.* City of Fayetteville. Statement as to jurisdiction submitted by Mr. A. L. Brooks for the appellant.

No. 697. Henry Escher, Ancillary Administrator, etc., et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Spier Whitaker, Mr. Lawrence A. Baker, Mr. Lyttleton Fox, and Mr. Henry Ravenel for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Claude R. Branch for the respondent.

No. 723. Southwest Power Company, petitioner, *v.* Ruth Ann Price, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. James B. McDonough, and Mr. Frank M. Kemp for the petitioner, and by Mr. W. H. Fuller, Mr. Geo. M. Porter, and Mr. Harry P. Warner for the respondent.

No. 766. Mann Carter and Will Carter, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Reuben R. Arnold, Mr. T. W. Hardwick, Mr. E. K. Wilcox, and Mr. Lee W. Branch for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Luhning, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 767. Mann Carter and Will Carter, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Reuben R. Arnold, Mr. T. W. Hardwick, Mr. E. K. Wilcox, and Mr. Lee W. Branch for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Luhning, Mr. Claude R.

Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 774. Joseph Riesenman, Sr., et al., petitioners, *v.* John L. Nesbit et al. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Carl E. Glock for the petitioners, and by Mr. John L. Nesbit for the respondents.

No. 775. Hattie B. Wilson, as Administratrix, etc., petitioner, *v.* Lehigh Valley Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Israel G. Holender for the petitioner, and by Mr. Thomas R. Wheeler for the respondent.

No. 781. Odil Labbee, petitioner, *v.* Thavenot Steamship Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Clarence E. Mellen for the petitioner, and by Mr. J. W. Griffin and Mr. Clarence Bishop Smith for the respondent.

No. 782. The Indianapolis Union Railway Company et al., petitioners, *v.* Cincinnati, Indianapolis & Western Railroad Company; and

No. 783. The Indianapolis Union Railway Company et al., petitioners, *v.* Cincinnati, Indianapolis & Western Railroad Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Joseph J. Daniels, Mr. Joseph S. Graydon, and Mr. H. N. Quigley for the petitioners, and by Mr. Murray Seasingood, Mr. Lester A. Jaffe, and Mr. F. J. Goebel for the respondents.

No. 784. Martin Reider, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles W. Middlekauff for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. W. Marvin Smith for the respondent.

No. 787. Ely & Wakler Dry Goods Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Henry J. Richardson, Mr. Frederic D. McKenney, and Mr. Thomas W. White for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Barham R. Gary, and Mr. Paul D. Miller for the respondent.

No. 793. Douglas F. Fesler, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Walter L. Fisher for the petitioner, and by Mr.

Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. John H. McEvers, and Mr. W. Marvin Smith for the respondent.

No. 797. John M. Wright, as County Treasurer, etc., et al., petitioners, *v.* The Central National Bank of Topeka, Kansas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. A. B. Quinton and Mr. Eugene S. Quinton for the petitioners, and by Mr. John L. Hunt and Mr. S. M. Brewster for the respondent.

No. 798. Blackburn Construction Company, etc., petitioner, *v.* The Cedar Rapids National Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Stephen A. George for the petitioner, and by Mr. A. H. Sargent for the respondent.

No. 801. The Texas & Pacific Railway Company, petitioner, *v.* W. A. Aaron. Petition for writ of certiorari to the Court of Civil Appeals, 6th Supreme Judicial District, State of Texas, submitted by Mr. Jos. H. T. Bibb and Mr. T. D. Gresham for the petitioner, and by Mr. S. P. Jones for the respondent.

No. 802. Twin City Water Softener Company et al., petitioners, *v.* American Doucil Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. F. A. Whiteley for the petitioners, and by Mr. Harvey L. Lechner and Mr. Paul Synnestvedt for the respondent.

No. 555. The United States of America, petitioner, *v.* Alfred E. Norris. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Frederic L. Ballard for the respondent.

No. 732. The United States of America, appellant, *v.* James E. Farrar. Argued by Mr. Assistant Attorney General Youngquist for the appellant, and by Mr. William H. Lewis for the appellee.

No. 347. Edward Eliason et al., appellants, *v.* Charles Wilborn et al. Argument commenced by Mr. Matthias Concannon for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 29, will be as follows: Nos. 347, 454, 457, 458 (and 459), 460, 462, 464, 469, 477, and 490.

SUPREME COURT OF THE UNITED STATES

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

John C. Sherriff, of Pittsburgh, Pa.; Thomas J. Cuff, of Hempstead, N. Y.; Harry Huse Skerritt, of Syracuse, N. Y.; John B. Shaw, of New York City; Carl Garner Stearns, of Houston, Tex.; Edward Arms Knapp, of St. Paul, Minn.; Laurance Mastick Hyde, of Princeton, Mo.; Nelson Enoch Johnson, of Kansas City, Mo.; and John P. Bullington, of Houston, Tex., were admitted to practice.

No. 347. Edward Eliason et al., appellants, *v.* Charles Wilborn et al. Argument continued by Mr. Matthias Concannon for the appellants, and concluded by Mr. Floyd E. Thompson for the appellees.

No. 454. Corporation Commission of the State of Oklahoma, etc., et al., appellants, *v.* William Lowe, doing business under the trade name of Capitol Hill Gin Company. Argued by Mr. S. P. Freeling and Mr. E. S. Ratliff for the appellants, and by Mr. Robert M. Rainey for the appellees.

No. 457. Alpha Steamship Corporation et al., etc., petitioners, *v.* Robert Cain. Argument commenced by Mr. Carver W. Wolfe for the petitioners, and continued by Mr. Vine H. Smith for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 30, will be as follows: Nos. 457, 458 (and 459), 460, 462, 464, 469, 477, 490, 492, and 493 (494 and 495).

SUPREME COURT OF THE UNITED STATES

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

F. C. Hillyer, of Jacksonville, Fla.; Joseph E. Mitchell, of Chicago, Ill.; Harriet Buckingham, of Osgood, Ind.; T. Baldwin Martin, of Macon, Ga.; Thomas Wynn Holloman, of Alexandria, La.; James G. Connolly, of Pawtucket, R. I.; Dorothea M. Wassmann, of Washington, D. C.; and Conn Linn, of Tulsa, Okla., were admitted to practice.

No. **492**. Burns Poe, Collector of Internal Revenue, etc., *v.* H. G. Seaborn. Continued per stipulation of counsel.

No. **457**. Alpha Steamship Corporation et al., etc., petitioners, *v.* Robert Cain. Argument continued by Mr. Vine H. Smith for the respondent, and concluded by Mr. Carver W. Wolfe for the petitioners.

No. **458**. O'Gorman and Young, Inc., appellant, *v.* Hartford Fire Insurance Company of Hartford, Connecticut; and

No. **459**. O'Gorman and Young, Inc., appellant, *v.* Phoenix Assurance Company, Ltd., of London. Argued by Mr. Walter Gordon Merritt for the appellant, and by Mr. Ralph E. Lum for the appellees. Leave granted counsel for both sides to file briefs on the legislative history bearing on the questions involved within five days from this date.

No. **460**. New Orleans Public Service, Inc., appellant, *v.* City of New Orleans. Argued by Mr. Al C. Kammer for the appellant, and by Mr. Francis P. Burns and Mr. W. F. Conkerton for the appellee.

No. **462**. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* David A. Reed. Argument commenced by Mr. Claude R. Branch for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 1, will be as follows: Nos. **462**, **464**, **469**, **477**, **490**, **530**, and **554**.

SUPREME COURT OF THE UNITED STATES

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

John M. Hadley, of Kansas City, Mo.; John C. Grover, of Kansas City, Mo.; George L. Rutherford, of Jacksonville, Fla.; Bruce K. Brown, of Chicago, Ill.; Jacob Burns, of Washington, D. C.; Edwin C. Hollins, of New Orleans, La.; Monroe M. Friedman, of Oakland, Calif.; Johnst Northcutt, of Covington, Ky.; Albert H. Cole, of Peru, Ind.; and James B. Cullison, jr., of Chicago, Ill., were admitted to practice.

No. **462**. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* David A. Reed. Argument continued by Mr. Claude R. Branch for the petitioner, and concluded by Mr. Maynard Teall for the respondent.

No. **464**. Brinkerhoff-Faris Trust & Savings Company, petitioner, *v.* Walter O. Hill, Treasurer, etc. Argued by Mr. Roy C. Rucker for the petitioner, and by Mr. Lieutellus Cunningham for the respondent.

No. **469**. Texas and New Orleans Railroad Company et al., petitioners, *v.* Brotherhood of Railway and Steamship Clerks et al. Argument commenced by Mr. J. H. Tallichet for the petitioners, and continued by Mr. Donald R. Richberg for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 2, will be as follows: Nos. **469**, **528**, **477**, and **490**.

SUPREME COURT OF THE UNITED STATES

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

David Durward Madden, of Rockford, Ill.; Bernard Silverstein, of Oakland, Calif.; Thomas E. Gill, of Rockford, Ill.; Thomas J. Reilly, of Washington, D. C.; Turner K. Hackman, of Twin Falls, Idaho; Fred W. DeCamp, of Newark, N. J.; Joseph L. Hurley, of Fall River, Mass.; and George M. Lipman, of San Francisco, Calif., were admitted to practice.

No. 469. Texas and New Orleans Railroad Company et al., petitioners, *v.* Brotherhood of Railway and Steamship Clerks et al. Argument continued by Mr. Donald R. Richberg for the respondents, and concluded by Mr. John H. Crooker for the respondents.

No. 528. Broad River Power Company et al., petitioners, *v.* State of South Carolina, *ex rel.* John M. Daniel, Attorney General. Argued by Mr. William Marshall Bullitt for the petitioners, and by Mr. Cordie Page and Mr. Irvine F. Belser for the respondent.

No. 477. Barker Painting Company, petitioner, *v.* Local No. 734, Brotherhood of Painters, etc., et al. Argued by Mr. Merritt Lane for the petitioner, and by Mr. Morris Hillquit for the respondents.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 5, will be as follows: No. 490.

SUPREME COURT OF THE UNITED STATES

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

Elmer D. Hays, of Winchester, Ky.; Benjamin I. Sperling, of New York City; Samuel Backlar, of New York City; Charles E. Dunbar, jr., of New Orleans, La.; Richard Bentley, of Chicago, Ill.; Charles P. Megan, of Chicago, Ill.; Thomas Boylan, of Philadelphia, Pa.; Eugene E. Heaton, of New York City; Berthold Muecke, jr., of New York City; George P. Hatch, of New York City; Raymond L. Givens, of Boise, Idaho; John Shaw Field, of Reno, Nev.; Barham R. Gary, of Norfolk, Va.; George A. De Cottes, of Sanford, Fla.; and Richard G. Key, of St. Petersburg, Fla., were admitted to practice.

