

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 6, 1919.

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

The Chief Justice announced that, owing to the illness of the President of the United States, the usual visit to him will not be made, and that the court will receive motions for admission to the bar and other motions noticed for to-day and which are ready for submission, and that the call of the docket will commence to-morrow pursuant to the twenty-sixth rule.

Ernie Adamson, of New York City; William S. Evans, of New York City; Harry L. Underwood, of Washington, D. C.; James L. Parrish, of Des Moines, Iowa; William R. Moss, of Chicago, Ill.; Will M. Tompkins, of San Diego, Calif.; Frank K. Nebeker, of Salt Lake City, Utah; John N. Popham, jr., of Washington, D. C.; Hosmer A. Brown, of Minneapolis, Minn.; W. J. Sangston, jr., of Uniontown, Pa.; R. M. Haines, of Des Moines, Iowa; A. X. Schall, jr., of Minneapolis, Minn.; Sherman Moreland, of Van Etten, N. Y.; Andrew J. Copp, jr., of Los Angeles, Calif.; George A. Bangs, of Grand Forks, N. Dak.; Charles Marvin, of New York City; Flora Warren Seymour, of Chicago, Ill.; Paul Overton, of Los Angeles, Calif.; W. R. Ehrmantraut, of Washington, D. C.; William Augustus Denson, of Birmingham, Ala.; Benjamin Albert Greathouse, of San Antonio, Tex.; Benjamin A. Ball, of Washington, D. C.; George F. Wells, of Grand Forks, N. Dak.; E. Butler Moulton, of Providence, R. I.; Van Vechten Veeder, of New York City; Albert E. Powell, of Cleveland, Ohio; Robert J. Shank, of Hamilton, Ohio; Carlos P. Griffin, of San Francisco, Calif.; David D. Stansbury, of Chicago, Ill.; Park B. Blair, of Mt. Vernon, Ohio; Barton W. Blair, of Mt. Vernon, Ohio; Arthur D. Moore, of Los Angeles, Calif.; Albert A. Kidder, jr., of Los Angeles, Calif.; Louis Addison Dent, of Washington, D. C.; Ashbel B. Kimball, of Greensboro, N. C.; Lin William Price, of Chicago, Ill.; Claude B. Hudspeth, of El Paso, Tex.; Ben G. Oneal, of Wichita Falls, Tex.; Fritz G. Lanham, of Fort Worth, Tex.; Lucian W. Parrish, of Henrietta,

Tex.; Howard Benton Lewis, of Philadelphia, Pa.; Fred P. Lieuallen, of Fort Worth, Tex.; James A. Bass, of Ardmore, Okla.; Clinton A. Galbraith, of Ada, Okla.; P. T. McVay, of Oklahoma City, Okla.; W. R. Hare, of Upper Sandusky, Ohio; Frank W. Haskins, of Butte, Mont.; Fred Clinton Jacobs, of Globe, Ariz.; Edw. Glion Curtis, of St. Louis, Mo.; F. W. Halliday, of Newport, Me.; John Abdiel Smith, of Denver, Colo.; Paul M. Clark, of Denver, Colo.; and James A. Keown, of Alhambra, Calif., were admitted to practice.

No.—, original. *Ex parte* in the matter of The United States, petitioner. Motion for leave to file petition for writs of mandamus and prohibition submitted by Mr. Solicitor General King for the petitioner.

No. 14. The United States, appellant, *v.* The Quaker Oats Company et al. Leave granted to substitute full printed copies of the testimony as used in the lower court for the typewritten transcript in narrative form, and case passed, on motion of Mr. Solicitor General King for the appellant.

No. 285. Ash Sheep Company, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 413. The United States *ex rel.* Kansas City Southern Railway Company, plaintiff in error, *v.* The Interstate Commerce Commission. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 458. The United States of America, plaintiff in error, *v.* Standard Brewery (Inc.). Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 350. Charles Glen Collins, appellant, *v.* Frank M. Miller, U. S. Marshall, etc. Motion to advance submitted by Mr. Solicitor General King in behalf of counsel for the appellee.

No. 406. The Atherton Mills, appellant, *v.* Eugene T. Johnston et al. Motion to advance submitted by Mr. Solicitor General King in behalf of counsel for the appellees.

No. 370. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Motion to advance and place on summary docket submitted by Mr. Alex. C. King in behalf of Mr. Walter C. Noyes, Mr. David Gerber, and Mr. William J. Hughes for the petitioner in support of the motion, and by Mr. Charles H. Tuttle for the respondent in opposition thereto.

No. 527. Lewis A. Stebbins, petitioner, *v.* A. F. Selig. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eight Circuit submitted by Mr. W. H. Sears, Mr. L. A.

Stebbins, and Mr. X. O. Pindall for the petitioner, and by Mr. Thos. S. Buzbee and Mr. George B. Pugh for the respondent.

No. 168. Joseph W. Nichols, appellant, *v.* The United States. Motion to remand for further findings submitted by Mr. Harry J. Gerrity in behalf of Mr. L. T. Michener and Mr. William E. Russell for the appellant.

No. 384. D. M. Hardy 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. William H. Atwell and Mr. J. H. Barwise, jr., for the petitioners, and by Mr. Assistant Attorney General Brown for the respondent.

No. ----. G. T. Bryant et al., petitioners, *v.* The United States of America. Motion to direct Clerk of United States Circuit Court of Appeals for the Fifth Circuit to certify and forward to this court the original transcript of record, and that the petition for writ of certiorari herein be filed, submitted by Mr. William H. Atwell for the petitioners.

No. 175. Armour & Company et al., plaintiffs in error, *v.* New York, New Haven & Hartford Railroad Company et al. Motion to dismiss or affirm submitted by Mr. Levi Cooke in behalf of Mr. George H. Huddy, jr., and Mr. Edward G. Buckland for the defendants in error in support of the motion, and by Mr. Eugene A. Kingman for the plaintiffs in error in opposition thereto.

No. 538. Clay Arthur Pierce et al., appellants, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Levi Cooke in behalf of Mr. Samuel W. Fordyce, jr., for the appellants, and an extension of time granted in which to print the record.

No. 459. Concrete Steel Company, petitioner, *v.* George E. Vandenburg. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas J. Johnston for the petitioner, and by Mr. Carlos P. Griffin for the respondent.

No. 495. The Antero & Lost Park Reservoir Company et al., petitioners, *v.* Gas Securities Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. L. F. Twitchell and Mr. Irving B. Melville for the petitioners, and by Mr. Platt Rogers for the respondent.

No. 230. C. C. Taft Company, plaintiff in error, *v.* The State of Iowa. Motion to advance submitted by Mr. R. M. Haines for the plaintiff in error.

No. 526. Forged Steel Wheel Company, petitioner, *v.* C. G. Lewellyn, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. George Sutherland, Mr. George B. Gordon, and Mr. William Watson Smith for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 525. Worth Brothers Company, petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. A. H. Wintersteen for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 535. Carbon Steel Company, petitioner, *v.* C. G. Lewellen, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frederick de C. Faust for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 525. Worth Brothers Company, petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue, etc.; and

No. 526. Forged Steel Wheel Company, petitioner, *v.* C. G. Lewellen, Collector of Internal Revenue, etc. Leave granted to Curtis & Company Manufacturing Company to file suggestions herein, on motion of Mr. E. G. Curtis in that behalf. Leave granted to the Dayton Brass Castings Company of Dayton, Ohio, to file brief herein, on motion of Mr. J. Sprigg McMahon in that behalf.

No. 439. National Can Company, petitioner, *v.* Olin S. Fellows, Petition for a writ of certiorari to the United State Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Clement R. Stickney for the petitioner, and by Mr. William R. Moss for the respondent.

No. 381. Houston Oil Company of Texas, petitioner, *v.* Mrs. M. J. Brown. Petition for a writ of certiorari to the Court of Civil Appeals for the Ninth Supreme Judicial District of the State of Texas submitted by Mr. Frank Gosnell in behalf of Mr. Thomas M. Kennerly and Mr. H. O. Head for the petitioner.

No. 402. The Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* The City of Clarksdale. Petition for a writ of certiorari submitted by Mr. Blewett Lee, Mr. Charles N. Burch, and Mr. H. D. Minor for the plaintiffs in error in support of the petition, and by Mr. Gerald FitzGerald for the defendant in error in opposition thereto.

No. 121. Charles A. Hitchcock, petitioner, *v.* Alfred G. Scattergood et al. Motion to dismiss submitted by Mr. Simon Lyon in behalf of Mr. Francis R. Bracken for the respondent in support

of the motion, and by Mr. Horace L. Cheyney for the petitioner in opposition thereto.

No. 201. John W. Frothingham et al., etc., appellants, *v.* The United States. Appeal from the Court of Claims. Dismissed, on motion of Mr. Simon Lyon for the appellants.

No. 391. J. M. Thompson, master and claimant of the steamship "Westmeath," etc., petitioner, *v.* Peter Lucas et al. Motion to advance submitted by Mr. Charles Henry Butler in behalf of counsel for the petitioner.

No. 276, October Term, 1918. Richard H. Dana, individually, plaintiff in error, *v.* Richard H. Dana, executor, and Charles L. Burrill, treasurer and receiver general of the Commonwealth of Massachusetts. Petition of Richard Dana to amend proceedings into proceedings for certiorari submitted by Mr. Charles Henry Butler in behalf of Mr. Hollis R. Bailey for the petitioner.

No. 415. Philadelphia & Reading Railway Company, plaintiff in error, *v.* Margaret L. Hancock. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. George Gowen Parry and by Mr. Charles Heebner for the plaintiff in error in support of the petition, and by Mr. Hannis Taylor for the defendant in error in opposition thereto. Submission of motion to dismiss postponed until Monday, October 27.

No. 232. Kansas City, Mexico & Orient Railway Company of Texas, appellant, *v.* The United States. Motion to remand for further findings submitted by Mr. F. Carter Pope for the appellant in support of the motion, and by Mr. Solicitor General King for the appellee in opposition thereto.

No. 515. Frederick O. Balcom, petitioner *v.* The United States of America. Petition for a writ of certiorari to the United States Court of Appeals for the First Circuit submitted by Mr. Jesse C. Adkins for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgeley for the respondent.

No. 559. The Columbus Packing Company, petitioner, *v.* The State of Ohio on the relation of Hugo N. Schlesinger, Prosecuting Attorney, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Ralph E. Westfall and Mr. Smith W. Bennett for the petitioner, and by Mr. Timothy S. Hogan for the respondent.

No. 517. Crenshaw Bros. & Saffold, a copartnership, etc., petitioner, *v.* Southern Pacific Company. Petition for a writ of certiorari to the District Court of Appeals for the Third Appellate District of the State of California. Submitted by Mr. Edw. M. Cleary and Mr. L. T. Hatfield for the petitioner, and by Mr. Henley C. Booth for the respondent.

No. 501. Truman A. Ketchum, appellant, *v.* Pleasant Valley Coal Company and Guaranty Trust Company. Petition for a writ of certiorari herein submitted by Mr. Wade H. Ellis in behalf of Mr. Charles C. Dey and Mr. E. A. Walton for the appellant in support of the petition.

No. 509. Coleman & Company, petitioner, *v.* Tawas Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert Szold in behalf of Mr. Jacob J. Lesser for the petitioner, and by Mr. Julius I. Peyser for the respondent.

No. 305. The Northwestern Mutual Life Insurance Company *v.* Isabel H. Johnson; and

No. 306. National Life Insurance Company of Montpelier, Vermont, *v.* A. M. Miller, Administrator, etc. Motion for a writ of certiorari to bring up the whole record and cause submitted by Mr. Rufus S. Day in behalf of Mr. George Lines and Mr. George B. Young for the Insurance Companies, and by Mr. S. F. Prouty for Isabel H. Johnson.

No. 545. Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, petitioner, *v.* Ellsworth G. Cole. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Rufus S. Day in behalf of Mr. Andrew Squire and Mr. Thomas M. Kirby for the petitioner, and by Mr. Albert E. Powell for the respondent.

No. 73. Maryland Casualty Company, appellant, *v.* The United States. Motion to remand for further findings submitted by Mr. Burt E. Barlow and Mr. A. R. Serven for the appellant.

No. 250. The United States of America, plaintiff in error, *v.* Josiah V. Thompson. Motion to dismiss submitted by Mr. J. E. B. Cunningham and Mr. W. C. McKean for the defendant in error in support of the motion, and by Mr. Solicitor General King, Mr. Assistant Attorney General Stewart, and Mr. W. C. Herron for the plaintiff in error in opposition thereto.

No. 431. The Chesapeake & Potomac Telephone Company, petitioner, *v.* J. Robert Sommerville. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Henry B. F. Macfarland for the petitioner, and by Mr. George E. Sullivan for the respondent.

No. 529. The Toledo & Ohio Central Railway Company, petitioner, *v.* The Public Utilities Commission of Ohio. Petition for a writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Frederick W. Gaines for the petitioner, and by Mr. John G. Price and Mr. H. B. Arnold for the respondent.

No. 599. October term, 1918. Minerals Separation, Limited, et al., petitioners, *v.* Butte & Superior Mining Company. Motion of respondent to recall mandate and for disallowance of costs submitted by Mr. Thomas F. Sheridan, Mr. J. Edgar Bull, Mr. Thomas L. Chadbourne, and Mr. K. R. Babbitt for the respondent in support of the motion, with leave to Mr. F. D. McKenney, counsel for the petitioners, to file opposition within five days.

No. 442. Standard Silk Dyeing Company, petitioner, *v.* The Roessler & Hasslacher Chemical Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Hugh Gordon Miller and Mr. Homer S. Cummings for the petitioner, and by Mr. Mr. Garrard Glenn for the respondent.

No. 454. Sarah Chandler Shapley, petitioner, *v.* George M. Kline et al. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Massachusetts submitted by Mr. James A. Keown for the petitioner and by Mr. Arthur Thad Smith for the respondent.

No. 450. James A. Keown, petitioner, *v.* Julia E. Trudo et al, Petition for a writ of certiorari to the Superior Court of the State of Massachusetts submitted by Mr. James A. Keown, pro se.

No. 420. James A. Keown, petitioner, *v.* H. Francis Hayden, administrator, etc. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Massachusetts submitted by Mr. James A. Keown, pro se.

No. 477. Wysong & Miles Company, et al, plaintiffs in error, *v.* Planters National Bank of Richmond, Va.; and

No. 478. Wysong & Miles Company et al., plaintiffs in error, *v.* Bank of North America, Philadelphia, Pa. Petitions for writs of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. Thomas J. Jerome for the plaintiffs in error in support of the petitions, and by Mr. Garland S. Ferguson, jr., and Mr. Ashbel B. Kimball for the defendants in error in opposition thereto. Leave granted counsel for petitioner to file additional brief within 10 days.

No. 531. Charles B. Shaffer, appellant, *v.* Frank C. Carter, State Auditor, et al. Motion to advance submitted by Mr. Alexander Britton in behalf of counsel for the appellant.

No. 433. Catherine Neidlein, as administratrix, etc., petitioner, *v.* Southern Pacific Company. Motion for an order directing the clerk to file petition for certiorari as of June 27, 1919, submitted by Mr. Stanley D. Willis and Mr. Theodore A. Bell for the petitioner in support of the motion, and by Mr. Robert T. Devlin and Mr. William H. Devlin for the respondent in opposition thereto. Petition for a

writ of certiorari to the Supreme Court of the State of California submitted by Mr. Stanley D. Willis and Mr. Theodore A. Bell for the petitioner, and by Mr. Robert T. Devlin and Mr. William H. Devlin for the respondent.

No. 423. Chicago & Northwestern Railway Company, plaintiff in error, *v.* Herman Van de Zande. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin submitted by Mr. R. N. Van Doren for the plaintiff in error in support of the petition.

Nos. 172 and 173. George A. Cole et al., petitioners, *v.* Joseph Ralph. Motion to advance submitted by Mr. William C. Prentiss for the petitioners.

No. 489. Silver King Coalition Mines Company, petitioner, *v.* Conkling Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William C. Prentiss in behalf of Mr. Curtis H. Lindley, Mr. W. H. Dickson, Mr. A. C. Ellis, jr., and Mr. Thomas Marioneaux for the petitioner, and by Mr. Edward B. Crutchlow, Mr. William D. McHugh, Mr. William W. Ray, and Mr. William H. King for the respondent. Leave granted to Mr. William C. Prentiss to file brief herein as *amicus curiae*.

No. 475. National Surety Company et al., petitioners, *v.* The Commonwealth of Virginia at the relation and for the benefit of Westinghouse Electric & Manufacturing Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. Wilton J. Lambert, Mr. J. J. Darlington, Mr. Frank J. Hogan, and Mr. Rudolph H. Yeatman for the petitioners, and by Mr. Eppa Hunton, jr., for the respondent.

No. 480. Keith Lumber Company, petitioner, *v.* Houston Oil Company of Texas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles H. Bates in behalf of Mr. H. M. Garwood for the petitioner.

No. 479. The Houston & Texas Central Railroad Company, petitioner, *v.* The City of Ennis et al. Time in which to submit petition for writ of certiorari herein extended until record is printed, on motion of Mr. Charles H. Bates in behalf of counsel for the petitioner.

No. 373. Strathearn Steamship Company, Ltd., petitioner, *v.* John Dillon. Motion to advance submitted by Mr. H. L. Cheyney in behalf of counsel.

No. 260. George C. Beidler, appellant, *v.* The United States. Suggestion of diminution of the record and motion for certiorari or to remand for additional findings, submitted by Mr. Frank S. Apple-



man for the appellant in support of the motion, and by Mr. Solicitor General King for the appellee in opposition thereto.

No. 383. James B. Roberts, Administrator, etc., petitioner, *v.* Tennessee Coal, Iron & Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William A. Denson and Mr. Hannis Taylor for the petitioner.

No. 181. Gertrude Minnie Jones, plaintiff in error, *v.* Max Hilt-scher. Motion to dismiss submitted by Mr. Edward D. Tittmann for the defendant in error in support of the motion, and by Mr. W. Martin Jones, jr., for the plaintiff in error in opposition thereto.

No. 281. Canadian Northern Railway Company, petitioner, *v.* Gus Eggen. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Tom Davis and Mr. Ernest A. Michel for the respondent in support of the motion.

No. 462. Erie Railroad Company, plaintiff in error, *v.* James John Hissey, for the use of John A. Chapman and Judson F. Stone. Motion to dismiss submitted by Mr. Murry Nelson and Mr. Cyrus Bentley for the defendant in error in support of the motion, and by Mr. Mitchell D. Follansbee for the plaintiff in error in opposition thereto. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Mitchell D. Follansbee for the plaintiff in error in support of the petition, and by Mr. Murry Nelson and Mr. Cyrus Bentley for the defendant in error in opposition thereto.

No. 371. Daniel Curry Campbell, petitioner, *v.* Maryland Casualty Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. H. King and Mr. Roswell King for the petitioner, and by Mr. Walter L. Clark and Mr. William C. Prentiss for the respondent.

No. 389. Isidore S. Workin et al., plaintiff in error, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Lawrence B. Cohen for the plaintiffs in error in support of the petition, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the defendant in error in opposition thereto.

No. 396. Erie Railroad Company, petitioner, *v.* Timothy Kirby. Petition for a writ of certiorari to the Supreme Court, appellate division, third department, State of New York, submitted by Mr. Adelbert Moot for the petitioner, and by Mr. Thomas C. Burke for the respondent.

No. 403. Nordyke and Marmon Company, petitioner, *v.* City of Indianapolis; and

No. 404. H. Lauter Company, petitioner, *v.* City of Indianapolis. Petition for writs of certiorari to the Superior Court of Marion County, State of Indiana, submitted by Mr. Clarence E. Weir and Mr. Charles W. Richards for the petitioners, and by Mr. Samuel Ashby for the respondent.

No. 414. William Dodge, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Irving M. Weiss and Mr. Eustace Reynolds for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgeley for the respondent.

No. 419. E. Hilton Jackson, receiver, etc., petitioner, *v.* John Lewis Smith et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. W. W. Millan for the petitioner, and by Mr. Louis A. Dent for the respondents. .