No. 232. The Home Insurance Company and Franklin Fire Insurance Company, appellants, *v.* C. J. Dick, Texas & Gulf Steamship Company, and Suderman & Young, Inc. Appeal from the Supreme Court of the State of Texas. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Petition for writ of certiorari denied. Opinion by Mr. Justice Brandeis.

No. 389. The Chesapeake & Potomac Telephone Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 424. Ike Danovitz, surviving partner of Feitler Bottle Company, Claimants, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Western District of Pennsylvania. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the Court:

No. 486. William A. Sherman et al. *v.* The United States of America. The motion for a writ of certiorari to bring up the entire record and cause is granted.

No. 642. The Beaumont, Sour Lake & Western Railway Company et al., appellants, *v.* The United States et al.; and

No. 643. The United States et al., appellants, *v.* The Beaumont Sour Lake & Western Railway Company et al. The motion to advance these cases is granted and the cases assigned for argument on Monday, October 20, next.

No. 845. Frank L. Smith et al., appellants, *v.* Illinois Bell Telephone Company. The motion to advance this case is granted and the case assigned for argument on Monday, October 20, next, after the cases heretofore assigned for that day.

No. 462. Robert H. Lucas, as Commissioner of Internal Revenue, petitioner, *v.* David A. Reed. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. *Per curiam*: Judgment reversed upon the authority of *Lucas v. Howard*, 280 U. S.— (decided December 9, 1929), and *Metcalf & Eddy v. Mitchell*, 269 U. S. 514.

No. 670. L. B. Ivey, W. H. Taylor, Ed Harrison, et al., appellants, *v.* J. R. Keeling, A. D. Boozer, J. J. Stewart, et al. Appeal from the Court of Civil Appeals, Eleventh Supreme Judicial District, State of Texas. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. *Hancock v. City of Muskogee*, 250 U. S. 454; *Valley Farms Co. v. County of Westchester*, 261 U. S. 155; *Browning v. Hooper*, 269 U. S. 396, 405.

No. 674. O. W. Holmes, appellant, *v.* City of Fayetteville. Appeal from the Supreme Court of the State of North Carolina. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. *Yamhill Electric Co. v. City of McMinnville*, 280 U. S.— (decided January 20, 1930); *Wabash R. R. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *Zucht v. King*, 260 U. S. 174; *Sugarman v. United States*, 249 U. S. 182; *C. A. King Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191.

No. 768. The Interstate Commerce Commission, petitioner, *v.* Northern Pacific Railroad Company et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 772. Miller Brothers Company, petitioner, *v.* Lektophone Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 800. The United States of America, petitioner, *v.* Anthony La Franca. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 777. Annette Aiken, Administratrix of the estate of Friend M. Aiken, deceased, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit in this case is granted limited to the questions concerning the validity and effect of the waivers.

No. 734. Frank Morris, petitioner, *v.* Royal Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 742. Lehigh & Hudson River Railway Company, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 743. The Chesapeake and Ohio Railway Company, petitioner, *v.* Roberta Harper Coffey. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 744. Florence B. Laws, petitioner, *v.* Eleanor Bradford Davis, Blanche L. Bradford, Hannah B. Neff, et al. Petition for writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 745. William Ball, petitioner, *v.* Western Marine and Salvage Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 747. Catherine V. Massey, Elizabeth Massey, Nellie L. Massey, et al., petitioners, *v.* The Miller Rubber Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 748. Alan Kissock, petitioner, *v.* Duquesne Steel Foundry Company and Molybdenum Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 749. Jessie Margaret Budlong, petitioner, *v.* Milton J. Budlong. Petition for writ of certiorari to the Superior Court for the County of Newport, State of Rhode Island, denied.

No. 751. Wrightsville & Tennille Railroad Company, petitioner, *v.* The Citizens & Southern National Bank et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 752. George T. Robinson, Trustee for Mortgage Bondholders, petitioner, *v.* S. E. Dickey, Trustee in Bankruptcy. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 762. Herkimer National Bank, petitioner, *v.* A. Grant Blue, as Trustee in Bankruptcy of Charles W. Tryon, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 694. George A. Bew, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 758. Emil Hansen, Permanent Receiver of Syracuse Sand Company, Inc., petitioner, *v.* E. I. Du Pont de Nemours & Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 759. Charles F. Silva, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 769. American Mutual Liability Insurance Company, petitioner, *v.* W. H. McCaffrey et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 773. Louisiana Oil Refining Corporation, petitioner, *v.* Harry L. Reed et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 776. William W. Wheelock and William G. Bierd, Receivers of the Chicago & Alton Railroad Company, petitioners, *v.* Dora E. Norton, Administratrix of the Estate of John Henry Norton deceased. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 778. Lillie B. Thompson et al., petitioners, *v.* Houston Oil Company of Texas et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 779. Frank Guile et al., petitioners, *v.* E. M. Statler, as Owner of the vessel "Miramar," etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 697. Henry Escher, Ancillary Administrator of Jak. Robert Sigg-Fehr, deceased, et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 723. Southwest Power Company, petitioner, *v.* Ruth Ann Price, Administratrix of the estate of Henry Clay Price, deceased. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

ORDER

The Court will take a recess from to-day until Monday, May 19; from that day until Monday, May 26, and from that day until Monday, June 2, upon which day it will adjourn for the term.

No. 811. Mortgage Guarantee Company, petitioner, *v.* Galen H. Welch, United States Collector, etc. Leave granted to file brief of New York Title and Mortgage Company and others as *amici curiae*, on motion of Mr. Martin Conboy in that behalf.

No. 867. The City of New York, petitioner, *v.* Cranford Company. Leave granted petitioner to file reply brief within one week on motion of Mr. William J. Hughes, jr., in behalf of counsel for the petitioner.

No. 795. B. K. Isaacs, as Trustee, etc., *v.* Hobbs Tie & Timber Company. Motion for a writ of certiorari to bring up the entire record and cause submitted by Mr. Thomas J. Reilly in behalf of counsel for B. K. Isaacs, Trustee.

No. 9, original. The State of Louisiana, complainant, *v.* The State of Mississippi. Report of Thomas G. Haight, as special master presented.

No. 16, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Proposed form of decree pursuant to the opinion of this Court announced April 14, 1930, submitted by Mr. J. W. Cammack and Mr. Clifford E. Smith for the complainant and by Mr. James M. Ogden and Mr. Connor D. Ross for defendant, the State of Indiana.

No. 744. Florence B. Laws, appellant, *v.* Eleanor Bradford Davis et al. Motion to dismiss or affirm submitted by Mr. John Weld Peck for the appellees in support of the motion, and by Mr. Walter A. DeCamp for the appellant in opposition thereto.

No. 864. Ella Guivarch et al., petitioners, *v.* Maryland Casualty Company. Motion for leave to proceed *in forma pauperis* submitted by Mr. William B. Harrell for the petitioners.

No. 723. Southwest Power Company, appellant, *v.* Ruth Ann Price, Administratrix, etc. Statement as to jurisdiction submitted by Mr. James B. McDonough and Mr. Frank M. Kemp for the appellant in support thereof, and by Mr. W. H. Fuller, Mr. George M. Porter, and Mr. Harry P. Warner, for the appellees in opposition thereto.

No. 729. City of Richmond, etc., et al., appellants, *v.* J. B. Deans. Statement as to jurisdiction submitted by Mr. James E. Cannon for the appellants.

No. 744. Florence B. Laws, appellant, *v.* Eleanor Bradford Davis et al. Statement as to jurisdiction submitted by Mr. Walter A. DeCamp for the appellant in support thereof, and by Mr. John Weld Peck for the appellees in opposition thereto.

No. 761. Percival E. Magee, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Theodore B. Benson for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. Lisle A. Smith for the respondent.

No. 764. Guaranty Trust Company of New York, as Trustee, petitioner, *v.* The Minneapolis & St. Louis Railroad Company et al.;

No. 765. William P. Hawley et al., petitioners, *v.* The Minneapolis & St. Louis Railroad Company et al.;

No. 826. The New York Trust Company, as Trustee, etc., petitioner, *v.* The Minneapolis & St. Louis Railroad Company et al.;

No. 827. The Bennett Committee, petitioner, *v.* The Minneapolis & St. Louis Railroad Company et al.; and

No. 828. Bankers Trust Company, as Trustee, petitioner, *v.* The Minneapolis & St. Louis Railroad Company et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John W. Davis, Mr. Frank B. Kellogg, Mr. Edwin S. S. Sunderland, Mr. Warren S. Carter, and Mr. Thomas O'G. FitzGibbon for the petitioner, and by Mr. Henry W. Taft, Mr. Paxton Blair, Mr. Alfred A. Cook, Mr. Frederick F. Greenman, Mr. Henry V. Poor, and Mr. Frederick G. Ingersoll for the respondents in No. 764; by Mr. John Junell, for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant to the Attorney General O'Brian, and Mr. Claude R. Branch for the respondent, the United States of America, in No. 765; by Mr. Joseph M. Hartfield and Mr. Jesse E. Waid for the petitioner, and by Mr. Henry W. Taft, Mr. Paxton Blair, Mr. Alfred A. Cook, Mr. Frederick F. Greenman, Mr. Henry V. Poor, and Mr. Frederick G. Ingersoll for the respondents, in No. 826; by Mr. Joseph M. Hartfield and Mr. Jesse E. Waid, for the petitioner, and by Mr. Alfred A. Cook, Mr. Frederick F. Greenman, Mr. Henry W. Taft, and Mr. Paxton Blair for the respondents, in No. 827; by Mr. Charles Bunn and Mr. James H. McIntosh for the petitioner, and by Mr. Alfred A. Cook, Mr. Frederick F. Greenman, Mr. Henry W. Taft, Mr. Paxton Blair, Mr. Henry V. Poor, and Mr. Frederick G. Ingersoll for the respondents, in No. 828.

No. 785. The United States of America, petitioner, *v.* Albert B. Fall. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Atlee Pomerene and Mr. Owen J. Roberts for the petitioner, and by Mr. Mark B. Thompson,

Mr. William E. Leahy, Mr. Wilton J. Lambert, and Mr. Frank J. Hogan for the respondent.

No. 786. Commercial Casualty Insurance Company, petitioner, *v.* A. S. Williams, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Allan C. Rowe for the petitioner, and by Mr. George Roundtree for the respondent.

No. 788. Leo J. Falk, as Executor, etc., petitioner, *v.* State of Idaho et al.; and

No. 789. Leo J. Falk and Ralph Falk, Executors, etc., petitioners, *v.* State of Idaho et al. Petition for writs of certiorari to the Supreme Court of the State of Idaho submitted by Mr. Charles M. Kahn for the petitioners, and by Mr. W. D. Gillis and Mr. Leon M. Fisk for the respondents.

No. 790. Southern Pacific Company, petitioner, *v.* Railroad Commission of the State of California. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. James E. Lyons and Mr. Harry H. McElroy for the petitioner, and by Mr. Arthur T. George for the respondent.

No. 791. Southern Pacific Company, petitioner, *v.* Geo. H. Croley Company, Inc. Petition for writ of certiorari to the Railroad Commission of the State of California submitted by Mr. Harry H. McElroy and Mr. James E. Lyons for the petitioner, and by Mr. Marcel E. Cerf for the respondent.

No. 792. Michael Adam, petitioner, *v.* The New York Trust Company, Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Michael Adam, *pro se.*

No. 794. Allen F. Coulter et al., petitioners, *v.* Eagle & Phenix Mills. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederic D. McKenney and Mr. Henry D. Gaggstatter for the petitioners.

No. 804. Commercial Union Assurance Company of London, Ltd., petitioner, *v.* Samuel Jass et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. T. A. Hammond and Mr. Haines H. Hargrett for the petitioner.

No. 806. Thomas Murphy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Levi Cooke for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 807. Hal Thompson, as Receiver, et al., petitioners, *v.* Otis Elevator Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Daniel MacDougald for the petitioners, and by Mr. Edwin W. Sims, Mr. Elwood G. Godman, and Mr. Martin H. Long for the respondent.

No. 808. The Tin Decorating Company of Baltimore, petitioner, *v.* Metal Package Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. J. Johnston, Mr. J. Granville Meyers, and Mr. Charles S. Jones for the petitioner, and by Mr. William Houston Kenyon, Mr. Theodore S. Kenyon, and Mr. Frederick B. Townsend for the respondent.

No. 809. Hannah M. Smith, Administratrix, etc., petitioner, *v.* Magic City Kennel Club, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. E. Howard McCaleb for the petitioner.

No. 810. Marshall L. Mott, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Charles B. Rogers for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Richardson, Mr. Claude R. Branch, Mr. Nat M. Lacy, and Mr. W. Marvin Smith for the respondent.

No. 811. Mortgage Guarantee Company, petitioner, *v.* Galen H. Welch, United States Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Ralph W. Smith for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Barham R. Gary, and Mr. Paul D. Miller for the respondent.

No. 812. The United States of America, petitioner, *v.* Theodore Michel; and

No. 813. The United States of America, petitioner, *v.* Louis Krieger. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. J. Louis Monarch, and Mr. Barham R. Gary for the petitioner, and by Mr. Donald Horne for the respondents.

No. 815. Henry Choteau, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. James H. Maxey, Mr. T. J. Leahy, and Mr. C. S. MacDonald for the petitioner, and by Mr. Solicitor General Thacher,

Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Morton Poe Fisher for the respondent.

No. 816. Mrs. Amarillis D. Pettit, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. James H. Maxey, Mr. T. J. Leahy, and Mr. C. S. MacDonald for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Morton Poe Fisher for the respondent.

No. 825. United States Navigation Company, Inc., petitioner, *v.* The Cunard Steamship Company, Ltd., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Mark W. Maclay, Mr. Goldthwaite H. Dorr, and Mr. John Tilney Carpenter for the petitioner, and by Mr. Roscoe H. Hupper for the respondents.

No. 849. Graham-Brown Shoe Company et al., petitioners, *v.* J. J. Holliday, alleged trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Lee Gammage Carter for the petitioners.

No. 867. The City of New York, petitioner, *v.* Cranford Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Arthur J. W. Hilly and Mr. J. Joseph Lilly for the petitioner, and by Mr. Franklin Nevius, Mr. Asa B. Kellogg, and Mr. Harvey D. Jacob for the respondent.

No. 490. Helen M. Slempp, appellant, *v.* City of Tulsa, a municipal corporation, et al. Argument commenced by Mr. Richard K. Bridges for the appellant. The Court declined to hear further argument.

Adjourned until Monday, May 19 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

Lester L. Siegel, of Washington, D. C.; Milford H. Clark, of Washington, D. C.; Donald V. Hunter, of Washington, D. C.; Frederick Oliver Graves, of Washington, D. C.; William H. Foulk, of Wilmington, Del.; Clarence A. Southerland, of Wilmington, Del.; Harris H. Gilman, of Boston, Mass.; Louis T. Ferguson, of Manchester, Tenn.; John H. Cannon, of Washington, D. C.; George O. Dix, of Terre Haute, Ind.; Max Pomerantz, of Washington, D. C.; Jose C. Abreu, of Manila, P. I.; Eugene Jordan, of Tulsa, Okla.; Manuel C. Briones, of Cebu, P. I.; Ewing Clouse, of Nashville, Tenn.; Marcelo T. Boncan, of Manila, P. I.; C. W. Dolph, of Colorado Springs, Colo.; Clyde M. Gandy, of Phoenix, Ariz.; Lewis L. Walker, of Lancaster, Ky.; Robert S. Florence, of Miami, Fla.; Frank F. L'Engle, of Jacksonville, Fla.; John B. Marsh, of New York City; George F. Talbot, of Reno, Nev.; J. V. Walton, of Palatka, Fla.; Harold A. Henderson, of St. Augustine, Fla.; Thomas R. Winter, of Salt Lake City, Utah; and Thomas J. Welch, jr., of Kewanee, Ill.; were admitted to practice.

No. 397. Charter Shipping Company, Ltd., petitioner, *v.* Bowring, Jones & Tidy, Ltd. On writ of certiorari to 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 Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 345. United States Shipping Board Merchant Fleet Corporation, Sued in the Name of the United States Shipping Board Emergency Fleet Corporation, petitioner, *v.* P. Leroy Harwood, as Trustee in Bankruptcy of Groton Iron Works et al., etc. 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 District of Connecticut. Opinion by Mr. Justice Stone.

No. 452. Richbourg Motor Company, Intervenor, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit; and

No. 569. Davies Motors, Inc., petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgments reversed. Case No. 452 remanded to the District Court of the United States for the Western District of North Carolina, and case No. 569 remanded to the District Court of the United States for the Southern District of California, for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 528. Broad River Power Company, Columbia Railway, Gas and Electric Company and F. D. Campbell, petitioners, *v.* State of South Carolina *ex rel.* John M. Daniel, Attorney General. On writ of certiorari to the Supreme Court of the State of South Carolina. Writ of certiorari dismissed with costs. Opinion by Mr. Justice Stone.

No. 363. Georgia Power Company, petitioner, *v.* City of Decatur. On writ of certiorari to the Supreme Court of the State of Georgia. Decree affirmed with costs. Opinion by Mr. Justice Butler.

No. 375. Western Cartridge Company, petitioner, *v.* Louis L. Emerson, Secretary of State of the State of Illinois. On writ of certiorari to the Supreme Court of the State of Illinois. Decree affirmed with costs. Opinion by Mr. Justice Butler.

No. 340. The United States of America, petitioner, *v.* Nelson B. Updike et al. On writ of certiorari to 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 Nebraska. Opinion by Mr. Justice Sutherland.

No. 428. James E. Tyler, Jr., and William G. Tyler, Administrators of the estate of James E. Tyler, petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit; and

No. 546. The United States of America, petitioner, *v.* Provident Trust Company of Pennsylvania and Charles Sinkler, Administrators, etc.; and

No. 547. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* Girard Trust Company and Joseph L. Woolston, Executors, etc. On writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment in No. 428 affirmed, and cause remanded to the District Court of the United States for the District of Maryland. Judgments in Nos. 546 and 547 reversed, case No. 546 remanded to the District Court of the

United States for the Eastern District of Pennsylvania, and case No. 547 remanded to the United States Circuit Court of Appeals for the Third Circuit, for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Sutherland.

No. 680. The Pittsburgh & West Virginia Railway Company, appellant, *v.* The United States of America, The Interstate Commerce Commission, The Wheeling & Lake Erie Railway Company, et al. Appeal from the District Court of the United States for the Northern District of Ohio. Decree affirmed without prejudice to the right, if any, of the Pittsburgh & West Virginia Railway Company to enjoin in a proper proceeding action by the Wheeling & Lake Erie Railway Company. Opinion by Mr. Justice Brandeis.

No. 122. Federal Radio Commission, petitioner, *v.* General Electric Company and People of the State of New York. On writ of certiorari to the Court of Appeals of the District of Columbia. Writ of certiorari dismissed with costs. Opinion by Mr. Justice Van Devanter. Mr. Chief Justice Hughes took no part in the consideration or decision of this case.

No. 491. J. P. Grubb, a Natural Person, etc., appellant, *v.* Public Utilities Commission of Ohio, Columbus, Ohio, The Interstate Motor Transit Company, et al. Appeal from the District Court of the United States for the Southern District of Ohio. Motion to affirm sustained and decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 347. Edward Eliason and Elin Eliason, appellants, *v.* Charles Wilborn, Carrie Wilborn, and Noel State Bank. Appeal from the Supreme Court of the State of Illinois. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 477. Barker Painting Company, petitioner, *v.* Local No. 734, Brotherhood of Painters, Decorators, and Paperhangers of America, et al. On writ of certiorari to the United State Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice Holmes.

No. 364. Board of Railroad Commissioners of the State of North Dakota, C. W. McDonnell, Fay Harding, et al., etc., appellants, *v.* Great Northern Railway Company, Northern Pacific Railway Company, et al. Appeal from the District Court of the United States for the District of North Dakota. Decree reversed with costs, and cause remanded to the said District Court with direction to dismiss the bill of complaint. Opinion by Mr. Chief Justice Hughes.

No. 454. The Corporation Commissioner of the State of Oklahoma, etc., and Farmers Union Cooperative Gin Company, appellants, *v.* William Lowe, Doing business under the trade name of Capitol Hill

Gin Company. Appeal from the District Court of the United States for the Western District of Oklahoma. Decree reversed with costs, and cause remanded to the said District Court with direction to dismiss the bill of complaint. Opinion by Mr. Chief Justice Hughes.

No. 372. The City of Cincinnati, petitioner, *v.* Margaret W. Vester;

No. 373. The City of Cincinnati, petitioner, *v.* James S. Richards and Paschal L. Richards; and

No. 374. The City of Cincinnati, petitioner, *v.* Llewellyn B. Reakirt, On writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decrees affirmed with costs, and cases remanded to the District Court of the United States for the Southern District of Ohio. Opinion by Mr. Chief Justice Hughes.

No. 412. Mari Tollefsen Todok and Knute C. Engen, petitioners, *v.* Union State Bank of Harvard, Nebraska, a corporation; Leroy A. Megrue et al. On writ of certiorari to the Supreme Court of the State of Nebraska. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 9, original. The State of Louisiana, complainant, *v.* The State of Mississippi. The report of the Special Master is ordered to be filed and the parties may file exceptions or objections, if any, thereto on or before Monday, October 6, next.