No. 436. Interstate Business Men's Accident Association, petitioner, *v.* Edith A. Lester. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Fred P. Carr and Mr. R. M. Haines for the petitioner, and by Mr. Leonard S. Ferry for the respondent.

No. 440. Mrs. Donie Morrison, administratrix, etc., petitioner, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. John J. Vertrees for the petitioner, and by Mr. John B. Keeble for the respondent.

No. 443. American Car and Foundry Company, petitioner, *v.* Sarpia Rocha. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. M. F. Watts, Mr. William R. Gentry, Mr. John O. H. Pitney, and Mr. John R. Hardin for the petitioner, and by Mr. Thomas Bond for the respondent.

No. 447. G. A. Verdin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William H. Chapman for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgeley for the respondent.

No. 448. Edward D. Steger et al., etc., petitioners, *v.* Mountford S. Orth. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Addison S. Pratt, Mr. Joseph W. Bailey, and Mr. William J. Hughes for the petitioners, and by Mr. Origen S. Seymour and Mr. Alfred S. Barnard for the respondent.

No. 452. Katherine Keever, widow, etc., petitioner, *v.* Philadelphia & Reading Coal & Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Albert P. Massey for the petitioner, and by Mr. Pierre M. Brown for the respondent.

No. 453. Parker Stennick, Trustee, etc., petitioner, *v.* Willard N. Jones et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas Mannix for the petitioner.

No. 463. Philip Chass, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Benjamin M. Weinberg for the petitioner, and by Mr. Solicitor General King for the respondent.

No. 481. Fieger-Austin Dredging Company, petitioner, *v.* Otto Marmer Coal & Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Lowrie C. Barton for the petitioner, and by Mr. Charles H. Stephens for the respondent.

No. 485. Erie Railroad Company, petitioner, *v.* Jacob Schleenbaker. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. J. Paul Lamb for the petitioner, and by Mr. C. H. Henkel for the respondent.

No. 487. The Cudahy Packing Company, petitioner, *v.* Edward B. Pryor, receiver, etc. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri submitted by Mr. George T. Buckingham and Mr. Charles T. Tittmann for the petitioner, and by Mr. F. D. McKenney for the respondent.

No. 488. Anna Rust and William Rust, petitioners, *v.* First National Bank of Sweetwater, Texas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Henry C. Coke for the petitioners.

No. 490. Milton A. Miller, as Collector of Internal Revenue, etc., petitioner, *v.* Matilda M. Gearin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Solicitor General King and Mr. Assistant Attorney General Frierson for the petitioner, and by Mr. John M. Gearin for the respondent.

No. 498. The Nashville, Chattanooga & St. Louis Railway, petitioner, *v.* L. J. Austin. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. Fitzgerald Hall for the petitioner, and by Mr. Montague S. Ross for the respondent.

No. 499. The Penn Mutual Life Insurance Company, petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. George Wharton Pepper for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgeley for the respondent.

No. 506. Edward White, Commissioner of Immigration, etc., petitioner, *v.* Chin Fong. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Solicitor General King, and Mr. Assistant Attorney General Stewart for the petitioner.

No. 507. Philadelphia & Reading Railway Company, petitioner, *v.* Philadelphia, Germantown & Norristown Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Abraham M. Beitler for the petitioner, and by Mr. James Wilson Bayard for the respondent.

No. 510. William A. Jamison et al., Trading as Jay Street Terminal, petitioners, *v.* Central Railroad Company of New Jersey et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar and Mr. Dix W. Noel for the petitioners, and by Mr. Samuel Park and Mr. Henry E. Mattison for the respondent.

No. 511. Guiseppe Cavallaro, petitioner, *v.* Steamship "Carlo Poma," her engines, etc., Kingdom of Italy, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar and Mr. Oscar R. Houston for the petitioner, and by Mr. Charles C. Burlingham and Mr. Van Vechten Veeder for the respondent.

No. 512. Prudential Insurance Company of America, petitioner, *v.* George W. Ragan, Administrator, etc. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky submitted by Mr. William Marshall Bullitt for the petitioner, and by Mr. Robert D. Vance for the respondent.

No. 518. The T. L. Smith Company et al., petitioners, *v.* The Cement Tile Machinery Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Thomas F. Sheridan, Mr. George L. Wilkinson and Mr. Walter A. Scott for the petitioners, and by Mr. John E. Stryker for the respondent.

No. 528. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Industrial Commission of Illinois et al. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. W. F. Dickinson, Mr. Thomas P. Littlepage and Mr. Sidney F. Taliaferro for the petitioner.

No. 536. Stark Bros. Nurseries & Orchards Company, petitioner, *v.* William P. Stark and William H. Stark, Trustees etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Andrew B. Remick for the petitioner.

No. 539. The New York, Chicago & St. Louis Railroad Company, petitioner, *v.* Clinton F. Pugh. Petition for a writ of certiorari to the Court of Appeals for the Eighth Judicial District of the State of Ohio submitted by Mr. William D. Turner for the petitioner.

No. 542. The City of New York, petitioner, *v.* Consolidated Gas Company of New York et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William P. Burr for the petitioner, with leave to Mr. F. D. McKenney to file brief for the respondents within three days.

No. 546. Benjamin Friedman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Benjamin Friedman, *pro se*, and by Mr. Solicitor General King for the respondent.

No. 550. Raymond A. Kelly, Administrator etc., petitioner, *v.* Herbert B. McKeown. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. John Francis Kelly for the petitioner, and by Mr. Trafford N. Jayne for the respondent.

No. 107. Postal Telegraph-Cable Company, plaintiff in error, *v.* City of Oil City. In Error to the Superior Court of the State of Pennsylvania. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 246. Marion Caldwell, as State Supervisor of Oil Inspection, etc., appellant, *v.* The Moore Oil Company et al. On appeal from the District Court of the United States for the District of Indiana. Dismissed with costs, on motion of counsel for the appellant.

No. 255. Frank E. Low, plaintiff in error, *v.* K. Sugawa & Company, Limited. In error to the District Court of the United States for the Southern District of New York. Dismissed, per stipulation.

No. 275. Arkansas Central Railroad Company, plaintiff in error, *v.* W. L. Goad. In Error to the Supreme Court of the State of Arkansas. Dismissed, per stipulation.

No. 368. J. K. Lumber Company, plaintiff in error, *v.* E. P. Ash. In Error to the Supreme Court of the State of Washington. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 398. Great Lakes Dredge & Dock Company, petitioner, *v.* Eastern Steamship Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Dismissed, on motion of counsel for the petitioner.

No. 428. The Alabama & Vicksburg Railway Company et al., plaintiffs in error, *v.* W. W. Beard. In Error to the Supreme Court of the State of Mississippi. Writ of error and petition for writ of certiorari dismissed, per stipulation.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 7, will be as follows: Nos. 1, 2, 3 (and 4), 5, 6, 7, 8, 9, 10, and 11.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 7, 1919.

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

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Clarence J. Hartley, of Superior, Wis., Seldon W. O'Brien, of Manila, P. I., William J. Levy, of Pittsburgh, Pa., and William W. Corlett, of New York City, were admitted to practice.

No. 544. Missouri Pacific Railroad Company, plaintiff in error, *v.* G. W. Bollis. Motion for extension of time within which to print transcript of record submitted by Mr. K. D. McKellar in behalf of counsel for the plaintiff in error.

No. 90. City of Chicago et al., plaintiffs in error, *v.* Thomas E. Dempey, as chairman, etc., et al. Motion to dismiss submitted by Mr. Edward J. Brundage, Mr. James H. Wilkerson, and Mr. George T. Buckingham for the defendants in error in support of the motion, and by Mr. Samuel A. Ettelson, and Mr. Chester E. Cleveland for the plaintiffs in error in opposition thereto.

No. 366. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Road Improvement District No. 1 of Prairie County, Arkansas. Petition for a writ of certiorari herein submitted by Mr. Thomas S. Buzbee, Mr. George B. Pugh, Mr. J. G. Gamble, and Mr. W. F. Dickinson for the plaintiff in error.

No. 367. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* Monroe County Road Improvement District et al. Petition for a writ of certiorari herein submitted by Mr. Troy Pace, Mr. Thomas S. Buzbee, Mr. George B. Pugh, Mr. J. G. Gamble, and Mr. W. F. Dickinson for the plaintiffs in error.

No. 417. The Virginian Railway Company, petitioner, *v.* Vernon Halsted, who sues by Nora Halsted, his next friend. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Walter H. Taylor for the petitioner.

No. 421. American Steel Foundries, petitioner, *v.* James T. Newton, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. George L. Wilkinson for the petitioner.

No. 429. Joseph M. Coldwell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Walter Nelles for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgeley for the respondent.

No. 430. Wilhelm Schumann, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. H. Van Law for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgeley for the respondent.

No. 432. Clarence W. Turner, petitioner, *v.* Fred E. Turner. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. A. A. Davidson and Mr. Preston C. West for the petitioner, and by Mr. Richard W. Stoutz, Mr. J. W. Zevely, and Mr. J. M. Givens for the respondent.

No. 1. The United States of America, appellant, *v.* Lehigh Valley Railroad Company et al. Submitted by Mr. Attorney General Palmer and Mr. Solicitor General King for the appellant, and by Mr. Edgar H. Boles, Mr. Elihu Root, jr., Mr. E. V. B. Getty, Mr. Nicholas W. Hacker, Mr. John Hampton Barnes, and Mr. Allan McCulloh for the appellees.

No. 5. City of Birmingham, plaintiff in error, *v.* D. J. O'Connell. Submitted by Mr. Joseph P. Mudd for the plaintiff in error. No brief filed for the defendant in error.

No. 7. Eastman Kodak Company et al., appellants, *v.* The United States of America. Passed, pursuant to rule 26, on motion of Mr. Solicitor General King for the appellee.

No. 8. Adams State Bank, plaintiff in error, *v.* The People of the State of Illinois. Passed, per stipulation.

No. 11. Associated Billposters and Distributors of the United States and Canada et al., appellants, *v.* The United States. Continued, per stipulation, on motion of Mr. Solicitor General King for the appellee.

No. 2. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, plaintiff in error, *v.* Alvin J. Fink. Argued by Mr. William M. Matthews for the plaintiff in error, and by Mr. Roy G. Fitzgerald for the defendant in error.

No. 3. The United States of America, appellant, *v.* Reading Company et al.; and



No. 4. Reading Company et al., appellants, *v.* The United States of America. Reargument commenced by Mr. Solicitor General King for The United States, continued by Mr. Jackson E. Reynolds for the Reading Company, by Mr. Robert W. DeForest for the Central Railroad Company of New Jersey, and concluded by Mr. Solicitor General King for The United States.

No. 6. The United States of America, appellant, *v.* United States Steel Corporation et al. Six hours allowed each side for the reargument, and four counsel allowed to argue for the appellees, on motion of Mr. Assistant to the Attorney General Ames for the appellant. Reargument commenced by Mr. Assistant to the Attorney General Ames for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 8, will be as follows: Nos. 6, 9, 10, 12, 13, 22, 25, 26, 29, and 30.

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 8, 1919.

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

Vincent H. Rothwell, of New York City; Herbert N. Leech, of Clarksville, Tenn.; Lewis F. Hale, of Bellefontaine, Ohio; Charles E. McCarthy, of Cincinnati, Ohio; S. Burnell Bragg, of Norfolk, Va.; George E. Allen, of Victoria, Va.; George Keck, of Baltimore, Md.; Albert Ecke, of Baltimore, Md.; and Clarence A. Lindeman, of Yuma, Ariz.; were admitted to practice.

No. 12. The United States, appellant, *v.* American Can Company et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the appellant.

No. 13. William J. Hogarty, plaintiff in error, *v.* Philadelphia & Reading Railway Company. Submitted by Mr. Alexander Simpson, jr., for the plaintiff in error, and by Mr. William Clarke Mason and Mr. Charles Heebner for the defendant in error.

No. 29. The United States, petitioner, *v.* William B. Poland et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the petitioner.

No. 6. The United States of America, appellant, *v.* United States Steel Corporation et al. Reargument continued by Mr. Assistant to the Attorney General Ames for the appellant, and by Mr. Richard V. Lindabury for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 9, will be as follows: Nos. 6, 9, 10, 22, 25, 26, 30, 31, 32 (and 129), and 34.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 9, 1919.

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

William T. Baskett, of Louisville, Ky.; William D. Bailey, of Duluth, Minn.; Mattison B. Jones, of Los Angeles, Calif.; and Charles S. Dashiell, of Washington, D. C., were admitted to practice.

No. 472. The New Orleans Land Company, appellant, *v.* Leader Realty Company, Limited. Motion to advance submitted by Mr. W. O. Hart and Mr. Charles Louque for the appellant.

No. 31. Pacific Gas & Electric Company, plaintiff in error, *v.* The Police Court of the City of Sacramento, State of California, et al. Submitted, as per stipulation, by Mr. William B. Bosley for the plaintiff in error, brief for the defendants in error to be filed within thirty days, and reply brief for the plaintiff in error to be filed within twenty days thereafter, in motion of Mr. Alexander Britton in that behalf.

No. 32. Oklahoma Gin Company, plaintiff in error, *v.* The State of Oklahoma; and

No. 129. The Oklahoma Operating Company, appellant, *v.* J. E. Love et al., etc. Submitted by Mr. C. B. Ames for the plaintiffs in error, by Mr. S. P. Freeling for the defendants in error, and by Mr. Paul A. Walker for the defendant in error in No. 32.

No. 34. Franklin K. Lane, Secretary of the Interior, et al., appellants, *v.* Central Pacific Railway Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the appellants.

No. 6. The United States of America, appellant, *v.* United States Steel Corporation et al. Reargument continued by Mr. Richard V. Lindabury for the appellees, by Mr. Henry E. Colton for the appellant, and by Mr. David A. Reed for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 10, will be as follows: Nos. 6, 9, 10, 22, 25, 26, 30, 35, 36, and 38.

# SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 10, 1919.

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

Maurice T. Weinshenk, of Chicago, Ill., was admitted to practice.

No. 422. M. Hampton Todd et al., receivers, etc., petitioners, *v.* Heulings Lippincott et al., receivers, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. H. Brinton for the petitioners, and by Mr. Henry P. Brown for the respondents.

No. 35. The Northern Pacific Railway Company, appellant, *v.* Franklin K. Lane, Secretary of the Interior. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the appellee.

No. 6. The United States of America, appellant, *v.* United States Steel Corporation et al. Reargument continued by Mr. David A. Reed for the appellees, by Mr. George Wellwood Murray for the appellees, Mr. C. A. Severance for the appellees, and concluded by Mr. Assistant to the Attorney General Ames for the appellant.

No. 9. The Bank of Oxford et al., plaintiffs in error, *v.* J. S. Love et al., bank examiners of the State of Mississippi. Argued by Mr. T. A. Evans for the plaintiffs in error and by Mr. Earle N. Floyd for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 13, will be as follows: Nos. 10, 22, 25, 26, 30, 36, 38, 128, 254, and 221.

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# SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 13, 1919.

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

John V. Lee, of St. Louis, Mo.; Henry Buist, of Charleston, S. C.; Leland W. Carr, of Lansing, Mich.; Ernest F. Oakley, jr., of St. Louis, Mo.; Donald F. Melhorn, of Columbus, Ohio; R. Clint Cole, of Findley, Ohio; John J. Blaine, of Madison, Wis.; Charles M. Galloway, of Washington, D. C.; Maurice Koehler, of Washington, D. C.; Hugh Brewster, of Washington, D. C.; William H. Foster, of Syracuse, N. Y.; William Neely Bonner, of Wichita Falls, Tex.; William E. Leahy, of Washington, D. C.; Horace T. Smith, of Baltimore, Md.; George L. McKeeby, of Los Angeles, Calif.; William Howard Hill, of Williamsport, Pa.; Fred Barth, of Chicago, Ill.; and Henry S. Mitchell, of Minneapolis, Minn., were admitted to practice.

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No. 276, October term, 1918. Richard H. Dana, individually, plaintiff in error, *v.* Richard H. Dana, executor, etc., et al. Motion to stay mandate and to amend proceedings into proceedings as on writ of certiorari denied.

No. 1014, October term, 1918. Philip F. du Pont et al., petitioners, *v.* Pierre S. du Pont et al. Motion to reinstate the petition for a writ of certiorari herein denied.

No. ———, Original. The State of New Mexico, complainant, *v.* The State of Colorado. Motion for leave to file bill of complaint herein granted, and process ordered to issue returnable on Monday, March 1 next.

No. ———, Original. Ex parte in the matter of The United States, petitioner. Motion for leave to file petition for writs of mandamus and prohibition herein postponed for hearing with Case No. 250.

No. 433. Catherine Neidlein, as administratrix of the estate of Francis J. Neidlein, deceased, petitioner, *v.* Southern Pacific Com-

pany. Motion for an order directing the clerk to file petition for writ of certiorari as of June 27, 1919, denied.

No. 305. The Northwestern Mutual Life Insurance Company *v.* Isabel H. Johnson; and

No. 306. National Life Insurance Company of Montpelier, Vermont, *v.* A. M. Miller, administrator, etc. Motion to bring up the entire records and cases denied.

No. 73. Maryland Casualty Company, appellant, *v.* The United States. Motion to remand this cause for further findings of fact granted.

No. 168. Joseph W. Nichols, appellant, *v.* The United States. Motion to remand this cause for further findings of fact granted, and the Court of Claims is directed to set aside its judgment and reopen the case for further testimony and additional findings of fact.

No. 232. Kansas City, Mexico & Orient Railway Company of Texas, appellant, *v.* The United States. Further consideration of the motion to remand this cause for further findings of fact is postponed to the hearing on the case on the merits.

No. 260. George C. Beidler, appellant, *v.* The United States. Motion for a writ of certiorari or to remand this cause for further findings of fact denied.

No. 172. George A. Cole et al., petitioners, *v.* Joseph Ralph; and

No. 173. George A. Cole et al., petitioners, *v.* Joseph Ralph. Motion to advance granted, and the cases assigned for argument on Monday, December 8 next.

No. 330. Pennsylvania Gas Company, plaintiff in error, *v.* Public Service Commission, Second District of the State of New York, et al. Motion to advance granted, and the cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 350. Charles Glen Collins, appellant, *v.* Frank M. Miller, U. S. marshal, etc. Motion to advance granted, and the cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 373. Strathearn Steamship Company, petitioner, *v.* John Dillon. Motion to advance granted, and the cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 391. J. M. Thompson, master and claimant of the steamship *Westmeath*, etc., petitioner, *v.* Peter Lucas et al. Motion to advance granted, and the cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 406. The Atherton Mills, appellant, *v.* Eugene T. Johnston et al. Motion to advance granted, and the cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 413. The United States of America at the relation of Kansas City Southern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission. Motion to advance granted, and the cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 458. The United States of America, plaintiff in error, *v.* Standard Brewery, Incorporated. Motion to advance granted, and the cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 531. Charles B. Shaffer, appellant, *v.* Frank C. Carter, State auditor, et al. Motion to advance granted, and the cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 285. Ash Sheep Company, plaintiff in error, *v.* The United States of America. Motion to advance this case for argument with case No. 212 as one case is granted.

No. 370. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Motion to advance denied.

No. 181. Gertrude Minnie Jones, plaintiff in error, *v.* Max Hiltcher. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 250. The United States of America, plaintiff in error, *v.* Josiah V. Thompson. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 281. Canadian Northern Railway Company, petitioner, *v.* Gus Eggen. Ordered that this case be placed on the summary docket.

No. 366. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Road Improvement District No. 1 of Prairie County, Arkansas. Further consideration of the petition for a writ of certiorari herein postponed to the hearing of the case on the writ of error.

No. 367. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* Monroe County Road Improvement District et al. Further consideration of the petition for a writ of certiorari herein postponed to the hearing of the case on the writ of error.

No. 402. The Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* The City of Clarksdale. Further consideration of the petition for a writ of certiorari herein postponed to the hearing of the case on the writ of error.