No. 16, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Proposed form of decree submitted by counsel approved and ordered to be entered.

No. 744. Florence B. Laws, appellant, *v.* Eleanor Bradford Davis, Blanche L. Bradford, Hannah B. Neff, et al. Appeal from the Supreme Court of the State of Ohio. *Per curiam:* The appeal is dismissed for the reason that the judgment of the State court sought here to be reviewed is based on a non-Federal ground adequate to support it. *Bilby v. Stewart*, 246 U. S. 255, 257; *Dibble v. Bellingham Bay Land Company*, 163 U. S. 63.

No. 864. Ella Guivarch and Billy Guivarch, petitioners, *v.* Maryland Casualty Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no

ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the clerk as provided in the order of October 29, 1926.

No. 795. B. K. Isaacs, as Trustee in Bankruptcy of the Estate of Henrietta E. Cunningham, Bankrupt, *v.* Hobbs Tie & Timber Company. The motion for a writ of certiorari to bring up the entire record and cause is granted.

No. 490. Helen M. Slemph, appellant, *v.* City of Tulsa, a municipal corporation, et al. Appeal from the Supreme Court of the State of Oklahoma. *Per curiam*: Appeal dismissed for the want of jurisdiction. Sec. 237 (a), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari, as required by Sec. 237 (c), Judicial Code, as amended (43 Stat. 936, 938), certiorari is denied.

No. 723. Southwest Power Company, appellant, *v.* Ruth Ann Price, Administratrix of the estate of Henry Clay Price, deceased. Appeal from the Supreme Court of the State of Arkansas. *Per curiam*: Appeal dismissed for the want of jurisdiction. Sec. 237 (a), Judicial Code, as amended by the Act of February 13, 1925 (43 Stat. 936, 937). (Certiorari denied, 280 U. S. —.)

No. 729. City of Richmond, a municipal corporation, J. Fulmer Bright et al., appellants, *v.* J. B. Deans. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. *Per curiam*: Decree affirmed. *Buchanan v. Warley*, 245 U. S. 60; *Harmon v. Tyler*, 273 U. S. 668.

No. 761. Percival E. Magee, petitioner, *v.* The United States. The petition for a writ of certiorari in this case is granted, limited to the question of the effect and validity of section 611, revenue act, 1928. It is ordered that this case be assigned for argument immediately following No. 589, *Graham et al. v. Goodcell*, Former Collector.

No. 809. Hannah M. Smith, Administratrix of the Estate of Owen P. Smith, deceased, petitioner, *v.* Magic City Kennel Club, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 810. Marshall L. Mott, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 812. The United States of America, petitioner, *v.* Theodore Michel; and

No. 813. The United States of America, petitioner, *v.* Louis Krieger. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 815. Henry Choteau, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 766. Mann Carter and Will Carter, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 767. Mann Carter and Will Carter, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 774. Joseph Riesenman, Sr., individually, and Joseph Reisenman et al., etc., petitioners, *v.* John L. Nesbit, James McElhinney, et al. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 775. Hattie B. Wilson, as Administratrix of the estate of William M. Wilson, deceased, petitioner, *v.* Lehigh Valley Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 781. Odil Labbee, petitioner, *v.* Thavenot Steamship Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 782. The Indianapolis Union Railway Company et al., petitioners, *v.* Cincinnati, Indianapolis & Western Railroad Company; and

No. 783. The Indianapolis Union Railway Company et al., petitioner, *v.* Cincinnati, Indianapolis & Western Railroad Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 784. Martin Reider, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 787. Ely & Walker Dry Goods Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 793. Douglas F. Fesler, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 797. John M. Wright, as County Treasurer of Shawnee County, Kansas, et al., petitioners, *v.* The Central National Bank of Topeka, Kansas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 798. Blackburn Construction Company, a co-partnership, etc., petitioner, *v.* The Cedar Rapids National Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 801. The Texas & Pacific Railway Company, petitioner, *v.* W. A. Aaron. Petition for writ of certiorari to the Court of Civil Appeals, Sixth Supreme Judicial District, State of Texas, denied.

No. 802. Twin City Water Softener Company et al., petitioners, *v.* American Doucil Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 764. Guaranty Trust Company of New York, as Trustee, petitioner, *v.* The Minneapolis & St. Louis Railroad Company et al.;

No. 765. William P. Hawley, Mark W. Potter et al., petitioners, *v.* The Minneapolis & St. Louis Railroad Company et al.;

No. 826. The New York Trust Company, as Trustee of the First Consolidated Mortgage of The Minneapolis & St. Louis Railroad Company, petitioner, *v.* The Minneapolis & St. Louis Railroad Company et al.;

No. 827. The Bennett Committee, representing the bondholders under the First Mortgage of The Des Moines and Fort Dodge Railroad Co., petitioner, *v.* The Minneapolis & St. Louis Railroad Company et al.; and

No. 828. Bankers Trust Company, as Trustee, petitioner, *v.* The Minneapolis & St. Louis Railroad Company et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 785. The United States of America, petitioner, *v.* Albert B. Fall. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 786. Commercial Casualty Insurance Company, petitioner, *v.* A. S. Williams, Trustee in Bankruptcy of Walter Clark. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 788. Leo J. Falk, as Executor of the Estate of Samuel Marx Rothchild, deceased, petitioner, *v.* State of Idaho, Ada County, Idaho; and

No. 789. Leo J. Falk and Ralph Falk, Executors of the Estate of Anne Falk Rothchild, deceased, petitioners, *v.* State of Idaho, Ada

County, Idaho. Petition for writs of certiorari to the Supreme Court of the State of Idaho denied.

No. 790. Southern Pacific Company, petitioner, *v.* Railroad Commission of the State of California. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 791. Southern Pacific Company, petitioner, *v.* Geo. H. Croley Company, Inc. Petition for writ of certiorari to the Railroad Commission of the State of California denied.

No. 794. Allen F. Coulter, R. L. Duke, et al., petitioners, *v.* Eagle & Phenix Mills. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 804. Commercial Union Assurance Company of London, Ltd., Petitioner, *v.* Samuel Jass and Moses L. Jass, Partners, Trading as Jass Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 806. Thomas Murphy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 807. Hal Thompson, as Receiver, and John B. Wheat, as Trustee, petitioners, *v.* Otis Elevator Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 808. The Tin Decorating Company of Baltimore, petitioner, *v.* Metal Package Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 811. Mortgage Guarantee Company, petitioner, *v.* Galen H. Welch, United States Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 816. Mrs. Amarillis D. Pettit, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 825. United States Navigation Company, Inc., petitioner, *v.* The Cunard Steamship Company, Ltd., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 849. Graham-Brown Shoe Company et al., petitioners, *v.* J. J. Holliday, alleged trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 867. The City of New York, petitioner, *v.* Cranford Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 370. Federal Trade Commission, petitioner, *v.* Western Meat Company, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Writ of certiorari dismissed and mandate granted on motion of Mr. Solicitor General Thacher for the petitioner.

No. 492. Burns Poe, Collector of Internal Revenue for the District of Washington, *v.* H. G. Seaborn. Joint motion for a writ of certiorari to bring up the entire record and cause submitted by Mr. Solicitor General Thacher in that behalf.

No. 882. Fred O. Goodell, Collector, etc., *v.* I. B. Koch. Joint motion for a writ of certiorari to bring up the entire record and cause submitted by Mr. Solicitor General Thacher in that behalf.

No. 492. Burns Poe, Collector of Internal Revenue, etc., *v.* H. G. Seaborn;

No. 821. George C. Hopkins, Collector of Internal Revenue, etc., petitioner, *v.* C. W. Bacon;

No. 823. Jacob O. Bender, Collector of Internal Revenue, etc., petitioner, *v.* William Pfaff; and

No. 882. Fred O. Goodell, Collector of Internal Revenue, etc., *v.* I. B. Koch. Motion to advance cases for hearing in sequence submitted by Mr. Solicitor General Thacher in that behalf.

No. 848. Consuelo Cabangis, etc., et al., petitioners, *v.* The Government of the Philippine Islands. Leave granted petitioners to file additional brief within two days, on motion of Mr. Pedro Guevara for the petitioners, with leave to respondent to reply thereto on or before Friday next, on motion of Mr. William C. Rigby for the respondent.

No. 780. C. A. Jungst, et al., appellants, *v.* H. C. Baldrige, Governor, etc. Leave granted to file statement as to jurisdiction on motion of Mr. Turner K. Hackman for the appellants.

No. 768. The Interstate Commerce Commission, petitioner, *v.* Northern Pacific Railroad Company et al. Motion to advance submitted by Mr. E. M. Riedy for the petitioner.

No. 844. Daniel P. O'Connell, petitioner, *v.* The United States of America. Leave granted petitioner to file reply brief on or before Friday next on motion of Mr. Wilton J. Lambert for the petitioner

Report of the Clerk pursuant to the order of June 3, 1929, presented.

Report of the Clerk as to costs in cases disposed of at prior terms presented.

No. 13, original. The State of Connecticut, complainant, *v.* The Commonwealth of Massachusetts. Report of Charles Bunn, Esq., Special Master, presented.

No. 753. Pauline H. Sloman, individually, etc., appellant, *v.* Security Trust Company, Trustee. Motion to dismiss or affirm submitted by Mr. William L. Carpenter and Mr. Thomas G. Long for the appellee in support of the motion, and by Mr. George E. Brand for the appellant in opposition thereto.

No. 753. Pauline H. Sloman, individually, etc., appellant, *v.* Security Trust Company, Trustee. Statement as to jurisdiction submitted by Mr. George E. Brand for the appellant, in support thereof, and by Mr. William L. Carpenter and Mr. Thomas G. Long for the appellee, in opposition thereto.

No. 652. The Live Stock National Bank, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. Robert Sherrod for the petitioner, and by Mr. Attorney General Mitchell, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. John Vaughn Groner, and Mr. Paul D. Miller for the respondent.

No. 754. The Director of the Lands of The Philippine Islands, petitioner, *v.* Pedro Villa-Abrille, et al. Petition for writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. William Catron Rigby, Mr. A. R. Stallings, and Mr. Edward A. Kreger for the petitioner.

No. 757. Newman, Saunders & Co., Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Bernhard Knollenberger for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Claude R. Branch for the respondent.

No. 814. Miami Bank & Trust Company, etc., petitioner, *v.* Clara Karsten et al. Petition for writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. Frederick M. Hudson and Mr. Garland M. McNutt for the petitioner.

No. 818. C. O. Tingley & Company et al., petitioners, *v.* The Badger Rubber Works. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Russell M. Everett and Mr. Harry B. Rook for the petitioners, and by Mr. Franklin G. Neal for the respondent.

No. 819. William A. R. Laird et al., petitioners, *v.* Rebecca Tully et al. Petition for writ of certiorari to the Supreme Court of the State of Alabama submitted by Mr. Theodore J. Lamar and Mr. Dougals Arant for the petitioners, and by Mr. Needham A. Graham, jr., for the respondents.

No. 821. Geo. C. Hopkins, Collector of Internal Revenue, petitioner, *v.* C. W. Bacon. Petition for writ of certiorari to the United States Circuit Court for the Fifth Circuit submitted by Mr. Solicitor General Thacher for the petitioner.

No. 822. The United States of America, petitioner, *v.* Munson Steamship Line. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Attorney General Mitchell, Mr. Assistant to the Attorney General O'Brian, Mr. Claude R. Branch, and Mr. Charles H. Weston for the petitioner, and by Mr. Frank Lyon, Mr. Irving L. Evans, and Mr. W. Calvin Chesnut for the respondent.

No. 823. Jacob O. Bender, Collector of Internal Revenue, petitioner, *v.* William Pfaff. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Thacher for the petitioner.

No. 829. Willard C. Hill, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue; and

No. 830. William H. Plumer, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Robert G. Dodge and Mr. Harold S. Davis for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. J. Louis Monarch, Mr. C. M. Charest, and Mr. John MacC. Hudson for the respondent.

No. 834. Benny Silver, petitioner, *v.* The State of Washington. Petition for writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. John J. Sullivan for the petitioner, and by Mr. Ewing Dean Colvin for the respondent.

No. 836. Edwin C. Bennett et al., petitioners, *v.* United States' Shipping Board Emergency Fleet Corporation et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Ashby Williams for the petitioners, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. J. Frank Staley, and Mr. W. Marvin Smith for the respondent.

No. 838. Joseph C. Flowers, petitioner, *v.* Positype Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Francis

X. Busch for the petitioner, and by Mr. R. Randolph Hicks for the respondent.

No. 839. Florida National Bank et al., petitioners, *v.* A. J. Evans. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Walter A. Harris for the petitioners, and by Mr. A. J. Evans for the respondent.

No. 840. Western & Atlantic Railroad, petitioner, *v.* Mrs. Josephine Lochridge, administratrix. Petition for writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. Fitzgerald Hall and Mr. Frank Slemmons for the petitioner, and by Mr. Samuel D. Hewlett for the respondent.

No. 844. Daniel P. O'Connell, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Wilton J. Lambert, Mr. David V. Cahill, and Mr. Neile F. Towner for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. Paul D. Miller for the respondent.

No. 847. Demetrius Philippides, petitioner, *v.* Benjamin M. Day, Commissioner of Immigration, Port of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas A. Kane for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry L. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 848. Consuelo Cabangis, etc., et al., petitioners, *v.* The Government of the Philippine Islands. Petition for writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Pedro Guevara and Mr. Claro M. Recto for the petitioners, and by Mr. William Catron Rigby, Mr. W. A. Graham, and Mr. Edward A. Kreger for the respondent.

No. 850. Alfred C. Rausch, Administrator, etc., petitioner, *v.* The Commercial Travellers Mutual Accident Association of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James C. Jones, Mr. Frank H. Sullivan, and Mr. James C. Jones, jr., for the petitioners.

No. 855. Charles J. Theard, Receiver, etc., et al., petitioners, *v.* Isaac N. Bushong. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph W. Carroll and Mr. Delville H. Theard for the petitioners, and by Mr. John D. Miller for the respondent.

No. 857. District of Columbia, petitioner, *v.* William H. Colts. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. William W. Bride, Mr. Robert E. Lynch, and Mr. Robert P. Reeder for the petitioner.

No. 861. Will A. Jackson, petitioner, *v.* J. Frank Norris et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Crandall Mackey for the petitioner, and by Mr. Mark McMahon and Mr. Gillis A. Johnson for the respondents.

No. 875. City of Shreveport et al., petitioners, *v.* Shreveport Railways Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frank J. Looney for the petitioners and by Mr. W. H. Armbrrecht and Mr. A. B. Freyer for the respondents.

Adjourned until Monday, May 26 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

Thomas B. Tuohy, of San Francisco, Calif.; William H. Parmelee, of Pittsburgh, Pa.; Matt Goldstein, of New York City; Henry M. Hartmann, of Trenton, N. J.; Hobert Price, of Dallas, Tex.; Edward J. Boughton, of Philadelphia, Pa.; Eugene E. Angevine, of Washington, D. C.; Carl B. Nusbaum, of Chicago, Ill.; Saul D. Herman, of Richmond, Va.; C. B. Green, of Clarendon, Va.; Robert E. Lambert, of Washington, D. C.; G. Osmond Hyde, of Downey, Idaho; Robert E. Glasscott, of Michigan City, Ind.; Clare C. Clark, of Shreveport, La.; Rush Maxwell Blodget, of Los Angeles, Calif.; George L. Buland, of Portland, Oreg.; W. E. Richardson, of Portland, Oreg.; Robert L. Sabin, jr., of Portland, Oreg.; Chellis M. Carpenter, of San Francisco, Calif.; Bethuel M. Webster, jr., of New York City; William C. Green, of St. Paul, Minn.; Harry Shulman, of Washington, D. C.; and Mr. Frederick Edward Dickerson, of Denver, Colo., were admitted to practice.

No. 485. Gabriel Toombs, appellant, *v.* Citizens Bank of Waynesboro. Appeal from the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 390. Inez M. Jamison, William N. Dykman, and Martin E. Goetzinger, Executrix and Executors of William A. Jamison, deceased, petitioners, *v.* Valentin Encarnacion. On writ of certiorari to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 457. Alpha Steamship Corporation, William H. A. Walker, and Frank Daly, etc., petitioners, *v.* Robert Cain. 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 Butler.

No. 555. The United States of America, petitioner, *v.* Alfred E. Norris. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment of the United States

Circuit Court of Appeals reversed, and judgment of the District Court affirmed, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Sutherland.

No. 732. The United States of America, appellant, *v.* James E. Farrar. Appeal from the District Court of the United States for the District of Massachusetts. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 443. Maurice Campbell, Federal Prohibition Administrator, etc., James M. Doran, Commissioner of Prohibition of the United States, et al., petitioners, *v.* Galeno Chemical Company, Inc., Union Course Pharmacy, Inc., P. T. Chemical Company et al., etc.; and

No. 444. Maurice Campbell, Federal Prohibition Administrator, etc., James M. Doran, Commissioner of Prohibition of the United States, et al., petitioners, *v.* D. P. Paul and Company, Inc. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decrees affirmed, and cases remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Brandeis.

No. 445. Maurice Campbell, Federal Prohibition Administrator, etc., and James M. Doran, Federal Prohibition Commissioner of the United States, petitioners, *v.* W. H. Long & Company, Inc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Brandeis.

No. 510. S. O. Wynne, Federal Prohibition Administrator for Eastern Pennsylvania, et al., *v.* Swanson Chemical Corporation; and

No. 511. James M. Doran, Prohibition Commissioner of the United States, et al., *v.* Martin H. Casper, Trading as Delmar Manufacturing and Chemical Company. On certificates from the United States Circuit Court of Appeals for the Third Circuit. **No. 510**, questions 1 and 4 answered in the negative, question 3 answered in the affirmative, question 2 is not answered. **No. 511**, question 1 is not answered, question 2 is answered in the affirmative, question 3 is answered in the negative.

No. 417. Thomas A. Baldwin, Thomas A. Baldwin, Executor of the Will of Carrie Pool Baldwin, et al., etc., plaintiffs in error and appellants, *v.* State of Missouri. In error to and appeal from the Supreme Court of the State of Missouri. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds. Dissenting opinion by Mr. Justice

Holmes, with which Mr. Justice Brandeis and Mr. Justice Stone agree. Dissenting opinion by Mr. Justice Stone, in which Mr. Justice Holmes and Mr. Justice Brandeis concur.

No. 15. Wheeler Lumber Bridge and Supply Company of Des Moines, Iowa, *v.* The United States of America. On certificate from the Court of Claims. Question answered in the negative. Opinion by Mr. Justice Van Devanter.

No. 127. Universal Battery Company, petitioner, *v.* The United States;

No. 275. Vesta Battery Corporation, petitioner, *v.* The United States;

No. 350. The Bassick Manufacturing Company, petitioner, *v.* The United States;

No. 351. F. W. Stewart Manufacturing Corporation, petitioner, *v.* The United States; and

No. 352. Gemco Manufacturing Company, petitioner, *v.* The United States. On writs of certiorari to the Court of Claims. No. 127, judgment reversed and cause remanded to said Court of Claims for complete findings and such further proceedings as may be appropriate; No. 275, judgment affirmed; No. 350, judgment reversed and cause remanded to the said Court of Claims for definite and complete findings and such further proceedings as may be appropriate; Nos. 351 and 352, judgments affirmed. Opinion by Mr. Justice Van Devanter.

No. 469. Texas and New Orleans Railroad Company et al., petitioners, *v.* Brotherhood of Railway and Steamship Clerks, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of Texas. Opinion by Mr. Chief Justice Hughes. Mr. Justice McReynolds did not hear the argument and took no part in the decision of this case.

The Chief Justice announced the following orders of the Court:

ORDER

The report of the clerk of this Court, submitted May 19 last, in which it is shown that the collection of costs due from litigants, in the case of State of North Carolina *v.* State of Tennessee, No. 4, original, October term, 1916, has been completed and the case closed on the books of the clerk, and that further efforts toward the collection of costs in the case of State of Louisiana *v.* State of Mississippi, No. 11, original, October term, 1905, await the action of the Legisla-

ture of the State of Mississippi upon an appropriation bill to be introduced at its next session in January, 1932, is approved; and the clerk is directed to make a further report, before the close of the October term, 1931, with respect to the collection of costs in the latter case.

ORDER

The report of the clerk of this Court, submitted May 19 last with respect to costs in cases disposed of at prior terms as shown by the last annual audit of the clerk's accounts, is approved. The clerk is authorized and directed to charge off on his books costs which are deemed uncollectible in the amount of \$1,063.12 due in 68 cases listed in his report. This order shall not be deemed to affect the force and validity of the charges against the litigants in these cases, if collection hereafter in any such case shall prove to be possible.

The clerk is directed to continue his efforts to collect the costs due in the 33 cases listed in this report in which collection seems possible.

No. 13, original. The State of Connecticut, complainant, *v.* The Commonwealth of Massachusetts. The report of the Special Master is ordered filed and the parties may file exceptions or objections, if any, thereto on or before Monday, October 6 next.

No. 492. Burns Poe, Collector of Internal Revenue for the District of Washington, *v.* H. G. Seaborn. The joint motion for a writ of certiorari to bring up the entire record and cause is granted.

No. 882. Fred O. Goodell, Collector of Internal Revenue, *v.* I. B. Koch. The joint motion for a writ of certiorari to bring up the entire record and cause is granted.