No. 419. E. Hilton Jackson, receiver, etc., petitioner, *v.* John Lewis Smith et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 421. American Steel Foundries, petitioner, *v.* James T. Newton, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 371. Daniel Curry Campbell, petitioner, *v.* Maryland Casualty Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 381. Houston Oil Company of Texas, petitioner, *v.* Mrs. M. J. Brown. Petition for a writ of certiorari to the Court of Civil Appeals for the Ninth Supreme Judicial District of the State of Texas denied.

No. 383. James B. Roberts, administrator, etc., petitioner, *v.* Tennessee Coal, Iron & Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 384. D. M. Hardy et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 389. Isidore S. Workin et al., plaintiffs in error, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 396. Erie Railroad Company, petitioner, *v.* Timothy Kirby. Petition for a writ of certiorari to the Supreme Court, Appellate Division, Third Department, State of New York, denied.

No. 403. Nordyke and Marmon Company, petitioner, *v.* City of Indianapolis. Petition for a writ of certiorari to the Superior Court of Marion County, State of Indiana, denied.

No. 404. H. Lauter Company, petitioner, *v.* City of Indianapolis. Petition for a writ of certiorari to the Superior Court of Marion County, State of Indiana, denied.

No. 414. William Dodge, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 417. The Virginia Railway Company, petitioner, *v.* Vernon Halsted, who sues by Nora Halsted, his next friend. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 420. James A. Keown, petitioner, *v.* A. Francis Hayden, administrator etc. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Massachusetts denied.



No. 423. Chicago & North Western Railway Company, plaintiff in error, *v.* Herman Van de Zande. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin denied.

No. 429. Joseph M. Coldwell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 430. Wilhelm Schumann, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 431. The Chesapeake & Potomac Telephone Company, petitioner, *v.* J. Robert Sommerville. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 432. Clarence W. Turner, petitioner, *v.* Fred E. Turner. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 433. Catherine Neidlein, as administratrix, etc., petitioner, *v.* Southern Pacific Company. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. 436. Interstate Business Men's Accident Association, petitioner, *v.* Edith A. Lester. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 439. National Can Company, petitioner, *v.* Olin S. Fellows. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 440. Mrs. Donie Morrision, administratrix, etc., petitioner, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 442. Standard Silk Dyeing Company, petitioner, *v.* The Roessler & Hasslacher Chemical Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 443. American Car and Foundry Company, petitioner, *v.* Saropia Rocha. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 447. G. A. Verdin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 448. Edward D. Steger et al., composing the firm of Steger & Company, petitioners, *v.* Mountford S. Orth. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 450. James A. Keown, petitioner, *v.* Julia E. Trudo et al. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts denied.

No. 453. Parker Stennick, trustee, etc., petitioner, *v.* Willard N. Jones et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 454. Sarah Chandler Shapley, petitioner, *v.* George M. Kline et al. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Massachusetts denied.

No. 459. Concrete Steel Company, petitioner, *v.* George E. Vandenburg. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 463. Philip Chass, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 85. Sue Erskine Newman, administratrix, etc., et al., appellants, *v.* Ida M. Moyers et al., etc.; and

No. 86. William G. McAdoo, Secretary of the Treasury, et al., appellants, *v.* De Forest L. Ormes, administrator, etc. Motion to substitute as one of the appellants Carter Glass, present Secretary of the Treasury, in place of William G. McAdoo, former Secretary of the Treasury, submitted by Mr. Solicitor General King for the appellants, and motion granted.

No. 122. Ricardo Cartas, appellant, *v.* The United States. Motion to dismiss or affirm submitted by Mr. Solicitor General King, Mr. Assistant Attorney General Davis, and Mr. George M. Anderson for the appellee in support of the motion, and by Mr. William R. Andrews and Mr. George H. Lamar for the appellant in opposition thereto.

No. 132. The Seaboard Air Line Railway, appellant, *v.* The United States;

No. 133. The New York Central & Hudson River Railroad Company, appellant, *v.* The United States;

No. 232. Kansas City, Mexico & Orient Railway Company of Texas, appellant, *v.* The United States. Motion to advance to be heard at the time case No. 109 is heard submitted by Mr. Solicitor General King for the appellee.

No. 358. Silverthorne Lumber Company (Inc.) et al., plaintiffs in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendants in error.

No. 556. Seaboard Air Line Railway Company, petitioner, *v.* Baltimore Trust Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. Alex-

ander C. King in behalf of Mr. Jack J. Spalding for the petitioner, and by Mr. Bryan Cumming and Mr. Joseph B. Cumming for the respondent.

No. 335. Stephen H. P. Pell et al., appellants, *v.* W. Gordon McCabe, jr., et al. Motion to dismiss submitted by Mr. William St. John Tozer for the appellees in support of the motion, and by Mr. Emanuel J. Myers, Mr. Gordon S. P. Kleeberg, and Mr. Lindley M. Garrison for the appellants in opposition thereto.

No. 519. Chauncey J. Hamlin et al., as surviving executors, etc., et al., petitioners, *v.* Mary K. Wellington, individually and as executrix, etc. Petition for a writ of certiorari to the Surrogate's Court of Erie County, State of New York, submitted by Mr. Larue Brown in behalf of Mr. Dana B. Hellings for the petitioners, and by Mr. G. B. Wellington for the respondents.

No. 565. White Oak Fuel Company, petitioner, *v.* Bertram U. Carter et al., copartners, doing business as Carter Brothers Coal & Ice Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John P. Leahy and by Mr. John V. Lee for the petitioner.

No. 219. Producers Transportation Company, plaintiff in error, *v.* The Railroad Commission of the State of California et al. Joint motion to advance submitted by Mr. Lewis W. Andrews and Mr. Thomas O. Toland for the plaintiff in error, and by Mr. Douglas Brookman for the defendants in error.

No. 401. Napa Valley Electric Company, appellant, *v.* The Railroad Commission of the State of California et al. Joint motion to advance submitted by Mr. Milton T. U'Ren for the appellant, and by Mr. Douglas Brookman for the appellees.

No. 357. The Eastern Extension, Australasia and China Telegraph Company, Limited, appellant, *v.* The United States. Motion to advance submitted by Mr. F. M. Brylawski in behalf of Mr. Louis Marshall for the appellant.

No. 318. Mark Eisner, as collector, etc., plaintiff in error, *v.* Myrtle H. Macomber. Motion for leave to file brief as *amicus curiæ* submitted by Mr. Charles Henry Butler in behalf of Mr. George W. Wickersham and Mr. Charles Robinson Smith, and motion granted.

No. 548. Eugene M. Travis, as comptroller of the State of New York, appellant, *v.* The Yale & Towne Manufacturing Company. Motion to advance submitted by Mr. E. Clarence Aiken for the appellant.

No. 543. Knickerbocker Ice Company, plaintiff in error, *v.* Lillian E. Stewart. Motion to advance submitted by Mr. E. Clarence Aiken for the State Industrial Commission, with defendant in error.

No. 166. International Bridge Company, plaintiff in error, *v.* The People of the State of New York. Motion to advance submitted by Mr. E. Clarence Aiken for the defendant in error.

No. 20, October Term, 1918. The Arizona Copper Company, Limited, plaintiff in error, *v.* Joseph B. Hammer; and

No. 21, October Term, 1918. The Arizona Copper Company (Ltd.), plaintiff in error, *v.* Richard Bray. Motion to recall mandate submitted by Mr. Frederick S. Tyler in behalf of Mr. L. Kearney and Mr. Frank E. Curley for the defendants in error, in support of the motion, and by Mr. John A. Garver and Mr. Ernest W. Lewis for the plaintiff in error in opposition thereto.

No. 496. Hartford Life Insurance Company, plaintiff in error, *v.* Rosa Barber. Death of Rosa Barber, the defendant in error herein, suggested, and the appearance of Cecelia Blinco, administratrix of the estate of Rosa Barber, deceased, as defendant in error in this cause, filed and entered per stipulation of counsel and on motion of Mr. Henry G. Miller in behalf of counsel for the defendant in error.

No. 109. Northern Pacific Railway Company, appellant, *v.* The United States. Motion for leave to file brief as *amicus curicie* submitted by Mr. William R. Harr and Mr. Charles H. Bates for the El Paso & Southwestern Railroad Company, the Morenci Southern Railway Company, the Louisiana & North West Railroad Company, and The Lake Tahoe Railroad & Transportation Company, and motion granted.

No. 533. George W. Blevin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Nathaniel T. Green for the petitioner, and by Mr. Solicitor General King for the respondent.

No. 462. Erie Railroad Company, plaintiff in error, *v.* James John Hissey, for the use of John A. Chapman and Judson F. Stone. Motion for leave to amend petition for removal submitted by Mr. Fred Barth in behalf of Mr. Mitchell D. Follansbee for the petitioner, and by Mr. Murry Nelson and Mr. Cyrus Bentley for the defendant in error in opposition thereto.

No. 514. Howard W. Showalter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John A. Howard for the petitioner.

No. 221. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Passed, on motion of Mr. Solicitor General King for the defendant in error.

No. 451. David Lamar and Henry B. Martin, plaintiffs in error, *v.* The United States of America. Petition for a writ of certiorari

herein submitted by Mr. Elijah N. Zoline for the plaintiff in error in support of the petition, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the defendant in error in opposition thereto.

No. 483. American Distributing Company, petitioner, *v.* Hayes Wheel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Thomas E. Barkworth for the petitioner.

No. 492. Federal Trade Commission, petitioner, *v.* Anderson Gratz et al., copartners, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alexander C. King, Mr. Claude R. Porter, and Mr. Huston Thompson for the petitioner, and by Mr. Thomas F. Magner for the respondents.

Nr. 392. Frederick Schreiber et al., etc., petitioners, *v.* The German Evangelical Protestant Congregation of the Church of the Holy Ghost et al. Petition for a writ of certiorari to the Supreme Court of the State of Missouri dismissed, on motion of counsel for the petitioner.

No. 10. The Hardin-Wyandot Lighting Company, plaintiff in error, *v.* The Village of Upper Sandusky. Argued by Mr. H. T. Mathers for the plaintiff in error, and by Mr. W. R. Hare for the defendant in error.

No. 22. Talbot Darby Bragg, plaintiff in error, *v.* R. S. Weaver et al. Argued by Mr. George E. Allen for the plaintiff in error, and by Mr. J. D. Hank, jr., for the defendants in error.

No. 25. J. S. Mullen et al., plaintiffs in error, *v.* Malinda Pickens et al.; and

No. 26. L. V. Mullen et al., plaintiffs in error, *v.* Anderson Gardner et al. Submitted by Mr. Fred R. Ellis for the plaintiffs in error. No appearance for the defendants in error.

No. 30. Central of Georgia Railway Company, plaintiff in error, *v.* William A. Wright, comptroller general, etc. Reargument commenced by Mr. T. M. Cunningham, jr., for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 14, will be as follows: Nos. 30, 36, 38, 128, 254, 311, 16 Original, 318, 234, and 264 (and 265).

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 14, 1919.

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

Clara B. Perrin, of Jena, La.; Anthony J. Grasso, of South Bend, Ind.; Philip S. Steptoe, of Clarksburg, W. Va.; and James S. Grisham, of Sweetwater, Tex., were admitted to practice.

No. 234. Clinton H. Pierce et al., plaintiffs in error, *v.* The United States of America. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Assistant Attorney General Stewart for the defendant in error.

No. 30. Central of Georgia Railway Company, plaintiff in error, *v.* William A. Wright, Comptroller General, etc. Reargument concluded by Mr. A. R. Lawton for the plaintiff in error.

No. 36. The United States of America on the relation of Alaska Smokeless Coal Company, plaintiff in error, *v.* Franklin K. Lane, as Secretary of the Interior, et al. Argued by Mr. Dean Burkheimer for the plaintiff in error, and by Mr. Assistant Attorney General Nebeker for the defendants in error.

No. 38. Lehigh Coal & Navigation Company *v.* The United States. Argued by Mr. Henry S. Drinker, jr., for Lehigh Coal & Navigation Company, and by Mr. Henry S. Mitchell for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 15, will be as follows: Nos. 128, 254, 311, 16 Original, 318, 264 (and 265), 270 (to 274), 316, 250, and 276.

141036—19—9

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 15, 1919.

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

George L. Buist, of Charleston, S. C., Frederick F. Mason, of Chicago, Ill., Aaron Sapiro, of San Francisco, Calif., C. Kelley Hardenbrook, of Lompoc, Calif., C. L. Preisker, of Santa Maria, Calif., and A. E. Pearson, of Oklahoma City, Okla., were admitted to practice.

No. 37. New York Scaffolding Company, petitioner, *v.* Egbert Whitney;

No. 47. New York Scaffolding Company, petitioner, *v.* Liebel-Binney Construction Company; and

No. 48. New York Scaffolding Company, petitioner, *v.* Chain Belt Company et al. Appearance of George R. Whitney, as administrator of the estate of Egbert Whitney, deceased, as a party respondent, filed and entered, on motion of Mr. Wallace R. Lane for the respondents.

No. 37. New York Scaffolding Company, petitioner, *v.* George R. Whitney, Administrator, etc.;

No. 47. New York Scaffolding Company, petitioner, *v.* Liebel-Binney Construction Company; and

No. 48. New York Scaffolding Company, petitioner, *v.* Chain Belt Company et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Wallace R. Lane for the respondents.

No. 250. The United States of America, plaintiff in error, *v.* Josiah V. Thompson. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Assistant Attorney General Stewart for the plaintiff in error.

No. 128. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. Argument commenced by Mr. William Watson Smith for the plaintiff in error, continued by Mr. Berne H. Evans and Mr. Leonard K. Guiler for the defendants in error, and concluded by Mr. George B. Gordon for the plaintiff in error.

No. 254. Alex. J. Groesbeck et al., appellants, *v.* Duluth, South Shore & Atlantic Railway Company. Argument commenced by Mr. Leland W. Carr for the appellants, continued by Mr. John E. Tracy for the appellee, and concluded by Mr. Roger I. Wykes for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 16, will be as follows: Nos. 311, 16 original, 318, 264 (and 265), 270 (to 274), 316, 276, 229, 374 (and 375 and 376), and 39.



# SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 16, 1919.

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

Elmer Schlesinger, of Chicago, Ill.; Robert P. Parrott, of New York City; Carl L. Sackett, of Sheridan, Wyo.; and John Charles Darroch, of Goldthwaite, Tex., were admitted to practice.

*Order.*—It is ordered that the bond of James D. Maher as clerk of this court, presented this day, be approved and recorded, and that the original of said bond be filed in the Department of Justice, pursuant to section 220 of the Judicial Code.

No. 3, original. The People of the State of New York, complainants, *v.* The State of New Jersey et al. Ordered that the testimony taken and returned by the commissioner pursuant to the order entered herein on March 10, 1919, be opened, published, and filed.

No. 361. Herman Theden et al., plaintiffs in error, *v.* The Union Pacific Railroad Company. In error to the Supreme Court of the State of Kansas. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. 39. Takao Ozawa *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the United States.

No. 311. Stephen H. P. Pell et al., petitioners, *v.* W. Gordon McCabe, jr., et al. Argument commenced by Mr. L. M. Garrison for the petitioner, continued by Mr. William St. John Tozer for the respondents, and concluded by Mr. Henry Buist for the respondents.

No. 16, original. State of Minnesota, complainant, *v.* State of Wisconsin. Five hours allowed for the argument in this case, on motion of Mr. W. D. Bailey for the complainant. Argument commenced by Mr. W. D. Bailey for the complainant, and continued by Mr. H. B. Fryberger for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 17, will be as follows: Nos. 16 original, 318, 264 (and 265), 270 (to 274), 316, 276, 229, 374 (and 375 and 376), 40, and 41.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 17, 1919.

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

Oda Faulconer, of Los Angeles, Calif., Irving M. Walker, of Los Angeles, Calif., S. Howard Troth, of Camden, N. J., and Edward W. Foristel, of St. Louis, Mo., were admitted to practice.

No. 40. The United States of America, appellant, *v.* Southern Pacific Company et al. Passed, on motion of Mr. Solicitor General King for the appellant.

No. 41. J. Eugene Jordan, plaintiff in error, *v.* The Board of Medical Examiners of the State of Washington. In error to the Supreme Court of the State of Washington. Dismissed with costs, pursuant to the sixteenth rule, on motion of Mr. Blackburn Esterline for the defendant in error.

No. 16, Original. State of Minnesota, complainant, *v.* State of Wisconsin. Argument continued by Mr. H. B. Fryberger for the complainant, by Mr. M. B. Olbrich for the defendant, and concluded by Mr. W. D. Bailey for the complainant.

No. 318. Mark Eisner, as collector, etc., plaintiff in error, *v.* Myrtle H. Macomber. Four hours allowed for the reargument in this case, on motion of Mr. Assistant Attorney General Frierson for the plaintiff in error. Reargument commenced by Mr. Assistant Attorney General Frierson for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 20, will be as follows: Nos. 318, 264 (and 265), 270 (to 274), 316, 276, 229, 374 (and 375 and 376), 44, 46, and 49.

141036—19—12

# SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 20, 1919.

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

C. Raymond Bensinger, of Stroudsburg, Pa., Clement E. Dunbar, of Augusta, Ga., Joseph S. Lawton, of Louisville, Ky., Henry L. Goddard, of Oklahoma City, Okla., Hugh M. Bennett, Columbus, Ohio, Henry Breckinridge, of Washington, D. C., Emmet Tinley, of Council Bluffs, Iowa, Henry Randolph Brigham, of Boston, Mass., and William H. S. Callahan, of Providence, R. I., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 462. Erie Railroad Company, plaintiff in error, *v.* James John Hissey for the use of John A. Chapman et al. In Error to the United States Circuit Court of Appeals for the Seventh Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stats. L., 726. Petition for certiorari and motion for leave to amend petition for removal denied.

No. 13. William J. Hogarty, plaintiff in error, *v.* Philadelphia & Reading Railway Company. In Error to the Supreme Court of the State of Pennsylvania. Per curiam: The writ of error in this case is dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by section 2 of the act of September 6, 1916, c. 448, 39 Stats. L., 726.

The application, consented to by the parties, to convert nunc pro tunc the writ of error into a writ of certiorari, or to treat the writ of error as having the effect of a writ of certiorari, is also denied. See act of September 6, 1916, c. 448, sec. 7, 39 Stats. L., 728; Richard H. Dana, individually, *v.* Richard H. Dana, Executor, etc., decided October 13, 1919.

No. 5. City of Birmingham, plaintiff in error, *v.* D. J. O'Connell. In error to the Supreme Court of the State of Alabama. As the result of an intimation which has come to us through the clerk, that

at the time this case was submitted by both parties on printed briefs the defendant in error was dead, counsel are directed within ten days to inform us as to the fact of such death and, if true, to state the considerations which have led them to assume that the action had not abated but was open to further prosecution.

No. 32. Oklahoma Gin Company, plaintiff in error, *v.* The State of Oklahoma. In error to the Supreme Court of the State of Oklahoma; and

No. 129. The Oklahoma Operating Company, appellant, *v.* J. E. Love et al., etc. Appeal from the District Court of the United States for the Western District of Oklahoma. These cases having been submitted at this term without argument and upon briefs filed at the last term are ordered restored to the docket for oral argument to the end that there may be a compliance with the order which was made at the last term restoring them to the docket for reargument.

No. 175. Armour & Company et al., plaintiffs in error, *v.* The New York, New Haven & Hartford Railroad Company et al. In error to the Superior Court of the State of Rhode Island. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Shultis v. McDougal*, 225 U. S. 561, 569; *Norton v. Whiteside*, 239 U. S. 144, 147; *Hull v. Burr*, 234 U. S. 712, 720; (2) *Thomas v. Iowa*, 209 U. S. 258, 263; *Bowe v. Scott*, 233 U. S. 658, 664, 665; and see *El Paso Sash & Door Co. v. Carraway*, 245 U. S. 643; (3) *Spies v. Illinois*, 123 U. S. 131, 166; *Chapin v. Frye*, 179 U. S. 127, 130.