No. 492. Burns Poe, Collector of Internal Revenue for the District of Washington, *v.* H. G. Seaborn. The motion to advance this case is granted and the case assigned for argument on Monday, October 20 next, after the cases heretofore assigned for that day.

No. 882. Fred O. Goodell, Collector of Internal Revenue, *v.* I. B. Koch. The motion to advance this case is granted and the case assigned for argument on Monday, October 20 next, immediately following No. 492.

No. 768. The Interstate Commerce Commission, petitioner, *v.* Northern Pacific Railroad Company et al. The motion to advance this case is granted and the case assigned for argument on Monday, October 20 next, after the cases heretofore assigned for that day.

No. 753. Pauline H. Sloman, individually and as executrix of the estate of Eugene H. Sloman, deceased, appellant, *v.* Security Trust Company, Trustee. Appeal from the Supreme Court of the State of

Michigan. *Per curiam*: Appeal dismissed for the want of a substantial Federal question. *Merrick v. N. W. Halsey & Co.*, 242 U. S. 658; *Hall v. Geiger-Jones Company*, 242 U. S. 539.

No. 1. Chicago, St. Paul, Minneapolis & Omaha Railway Company, plaintiff in error, *v. August E. Holmberg*.

No. 3. Francis Beidler II et al., plaintiffs in error, *v. South Carolina Tax Commission*;

No. 16. Indian Motorcycle Company *v. United States of America*;

No. 395. The United States of America et al., appellants, *v. Chicago, Milwaukee, St. Paul & Pacific Railroad Company*; and

No. 458. O'Gorman & Young, Inc., appellant, *v. Hartford Fire Insurance Company, etc.*; and

No. 459. O'Gorman & Young, Inc., appellant, *v. Phoenix Assurance Company, Ltd., of London*. It is ordered that these cases be restored to the docket for reargument.

No. 821. George C. Hopkins, Collector, etc., petitioner, *v. C. W. Bacon*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted, and the case advanced and assigned for argument on Monday, October 20 next, immediately following No. 882.

No. 823. Jacob O. Bender, Collector, etc., petitioner, *v. William Pfaff*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted, and the case advanced and assigned for argument on Monday, October 20 next, immediately following No. 821.

No. 792. Michael Adam, petitioner, *v. The New York Trust Company, Trustee*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 754. The Director of the Lands of the Philippine Islands, petitioner *v. Pedro Villa-Abrille et al.* Petition for writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 822. The United States of America, petitioner, *v. Munson Steamship Line*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 844. Daniel P. O'Connell, petitioner, *v. The United States of America*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 847. Demetrius Philippides, petitioner, *v. Benjamin M. Day, Commissioner of Immigration of the Port of New York*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 857. District of Columbia, petitioner, *v. William H. Colts*. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 652. The Live Stock National Bank, Sioux City, Iowa, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 757. Newman, Saunders & Company, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 814. Miami Bank & Trust Company, as Trustee, petitioner, *v.* Clara Karsten, etc. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 818. C. O. Tingley & Company, and William McCollum, petitioners, *v.* The Badger Rubber Works. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 819. William A. R. Laird et al., petitioner, *v.* Rebecca Tully et al. Petition for writ of certiorari to the Supreme Court of the State of Alabama denied.

No. 829. Willard C. Hill, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue; and

No. 830. William H. Plumer, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 834. Benny Silver, petitioner, *v.* The State of Washington. Petition for writ of certiorari to the Supreme Court of the State of Washington denied.

No. 836. Edwin C. Bennett, H. W. Sweet, C. E. Ferguson, et al., petitioners, *v.* The United States Shipping Board Emergency Fleet Corporation et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 838. Joseph C. Flowers, petitioner, *v.* Positype Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 839. Florida National Bank et al., petitioners, *v.* A. J. Evans. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 840. Western & Atlantic Railroad, petitioner, *v.* Mrs. Josephine Lochridge, Administratrix. Petition for writ of certiorari to the Supreme Court of the State of Georgia denied.

No. 848. Consuelo Cabangis, assisted by her husband, Pedro Gil, petitioners, *v.* The Government of the Philippine Islands. Petition

for writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 850. Alfred C. Rausch, Administrator of the Estate of Julia C. Rausch, deceased, petitioner, *v.* The Commercial Travelers Mutual Accident Association of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 855. Charles J. Theard, Receiver and Trustee of Castell Land & Harbor Company, Inc., et al., petitioners, *v.* Isaac N. Bushong. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 861. Will A. Jackson, petitioner, *v.* J. Frank Norris, Sarah A. Vestal, Dan E. Lydick, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 875. City of Shreveport et al., petitioners, *v.* Shreveport Railways Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 820. Paramount Famous Lasky Corporation et al., appellants, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Thacher for the appellee.

No. 856. The United States of America, appellant, *v.* First National Pictures, Inc., et al. Motion to advance submitted by Mr. Solicitor General Thacher for the appellant.

No. 947. Angelo Marsiglia, etc., petitioner, *v.* The United States of America. Leave granted to file brief for the respondent within three days on motion of Mr. Solicitor General Thacher for the respondent.

No. 3, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Motion for leave to file amendments to bill of complaint per stipulation of counsel, submitted by Mr. Warren R. Austin for the complainant.

No. 772. Miller Brothers Company, petitioner, *v.* Lektophone Corporation. Joint motion to advance for hearing with No. 520, Lektophone Corporation, *v.* The Rolla Company, submitted by Mr. Samuel E. Darby, jr., for the petitioner, and by Mr. William H. Davis for the respondent.

No. 892. The Pottstown Iron Company, petitioner, *v.* The United States. Motion to advance submitted by Mr. Paul F. Myers for the petitioner.

No. 951. George B. Reedal and First National Bank of Phillips, appellants, *v.* Brothertown Realty Corporation. Docketed and dismissed on motion of Mr. Frederick deC. Faust for the appellee.

No. 755. James Verner Scaife, appellant, *v.* Mary Magee Scaife. Appeal from the Supreme Court of the State of Pennsylvania. Dismissed with costs on motion of counsel for the appellant.

No. 756. Mary C. McKee, Isabella C. Chalfant, and Eleanor McC. Chalfant, appellants, *v.* Mary Magee Scaife. Appeal from the Supreme Court of the State of Pennsylvania. Dismissed with costs, on motion of counsel for the appellants.

No. 852. John W. Gamble, appellant, *v.* Herbert S. Daniel, Receiver. Motion to dismiss submitted by Mr. Arthur F. Mullen and Mr. Paul L. Martin for the appellee in support of the motion, and by Mr. Francis A. Brogan, Mr. C. A. Sorensen, and Mr. Edgar M. Morsman, jr., for the appellant, in opposition thereto.

No. 760. P. G. Fullerton, appellant, *v.* The State of Oklahoma *ex rel.* The Commissioners of the Land Office, etc. Statement as to jurisdiction submitted by Mr. P. G. Fullerton *pro se*, in support thereof, and by Mr. George E. Merritt, in opposition thereto.

No. 763. Northport Power & Light Company, appellant, *v.* Roland H. Hartley, as Governor, etc. Statement as to jurisdiction submitted by Mr. O. C. Moore and Mr. W. Lon Johnson for the appellant.

No. 796. Chesapeake and Ohio Railway Company, appellant, *v.* United States of America et al. Statement as to jurisdiction submitted by Mr. Herbert Fitzpatrick and Mr. Robert B. Tunstall for the appellant.

No. 805. Frank E. Furst et al., appellants, *v.* James G. Brewster et al. Statement as to jurisdiction submitted by Mr. Jesse C. Adkins, Mr. Frank F. Nesbit, and Mr. Mike Danaher for the appellants.

No. 820. Paramount-Famous Lasky Corporation et al., appellants, *v.* The United States of America. Statement as to jurisdiction submitted by Mr. Henry W. Taft and Mr. John W. Davis for the appellants.

No. 845. Frank L. Smith et al., appellants, *v.* Illinois Bell Telephone Company. Statement as to jurisdiction submitted by Mr. Oscar E. Carlstrom, Mr. Samuel A. Ettelson, Mr. George I. Haight, Mr. Edmund D. Adcock, and Mr. Benjamin F. Goldstein for the appellants.

No. 852. John W. Gamble, appellant, *v.* Herbert S. Daniel, Receiver. Statement as to jurisdiction submitted by Mr. Francis A. Brogan, Mr. C. A. Sorensen, and Mr. Edgar M. Morsman, jr., for the appellant, in support thereof, and by Mr. Arthur F. Mullen and Mr. Paul L. Martin for the appellee, in opposition thereto.

No. 856. The United States of America, appellant, *v.* First National Pictures, Inc., et al. Statement as to jurisdiction submitted by Mr. Attorney General Mitchell, Mr. Assistant to the Attorney General O'Brian, and Mr. Claude R. Branch for the appellant.

No. 746. The Daily Pantagraph, Incorporated, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Arnold L. Guesmer for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. Joseph H. Sheppard for the respondent.

No. 817. The State of Alabama, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Charlie C. McCall, Mr. Thomas E. Knight, jr., and Mr. A. A. Evans for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. William J. Hughes for the respondent.

No. 832. Gotham Can Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Joseph R. Little for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Claude R. Branch for the respondent.

No. 833. White Star Bus Line, Inc., petitioner, *v.* Heyward B. Roberts. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Carroll G. Walter for the petitioner.

No. 841. Charles A. Burckhardt et al., petitioners, *v.* The Northwestern National Bank, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. C. Bristol for the petitioners, and by Mr. Charles A. Hart and Mr. Alfred A. Hampson for the respondents.

No. 842. Balanced Rock Scenic Attraction, Inc., etc., petitioner, *v.* The Town of Manitou, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Fred S. Caldwell for the petitioner, and by Mr. C. W. Dolph for the respondent.

No. 843. Abbott Elliott Kay, petitioner, *v.* The Federal Trade Commission of the United States. Petition for writ of certiorari

to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Abbott Elliott Kay, *pro se*, and by Mr. Solicitor General Thacher, Mr. Assistant to the Attorney General O'Brian, Mr. Claude R. Branch, Mr. Charles H. Weston, Mr. Robert E. Healy, and Mr. Martin A. Morrison for the respondent.

No. 851. New York Life Insurance Company, petitioner, *v.* Frank K. Bowers, Collector of Internal Revenue, etc.; and

No. 949. Frank K. Bowers, Collector of Internal Revenue, etc., petitioner, *v.* New York Life Insurance Company. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James H. McIntosh for the petitioner in No. 851; by Mr. Solicitor General Thacher and Mr. Claude R. Branch for the respondent in No. 851; and by Mr. Solicitor General Thacher for the petitioner in No. 949.