No. 20. October term, 1918. The Arizona Copper Company, Limited, plaintiff in error, *v.* Joseph B. Hammer; and

No. 21. October term, 1918. The Arizona Copper Company, plaintiff in error, *v.* Richard Bray. Motions to recall the mandates and amend the judgments denied.

No. 472. The New Orleans Land Company, appellant, *v.* Leader Realty Company Limited. Motion to advance denied.

No. 132. The Seaboard Air Line Railway, appellant, *v.* The United States;

No. 133. The New York Central & Hudson River Railroad Company, appellant, *v.* The United States; and

No. 232. Kansas City, Mexico & Orient Railway Company of Texas, appellant, *v.* The United States. Motion to advance these cases for argument at the same time as case No. 109 granted.

No. 358. Silverthorne Lumber Company, Inc., et al., plaintiffs in error, *v.* The United States of America. Motion to advance granted, and cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 219. Producers Transportation Company, plaintiff in error, *v.* The Railroad Commission of the State of California et al. Motion

to advance granted, and cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 401. Napa Valley Electric Company, appellant, *v.* The Railroad Commission of the State of California et al. Motion to advance granted, and cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 357. The Eastern Extension, Australasia and China Telegraph Company, Limited, appellant, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 548. Eugene M. Travis, as Comptroller of the State of New York, appellant, *v.* The Yale & Towne Manufacturing Company. Motion to advance granted, and cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 543. Knickerbocker Ice Company, plaintiff in error, *v.* Lillian E. Stewart. Motion to advance granted, and cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 166. International Bridge Company, plaintiff in error, *v.* The People of the State of New York. Motion to advance granted, and cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 489. Silver King Coalition Mines Company, petitioner. *v.* Conkling Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 499. The Penn Mutual Life Insurance Company, petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 506. Edward White, Commissioner of Immigration for the Port of San Francisco, petitioner, *v.* Chin Fong. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 511. Guisepppe Cavallaro, petitioner. *v.* Steamship Carlo Poma, her engines, etc., Kingdom of Italy, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 525. Worth Brothers Company, petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 526. Forged Steel Wheel Company, petitioner, *v.* C. G. Lewellen, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 535. Carbon Steel Company, petitioner, *v.* C. G. Lewellen, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 536. Stark Bros. Nurseries & Orchards Company, petitioner, *v.* William P. Stark and William H. Stark, Trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 492. Federal Trade Commission, petitioner, *v.* Anderson Gratz and Benjamin Gratz, copartners, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 452. Katherine Keever, widow of George Keever, petitioner, *v.* Philadelphia & Reading Coal & Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 475. National Surety Company et al. petitioners, *v.* The Commonwealth of Virginia at relation and for benefit of The Westinghouse Electric & Manufacturing Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 477. Wysong & Miles Company et al., plaintiffs in error, *v.* Planters National Bank of Richmond, Va. Petition for a writ of certiorari herein denied.

No. 478. Wysong & Miles Company et al., plaintiffs in error, *v.* Bank of North America, Philadelphia, Pa. Petition for a writ of certiorari herein denied.

No. 480. Keith Lumber Company, petitioner, *v.* Houston Oil Company of Texas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 481. Fieger-Austin Dredging Company, petitioner, *v.* Otto Marmer Coal & Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 485. Erie Railroad Company, petitioner, *v.* Jacob Schleenbaker. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 488. Anna Rust and William Rust, petitioners, *v.* First National Bank of Sweetwater, Texas. Petition for a writ of certiorari

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

No. 490. Milton A. Miller, as Collector of Internal Revenue, etc., petitioner, *v.* Matilda M. Gearin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 495. The Antero & Lost Park Reservoir Company et al., petitioners, *v.* Gas Securities Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 498. The Nashville, Chattanooga & St. Louis Railway, petitioner, *v.* L. J. Austin. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 501. Truman A. Ketchum, appellant, *v.* Pleasant Valley Coal Company and Guaranty Trust Company. Petition for a writ of certiorari herein denied.

No. 507. Philadelphia & Reading Railway Company, petitioner, *v.* Philadelphia, Germantown & Norristown Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 509. Coleman & Company, petitioner, *v.* Tawas Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 510. William A. Jamison et al., trading as Jay Street Terminal, petitioner, *v.* Central Railroad Company of New Jersey et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 512. The Prudential Insurance Company of America, petitioner, *v.* George W. Ragan, Administrator etc. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky denied.

No. 515. Frederick O. Balcom, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 517. Crenshaw Bros. & Saffold, a copartnership, etc., petitioner, *v.* Southern Pacific Company. Petition for a writ of certiorari to the District Court of Appeal, Third Appellate District, of the State of California, denied.

No. 518. The T. L. Smith Company et al., petitioners, *v.* The Cement Tile Machinery Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 527. Lewis A. Stebbins, petitioner, *v.* A. F. Selig. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 528. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Industrial Commission of Illinois et al. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 529. The Toledo & Ohio Central Railway Company, petitioner, *v.* The Public Utilities Commission of Ohio. Petition for a writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 538. Clay Arthur Pierce et al., appellants, *v.* The United States of America. Petition for a writ of certiorari herein denied.

No. 539. The New York, Chicago & St. Louis Railroad Company, petitioner, *v.* Clinton F. Pugh. Petition for a writ of certiorari to the Court of Appeals, Eighth Judicial District, of the State of Ohio, denied.

No. 542. The City of New York, petitioner, *v.* Consolidated Gas Company of New York et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 545. Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, petitioner, *v.* Ellsworth G. Cole. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 546. Benjamin Friedman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 550. Raymond A. Kelly, Administrator etc., petitioner, *v.* Herbert B. McKeown. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 559. The Columbus Packing Company, petitioner, *v.* The State of Ohio on the relation of Hugo N. Schlesinger, Prosecuting Attorney etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 422. M. Hampton Todd et al., Receivers etc., petitioners, *v.* Heulings Lippincott and Alfred J. Major, Receivers etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third District denied.

No. 483. American Distributing Company, petitioner, *v.* Hayes Wheel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.



No. 514. Howard W. Showalter, 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. 519. Chauncey J. Hamlin et al., as Surviving Executors, etc., et al., petitioners, *v.* Mary K. Wellington, Individually and as Executrix, etc., et al. Petition for a writ of certiorari to the Surrogate's Court of Erie County, State of New York, denied.

No. 533. George W. Blevin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 556. Seaboard Air Line Railway Company, petitioner, *v.* Baltimore Trust Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Georgia denied.

No. 565. White Oak Fuel Company, petitioner, *v.* Bertram U. Carter et al., copartners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

The Chief Justice also announced that the court will take a recess from Monday, the 27th instant, to Monday, November 10 next.

No. 406. The Atherton Mills, appellant, *v.* Eugene T. Johnston et al. Motion for leave to file brief as amicus curiae and for leave to take part in the oral argument submitted by Mr. Solicitor General King for the United States.

No. 541. The United States of America et al., appellants, *v.* Alaska Steamship Company et al. Motion to advance submitted by Mr. Solicitor General King for the appellants.

No. 561. Oregon-Washington Railroad & Navigation Company, petitioner, *v.* Grace F. Fuller, as Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oregon submitted by Mr. Carl A. Mapes in behalf of Mr. Arthur C. Spencer for the petitioner.

No. 474. The United States, plaintiff in error, *v.* The American Brewing Company. Motion to advance to be heard with case No. 458 submitted by Mr. William L. Rawls in behalf of Mr. Elihu Root, Mr. William D. Guthrie, and Mr. William L. Marbury for the defendants in error.

No. 460. Rainier Brewing Company, plaintiff in error, *v.* Great Northern Pacific Steamship Company. Motion to dismiss submitted by Mr. Alexander Britton in behalf of Mr. Charles H. Carey, Mr. James B. Kerr, and Mr. Charles A. Hart for the defendants in error in support of the motion, and by Mr. S. J. Wettrick for the plaintiff in error in opposition thereto.

No. 328. Kansas City, plaintiff in error, *v.* Public Service Commission of Missouri et al. Motion to dismiss or affirm or advance submitted by Mr. James D. Lindsay, Mr. Frank Hagerman, and Mr. Richard J. Higgins for the defendants in error in support of the motion, and by Mr. Matthew A. Fyke for the plaintiff in error in opposition thereto.

No. 530. W. L. Bruce, as administrator, etc., et al., petitioners *v.* William Tobin. Petition for a writ of certiorari to the Supreme Court of the State of South Dakota submitted by Mr. L. H. Salinger for the petitioners.

No. 557. The Kansas City Southern Railway Company, petitioners, *v.* Robert W. Smith. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Samuel W. Moore and Mr. Cyrus Crane for the petitioner, and by Mr. Alfred N. Gossett for the respondent.

No. 49. Luella Swartwood as sole administratrix, etc., plaintiff in error, *v.* Lehigh Valley Railroad Company. Continued, per stipulation on motion of Mr. Frederick S. Tyler in behalf of counsel.

No. 318. Mark Eisner, as collector, etc., plaintiff in error, *v.* Myrtle H. Macomber. Reargument continued by Mr. Assistant Attorney General Frierson for the plaintiff in error, by Mr. Charles E. Hughes for the defendant in error, and concluded by Mr. Assistant Attorney General Frierson for the plaintiff in error.

No. 264. Joseph V. Stilson, plaintiff in error, *v.* The United States of America; and

No. 265. Joseph Sukys, plaintiff in error, *v.* The United States of America. Argument commenced by Mr. Henry John Nelson for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 21, will be as follows: Nos. 264 (and 265), 270 (to 274), 316, 276, 229, 374 (and 375 and 376), 44, 46, 50, and 51.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 21, 1919.

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

Harry S. Bowman, of Santa Fe, N. Mex.; John Wilfred Drummond, of Detroit, Mich.; and Edgar C. Snyder, of Seattle, Wash., were admitted to practice.

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No. 402. The Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* The City of Clarksdale. Motion to dismiss writ of error and motion to dismiss petition for writ of certiorari submitted by Mr. Frederick S. Tyler in behalf of Mr. Gerald Fitzgerald for the defendant in error in support of the motions, and by Mr. H. D. Minor, Mr. Charles N. Burch, and Mr. Blewett Lee for the plaintiffs in error in opposition thereto.

No. 395. A. L. Bracht, petitioner, *v.* San Antonio & Aransas Pass Railway Company. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri submitted by Mr. I. N. Watson for the petitioner.

No. 264. Joseph V. Stilson, plaintiff in error, *v.* The United States of America; and

No. 265. Joseph Sukys, plaintiff in error, *v.* The United States of America. Argument continued by Mr. Henry John Nelson for the plaintiff in error, by Mr. Assistant Attorney General Stewart for the defendant in error, and concluded by Mr. Henry John Nelson for the plaintiff in error.

No. 270. Peter Schaefer, plaintiff in error, *v.* The United States of America;

No. 271. Paul Vogel, plaintiff in error, *v.* The United States of America;

No. 272. Louis Werner, plaintiff in error, *v.* The United States of America;

No. 273. Martin Darkow, plaintiff in error, *v.* The United States of America; and

No. 274. Herman Lemke, plaintiff in error, *v.* The United States of America. Argued by Mr. William A. Gray and Mr. Henry John Nelson for the plaintiffs in error and by Mr. Assistant Attorney General Stewart for the defendant in error.

No. 316. Jacob Abrams et al., plaintiffs in error, *v.* The United States of America. Argument commenced by Mr. Harry Weinberger for the plaintiffs in error and continued by Mr. Assistant Attorney General Stewart for the defendant in error.

Adjournment until to-morrow at 12 o'clock.

The day call for Wednesday, October 22, will be as follows: Nos. 316, 276, 229, 374 (and 375 and 376), 44, 46, 50, 51, 52, and 53.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 22, 1919.

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

Arthur E. T. Chapman, of Los Angeles, Calif.; J. Henry Denning, of San Francisco, Calif.; Leroy C. Shonts, of Washington, D. C.; Howard W. Hodgkins, of Boston, Mass.; Ernest F. Wenderoth, of Washington, D. C.; William H. Hancock, of New York City; Oliver B. Thorgrimson, of Seattle, Wash.; J. Smith Hays, of Winchester, Ky.; Harry Brent Mackoy, of Covington, Ky.; Arthur A. Huebsch, of Chicago, Ill.; John N. Tillman, of Fayetteville, Ark.; and C. Kenny Templeton, of Pawhuska, Okla., were admitted to practice.

No. 316. Jacob Abrams et al., plaintiffs in error, *v.* The United States of America. Argument continued by Mr. Assistant Attorney General Stewart for the defendant in error, and concluded by Mr. Harry Weinberger for the plaintiffs in error.

No. 276. Robert F. Stroud, plaintiff in error, *v.* The United States of America. Argued by Mr. Martin J. O'Donnell for the plaintiff in error, and by Mr. Assistant Attorney General Stewart for the defendant in error.

No. 229. Louisiana Navigation Company, Limited, plaintiff in error, *v.* Oyster Commission of Louisiana (now Department of Conservation of Louisiana) et al. Argued by Mr. Edward N. Pugh for the plaintiff in error, and submitted by Mr. L. E. Hall for the defendants in error.

No. 374. The New York Central Railroad Company, plaintiff in error, *v.* Michael Bianc;

No. 375. American Knife Company et al., plaintiffs in error, *v.* George Sweeting; and

No. 376. Clark Knitting Company, Inc., et al., plaintiffs in error, *v.* Elizabeth Vaughn. Argument commenced by Mr. Robert E. Whalen for the plaintiff in error in No. 374, continued by Mr. William H. Foster for the plaintiffs in error in Nos. 375 and 376, and by Mr. E. C. Aiken for the State Industrial Commission of New York.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 23, will be as follows: Nos. 374 (and 375 and 376), 44, 46, 50, 51, 52, 53, 54, 55, and 57.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 23, 1919.

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

William N. Trinkle, of Philadelphia, Pa., William R. McFeeters, of St. Albans, Vt., R. L. Mitchell, of Great Falls, Mont., and Pierce Lonergan, of Seattle, Wash., were admitted to practice.

No. 57. Julius Wilbur, plaintiff in error, *v.* The State of Oregon. In error to the Supreme Court of the State of Oregon. Dismissed, with costs, under Rule 16, on motion of Mr. Frederick S. Tyler in behalf of Mr. George M. Brown for the defendant in error.

No. 374. The New York Central Railroad Company, plaintiff in error, *v.* Michael Bianc;

No. 375. American Knife Company et al., plaintiffs in error, *v.* George Sweeting; and

No. 376. Clark Knitting Company, Inc., et al., plaintiffs in error, *v.* Elizabeth Vaughn. Argument continued by Mr. E. C. Aiken for the State Industrial Commission of New York, and concluded by Mr. Robert E. Whalen for the plaintiff in error in No. 374.

No. 44. Hiram C. Himes et al., trustees etc., et al., plaintiffs in error, *v.* The Commonwealth of Pennsylvania. Argued by Mr. Edmund Bayly Seymour for the plaintiffs in error, and by Mr. William M. Hargest for the defendant in error.

No. 46. The Kentucky Heating Company et al., plaintiffs in error, *v.* The City of Louisville. Argument commenced by Mr. Matt O'Doherty for the plaintiffs in error. The court declined to hear further argument.

No. 50. The City of Los Angeles et al., appellants, *v.* Los Angeles Gas & Electric Corporation. Argued by Mr. W. B. Mathews for the appellants, and by Mr. Paul Overton for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 24, will be as follows: Nos. 51, 52, 53, 54, 55, 58, 59, 60, and 61 (and 62), and 63.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 24, 1919.

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

Cassius C. Dowell, of Des Moines, Iowa; John I. Levin, of St. Paul, Minn.; Tom J. McGrath, of St. Paul, Minn.; William B. Gourley, of Paterson, N. J.; William Hollander, of Oakland, Calif.; Louis W. Pratt, of San Francisco, Calif.; L. G. Haugen, of Northwood, Iowa; and Lincoln Bryant, of Boston, Mass., were admitted to practice.

No. —. Arthur Crane, petitioner, *v.* The United States. Motion for leave to proceed in forma pauperis, etc., submitted by Mr. Arthur Crane pro se.

No. 58. Edward B. Pryor et al., as receivers, etc., petitioners, *v.* Allega Williams. Passed temporarily, per stipulation.

No. 60. Seaboard Air Line Railway Company et al., appellants, *v.* The United States of America et al. Passed temporarily, per stipulation.

No. 51. City of Winchester et al., appellants, *v.* Winchester Water Works Company. Argued by Mr. J. Smith Hays for the appellants, and by Mr. Beverly R. Jouett for the appellee.

No. 52. Charles S. Ashley, plaintiff in error, *v.* William Cushing Wait et al. Argued by Mr. Charles R. Cummings for the plaintiff in error, and by Mr. William Harold Hitchcock for the defendant in error.

No. 53. The Pennsylvania Railroad Company, plaintiff in error, *v.* The Public Service Commission of the Commonwealth of Pennsylvania. Argued by Mr. Frederic D. McKenney for the plaintiff in error, and by Mr. William N. Trinkle for the defendant in error.

No. 54. Christopher L. Williams, as receiver, etc., et al., appellants, *v.* William D. Salter. Submitted by Mr. Stuart G. Gibboney for the appellants, and by Mr. Lindley M. Garrison for the appellee.

Adjourned until Monday next at 12 o'clock.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 27, 1919.

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

Julian M. Wright, of New York City; Edward W. Pou, of Smithfield, N. C.; William Wolff Smith, of Washington, D. C.; Ernest Leslie Frisbee, of Buffalo, N. Y.; James G. Condon, of Chicago, Ill.; George Warner Swain, of Chicago, Ill.; Peadar Bryan Morehouse, of Washington, D. C.; Harry G. Fisher, of Keyser, W. Va.; Harold Le Grand Beyer, of Grinnell, Iowa; and Walter F. Van Dame, of Ancon, Canal Zone, were admitted to practice.

No. 43. Lawrence Maxwell et al., Executors, etc., plaintiffs in error, *v.* Newton A. K. Bugbee, Comptroller of the Treasury of the State of New Jersey, et al., and

No. 238. Louis W. Hill, Administrator of the Estate of James J. Hill, deceased, plaintiff in error, *v.* Newton A. K. Bugbee, Comptroller of the Treasury of the State of New Jersey, et al. In error to the Court of Errors and Appeals of the State of New Jersey. Judgments affirmed with costs. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Holmes, Mr. Chief Justice White, Mr. Justice Van Devanter, and Mr. Justice McReynolds.

No. 30. Central of Georgia Railway Company, plaintiff in error, *v.* William A. Wright, Comptroller General, etc. In error to the Supreme Court of the State of Georgia. Judgment of this court of February 3, 1919, ordered to stand. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

The Chief Justice announced the following orders of the court:

No. —. G. T. Bryant et al., petitioners, *v.* The United States of America. Motion to direct clerk of the Circuit Court of Appeals to certify and forward the original transcript of record in this cause and that the clerk of this court be directed to file the petition for a writ of certiorari herein, denied.



No. —. Arthur Crane, petitioner, *v.* The United States of America. Motion to direct clerk of the Circuit Court of Appeals to certify and forward the original transcript of record in this cause and the motion for leave to prosecute the cause *in forma pauperis*, denied.

No. 406. The Atherton Mills, appellant, *v.* Eugene T. Johnston et al. Motion of counsel for The United States for leave to file printed brief herein and to make oral argument granted.

No. 541. The United States of America and Interstate Commerce Commission, appellants, *v.* Alaska Steamship Company et al. Motion to advance granted, and cause assigned for argument on Monday, December 8 next, after the cases heretofore assigned for that day.

No. 474. The United States, plaintiff in error, *v.* The American Brewing Company. Motion to advance for argument with case No. 458 granted.

No. 402. The Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* The City of Clarksdale. Further consideration of the motion to dismiss writ of error and the petition for a writ of certiorari postponed to the hearing on the merits.

No. 395. A. L. Bracht, petitioner, *v.* San Antonio & Aransas Pass Railway Company. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri granted.

No. 487. The Cudahy Packing Company, petitioner, *v.* Edward B. Pryor, receiver, etc. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri denied.

No. 451. David Lamar and Henry B. Martin, plaintiffs in error, *v.* The United States of America. Petition for a writ of certiorari herein denied.

No. 247. The United States of America on the relation of Simon Weiner, plaintiff in error and appellant, *v.* Nathan Gordon et al., etc., et al. In error to and appeal from the District Court of the United States for the Southern District of New York. Dismissed with costs, on motion of Mr. Solicitor General King in behalf of counsel for the plaintiff in error and appellant.

No. 299. H. E. Kirchner, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed on motion of Mr. Solicitor General King in behalf of counsel for the petitioner.

No. 567. The United States of America, plaintiff in error, *v.* A. Schrader's Sons (Inc.). Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 521. O. O. Askren, Attorney General of the State of New Mexico, et al., appellants, *v.* The Continental Oil Company;

No. 522. O. O. Askren, Attorney General of the State of New Mexico, et al., appellants, *v.* Sinclair Refining Company; and

N. 523. O. O. Askren, Attorney General of the State of New Mexico, et al., appellants, *v.* The Texas Company. Motions to advance submitted by Mr. M. T. Dulany in behalf of counsel for the appellants.

No. 382. National Brake & Electric Company, petitioner, *v.* Neils A. Christensen et al. Motion for writ of prohibition or other proper remedy submitted by Mr. John S. Miller, Mr. Thomas B. Kerr, Mr. Charles A. Brown, and Mr. Edward Osgood Brown for the petitioner in support of the motion, and by Mr. Joseph B. Cotton, Mr. Willet M. Spooner, Mr. William R. Rummel, and Mr. Louis Quarles for the respondents in opposition thereto.

No. 415. Philadelphia & Reading Railway Company, plaintiff in error, *v.* Margaret L. Hancock. Motion to dismiss submitted by Mr. Hannis Taylor for the defendant in error in support of the motion, and by Mr. George Gowen Parry for the plaintiff in error in opposition thereto.

No. 446. The Baldwin Company and The Valley Gem Piano Company, appellants, *v.* R. S. Howard Company; and

No. 387. The Baldwin Company, petitioner, *v.* R. S. Howard Company. Motion as to printing of the record submitted by Mr. Lawrence Maxwell and Mr. John E. Cross for the appellants and petitioner, and by Mr. Samuel S. Watson for the appellee and respondent.

No. 560. Peter Weissengoff, petitioner, *v.* George R. Davis, Administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frank Gosnell in behalf of Mr. William L. Marbury for the petitioner, and by Mr. Albert A. Doub and Mr. Harry G. Fisher for the respondent.

No. —, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file bill of complaint herein submitted by Mr. S. P. Freeling for the complainant.

No. 45. Thomas S. Haymond, appellant, *v.* Anthony Bowen et al. Appeal from the District Court of the United States for the Northern District of West Virginia. Dismissed with costs on motion of counsel for the appellant.

No. 532. Jung Back Sing and Dear Shee, petitioners, *v.* Edward White, as Commissioner of Immigration, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jackson H. Ralston for the petitioners and by Mr. Solicitor General King for the respondent.

No. 552. The Standard Fashion Company, petitioner, *v.* Magrane-Houston Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Robert G. Dodge, Mr. C. E. Hughes, Mr. Herbert Noble, and Mr. James B. Sheehan for the petitioners.

No. 558. G. E. Hosier, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Henry Bowden and Mr. Thomas H. Willcox for the petitioner and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 576. Walter Heynacher, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Louis W. Crofoot for the petitioner and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 496. Hartford Life Insurance Company, plaintiff in error, *v.* Cecelia Blinco, Administratrix of Rosa Barber, deceased. Petition for a writ of certiorari herein submitted by Mr. Frederick W. Lehmann, Mr. James C. Jones, and Mr. George F. Haid for the plaintiff in error in support of the petition.

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

The day call for Monday, November 10, will be as follows: Nos. 55, 59, 61 (and 62), 63, 64, 65, 66, 67, 68, and 69.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 10, 1919.

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

Fred D. Crane, of Coeur d'Alene, Idaho; Charles A. Walls, of Lonoke, Ark.; Ralph E. Robertson, of Juneau, Alaska; Lawrence J. Heller, of Washington, D. C.; Hugh C. Smith, of Kansas City, Mo.; Dougal Herr, of Hoboken, N. J.; George P. Whitsett, of Kansas City, Mo.; Daniel O. N. Hoffman, of Washington, D. C.; Elmer Westlake, of San Francisco, Cal.; Lewis A. Bell, of Chicago, Ill.; Fay McCall Delaney, of Norfolk, Va.; John B. Campbell, of Muskogee, Okla.; Fleming D. Tucker, of Savannah, Ga.; and Francis Stewart, of Muskogee, Okla., were admitted to practice.

No. 316. Jacob Abrams et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Clarke. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis.

No. 254. Alex. J. Groesbeck et al., appellants, *v.* Duluth, South Shore & Atlantic Railway Company. Appeal from the District Court of the United States for the Eastern District of Michigan. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 9. The Bank of Oxford and Edward Mayes and Robert B. Mayes, plaintiffs in error, *v.* J. S. Love, E. F. Anderson, and S. S. Harris, bank examiners of the State of Mississippi. In error to the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 25. J. S. Mullen et al., plaintiffs in error, *v.* Malinda Pickens et al.; and

No. 26. L. V. Mullen et al., plaintiffs in error, *v.* Anderson Gardner et al. In error to the Supreme Court of the State of Oklahoma. Judgments affirmed with costs. Opinion by Mr. Justice Pitney.

No. 374. The New York Central Railroad Company, plaintiff in error, *v.* Michael Bianc;

No. 375. American Knife Company et al., plaintiffs in error, *v.* George Sweeting; and

No. 376. Clark Knitting Company (Inc.), et al., plaintiffs in error, *v.* Elizabeth Vaughn. In error to the Supreme Court, Appellate Division, Third Judicial Department of the State of New York. Judgments affirmed with costs. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice McReynolds.

No. 2. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, plaintiff in error, *v.* Alvin J. Fink. In error to the Court of Appeals of Montgomery County, State of Ohio. Judgment reversed, with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 264. Joseph Stilson, plaintiff in error, *v.* The United States of America; and

No. 265. Joseph Sukys, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Eastern District of Pennsylvania. Judgments affirmed. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis.

No. 53. The Pennsylvania Railroad Company, plaintiff in error, *v.* The Public Service Commission of the Commonwealth of Pennsylvania et al. In error to the Superior Court of the State of Pennsylvania. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Clarke.

No. 311. Stephen H. P. Pell et al., petitioners, *v.* W. Gordon McCabe, jr., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes.

No. 335. Stephen H. P. Pell et al., appellants, *v.* W. Gordon McCabe, jr., et al. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 36. The United States of America on the relation of Alaska Smokeless Coal Company, plaintiff in error, *v.* Franklin K. Lane, as Secretary of the Interior, and Clay Tallman, as Commissioner of the General Land Office. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 38. Lehigh Coal & Navigation Company *v.* The United States. On a certificate from the United States Circuit Court of Appeals for

the Third Circuit. First question certified answered in the affirmative. Opinion by Mr. Justice McKenna.

No. 122. Ricardo Cartas, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice White.

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

No. 90. City of Chicago et al., plaintiffs in error *v.* Thomas E. Dempcy, as chairman, etc., et al. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of *City of Pawhuska v. Pawhuska Oil & Gas Co. et al.* (250 U. S., 394).

No. 52. Charles S. Ashley, plaintiff in error, *v.* William Cushing Wait, et al. In error to the Supreme Judicial Court of the State of Massachusetts. Per curiam: Dismissed without costs for want of jurisdiction upon the authority of *California v. San Pablo & Tulare R. R. Co.* (149 U. S., 308, 314; *Richardson v. McChesney*, 218 U. S., 487, 492; *Stearns v. Wood*, 236 U. S., 75, 78; *United States v. Hamburg-American Co.*, 239 U. S., 466, 475).

No. 328. Kansas City, plaintiff in error, *v.* Public Service Commission of Missouri et al. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of *City of Pawhuska v. Pawhuska Oil & Gas Co. et al.* (250 U. S., 394; and see *City of Chicago v. Dempcy*, this day decided).

No. 460. Rainier Brewing Company, plaintiff in error, *v.* Great Northern Pacific Steamship Company. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *United States v. Krall* (174 U. S., 385; *German National Bank v. Speckert*, 181 U. S., 405; *United States v. Beatty*, 232 U. S., 463; and see *Eichel v. United States Fidelity & Guaranty Co.*, 239 U. S., 629).

No. 44. Hiram C. Himes et al., trustees, etc., et al., plaintiffs in error, *v.* The Commonwealth of Pennsylvania. In error to the Supreme Court of the State of Pennsylvania. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2, Thirty-ninth Statutes at Large, 726.

No. 46. Kentucky Heating Company et al., plaintiffs in error, *v.* The City of Louisville. In error to the Court of Appeals of the State of Kentucky. Per curiam: Dismissed for want of jurisdiction upon the authority of section 6 of the act of September 6, 1916, chapter 448, Thirty-ninth Statutes at Large, 727.

No. 54. Christopher L. Williams, as receiver, etc., et al., appellants, *v.* William D. Salter. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2, Thirty-ninth Statutes at Large, 726.

No. 229. Louisiana Navigation Company, Limited, plaintiff in error, *v.* Oyster Commission of Louisiana (now Department of Conservation of Louisiana) et al. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2, Thirty-ninth Statutes at Large, 726.

No. 5. City of Birmingham, plaintiff in error, *v.* D. J. O'Connell. In error to the Supreme Court of the State of Alabama. Per curiam: Dismissed without costs for want of jurisdiction upon the authority of *Johnson v. State of Tennessee* (214 U. S., 485; *California v. San Pablo & Tulare R. R. Co.*, 149 U. S., 308, 314; *Richardson v. McChesney*, 218 U. S., 487, 492; *Stearns v. Wood*, 236 U. S., 75, 78; *United States v. Hamburg-American Co.*, 239 U. S., 466, 475).

No. 599, October Term, 1918. Minerals Separation, Limited, et al., petitioners, *v.* Butte & Superior Mining Company. Motion to recall mandate and disallow costs denied.

No. —, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file bill of complaint herein granted, and process ordered to issue returnable on Monday, March 1 next.

No. 387. The Baldwin Company, petitioner, *v.* R. S. Howard Company; and

No. 446. The Baldwin Company et al., appellants, *v.* R. S. Howard Company. Motion to relieve the appellants and petitioner from printing the entire record in these cases granted, on the understanding that they will furnish for the use of the court and counsel at the hearing printed copies of the record, as filed in the Court of Appeals of the District of Columbia (including the testimony) certified by the clerk of that court.

No. 382. National Brake & Electric Company, petitioner, *v.* Neils A. Christensen et al. Motion for a writ of prohibition herein denied.

No. 521. O. O. Askren, attorney general of the State of New Mexico, et al., appellants, *v.* The Continental Oil Company;

No. 522. O. O. Askren, attorney general of the State of New Mexico, et al., appellants, *v.* Sinclair Refining Company; and

No. 523. O. O. Askren, attorney general of the State of New Mexico, et al., appellants, *v.* The Texas Company. Motions to advance granted, and cases assigned for argument on Monday, January 5 next.

No. 567. The United States of America, plaintiff in error, *v.* A. Schrader's Son, Inc. Motion to advance granted, and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 415. Philadelphia & Reading Railway Company, plaintiff in error, *v.* Margaret L. Hancock. Petition for a writ of certiorari herein granted. Further consideration of the motion to dismiss herein postponed to the hearing of the case on the merits.

No. 496. Hartford Life Insurance Company, plaintiff in error, *v.* Cecelia Blinco, administratrix of Rosa Barber, deceased. Further consideration of the petition for a writ of certiorari herein postponed to the hearing of the case on the writ of error.

No. 552. The Standard Fashion Company, petitioner, *v.* Magrane-Houston Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 532. Jung Back Sing et al. petitioners, *v.* Edward White, as Commissioner of Immigration, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 558. G. E. Hosier, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 560. Peter Weissengoff, petitioner, *v.* George R. Davis, administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 576. Walter Heynacher, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 121. Charles A. Hitchcock, petitioner, *v.* Alfred G. Scattergood et al. Consideration of the motion to dismiss herein postponed to the hearing of the case on the merits.

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No. 373. Strathearn Steamship Company, Limited, petitioner, *v.* John Dillon. Motion for leave to file a brief herein as *amicus curiæ* and to take part in the oral argument submitted by Mr. Solicitor General King for the United States.



No. 540. Roberto Gayon, plaintiff in error, *v.* Thomas D. McCarthy, United States marshal, etc. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 589. Elwood Hamilton, collector of internal revenue, etc., appellant, *v.* Kentucky Distilleries & Warehouse Company. Motion to advance and to set case for hearing on the 20th instant submitted by Mr. Solicitor General King for the appellant.

No. 237. The Globe Works, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings of fact submitted by Mr. John S. Blair for the appellant in support of the motion, and by Mr. Solicitor General King and by Mr. Assistant Attorney General Davis for the appellee in opposition thereto.

No. 593. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Motion to advance submitted by Mr. William Marshall Bullitt for the appellant.

No. 109. Northern Pacific Railway Company, appellant, *v.* The United States. Leave granted to file brief as *amicus curiæ*, on motion of Mr. Bert E. Barlow and Mr. A. R. Serven for the C., B. & Q. Ry. Company.

No. 286. J. W. Thompson, plaintiff in error, *v.* R. B. Day, sheriff and tax collector et al. Motion to dismiss or affirm submitted by Mr. H. G. Dupré in behalf of Mr. Harry P. Sneed for the defendants in error in support of the motion, and by Mr. William C. Marshall for the plaintiff in error in opposition thereto.

No. 77. Henry Peters et al., plaintiffs in error, *v.* Thomas Veasey. Death of Thomas Veasey, the defendant in error herein suggested, and appearance of Nellie Veasey, as administratrix of the succession of Thomas Veasey, deceased, as the party defendant in error herein, filed and entered, on motion of Mr. F. R. Shearer in behalf of counsel for the defendant in error.

No. 581. Mary L. Greer Conklin, appellant, *v.* George H. Conklin et al. Motion for an order on judge of lower court to file an opinion and motion for leave to proceed in forma pauperis submitted by Mr. Frederick S. Tyler in behalf of the appellant.

No. 511. Guiseppe Cavallero, petitioner, *v.* Steamship *Carlo Poma*, her engines, etc., Kingdom of Italy, claimant. Motion to advance submitted by Mr. George H. Lamar in behalf of counsel.

No. 386. Brooks-Scanlon Company, petitioner, *v.* Railroad Commission of Louisiana. Motion to advance submitted by Mr. S. R. Prince in behalf of counsel.

No. 183. Joslin Manufacturing Company, plaintiff in error, *v.* The City of Providence et al.;

No. 184. Scituate Light & Power Company, plaintiff in error, *v.* The City of Providence et al.; and

No. 185. Theresa B. Joslin, plaintiff in error, *v.* The City of Providence et al. Motions to dismiss submitted by Mr. Albert A. Baker and Mr. Elmer S. Chace for the defendants in error in support of the motion, and by Mr. Robert H. McCarter, Mr. Francis I. McCanna, and Mr. Alfred G. Chaffee for the plaintiff in error in opposition thereto. Petitions for writs of certiorari herein submitted by Mr. Francis I. McCanna, Mr. Robert H. McCarter, Mr. J. Jerome Hahn, and Mr. Alfred G. Chaffee for the plaintiffs in error.

No. 182. William J. Geary, plaintiff in error, *v.* Alice Geary. Motion to dismiss submitted by Mr. R. E. Evans for the defendant in error in support of the motion, and by Mr. T. M. Zink for the plaintiff in error in opposition thereto.

No. 382. National Brake & Electric Company, petitioner, *v.* Neils A. Christensen et al. Motion to dismiss submitted by Mr. Joseph B. Cotton, Mr. Willet M. Spooner, Mr. William R. Rummmler, and Mr. Louis Quarles for the respondents in support of the motion, and by Mr. Thomas B. Kerr, Mr. Charles A. Brown, Mr. John S. Miller, and Mr. Edward Osgood Brown for the petitioner in opposition thereto.

No. 438. Rudolph Ernest Tiedemann, plaintiff in error, *v.* Gertrude Eleanor Tiedemann. Motion to dismiss or affirm submitted by Mr. Elijah N. Zoline and Mr. Louis J. Vorhaus for the defendant in error in support of the motion, and by Mr. Homer S. Cummings and Mr. Nash Rockwood for the plaintiff in error in opposition thereto.

No. 544. Missouri Pacific Railroad Company, plaintiff in error, *v.* G. W. Bollis. Motion to dismiss submitted by Mr. Julian C. Wilson and Mr. Walter P. Armstrong for the defendant in error in support of the motion, and by Mr. J. W. Canada and Mr. Edward J. White for the plaintiff in error in opposition thereto. Petition for a writ of certiorari herein submitted by Mr. J. W. Canada and Mr. Edward J. White for the plaintiff in error, in support of the petition, and by Mr. Julian C. Wilson and Mr. Walter P. Armstrong for the defendant in error, in opposition thereto.

No. 410. Birmingham Trust & Savings Company, as trustee, etc., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John P. Tillman for the petitioner, and by Mr. Assistant Attorney General Brown for the respondent.

No. 427. Michael Tomasco, petitioner, *v.* Delaware, Lackawanna & Western Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George Clinton for the petitioner, and by Mr. Maurice C. Spratt for the respondent.

No. 466. Armour & Company et al., petitioners, *v.* Texas & Pacific Railway Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, submitted by Mr. James Manson McCormick and Mr. Francis Marion Etheridge for the petitioners, and by Mr. Thomas J. Freeman for the respondents.

No. 568. Union Pacific Railroad Company, petitioner, *v.* James J. E. Burke. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Oscar R. Houston and Mr. D. Roger Englar for the petitioner, and by Mr. Arthur W. Clement and Mr. Wilson E. Tipple for the respondent.

No. 572. Frey & Son, Incorporated, petitioner, *v.* Welch Grape Juice Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Horace T. Smith for the petitioner.

No. 217. The Barber Asphalt Paving Company, petitioner, *v.* William H. Woerheide et al. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs, on motion of counsel for the petitioner.

No. 65. Franklin Shaw et al., appellants, *v.* Franklin K. Lane, Secretary of the Interior. Passed, to be restored to the call, pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the appellee.

No. 68. South Coast Steamship Company, petitioner, *v.* J. C. Rudbach. Submitted by Mr. Oliver Dibble for the petitioner, and by Mr. S. Hasket Derby for the respondent.

No. —, Original. *Ex parte* In the matter of J. Raymond Tiffany, as receiver, etc., petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Dougal Herr for the petitioner.

No. 55. The Milwaukee Electric Railway & Light Company, plaintiff in error, *v.* the State of Wisconsin *ex rel.* city of Milwaukee. Argued by Mr. Edward S. Mack for the plaintiff in error, and by Mr. Clifton Williams for the defendant in error.

No. 59. Bert Rucker, plaintiff in error, *v.* Marion A. Tatlow. Submitted by Mr. Joseph G. Waters and Mr. Joseph M. Stark for the plaintiff in error, and by Mr. Lee Monroe for the defendant in error.

No. 61. William T. Wagner et al., etc., plaintiffs in error, *v.* the city of Covington. Argument commenced by Mr. Harry Brent Mackoy for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 11, will be as follows: Nos. 61 (and 62), 63, 64, 66, 67, 69, 70, 71, 72, and 73.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 11, 1919.

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

John F. O'Brien, of New York City; Harry E. Kemp, of St. Louis, Mo.; Leander T. Turner, of Seattle, Wash.; and Charles A. Post, of Los Angeles, Calif., were admitted to practice.

No. 589. Elwood Hamilton, Collector of Internal Revenue for the Collection District of Kentucky, appellant, *v.* Kentucky Distilleries and Warehouse Company. Motion to advance granted, and cause assigned for argument on Thursday, the 20th instant, at the head of the call for that day.