No. 854. St. Louis-San Francisco Railway Company, petitioner, *v.* Lenora E. Berry, as Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Edward T. Miller, Mr. Frank C. Mann, and Mr. Alexander P. Stewart for the petitioner, and by Mr. John B. Pew for the respondent.

No. 858. Chicago and Eastern Illinois Railway Company, petitioner, *v.* Ruby Divine, Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Homer B. Aikman for the petitioner, and by Mr. George O. Dix for the respondent.

No. 859. Chicago and Eastern Illinois Railway Company, petitioner, *v.* Jesse W. Divine, Jr., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Homer B. Aikman for the petitioner, and by Mr. George O. Dix for the respondent.

No. 860. E. H. Matheny, petitioner, *v.* Edwards Ice Machine & Supply Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Arthur I. Moulton for the petitioner.

No. 862. The Fidelity and Casualty Company of New York, petitioner, *v.* Lenora Howe. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. John C. Sherriff and Mr. W. Pitt Gifford for the petitioner, and by Mr. B. B. McGinnis for the respondent.

No. 863. National Life Association, petitioner, *v.* Lenora J. Howe. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. John C. Sherriff, and Mr. W. Pitt Gifford for the petitioner, and by Mr. B. B. McGinnis for the respondent.

No. 865. James H. Hooper, petitioner, *v.* Mary Balulis, et al. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. James H. Hooper, *pro se*.

No. 866. The United States ex rel. Walter E. Heller & Company, petitioner, *v.* Andrew W. Mellon, Secretary, etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Nathan B. Williams for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. Mahlon D. Kiefer for the respondent.

No. 868. Chicago and Eastern Illinois Railway Company, petitioner, *v.* Charles P. Noell et al. Petition for writ of certiorari to the St. Louis Court of Appeals, State of Missouri, submitted by Mr. Ralph T. Finley, Mr. James C. Jones, Mr. Frank H. Sullivan, Mr. James C. Jones, jr., and Mr. Lon O. Hocker for the petitioner, and by Mr. David W. Hill for the respondents.

No. 870. Grand Rapids Store Equipment Corporation, etc., petitioner, *v.* Weber Show Case & Fixture Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank E. Liverance, jr., for the petitioner, and by Mr. Frederick S. Lyon and Mr. Leonard S. Lyon for the respondents.

No. 871. L. N. Frantz, petitioner, *v.* The State of West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. Russell L. Ritz, petitioner.

No. 873. Arthur T. Galt, petitioner, *v.* City of Chicago. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Howard F. Bishop for the petitioner, and by Mr. Samuel A. Ettleson for the respondent.

No. 880. Oak Worsted Mills, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Theodore B. Benson and Mr. William Meyerhoff for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Claude R. Branch, for the respondent.

No. 881. Taft Woolen Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Theodore B. Benson and Mr. William Meyerhoff for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Claude R. Branch for the respondent.

No. 883. Jake Leininbach, alias Jake Lenemark, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit sub-

mitted by Mr. William A. Gray for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. Paul D. Miller for the respondent.

No. 886. Frank Ross, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Bernard Handlan for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondent.

No. 887. Robert H. Lucas, Commissioner of Internal Revenue, petitioner, *v.* National Industrial Alcohol Company, Inc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, Mr. John G. Remy, Mr. C. M. Charest, and Mr. Robert L. Williams for the petitioner, and by Mr. R. M. O'Hara for the respondent.

No. 888. Elof Wenstrand, petitioner, *v.* Albert Pick and Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Daniel M. Dever for the petitioner, and by Mr. Samuel E. Hirsch for the respondent.

No. 890. Go-Bart Importing Co. et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Dickerman Williams for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondent.

No. 892. The Pottstown Iron Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Paul F. Myers and Mr. John R. Yates for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. Charles R. Pollard, and Mr. Bradley B. Gilman for the respondent.

No. 894. Iron Mountain Oil Company, petitioner, *v.* Acel C. Alexander, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Henry S. Conrad and Mr. Lisbon E. Durham for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, and Miss Helen R. Carloss for the respondent.

No. 895. W. P. Brown & Sons Lumber Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. W. Spalding for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, and Mr. John G. Remy for the respondent.

No. 896. The United States, petitioner, *v.* Felt & Tarrant Mfg. Co. Petition for writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Thomas G. Haight, Mr. Robert H. Montgomery, and Mr. J. Marvin Haynes for the respondent.

No. 902. August Alksne, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William H. Lewis and Mr. Matthew L. McGrath for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. A. W. Henderson for the respondent.

No. 905. The First National Bank of Chicago, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Harold V. Amberg for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. George H. Foster, and Mr. Paul D. Miller for the respondent.

No. 907. Franc-Strohmenger-Cowan, Inc., petitioner, *v.* Payette Neckwear Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Clifford E. Dunn, Mr. Holland S. Duell, Mr. Frederick P. Fish, and Mr. Charles Neave for the petitioner.

No. 908. Grover Cleveland Curtis et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Julian C. Ryer for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. W. Marvin Smith for the respondent.

No. 912. Catherine Flynn *ex rel.* Chin King, petitioner, *v.* Anna C. M. Tillinghast, U. S. Commissioner of Immigration. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Everett Flint Damon and Mr. Walter Bates Farr for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 938. Joe Capo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. V. Walton and Harold A. Anderson for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, and Mr. John J. Byrne for the respondent.

No. 940. Eddie Satinover, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frank F. L'Engle for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, and Mr. John J. Byrne for the respondent.

No. 944. Great Lakes Broadcasting Company, petitioner, *v.* Federal Radio Commission;

No. 945. Wilbur Glenn Voliva, petitioner, *v.* Federal Radio Commission; and

No. 946. Agricultural Broadcasting Company, petitioner, *v.* Federal Radio Commission. Petition for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harry Eugene Kelly, Mr. Thornton M. Pratt, and Mr. Carl H. Zeiss for the petitioner, Agricultural Broadcasting Company, and by Mr. Solicitor General Thacher, Mr. Assistant to the Attorney General O'Brian, and Mr. Claude R. Branch for the respondent.

No. 947. Angelo Marsiglia, alias Anthony Marsiglia, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Angelo Marsiglia, *pro se*, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Luhring, Mr. Claude R. Branch, and Mr. W. Marvin Smith for the respondent.

Adjourned until Monday, June 2 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Joseph F. Gunster, of Scranton, Pa.; Abraham H. Frisch, of New York City; Paul O. Carter, of Washington, D. C.; John Paul Jones, of Washington, D. C.; Edwin F. Albertsworth, of Chicago, Ill.; Theodore Britton, of Washington, D. C.; Northcutt Ely, of Washington, D. C.; Clarence A. Ward, of Rahway, N. J.; Wesley L. Nutten, jr., of Los Angeles, Calif.; George C. Holton, of New York City; Glenwood W. Rouse, of Pittsburgh, Pa.; H. R. Dysard, of Ashland, Ky.; Preston H. Harris, of Washington, D. C.; Frank C. Malin, of Ashland, Ky.; Amelia Fiedler Johnson, of Los Angeles, Calif.; D. Arthur Magaziner, of Philadelphia, Pa.; Gabriel D. Weiss, of Philadelphia, Pa.; Henry Arronson, of Philadelphia, Pa.; Howard M. Lutz, of Media, Pa.; Harold L. Ervin, of Media, Pa.; Frank W. Mondell, of Washington, D. C.; Edward W. Madeira, of Philadelphia, Pa.; W. H. Markham, of Horicon, Wis.; Joseph Grover Joyce, of Kansas City, Mo.; Ray T. Miller, of Cleveland, Ohio; Burt Francis, of Nashville, Tenn.; Charles B. Morearty, of Omaha, Nebr.; H. V. Young, of Washington, D. C.; David M. Harrison, of Pittsburgh, Pa.; Charles C. Neale, of Toledo, Ohio; Leonard S. Coyne, of Detroit, Mich.; Clyde W. Mays, of Fort Worth, Tex.; Christopher C. Cousins, of New York City; John Cromwell Bell, jr., of Philadelphia, Pa.; and David Ralph Hertz, of Cleveland, Ohio, were admitted to practice.

The Chief Justice said: "The Court is advised that Mr. Owen J. Roberts, of Pennsylvania, has been appointed an Associate Justice of this Court to fill the vacancy caused by the death of Justice Sanford. Mr. Roberts is present. The Clerk will read his commission. Mr. Roberts will then take the oath of office, and the marshal will escort him to the bench."

The clerk then read the commission as follows:

HERBERT HOOVER

PRESIDENT OF THE UNITED STATES OF AMERICA

To all who shall see these presents, greeting:

Know ye: That reposing special trust and confidence in the wisdom, uprightness, and learning of Owen J. Roberts, of Pennsylvania, I have nominated, and by and with the advice and consent of the Senate, do appoint him an Associate Justice of the Supreme Court of the United States and do authorize and empower him to execute and fulfill the duties of that office according to the Constitution and laws of the said United States, and to have and to hold the said office, with all the powers, privileges, and emoluments to the same of right appertaining unto him, the said Owen J. Roberts, during his good behavior.

In testimony whereof, I have caused these letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Done at the city of Washington this twentieth day of May, in the year of our Lord one thousand nine hundred and thirty, and of the independence of the United States of America the one hundred and fifty-fourth.

HERBERT HOOVER.

By the President:

WILLIAM D. MITCHELL,
Attorney General.

The oath of office was then administered by the clerk, and Mr. Justice Roberts was escorted by the marshal to his seat on the bench.

No. 460. New Orleans Public Service, Incorporated, appellant, *v.* City of New Orleans. Appeal from the Supreme Court of the State of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice Butler.

No. 464. Brinkerhoff-Faris Trust & Savings Company, petitioner, *v.* Walter O. Hill, Treasurer and Ex Officio Collector of Henry County, Missouri. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis. Mr. Justice McReynolds did not hear the argument and took no part in the decision of this case.

No. 2. Surplus Trading Company, plaintiff in error, *v.* R. A. Cook, as Sheriff and Ex Officio Collector of Taxes for Pulaski County,

Arkansas. In error to the Supreme Court of the State of Arkansas. Decree reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

No. 7. The Ann Arbor Railroad Company, The Atchison, Topeka, and Santa Fe Railway Company, The Baltimore and Ohio Railroad Company, et al., appellants, *v.* The United States of America, The Interstate Commerce Commission, and The California Growers' & Shippers' Protective League. Appeal from the District Court of the United States for the Northern District of California. Decree reversed and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

No. 425. Panama Mail Steamship Company, petitioner, *v.* Ernestina Isabelle Vargas. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decrees of the Circuit Court of Appeals and of the United States District Court vacated with costs, and cause remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

The Chief Justice announced the following orders of the Court:

ORDER

It is ordered, that the following allotment be made of the Chief Justice and Associate Justices of this Court among the circuits, agreeably to the acts of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Oliver Wendell Holmes, Associate Justice.