No. 354. National Council Junior Order United American Mechanics, plaintiff in error, *v.* Catherine A. Nicodemus. Motion to dismiss or affirm submitted by Mr. Fred Herrington for the defendant in error in support of the motion, and by Mr. George P. Steele for the plaintiff in error in opposition thereto.

No. 449. Frank Shaffer, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. David A. Baer and Mr. John J. Sullivan for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgeley for the respondent.

No. 72. Robert P. Ervien, Commissioner of Public Lands of the State of New Mexico, appellant, *v.* The United States of America. Submitted by Mr. A. B. Renehan for the appellant, and by Mr. Assistant Attorney General Nebeker and Mr. Leslie C. Garnett for the appellee.

No. 61. William T. Wagner et al., etc., plaintiffs in error, *v.* The City of Covington. Argument continued by Mr. A. E. Stricklett for the defendant in error, and concluded by Mr. Harry Brent Mackoy for the plaintiffs in error.

No. 63. Frank A. Bone, petitioner, *v.* Commissioner of Marion County. Argued by Mr. Clarence E. Mehlhope for the petitioner, and by Mr. V. H. Lockwood for the respondent.

No. 64. Great Northern Railway Company, plaintiff in error, *v.* The State of Washington. Passed temporarily.

No. 66. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* Dicksey Williams and Lucy Williams. Argued by Mr. Robert E. Wiley for the plaintiff in error. No appearance for the defendant in error.

No. 67. Thomas J. Evans, Sole Surviving Receiver, etc., petitioner, *v.* National Bank of Savannah. Argument commenced by Mr. Frederick T. Saussy for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 12, will be as follows: Nos. 67, 69, 70, 71, 73, 75, 76, 77, 78, and 79.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 12, 1919.

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

Robert M. Rowland, of Fort Worth, Tex., and William Shelton Pritchard, of Birmingham, Ala., were admitted to practice.

No. 78. Gulf, Colorado & Santa Fe Railway Company et al., plaintiffs in error, *v.* George H. Bowles. Submitted by Mr. Alexander Britton, Mr. J. W. Terry, and Mr. John G. Gregg for the plaintiffs in error. No appearance for the defendant in error.

No. 79. Frank P. McCloskey, plaintiff in error, *v.* John W. Tobin, sheriff of Bexar County, Tex. Submitted by Mr. R. H. Ward for the plaintiff in error, and by Mr. Luther Nickels and Mr. B. F. Looney for the defendant in error.

No. 67. Thomas J. Evans, sole surviving receiver, etc., petitioner, *v.* National Bank of Savannah. Argument continued by Mr. Frederick T. Saussy for the petitioner, continued by Mr. Edward S. Elliott for the respondent, and concluded by Mr. Frederick T. Saussy for the petitioner.

No. 69. Edward E. O'Brien et al., plaintiffs in error, *v.* The Public Service Commission of the First District of the State of New York, etc. Argument commenced by Mr. Robert H. Elder for the plaintiffs in error. The Court declined to hear further argument.

No. 70. William F. Hays, appellant, *v.* Port of Seattle, The State of Washington et al. Argued by Mr. William F. Hays, in *propria persona*, and by Mr. L. T. Turner for the appellees.

No. 71. St. Louis, Iron Mountain & Southern Railway Company, appellant, *v.* The United States. Argued by Mr. Benjamin Carter for the appellant, and by Mr. Assistant Attorney General Frierson for the appellee.

Adjournment until to-morrow at 12 o'clock.

The day call for Thursday, November 13, will be as follows: Nos. 73, 75, 76, 77, 80, 81, 82, 83, 84, and 85.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 13, 1919.

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

Tyson Dines, jr., of Denver, Colo.; George Janvier, of New Orleans, La.; George S. Hawke, of Cincinnati, Ohio; Hugo D. Newhouse, of San Francisco, Calif.; and Warren H. Pillsbury, of San Francisco, Calif., were admitted to practice.

No. 83. *Western Union Telegraph Company, plaintiff in error, v. Peter Boegli.* Passed, on motion of Mr. John A. Kratz, jr., in behalf of counsel for the defendant in error.

No. 85. *Sue Erskine Newman, administratrix etc., et al., appellants, v. Ida M. Moyers et al.* Passed temporarily, on motion of Mr. Charles F. Consaul for the appellees.

No. 86. *Carter Glass, Secretary of the Treasury, et al., appellants, v. De Forest L. Ormes, administrator, etc.* Leave granted to file brief as *amicus curiae*, on motion of Mr. C. W. Maupin in that behalf.

No. 73. *Maryland Casualty Company, appellant, v. The United States.* Argued by Mr. Burt E. Barlow for the appellant and by Mr. Assistant Attorney General Frierson for the appellee.

No. 75. *Margaret H. Sanger, plaintiff in error, v. The People of the State of New York.* Argued by Mr. Jonah J. Goldstein for the plaintiff in error and by Mr. Harry G. Anderson for the defendant in error.

No. 76. *The Birge-Forbes Company, petitioner, v. Carl R. Heye.* Argument commenced by Mr. Henry O. Head for the petitioner and continued by Mr. Robert M. Rowland for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 14, will be as follows: Nos. 76, 77, 80, 81, 82, 84, 86, 87 (and 88), 89, and 91.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 14, 1919.

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

Hieatt S. Dones, of Columbus, Ohio; Eugene Congleton, of New York City; John B. Dudley, of Oklahoma City, Okla.; Paul D. Durant, of Milwaukee, Wis.; Martin E. Keffer, of Atlantic City, N. J.; Mary O'Toole, of Washington, D. C.; and Earle F. Angell, of White Sulphur Springs, Mont., were admitted to practice.

No. 87. The United States of America, appellant, *v.* The Keystone Watch Case Company; and

No. 88. The Keystone Watch Case Company, appellant, *v.* The United States of America. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the United States of America.

No. 86. Carter Glass, Secretary of the Treasury, et al., appellants, *v.* DeForest L. Ormes, administrator, etc. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Miss Mary O'Toole for the appellee.

No. 76. Birge-Forbes Company, petitioner, *v.* Carl R. Heye. Argument continued by Mr. Robert Rowland for the respondent and concluded by Mr. Henry O. Head for the petitioner.

No. 77. Henry Peters et al., plaintiffs in error, *v.* Thomas Veasey. Argued by Mr. George Janvier for the plaintiffs in error and submitted by Mr. Walter S. Penfield for the defendant in error.

No. 80. H. Turner et al., executors, etc., plaintiff in error, *v.* J. P. Wade, sheriff of Brooks County, Georgia. Argued by Mr. Arthur G. Powell for the plaintiffs in error. No brief was filed for the defendant in error.

No. 81. Liverpool, Brazil & River Plate Steam Navigation Company, petitioner, *v.* Brooklyn Eastern District Terminal. Argued by Mr. Van Vechten Veeder for the petitioner and by Mr. Samuel Park for the respondent.

No. 82. J. H. Branson, sheriff and collector, etc., et al., appellants, *v.* B. F. Bush, receiver, etc. Argued by Mr. George B. Rose for the appellants and by Mr. Thomas B. Pryor for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 17, will be as follows: Nos. 84, 89, 91, 92, 93 (to 100), 101, 102, 103 (to 105), 234, and 29.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 17, 1919.

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

W. Cleveland Runyon, of New York City; John T. Creighton, of Springfield, Ill.; Arthur C. Eckert, of St. Louis, Mo.; Ellis B. Cooper, of Jackson, Miss.; Emory R. Buckner, of New York City; Walter S. Dryfoos, of New York City; Max Lowenthal, of New York City; and David A. Richardson, of Oklahoma City, Okla., were admitted to practice.

No. 179. The United States of America, appellant, *v.* The Southern Pacific Company et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree of the Circuit Court of Appeals reversed, and decree of the District Court of the United States for the Southern District of California affirmed; and cause remanded to the District Court of the United States for the Southern District of California. Opinion by Mr. Justice Van Devanter. (Mr. Justice McReynolds did not participate in the consideration or disposition of this case.)

The Chief Justice announced the following orders of the court:

No. 182. William J. Geary, plaintiff in error, *v.* Alice Geary. In Error to the Supreme Court of the State of Nebraska. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2 (39 Stat. L., 726).

No. 183. Joslin Manufacturing Company, plaintiff in error, *v.* The City of Providence et al.;

No. 184. Scituate Light & Power Company, plaintiff in error, *v.* The City of Providence et al.; and

No. 185. Theresa B. Joslin, plaintiff in error, *v.* The City of Providence et al. In Error to the Supreme Court of the State of Rhode Island. Per curiam: Dismissed for want of jurisdiction upon the authority of *Hazleton v. Bank* (183 U. S. 130); *Schlosser v. Hemp-hill* (198 U. S., 173); *Coe v. Armour Fertilizer Works* (237 U. S.,

413, 418); *Bruce v. Tobin* (245 U. S. 18, 19); and see *Collard, Adm'r, v. Pittsburgh, Cincinnati, Chicago & St. Louis Ry. Co.* (246 U. S. 653). Petition for certiorari denied.

No. 286. *J. W. Thompson, plaintiff in error, v. R. B. Day, Sheriff and Tax Collector, et al.* In Error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of *Goodrich v. Ferris* (214 U. S., 71, 79); *Brolan v. United States* (236 U. S., 216, 218); *United Surety Co. v. American Fruit Produce Co.* (238 U. S., 140, 142); *Sugarman v. United States* (249 U. S., 182, 184).

No. 354. *National Council Junior Order United American Mechanics, plaintiff in error, v. Catherine A. Nicodemus.* In Error to the Supreme Court of the State of Colorado. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2 (39 Stat. L., 726).

No. 438. *Rudolph Ernest Tiedemann, plaintiff in error, v. Gertrude Eleanor Tiedemann.* In Error to the Supreme Court of the State of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2 (39 Stat. L., 726).

No. 59. *Bert Rucker, plaintiff in error, v. Marion A. Tatlow,* In Error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for want of jurisdiction upon the authority of *Goodrich v. Ferris* (214 U. S., 71, 79); *Brolan v. United States* (236 U. S., 216, 218); *United Surety Co. v. American Fruit Produce Co.* (238 U. S., 140, 142); *Sugarman v. United States* (249 U. S., 182, 184).

No. 69. *Edward E. O'Brien et al., plaintiffs in error, v. The Public Service Commission of the First District of the State of New York, etc.* In Error to the Supreme Court of the State of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *California Powder Works v. Davis* (151 U. S., 389, 393); *Sayward v. Denny* (158 U. S., 180, 183); *Harding v. Wilson* (196 U. S., 78, 86); (2) *Thomas v. Iowa* (209 U. S., 258, 263); *Bowe v. Scott* (233 U. S., 658, 664); and see *El Paso Sash & Door Co. v. Carraway* (245 U. S., 643).

No. 75. *Margaret H. Sanger, plaintiff in error, v. The People of the State of New York.* In Error to the Court of Special Sessions of the City of New York for County of Kings, State of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *California Powder Works v. Davis* (151 U. S., 389, 393); *Sayward v. Denny* (158 U. S., 180, 183); *Harding v. Wilson* (196 U. S., 78, 86); (2) *Thomas v. Iowa* (209 U. S., 258, 263); *Bowe*

*v. Scott* (233 U. S., 658, 664); and see *El Paso Sash & Door Co. v. Carraway* (245 U. S., 643).

No. 78. *Gulf, Colorado & Santa Fe Railway Company et al., plaintiffs in error, v. George H. Bowles*. In Error to the District Court of the United States for the Southern District of Texas. Per curiam: Reversed upon the authority of *Louisville & Nashville R. R. Co. v. Rice*, 247 U. S. 201.

No. —, original. Ex parte In the matter of *J. Raymond Tiffany, Receiver, etc., petitioner*. Motion for leave to file petition for a writ of mandamus granted, and rule to show cause awarded returnable Monday, December 8th next.

No. 237. *The Globe Works, appellant, v. The United States*. Motion to remand for further findings of fact denied.

No. 373. *Strathearn Steamship Company, Limited, petitioner, v. John Dillon*. Motion on behalf of The United States for leave to file printed brief herein and to take part in the oral argument granted.

No. 581. *Mary L. Greer Conklin, appellant, v. George H. Conklin et al.* Motion for leave to proceed in forma pauperis denied.

No. 386. *Brooks-Scanlon Company, petitioner, v. Railroad Commission of Louisiana*. Motion to advance granted, and cause assigned for argument on Monday, January 5th next, after the cases heretofore assigned for that day.

No. 540. *Roberto Gayon, plaintiff in error, v. Thomas D. McCarthy, U. S. Marshal, etc.* Motion to advance granted, and cause assigned for argument on Monday, January 5th next, after the cases heretofore assigned for that day.

No. 593. *Charles E. Smith, appellant, v. Kansas City Title & Trust Company et al.* Motion to advance granted, and cause assigned for argument on Monday, January 5th next, after the cases heretofore assigned for that day.

No. 511. *Guiseppe Cavallaro, petitioner, v. Steamship Carlo Poma, her engines, etc., Kingdom of Italy, Claimant*. Motion to advance denied.

No. 382. *National Brake & Electric Company, petitioner, v. Neils A. Christensen et al.* Further consideration of the motion to dismiss postponed to the hearing of the case on the merits.

No. 568. *Union Pacific Railroad Company, petitioner, v. James J. E. Burke*. Petition for a writ of certiorari to the Supreme Court of the State of New York granted.

No. 410. *Birmingham Trust & Savings Company, as Trustee, etc., petitioner, v. The United States of America*. Petition for a writ

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

No. 427. Michael Tomasco, petitioner, *v.* Delaware, Lackawanna & Western Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 466. Armour & Company et al., petitioners, *v.* Texas & Pacific Railway Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 572. Frey & Son, Incorporated, petitioner, *v.* Welch Grape Juice Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 561. Oregon-Washington Railroad & Navigation Company, petitioner, *v.* Grace F. Fuller, as Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oregon denied.

No. 530. W. L. Bruce, as Administrator, etc., et al., petitioners, *v.* William Tobin. Petition for a writ of certiorari to the Supreme Court of the State of South Dakota denied.

No. 557. The Kansas City Southern Railway Company, petitioner, *v.* Robert W. Smith. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

The Chief Justice also announced that the court will take a recess from Monday, the 24th instant, to Monday, December 8th, next.

No. 525. Worth Brothers Company, petitioners, *v.* Ephraim Lederer, Collector of Internal Revenue, etc. Motion to advance submitted by Mr. Solicitor General King for the respondent.

No. 526. Forged Steel Wheel Company, petitioner, *v.* C. G. Lewellyn, Collector of Internal Revenue, etc. Motion to advance submitted by Mr. Solicitor General King for the respondent.

No. 535. Carbon Steel Company, petitioner, *v.* C. G. Lewellyn, Collector of Internal Revenue, etc. Motion to advance submitted by Mr. Solicitor General King for the respondent.

No. 603. Jacob Ruppert, a Corporation, appellant, *v.* Frank G. Caffey, United States Attorney for the Southern District of New York, et al. Case advanced and assigned for argument on Thursday, the 20th instant, after the case heretofore assigned for that day, on motion of Mr. Emory R. Buckner for the appellant.

No. 602. Alphons Dryfoos et al., appellants, *v.* William H. Edwards, Collector of Internal Revenue for the Second Collection District of New York. Case advanced and assigned for argument on

Thursday, the 20th instant, after the cases heretofore assigned for that day, on motion of Mr. Alphons Dryfoos for the appellants.

No. 348. Erie Railroad Company, petitioner, *v.* William M. Collins. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of Mr. Adelbert Moot for the petitioner.

No. 355. Erie Railroad Company, petitioner, *v.* Antoni Szary. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of Mr. William C. Cannon for the petitioner.

No. 188. Georgia M. Houston, Administratrix, etc., plaintiff in error, *v.* Seaboard Air Line Railway Company. Motion to dismiss submitted by Mr. G. Hatton for the defendant in error in support of the motion.

No. 563. Inter-Urban Railway Company et al., petitioners, *v.* Mrs. Fred Smith. Petition for a writ of certiorari to the Supreme Court of the State of Iowa submitted by Mr. William H. Donovan in behalf of Mr. Frank J. Hogan and Mr. James L. Parrish for the petitioners, and by Mr. R. M. Haines for the respondent.

No. 290. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Eva Roberts Cole, as Administratrix, etc. Motion to dismiss or affirm submitted by Mr. W. A. Ledbetter and Mr. H. L. Stuart for the defendant in error in support of the motion, and by Mr. R. J. Roberts for the plaintiff in error in opposition thereto.

No. 334. Southern Pacific Company, plaintiff in error, *v.* Leo L. D'Utassy. Motion to dismiss submitted by Mr. Arthur W. Clement and Mr. Wilson E. Tipple for the defendant in error in support of the motion, and by Mr. Fred H. Wood for the plaintiff in error in opposition thereto.

No. 598. Bascom C. Thompson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. P. H. Cullen for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 92. Harry Wronkow Keatley, petitioner, *v.* United States Trust Company et al., as Executors, etc. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. H. B. Rowland in behalf of counsel.

Nos. 93 to 100. Erie Railroad Company et al., plaintiffs in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Frederic D. McKenney in behalf of counsel.

No. 102. The Cuyahoga River Power Company, appellant, *v.* The Northern Ohio Traction & Light Company et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. George A. King in behalf of counsel.

No. 84. William Schall, Jr., et al., petitioners, *v.* Frederick Camors et al., Trustees, etc. Argued by Mr. R. S. Rounds for the petitioners, and by Mr. Monte M. Lemann for the respondents.

No. 89. W. A. Sullivan, plaintiff in error, *v.* The City of Shreveport. Submitted by Mr. E. H. Randolph for the plaintiff in error, and by Mr. James E. Smitherman for the defendant in error.

No. 91. Postal Telegraph Company, petitioner, *v.* Warren-Godwin Lumber Company. Argued by Mr. Ellis B. Cooper for the petitioner, and submitted by Mr. William D. Anderson for the respondent.

No. 101. Godchaux Company, Incorporated, plaintiff in error, *v.* Albert Estopinal, Jr., Sheriff, etc., et al. Argument commenced by Mr. R. C. Milling for the plaintiff in error, and continued by Mr. William Winans Wall for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 18, will be as follows: Nos. 101, 103 (and 104 and 105), 234, 29, 106, 108, 109 (and 132, 133, and 232), 110, 111, and 112.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 18, 1919.

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

Joseph Higgins, of Nashville, Tenn.; Joseph L. Donaldson, of Carrollton, Ky.; Roy McNaughton, of Miami, Okla.; and Walter H. Evans, of Portland, Oreg., were admitted to practice.

No. 120. A. A. Ausplund, plaintiff in error, *v.* The State of Oregon. In Error to the Supreme Court of the State of Oregon. Dismissed, per stipulation, on motion of Mr. W. H. Evans for the defendant in error.

No. 109. Northern Pacific Railway Company, appellant, *v.* The United States;

No. 132. The Seaboard Air Line Railway, appellant, *v.* The United States;

No. 133. The New York Central & Hudson River Railroad Company, appellant, *v.* The United States; and

No. 232. Kansas City, Mexico & Orient Railway Company, of Texas, appellant, *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for The United States.

No. 101. Godchaux Company, Inc., plaintiff in error, *v.* Albert Estopinal, Jr., Sheriff, etc., et al. Argument continued by Mr. William Winans Wall for the defendants in error, and concluded by Mr. R. C. Milling for the plaintiff in error.

No. 103. The United States of America, plaintiff in error, *v.* Mill Creek & Mine Hill Navigation & Railroad Company, to use of Philadelphia & Reading Railway Company, Lessee;

No. 104. The United States of America, plaintiff in error, *v.* North Pennsylvania Railroad Company to use of Philadelphia & Reading Railway Company, Lessee; and

No. 105. The United States of America, plaintiff in error, *v.* Delaware & Bound Brook Railroad Company to use of Philadelphia &

Reading Railway Company, Lessee. Argued by Mr. Assistant Attorney General Frierson for the plaintiff in error, and by Mr. William Clarke Mason for the defendants in error.

No. 234. Clinton H. Pierce et al., plaintiffs in error, *v.* The United States of America. Argument commenced by Mr. Frederick A. Mohr for the plaintiffs in error, and continued by Mr. Assistant Attorney General Stewart for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 19, will be as follows: Nos. 234, 29, 106, 108, 110, 111, 112, 113, 114, and 115.



# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 19, 1919.

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

Stephens L. Blakely, of Covington, Ky., Lewis F. Brown, of Covington, Ky., Charles D. Wagaman, of Hagerstown, Md., Edward R. Whittingham, of New York City, Edgar Lee Greever, of Tazewell, Va., and J. S. Ashworth, of Bristol, Va., were admitted to practice.

No. 113. E. Viegelmann & Company, petitioner, *v.* The Insular Collector of Customs. On petition for a writ of certiorari to the Supreme Court of the Philippine Islands. Dismissed for want of prosecution.

No. 114. Peter L. Wheeler et al., as Trustees, etc., plaintiffs in error, *v.* City of Oakland. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 115. Jefferson C. Powers et al., plaintiffs in error, *v.* The City of Richmond. Submitted by Mr. Robert H. Talley for the plaintiffs in error, and by Mr. Henry R. Pollard for the defendant in error.

No. 234. Clinton H. Pierce et al., plaintiffs in error, *v.* The United States of America. Argument concluded by Mr. Frederick A. Mohr for the plaintiffs in error.

No. 29. The United States, petitioner, *v.* William B. Poland et al. Argument commenced by Mr. Assistant Attorney General Nebeker for the petitioner, continued by Mr. Ira Bronson and Mr. George H. Patrick for the respondents, and concluded by Mr. Assistant Attorney General Nebeker for the petitioner.

No. 106. Oklahoma Railway Company, plaintiff in error, *v.* Severns Paving Company et al. Argument commenced by Mr. John B. Dudley for the plaintiff in error, continued by Mr. D. A. Richardson for the defendants in error, and by Mr. Henry G. Snyder for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 20, will be as follows: Nos. 106, 589, 603, 602, 108, 110, 111, 112, 116, and 117.

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 20, 1919.

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

Arthur L. Strasser, of New York City; Clarence M. Lewis, of New York City; William V. Gregory, of Louisville, Ky.; Sinclair Merrell Russell, of Louisville, Ky.; Moses J. Stroock, of New York City; Hewitt Hunter Harlow, of Staunton, Va.; Paul Q. Bryan, of Moultrie, Ga.; Karl J. Knoepfler, of Walthill, Nebr.; Newton H. Porter, of Newark, N. J.; Harrison P. Lindabury, of Newark, N. J.; John T. Fitzsimmons, of St. Louis, Mo.; William S. Siemon, of New York City; and David F. Rosenthal, of Chicago, Ill., were admitted to practice.

No. 589. Elwood Hamilton, collector of internal revenue for the collection district of Kentucky, appellant, *v.* Kentucky Distilleries & Warehouse Company. Leave granted to file brief herein as *amicus curiæ* on motion of Mr. W. B. Wheeler in that behalf.

No. 116. Sarah J. Briggs, administratrix, etc., plaintiff in error, *v.* Union Pacific Railroad Company. Submitted by Mr. Joseph G. Waters for the plaintiff in error and by Mr. N. H. Loomis and Mr. T. M. Lillard for the defendant in error.

No. 106. Oklahoma Railway Company, plaintiff in error, *v.* Severns Paving Company et al. Argument concluded by Mr. H. G. Snyder for the plaintiff in error.

No. 589. Elwood Hamilton, collector of internal revenue for the collection district of Kentucky, appellant, *v.* Kentucky Distilleries & Warehouse Company. Argument commenced by Mr. Assistant Attorney General Frierson for the appellant, continued by Mr. Levy Mayer for the appellee, and concluded by Mr. William Marshall Bullitt for the appellee.

No. 602. Alphons Dryfoos, Eugene Blum, and Eugene Bascho, appellants, *v.* William H. Edwards, collector of internal revenue for the second collection district of New York. Leave granted to file brief as *amicus curiæ* on motion of Mr. Levi Cooke in that behalf.

No. 602. Alphons Dryfoos, Eugene Blum, and Eugene Bascho, appellants, *v.* William H. Edwards, collector of internal revenue for the second collection district of New York. Argued by Mr. Walter C. Noyes for the appellants and by Mr. Solicitor General King for the appellee.

No. 603. Jacob Ruppert, a corporation, appellant, *v.* Francis G. Caffey, United States attorney for the Southern District of New York, et al. Argument commenced by Mr. Elihu Root for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 21, will be as follows: Nos. 603, 108, 110, 111, 112, 117, 118, 119, 121, and 123.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 21, 1919.

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

R. S. Majure, of Newton, Miss., and Charles A. Fagan, of Pittsburgh, Pa., were admitted to practice.

No. 149. The Hartford Poster Advertising Company, appellant, *v.* Thomas E. Egan, chief of the State police, etc. Appeal from the District Court of the United States for the District of Connecticut. Dismissed without costs to either party, per stipulation.

No. 603. Jacob Ruppert, a corporation, appellant, *v.* Francis G. Caffey, United States attorney for the Southern District of New York, et al. One hour extra allowed for argument on motion of Mr. Elihu Root for the appellant. Argument continued by Mr. Elihu Root for the appellant, by Mr. Assistant Attorney General Frierson and Mr. Solicitor General King for the appellees, and concluded by Mr. William D. Guthrie for the appellant.

Adjourned until Monday next at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 24, 1919.

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

Richard James Van Deusen, of Washington, D. C., Clarence N. Woolley, of Pawtucket, R. I., Robert W. Perkins, of Richmond, Va., Dick O. Terrell, of San Antonio, Tex., Charles M. Trammell, of Lakeland, Fla., Sam E. Whitaker, of Chattanooga, Tenn., Henry P. Molloy, of New York City, George Vaughan, of Little Rock, Ark., Emil Gumpert, of Stockton, Calif., Eugene V. Myers, of New York City, H. D. Wood, of Dallas, Tex., and Ariel C. Cherry, of Weiser, Idaho, were admitted to practice.

No. 276. Robert F. Stroud, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Kansas. Judgment affirmed. Opinion by Mr. Justice Day.

The Chief Justice announced the following orders of the Court:

No. 188. Georgia M. Houston, administratrix, etc., plaintiff in error, *v.* Seaboard Air Line Railway Company. In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stats. L., 726.

No. 544. Missouri Pacific Railroad Company, plaintiff in error, *v.* G. W. Bollis. In error to the Supreme Court of the State of Tennessee. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 488, sec. 2, 39 Stat. L., 726. Petition for writ of certiorari herein denied.

No. 334. Southern Pacific Company, plaintiff in error, *v.* Leo L. D'Utassy. In error to the Supreme Court of the State of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stats. L. 726. See writ of certiorari denied, 1918 term, No. 944, 250 U. S. (Advance Reports, No. 4, p. vii.)

No. 348. Erie Railroad Company, petitioner, *v.* William M. Collins. Motion to advance granted, and cause assigned for argument on Monday, January 5, next, after the cases heretofore assigned for that day.

No. 355. Erie Railroad Company, petitioner, *v.* Antonio Szary. Motion to advance granted, and cause assigned for argument on Monday, January 5, next, after the cases heretofore assigned for that day.

No. 525. Worth Brothers Company, petitioner, *v.* Ephraim Lederer, collector of internal revenue, etc. Motion to advance granted, and cause assigned for argument on Monday, January 5, next, after the cases heretofore assigned for that day.

No. 526. Forged Steel Wheel Company, petitioner, *v.* C. G. Lewellyn, collector of internal revenue, etc. Motion to advance granted, and cause assigned for argument on Monday, January 5, next, after the cases heretofore assigned for that day.

No. 535. Carbon Steel Company, petitioner, *v.* C. G. Lewellyn, collector of internal revenue, etc. Motion to advance granted, and cause assigned for argument on Monday, January 5, next, after the cases heretofore assigned for that day.

No. 449. Frank Shaffer, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 563. Inter-Urban Railway Company et al., petitioners, *v.* Mrs. Fred Smith. Petition for a writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 598. Bascom C. Thompson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 591. Matty McLaughlin, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 362. The Coca-Cola Company, petitioner, *v.* The Koke Company of America et al. Substitution of The Coca-Cola Company of Delaware for The Coca-Cola Company of Georgia and appearance of the Coca-Cola Company of Delaware as the party petitioner herein filed and entered, on motion of Mr. F. M. Phelps in behalf of counsel for the petitioner.

No. 20, Original. The State of Nevada, complainant, *v.* Crown Willamette Paper Company. Leave granted to file answer of defendant to bill of complaint, on motion of Mr. Evans Browne in behalf of counsel for the defendant.

No. 20, Original. The State of Nevada, complainant, *v.* Crown Willamette Paper Company. Leave granted to file reply of complainant to answer of defendant to bill of complaint, on motion of Mr. C. C. Calhoun in behalf of counsel for the complainant.

No. 20, Original. The State of Nevada, complainant, *v.* Crown Willamette Paper Company. Motion of complainant to strike out certain parts of the answer of defendant to bill of complaint submitted by Mr. C. C. Calhoun in behalf of Mr. George B. Thatcher for the complainant in support of the motion and by Mr. Oscar Sutro and Mr. W. H. Orrick for the defendant in opposition thereto.

No. 415. Philadelphia & Reading Railway Company, plaintiff in error, *v.* Margaret L. Hancock. Motion to transfer to the summary docket submitted by Mr. Hannis Taylor for the defendant in error.

No. 595. The Toledo & Cincinnati Railroad Company et al., petitioners, *v.* The Equitable Trust Company, of New York, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Morison R. Waite and Mr. John Randolph Schindel for the petitioners, and by Mr. Murray Seasongood for the respondents.

No. 594. Chicago, Duluth & Georgian Bay Transit Company, owner of Steamship "South American," petitioner, *v.* Charles T. Moore et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles E. Kremer for the petitioner, and by Mr. George E. Brand for the respondents.

Adjourned until Monday, December 8 next, at 12 o'clock.

The day call for Monday, December 8, will be as follows: Nos. 172 (and 173), 330, 350, 373, 391, 406, 413, 458 (and 474), 531, 358, 219, 401, 357, 548, 543, 166, and 541.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 8, 1919.

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

D. L. Beard, of San Francisco, Calif.; Thomas J. Spellacy, of Hartford, Conn.; Helen Z. M. Rodgers, of Buffalo, N. Y.; Martin Lee Clark, of Buffalo, N. Y.; Harvey H. Sanborn, of San Francisco, Calif.; Paul G. Ellis, of Salt Lake City, Utah; James Arthur Miller, of Chicago, Ill.; Henry Root Stern, of New York City; John W. Preston, of San Francisco, Calif.; Alexander M. Bremer, of New York City; Jerome L. Van Derwerker, of Reno, Nev.; William Lewis Parsons, of Boston, Mass.; William B. White, of Birmingham, Ala.; John A. Chumbley, of Manchester, Tenn.; John Martin Perry, of Staunton, Va.; Floyd Wilson King, of Clifton Forge, Va.; Edgar L. Ashton, of Twin Falls, Idaho; William Koch, of New York City; Morgan Farrell, of Washington, D. C.; Norman Fischer, of Washington, D. C.; Ed Noonchester, of Williamson, W. Va.; Louis S. Beedy, of San Francisco, Calif.; Blaine Mallan, of Washington, D. C.; Americus V. Andrews, of Los Angeles, Calif.; Vernon W. Simpkins, of Corsicana, Tex.; James S. Y. Ivins, of Albany, N. Y.; Ralph Averill Kellogg, of Buffalo, N. Y.; Thomas F. McCran, of Paterson, N. J.; and William Woodburn, of Reno, Nev., were admitted to practice.

No. 106. Oklahoma Railway Company, plaintiff in error, *v.* Severns Paving Company et al. In error to the Supreme Court of the State of Oklahoma. Judgment modified and affirmed, costs to be equally divided. Opinion by Mr. Justice McReynolds.

No. 67. Thomas J. Evans, sole surviving receiver of the Citizens & Screven County Bank, petitioner, *v.* National Bank of Savannah. On a writ of certiorari to the Court of Appeals of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 77. Henry Peters et al., plaintiffs in error, *v.* Nellie Veasey, administratrix of the succession of Thomas Veasey, deceased. In



error to the Supreme Court of the State of Louisiana. Judgment reversed with costs: and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis and Mr. Justice Clarke.

No. 74. The New York, New Haven & Hartford Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis.

No. 23. Corsicana National Bank of Corsicana, plaintiff in error, *v.* Samuel Wistar Johnson. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Texas for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 61. William T. Wagner et al., plaintiffs in error, *v.* The City of Covington. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice McKenna, and Mr. Justice Holmes.

No. 62. Andrew C. Gilligan, doing business under the name of The Eagle Bottling Works, plaintiff in error, *v.* The City of Covington. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs, on the authority of the decision in No. 61, per stipulation of counsel. Announced by Mr. Justice Pitney.

No. 22. Talbot Darby Bragg, plaintiff in error, *v.* R. S. Weaver and H. Flippin. In error to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 66. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* Dicksey Williams and Lucy Williams. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice McReynolds.

No. 81. Liverpool, Brazil & River Plate Steam Navigation Company, petitioner, *v.* Brooklyn Eastern District Terminal. 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 Holmes.

No. 290. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Eva Roberts Cole, as administratrix of the estate of A. W. Roberts, deceased, et al. In error to the Supreme Court of

the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 50. The City of Los Angeles et al., appellants, *v.* Los Angeles Gas & Electric Corporation. Appeal from the District Court of the United States for the Southern District of California. Decree affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Pitney and Mr. Justice Clarke.

No. 72. Robert P. Ervien, Commissioner of Public Lands of the State of New Mexico, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the District of New Mexico. Opinion by Mr. Justice McKenna.

No. 31. Pacific Gas & Electric Company, plaintiff in error, *v.* The Police Court of the City of Sacramento, State of California, et al. In error to the District Court of Appeal, Third Appellate District of the State of California. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 91. Postal Telegraph-Cable Company, petitioner. *v.* Warren-Godwin Lumber Company. On writ of certiorari to the Supreme Court of the State of Mississippi. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 115. Jefferson C. Powers et al., plaintiffs in error, *v.* The City of Richmond. In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of *Castillo v. McConnico*, 168 U. S. 674.

No. 103. The United States of America, plaintiff in error, *v.* Mill Creek & Mine Hill Navigation & Railroad Company to use of Philadelphia & Reading Railway Company, lessee;

No. 104. The United States of America, plaintiff in error, *v.* North Pennsylvania Railroad Company to use of Philadelphia & Reading Railway Company, lessee; and

No. 105. The United States of America, plaintiff in error, *v.* Delaware & Bound Brook Railroad Company to use of Philadelphia & Reading Railway Company, lessee. In error to the District Court of the United States for the Eastern District of Pennsylvania. Per curiam: Affirmed upon the authority of *United States v. Larkin*, 208 U. S. 333. (Mr. Justice Pitney took no part in the decision of these cases.)

No. 116. Sarah J. Briggs, administratrix, etc., plaintiff in error, *v.* Union Pacific Railroad Company. In error to the Supreme Court

of the State of Kansas. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stats. L., 726.

No. 591. Matty McLaughlin, plaintiff in error, *v.* The United States of America. Motion to advance granted, and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 415. Philadelphia & Reading Railway Company, plaintiff in error, *v.* Margaret L. Hancock. Motion to place on the summary docket granted.

No. 20, original. The State of Nevada, complainant, *v.* Crown Willamette Paper Company. Motion to strike out parts of the answer denied without prejudice.

No. 594. Chicago, Duluth & Georgian Bay Transit Company, owner of steamship "South America", petitioner, *v.* Charles T. Moore et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 595. The Toledo & Cincinnati Railroad Company et al., petitioners, *v.* The Equitable Trust Company of New York et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 56. Peter Geddes et al., appellants, *v.* Anaconda Copper Company. Ordered that this case be restored to the docket for reargument.

No. 618. The First National Bank of Canton, Pennsylvania, appellant, *v.* John Skelton Williams, Comptroller of the Currency. Motion to advance submitted by Mr. Solicitor General King for the appellee.

No. 413. The United States of America at the relation of Kansas City Southern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission. Leave granted to file brief as amicus curiæ, on motion of Mr. W. G. Brantley, in behalf of various railroad companies.

No. 499. The Penn Mutual Life Insurance Co., petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue. Motion to advance submitted by Mr. John A. Kratz, Jr., in behalf of Mr. George Wharton Pepper for the petitioner.

No. 516. Chipman, Limited, plaintiff in error, *v.* The Thomas B. Jeffrey Company. Advanced and submitted under the thirty-second rule, on motion of Mr. Louis Marshall in behalf of Daniel P. Hays for the plaintiff in error, and Mr. Philip B. Adams and Mr. Thomas M. Kearney for the defendant in error.

No. 590. The State of Washington, petitioner, *v.* Isaac Belnap. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. Douglas Brookman in behalf of Mr. L. L. Thompson and Mr. W. V. Tanner for the petitioner.

No. 609. The State of Missouri, appellant, *v.* Ray P. Holland, U. S. Game Warden. Motion to advance submitted by Mr. John T. Gose for the appellant.

No. 616. Emma Pell Fetters, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. E. C. Johnson in behalf of Mr. Marshall B. Woodworth for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 543. Knickerbocker Ice Company, plaintiff in error, *v.* Lillian E. Stewart. Leave granted to file brief as amicus curiae, on motion of Mr. W. H. Pillsbury on behalf of Industrial Accident Commission of the State of California.

No. 132. Seaboard Air Line Railway, appellant, *v.* The United States. Leave granted to file brief as amicus curiae, on motion of Mr. L. T. Michener on behalf of Minneapolis, St. Paul & Sault Ste. Marie Railway Company.

No. 548. Eugene M. Travis, as Comptroller of the State of New York, appellant, *v.* The Yale & Towne Manufacturing Company. Leave granted to file brief as amicus curiae, on motion of Mr. John W. Griggs on behalf of the State of New Jersey.

No. 548. Eugene M. Travis, as Comptroller of the State of New York, appellant, *v.* The Yale & Towne Manufacturing Company. Leave granted to file brief as amicus curiae, on motion of Mr. Laurence Arnold Tanzer on behalf of conference of mayors and other city officials of the State of New York.

No. 611. J. R. Smith and B. J. Ostrander, petitioners, *v.* The Steamer "J. J. Hill," etc., The Pittsburgh Steamship Company, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harvey D. Goulder, Mr. Charles E. Kremer, and Mr. Frank S. Bright for the petitioners, and by Mr. Hermon A. Kelley and Mr. G. W. Cothrell for the respondent.

No. 192. Mergenthaler Linotype Company, plaintiff in error, *v.* Samuel W. Davis et al. Motion to dismiss submitted by Mr. Ernest A. Green and Mr. J. C. Sheppard for the defendants in error in support of the motion, and by Mr. Bradford Butler for the plaintiff in error in opposition thereto.

No. 583. Louis Drago, petitioner, *v.* Central Railroad Company of New Jersey. Petition for a writ of certiorari to the Circuit Court

of Hudson County, State of New Jersey, submitted by Mr. Alexander Simpson for the petitioner, and by Mr. James D. Carpenter, jr., for the respondent.

No. 592. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Hannah L. Zuber. Petition for a writ of certiorari herein submitted by Mr. Joseph M. Bryson, Mr. Clifford L. Jackson, Mr. Gardiner Lathrop, Mr. J. R. Cottingham, Mr. Samuel W. Hayes, Mr. Alex. Britton, and Mr. C. S. Burg for the plaintiffs in error, in support of the petition.

No. 605. Howard Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. R. P. Henshall for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 606. Reward Oil Company, petitioner, *v.* Petroleum Rectifying Company of California. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William K. White for the petitioner, and by Mr. Frederick P. Fish, Mr. John H. Miller, and Mr. J. H. Brickenstein for the respondents.

No. 624. Will Maynard et al., petitioners, *v.* United Thacker Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Ed. Noonchester and Mr. W. W. Scott for the petitioners.