For the Second Circuit, Harlan Fiske Stone, Associate Justice.

For the Third Circuit, Owen J. Roberts, Associate Justice.

For the Fourth Circuit, Charles Evans Hughes, Chief Justice.

For the Fifth Circuit, Louis Dembitz Brandeis, Associate Justice.

For the Sixth Circuit, James C. McReynolds, Associate Justice.

For the Seventh Circuit, Willis Van Devanter, Associate Justice.

For the Eighth Circuit, Pierce Butler, Associate Justice.

For the Ninth Circuit, George Sutherland, Associate Justice.

For the Tenth Circuit, Willis Van Devanter, Associate Justice.

ORDER

The rules of practice in admiralty heretofore promulgated by this Court (254 U. S. appendix) are amended by including therein a new rule numbered 46½ and reading as follows:

“In deciding cases of admiralty and maritime jurisdiction the court of first instance shall find the facts specially and state separately its conclusions of law thereon; and its findings and conclusions shall be entered of record, and, if an appeal is taken from the decree, shall be included by the clerk in the record which is certified to the appellate court under rule 49.”

This new rule shall become effective October 1, 1930.

ORDER

The rules of practice in equity heretofore promulgated by this Court (226 U. S. appendix) are amended by including therein a new rule numbered 70½ and reading as follows:

“In deciding suits in equity, including those required to be heard before three judges, the court of first instance shall find the facts specially and state separately its conclusions of law thereon; and its findings and conclusions shall be entered of record and, if an appeal is taken from the decree, shall be included by the clerk in the record which is certified to the appellate court under rules 75 and 76.”

This new rule shall become effective October 1, 1930.

In the matter of George F. Curtis:

It having been shown to the Court that George F. Curtis, of Washington, District of Columbia, a member of the bar of this Court, has been disbarred from the practice of the law by the Supreme Court of the District of Columbia.

It is ordered, that the said George F. Curtis be, and he is hereby, suspended from the practice of the law in this Court;

And it is further ordered that the Clerk of this Court send to the said George F. Curtis notice to show cause, on or before Monday, October 6, next, why he should not be disbarred from the practice of the law in this Court.

No. —, original. Ex Parte: Adele Salisbury, petitioner. The motion for leave to file petition for writ of mandamus is denied.

No. 3, original. The State of Vermont, complainant, v. The State of New Hampshire. The motion for leave to amend the bill of complaint is granted.

No. 852. John W. Gamble, appellant, *v.* Herbert S. Daniel, Receiver. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: The appeal herein is dismissed for want of jurisdiction. Judicial Code, section 240 (b) as amended by the act of February 13, 1925 (43 Stat. 936, 939). The motion for an extension of time within which to file petition for writ of certiorari is denied.

No. 953. Lloyd E. Sampsell and Ethan A. McNabb, petitioners, *v.* The People of the State of California. On petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, State of California. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no properly presented substantial federal question. The petition for a writ of certiorari is, therefore, also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 772. Miller Brothers Company, petitioner, *v.* Lektophone Corporation. The motion to advance this case is granted, and the case assigned for hearing immediately following No. 520, Lektophone Corporation *v.* The Rola Company.

No. 820. Paramount Famous Lasky Corporation et al., appellants, *v.* The United States of America. The motion to advance this case is granted, and the case assigned for argument on Monday, October 27 next.

No. 856. The United States of America, appellant, *v.* First National Pictures, Inc., et al. The motion to advance this case is granted, and the case assigned for argument on Monday, October 27 next, immediately following No. 820, Paramount Famous Lasky Corporation *v.* The United States of America.

No. 844. Daniel P. O'Connell, petitioner, *v.* The United States of America. It is ordered that this case be advanced and assigned for argument on Monday, October 20 next, after the cases heretofore assigned for that day.

No. 857. District of Columbia, petitioner, *v.* William H. Colts. It is ordered that this case be advanced and assigned for argument on Monday, October 20 next, after the cases heretofore assigned for that day.

No. 760. P. G. Fullerton, appellant, *v.* The State of Oklahoma *ex rel.* The Commissioners of the Land Office of said State. Appeal from the Supreme Court of the State of Oklahoma. *Per curiam*: Appeal dismissed for the want of jurisdiction. Judicial Code, section 237 (a) as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed

as a petition for writ of certiorari, as required by the Judicial Code, section 237 (c) as amended (43 Stat. 936, 938), certiorari is denied.

No. 763. Northport Power & Light Co., appellant, *v.* Roland H. Hartley, as Governor, etc.;

No. 796. Chesapeake & Ohio Railway Company, appellant, *v.* The United States of America et al.;

No. 805. Frank E. Furst et al., appellants, *v.* James G. Brewster et al.;

No. 820. Paramount, Famous, Lasky Corporation et al., appellants, *v.* The United States of America;

No. 845. Frank L. Smith et al., etc., et al., appellants, *v.* Illinois Bell Telephone Co.; and

No. 856. The United States of America, appellant, *v.* First National Pictures, Inc., et al. In these cases the Court finds that probable jurisdiction has been shown.

No. 746. The Daily Pantagraph, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted limited to the question of the reduction of invested capital by reason of dividends paid, being the third question presented in the petition for the writ.

No. 880. Oak Worsted Mills, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted limited to the question of the validity and effect of section 611 of the Revenue Act of 1928 and the case is advanced to be heard immediately following No. 761, Percival E. Magee, *v.* The United States.

No. 881. Taft Woolen Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted limited to the question of the validity and effect of section 611 of the Revenue Act of 1928 and the case is advanced to be heard immediately following No. 880, Oak Worsted Mills *v.* The United States.

No. 887. Robert H. Lucas, Commissioner, etc., petitioner, *v.* National Industrial Alcohol Company, Inc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted and the case advanced and assigned for hearing immediately following No. 741, Robert H. Lucas, Commissioner, *v.* Niagara Falls Brewing Company et al.

No. 892. The Pottstown Iron Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted and the case advanced and assigned for hearing immediately following No. 632, The United States of America *v.* Boston Buick Co., and No. 633, The United States of America *v.* Iron Cap Copper Co.

No. 895. W. P. Brown & Sons Lumber Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted, limited to the question of the validity and effect of the waivers.

No. 907. Franc-Strohmenger-Cowan, Inc., petitioner, *v.* Payette Neckwear Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted and the case advanced and assigned for hearing immediately following No. 305, Franc-Strohmenger-Cowan, Inc., *v.* Baro Forchheimer, etc.

No. 817. The State of Alabama, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 851. New York Life Insurance Company, petitioner, *v.* Frank K. Bowers, Collector, etc.; and

No. 949. Frank K. Bowers, Collector, etc., petitioner, *v.* New York Life Insurance Company. Petitions for writs of certiorari to the United States Circuit of Appeals for the Second Circuit granted.

No. 890. Go-Bart Importing Company et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 896. The United States, petitioner, *v.* Felt & Tarrant Manufacturing Company. Petition for writ of certiorari to the Court of Claims granted.

No. 905. The First National Bank of Chicago, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 832. Gotham Can Company, petitioner, *v.* The United States. On petition for writ of certiorari to the Court of Claims. *Per curiam*: The petition for a writ of certiorari is dismissed for the want of jurisdiction, because of failure to file the petition within the time prescribed by statute. United States *v.* Lippman, Spier & Hahn, 260 U. S. 739; Hooper *v.* United States, 274 U. S. 743; Rust Land & Lumber Co., *v.* Jackson, 250 U. S. 71, 76.

No. 944. The Great Lakes Broadcasting Company, petitioner, *v.* Federal Radio Commission;

No. 945. Wilber Glenn Voliva, petitioner, *v.* Federal Radio Commission; and

No. 946. Agricultural Broadcasting Company, petitioner, *v.* Federal Radio Commission. On petition for writs of certiorari to the Court of Appeals of the District of Columbia. *Per curiam*: The petition for writs of certiorari in these cases is dismissed. Federal Radio Commission *v.* General Electric Company et al., 281 U. S. — (May 19, 1930).

No. 627. Autoquip Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 833. White Star Bus Line, Inc., petitioner, *v.* Heyward B. Roberts. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 841. Charles A. Burckhardt et al., petitioners, *v.* The Northwestern National Bank et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 842. Balanced Rock Scenic Attractions, Inc., petitioner, *v.* The Town of Manitou. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 843. Abbott Elliott Kay, petitioner, *v.* Federal Trade Commission of the United States. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 854. St. Louis-San Francisco Railway Company, petitioner, *v.* Lenora E. Berry, as Administratrix of the Estate of William W. Berry, deceased. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 858. Chicago and Eastern Illinois Railway Company, petitioner, *v.* Ruby Divine, Administratrix of the Estate of Annie Lynn Divine, deceased. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 859. Chicago and Eastern Illinois Railway Company, petitioner, *v.* Jesse W. Divine, Jr., by his next friend, Ruby Divine. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 860. E. H. Matheny, petitioner, *v.* Edwards Ice Machine & Supply Co. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 862. The Fidelity and Casualty Company of New York, petitioner, *v.* Lenora Howe. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 863. National Life Association, petitioner, *v.* Lenora J. Howe. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 865. James H. Hooper, petitioner, *v.* Mary Balulis et al. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 866. The United States, *ex rel.* Walter E. Heller & Company, petitioner, *v.* Andrew W. Mellon, Secretary of the Treasury of the

United States. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 868. Chicago & Eastern Illinois Railway Co., petitioner, *v.* Charles P. Noell et al. Petition for writ of certiorari to the St. Louis Court of Appeals, State of Missouri, denied.

No. 870. Grand Rapids Store Equipment Corporation, petitioner, *v.* Weber Show Case & Fixture Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 871. L. N. Frantz, petitioner, *v.* The State of West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 873. Arthur T. Galt, petitioner, *v.* The City of Chicago. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 883. Jake Leininbach, *alias* Jake Lenemark, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals of the Third Circuit denied.

No. 886. Frank Ross, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 888. Elof Wenstrand, petitioner, *v.* Albert Pick & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 894. Iron Mountain Oil Company, petitioner, *v.* Acel C. Alexander, Collector of Internal Revenue for the District of Oklahoma. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 902. August Alksne, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 908. Grover Cleveland Curtis, Richard A. Bailey, Laurie Harrison et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 912. Catherine Flynn *ex rel.* Chin King, petitioner, *v.* Annie C. M. Tilinghast, Commissioner of Immigration. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 938. Joe Capo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 940. Eddie Satinover, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 947. Angelo Marsiglia, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

ORDER

All cases submitted, and all business before the Court, at this term, having been disposed of,

It is now here ordered by this Court that all cases on the docket be, and they are hereby, continued to the next term.

Adjourned to the time and place appointed by law.