Nos. 172 and 173. George A. Cole et al., petitioners, *v.* Joseph Ralph. Argument commenced by Mr. George B. Thatcher for the petitioners, continued by Mr. Samuel Herrick and Mr. P. G. Ellis for the respondent, and concluded by Mr. George B. Thatcher for the petitioner.

No. 330. Pennsylvania Gas Company, plaintiff in error, *v.* Public Service Commission, Second District of the State of New York, et al. Argument commenced by Mr. John E. Mullin for the plaintiff in error, and continued by Mr. Ledyard P. Hale for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 9, will be as follows: Nos. 330, 350, 373, 391, 406, 413, 458 (and 474), 531, 358, 219, 401, 357, 548, 543, 166, and 541.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 9, 1919.

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

Hugo Pam, of Chicago, Ill., Harry M. Fisher, of Chicago, Ill., Samuel Edward Hirsch, of Chicago, Ill., Michael J. Lynch, of Providence, R. I., William F. Clarke, jr., of Louisville, Ky., and Henry M. Gallagher, of Waseca, Minn., were admitted to practice.

No. 330. Pennsylvania Gas Company, plaintiff in error, *v.* Public Service Commission, Second District of the State of New York, et al. Argument continued by Mr. Ledyard P. Hale and Mr. Louis L. Thrasher for the defendants in error, and concluded by Mr. John E. Mullin for the plaintiff in error.

No. 351. Tom F. Carlisle, British Consul General, appellant, *v.* Charles Glen Collins. Advanced for hearing with No. 350, on motion of Mr. Charles Fox in that behalf.

No. 350. Charles Glen Collins, appellant, *v.* Frank M. Miller, U. S. Marshal, etc.; and

No. 351. Tom F. Carlisle, British Consul General, appellant, *v.* Charles Glen Collins. Argument commenced by Mr. J. Zach Spear- ing for Collins, continued by Mr. Charles Fox for the appellee in No. 350 and the appellant in No. 351, and concluded by Mr. Guion Miller for Collins.

No. 373. Strathearn Steamship Company, Ltd., petitioner. *v.* John Dillon; and

No. 391. J. M. Thompson, Master and Claimant of the Steamship "Westmeath," etc., petitioner, *v.* Peter Lucas, et al. Argument commenced by Mr. L. de Grove Potter for the petitioner in No. 391, continued by Mr. Frederic R. Coudert for the British Embassy, by special leave of court, Mr. George Sutherland for the respondent in No. 373, Mr. Solicitor General King for the United States, by special leave of court, Mr. W. J. Waguespack for the respondent in

No. 373, and concluded by Mr. Howard Thayer Kingsbury for the British Embassy, by special leave of court, and case submitted by Mr. Ralph James M. Bullova for the petitioner in No. 373.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 10, will be as follows: Nos. 406, 413, 458 (and 474), 531, 358, 219, 401, 357, 548, 543, 166, and 541.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 10, 1919.

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

Abraham A. Rolf, of Chicago, Ill.; Henry V. Blaxter, of Pittsburgh, Pa.; Henry A. Rubino, of New York City; Walter F. Olds, of Chicago, Ill.; Ebon Carl Tourje, of Chicago, Ill.; Frank S. Righeimer, of Chicago, Ill.; Elmer D. Brothers, of Chicago, Ill.; William Morrison Smith, of San Francisco, Calif.; Emanuel Eller, of Chicago, Ill.; Willis Melville, of Chicago, Ill.; Harry B. Miller, of Chicago, Ill.; Rupert F. Bippus, of Chicago, Ill.; Edgar A. Jonas, of Chicago, Ill.; William D. Boies, of Sheldon, Iowa; and John H. Mohr, of Sioux City, Iowa, were admitted to practice.

No. —. The United States of America on the relation of Alexander Berkman, appellant, *v.* A. Caminetti, Commissioner General of Immigration, et al.; and

No. —. The United States of America on the relation of Emma Goldman, appellant, *v.* A. Caminetti, Commissioner General of Immigration, et al. Applications for the allowance of appeals submitted by Mr. Harry Weinberger for the appellants and by Mr. Assistant Attorney General Stewart for the appellees.

No. 406. The Atherton Mills, appellant, *v.* Eugene T. Johnston et al. Argument commenced by Mr. Assistant Attorney General Frierson for the United States, by special leave of court; continued by Mr. W. M. Hendren for the appellees; and concluded by Mr. Solicitor General King for the United States, by special leave of court.

No. 413. The United States of America on the relation of Kansas City Southern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission. Argument commenced by Mr. Louis Marshall for the plaintiff in error, continued by Mr. P. J. Farrell for the defendant in error, and concluded by Mr. Samuel W. Moore for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 11, will be as follows: Nos. 458 (and 474), 531, 358, 219, 401, 357, 548, 543, 166, and 541.



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 11, 1919.

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

Walter Rothchild, of San Francisco, Calif.; George D. Welles, of Toledo, Ohio; Sarah Rowena Beck, of Owego, N. Y.; Joseph S. W. Smith, of New Castle, Pa.; Edwin M. Borchard, of New Haven, Conn.; Jerome L. Cheney, of Syracuse, N. Y.; and William A. Sutherland, of Fresno, Calif., were admitted to practice.

The Chief Justice announced the following orders of the court:

No. —. *Alexander Berkman v. A. Caminetti*, Commissioner of Immigration, etc. Application for writ of error or appeal, for admission to bail and for a stay order, denied.

No. —. *Emma Goldman v. A. Caminetti*, Commissioner of Immigration, etc. Application for writ of error or appeal, application for bail and for a stay order, assigned for hearing on the 18th instant, and parties required to print and submit record as to habeas corpus and documents accompanying same, and a stay ordered until the application is disposed of and until further order of court.

No. 458. *The United States of America*, plaintiff in error, *v. Standard Brewery, Incorporated*. Leave granted to file brief of Wayne B. Wheeler and Andrew Wilson as amici curiae, on motion of Mr. William L. Frierson in that behalf.

No. 245. *Agnes Smedley et al.*, appellants, *v. Thomas D. McCarthy*, United States marshal, etc. Appeal from the District Court of the United States for the Southern District of New York. Dismissed with costs, on motion of counsel for appellants.

No. 458. *The United States of America*, plaintiff in error, *v. Standard Brewery, Incorporated*; and

No. 474. *The United States*, plaintiff in error, *v. The American Brewing Company*. Argument commenced by Mr. Assistant Attorney General Frierson for the plaintiff in error, continued by Mr. William L. Marbury for the defendant in error in No. 458, by Mr.

Elihu Root for the defendant in error in No. 474, and concluded by Mr. Solicitor General King for the plaintiff in error.

Nos. 531 and 580. Charles B. Shaffer, appellant, *v.* Frank C. Carter, State Auditor, etc., et al. Argument commenced by Mr. Malcolm E. Rosser for the appellant and continued by Mr. C. W. King and Mr. S. P. Freeling for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 12, will be as follows: Nos. 531 (and 580), 358, 219, 401, 357, 548, 543, 166, 541, and 32 (and 129).

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 12, 1919.

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

Ohmer C. Burnside, of Lake Village, Ark., Oscar Wilder Underwood, jr., of Birmingham, Ala., and Henry H. Keedy, jr., of Hagerstown, Md., were admitted to practice.

Nos. 531 and 580. Charles B. Shaffer, appellant, *v.* Frank C. Carter, State auditor, etc., et al. Argument concluded by Mr. S. P. Freeling for the appellees.

No. 358. Silverthorne Lumber Company, Inc., et al., plaintiffs in error, *v.* The United States of America. Argued by Mr. William D. Guthrie for the plaintiffs in error, and by Mr. Assistant Attorney General Stewart for the defendant in error.

No. 219. Producers Transportation Company, plaintiff in error, *v.* the Railroad Commission of the State of California et al. Argued by Mr. A. V. Andrews for the plaintiff in error, and by Mr. Douglas Brookman for the defendants in error.

No. 401. Napa Valley Electric Company, appellant, *v.* the Railroad Commission of the State of California et al. Argued by Mr. D. L. Beard for the appellant, and by Mr. Douglas Brookman for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 15, will be as follows: Nos. 357, 548, 543, 166, 541, 32 (and 129), 109, 132, 133, and 232.

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from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed; and cause remanded to the District Court of the United States for the Western District of Oklahoma for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 499. The Penn Mutual Life Insurance Company, petitioner, *v.* Ephraim Lederer, collector of internal revenue, etc. Motion to advance granted, and cause assigned for argument on Monday, March 1, next.

No. 609. The State of Missouri, appellant, *v.* Ray P. Holland, U. S. Game Warden. Motion to advance granted, and cause assigned for argument on Monday, March 1, next, after the case heretofore assigned for that day.

No. 618. The First National Bank of Canton, Pennsylvania, appellant, *v.* John Skelton Williams, Comptroller of the Currency. Motion to advance granted, and cause assigned for argument on Monday, March 1, next, after the cases heretofore assigned for that day.

No. 592. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Hannah L. Zuber. Petition for a writ of certiorari herein granted.

No. 583. Louis Drago, petitioner, *v.* Central Railroad Company of New Jersey. Petition for a writ of certiorari to the Circuit Court of Hudson County, State of New Jersey, denied.

No. 590. The State of Washington, petitioner, *v.* Isaac Belknap. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied.

No. 605. Howard Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 606. Reward Oil Company, petitioner, *v.* Petroleum Rectifying Company of California. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 611. J. R. Smith and B. J. Ostrander, petitioners, *v.* the steamer *J. J. Hill*, etc., The Pittsburgh Steamship Company, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 616. Emma Pell Fetters, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed; and cause remanded to the District Court of the United States for the Western District of Oklahoma for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 499. The Penn Mutual Life Insurance Company, petitioner, *v.* Ephraim Lederer, collector of internal revenue, etc. Motion to advance granted, and cause assigned for argument on Monday, March 1, next.

No. 609. The State of Missouri, appellant, *v.* Ray P. Holland, U. S. Game Warden. Motion to advance granted, and cause assigned for argument on Monday, March 1, next, after the case heretofore assigned for that day.

No. 618. The First National Bank of Canton, Pennsylvania, appellant, *v.* John Skelton Williams, Comptroller of the Currency. Motion to advance granted, and cause assigned for argument on Monday, March 1, next, after the cases heretofore assigned for that day.

No. 592. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Hannah L. Zuber. Petition for a writ of certiorari herein granted.

No. 583. Louis Drago, petitioner, *v.* Central Railroad Company of New Jersey. Petition for a writ of certiorari to the Circuit Court of Hudson County, State of New Jersey, denied.

No. 590. The State of Washington, petitioner, *v.* Isaac Belknap. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied.

No. 605. Howard Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 606. Reward Oil Company, petitioner, *v.* Petroleum Rectifying Company of California. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 611. J. R. Smith and B. J. Ostrander, petitioners, *v.* the steamer *J. J. Hill*, etc., The Pittsburgh Steamship Company, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 616. Emma Pell Fetters, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 624. Will Maynard et al., petitioners, *v.* United Thacker Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

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

No. 591. Matty McLaughlin, plaintiff in error, *v.* The United States of America. Leave granted to file brief as amicus curiæ, on motion of Mr. Solicitor General King in behalf of counsel for Dail-Overland Company. Motion for leave to take part in the oral argument denied.

No. 56. Peter Geddes et al., appellants, *v.* Anaconda Copper Mining Company et al. Assigned for argument on Monday, March 1 next, after the cases heretofore assigned for that day, on motion of Mr. T. J. Walsh for appellants.

No. 117. Matthew T. Chapman et al., petitioners, *v.* John A. Winthroath. Leave granted Mr. Melville Church to file brief as amicus curiæ, on motion of Mr. Alexander S. Stewart in that behalf.

No. 23, Original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia. Leave granted to file replication, on motion of Mr. A. Leo Weil for the complainant.

No. 24, Original. The State of Ohio, complainant, *v.* The State of West Virginia. Leave granted to file replication, on motion of Mr. A. Leo Weil in behalf of counsel for the complainant.

No. 132. The Seaboard Air Line Railway, appellant, *v.* The United States. Leave granted to file brief as amicus curiæ, on motion of Mr. R. Stuart Knapp for Bellefonte Central Railroad Company.

No. 617. Ellsworth J. Trader, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Blaine Mallan and Mr. H. Ralph Burton for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. William C. Herron for the respondent.

No. 505. Arthur C. Gibson et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William A. Smith for the petitioners, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgeley for the respondent.

No. 613. Charles F. Goodspeed, petitioner, *v.* Herbert E. Law. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Peter F. Dunne for the petitioner and by Mr. Frank D. Madison, Mr. E. S. Pillsbury, Mr. Alfred Sutro, Mr. H. D. Pillsbury, and Mr. Oscar Sutro for the respondent.

No. 121. Charles A. Hitchcock, petitioner, *v.* Alfred G. Scattergood et al. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Dismissed per stipulation.

No. 407. The Baltimore & Ohio Southwestern Railroad Company, plaintiff in error, *v.* Joseph F. Bailey. In error to the Supreme Court of the State of Ohio. Dismissed per stipulation.

No. 357. The Eastern Extension, Australasia and China Telegraph Company (Ltd.), appellant, *v.* The United States. Argued by Mr. Louis Marshall for the appellant and by Mr. Assistant Attorney General Davis for the appellee.

No. 548. Eugene M. Travis, Comptroller of New York, appellant, *v.* The Yale & Towne Manufacturing Company. Argument commenced by Mr. James S. Y. Ivins for the appellant and continued by Mr. Louis H. Porter and Mr. Archibald Cox for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 16, will be as follows: Nos. 548, 543, 166, 541, 32 (and 129), 109, 132, 133, 232, and 108.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 16, 1919.

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

Francis E. McGovern, of Milwaukee, Wis., Edmond L. Finch, of Washington, D. C., Edward Hollander, of town of Union, N. J., George W. Tucker, of New York City, and Joseph Rolnick, of Chicago, Ill., were admitted to practice.

No. —, original. William Duhne, complainant, *v.* The State of New Jersey et al. Motion for leave to file bill of complaint submitted by Mr. George W. Tucker for the complainant.

No. 548. Eugene M. Travis, as Comptroller of the State of New York, appellant, *v.* The Yale & Towne Manufacturing Company. Argument continued by Mr. Archibald Cox for the appellee, and concluded by Mr. Jerome L. Cheyney for the appellant.

No. 543. Knickerbocker Ice Company, plaintiff in error, *v.* Lillian E. Stewart. Leave granted to file brief of Mr. Mark Ash as amicus curiae, on motion of Mr. Frank R. Savidge in that behalf.

No. 543. Knickerbocker Ice Company, plaintiff in error, *v.* Lillian E. Stewart. Argued by Mr. Frank R. Savidge for the plaintiff in error, and by Mr. E. Clarence Aiken for the defendant in error.

No. 166. International Bridge Company, plaintiff in error, *v.* The People of the State of New York. Argued by Mr. Adelbert Moot for the plaintiff in error, and by Mr. James S. Y. Ivins for the defendant in error.

No. 541. The United States of America et al., appellants, *v.* Alaska Steamship Company et al. Argument commenced by Mr. Charles W. Needham for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 17, will be as follows: Nos. 541, 32 (and 129), 109, 132, 133, 232, 108, 83, 110, and 111.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 17, 1919.

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

Herman Elfers, of New York City; Lester S. Abberley, of New York City; Herbert A. Rice, of Providence, R. I.; Antonio A. Capostoto, of Providence, R. I.; and William C. MacIntyre, of Cristobal, Canal Zone, were admitted to practice.

No. —, original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Motion for leave to file original bill of complaint submitted by Mr. Herbert A. Rice for the complainant.

No. 117. Matthew T. Chapman et al., petitioners, *v.* John A. Winthroath. Leave granted to file brief of The Fuller Engineering Company of Allentown, Pennsylvania, as amicus curiæ, on motion of Mr. Helge Murray in that behalf.

No. 110. Henry Farncomb et al., plaintiffs in error, *v.* The City and County of Denver et al. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 541. The United States of America et al., appellants, *v.* Alaska Steamship Company et al. Argument continued by Mr. Roscoe H. Hupper and Mr. Theodore W. Reath for the appellees and concluded by Mr. Solicitor General King for the appellants.

No. 32. Oklahoma Gin Company, plaintiff in error, *v.* The State of Oklahoma; and

No. 129. The Oklahoma Operating Company, appellant, *v.* J. E. Love et al., etc. Reargued by Mr. C. B. Ames for the plaintiff in error in No. 32 and the appellant in No. 129 and by Mr. S. P. Freeing for the defendant in error in No. 32 and the appellees in No. 129.

No. 109. Northern Pacific Railway Company, appellant, *v.* The United States. Argued by Mr. Alexander Britton for the appellant and by Mr. La Rue Brown for the appellee.

No. 132. The Seaboard Air Line Railway Company, appellant, *v.* The United States. Argument commenced by Mr. Benjamin Carter for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 18, will be as follows: Nos. 132, 133, 232, 108, 83, 111, 112, 117, 118, and 119.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 18, 1919.

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

No. 224. Coleman J. Ward et al., petitioners, *v.* The Board of County Commissioners of Love County, Oklahoma. Leave granted to file brief as amicus curiae, on motion of Mr. S. P. Freeling in that behalf.

No —. Emma Goldman *v.* A. Caminetti, Commissioner of Immigration, etc. Leave granted to withdraw application for writ of error or appeal and for stay order and bail pending appeal, on motion of Mr. Harry Weinberger for Emma Goldman.

No. 118. Southern Pacific Company, petitioner, *v.* Industrial Accident Commission of the State of California et al. Submitted by Mr. Henley C. Booth and Mr. William F. Herrin for the petitioner, and by Mr. Christopher M. Bradley for the respondents.

No. 132. The Seaboard Air Line Railway, appellant, *v.* The United States. Argument continued by Mr. Benjamin Carter for the appellant, and by Mr. La Rue Brown for the appellee, and concluded by Mr. Benjamin Carter for the appellant.

No. 133. The New York Central & Hudson River Railroad Company, appellant, *v.* The United States. Argued by Mr. Frederic D. McKenney for the appellant, and by Mr. La Rue Brown for the appellee.

No. 232. Kansas City, Mexico & Orient Railway Company of Texas, appellant, *v.* The United States. Argument commenced by Mr. F. Carter Pope for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 19, will be as follows: Nos. 232, 108, 83, 111, 112, 117, 119, 123, 124 and 125 (and 220).

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 19, 1919.

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

Herbert C. Fooks, of Salisbury, Md., D. James Flaherty, of Lincoln, Nebr., Cleveland A. Newton, of St. Louis, Mo., Abraham B. Frey, of St. Louis, Mo., H. B. McClure, of Visalia, Calif., and H. E. Barbour, of Fresno, Calif., were admitted to practice.

No. 245. Agnes Smedley et al., appellants, *v.* Thomas D. McCarthy, United States marshal, etc. Mandate granted on motion of Mr. Solicitor General King for the appellee.

No. 232. Kansas City, Mexico & Orient Railway Company of Texas, appellant, *v.* The United States. Argument continued by Mr. F. Carter Pope for the appellant, by Mr. Solicitor General King for the appellee, and concluded by Mr. Alexander Britton for the appellant in No. 109.

No. 108. Jett Brothers Distilling Company, plaintiff in error, *v.* City of Carrollton. Argued by Mr. Helm Bruce for the plaintiff in error, and by Mr. A. E. Stricklett for the defendant in error.

No. 83. Western Union Telegraph Company, plaintiff in error, *v.* Peter Boegli. Submitted by Mr. Rush Taggart and Mr. Francis Raymond Stark for the plaintiff in error, and by Mr. Arthur W. Parry for the defendant in error.

No. 111. The Union Pacific Coal Company, petitioner, *v.* Mark A. Skinner, collector of internal revenue. Submitted by Mr. Henry W. Clark for the petitioner, and by Mr. Solicitor General King and Mr. A. F. Myers for the respondent.

No. 112. Wells Fargo & Company, petitioner, *v.* Oscar G. Taylor. Argued by Mr. Charles W. Stockton for the petitioner, and by Mr. Thomas Fite Paine for the respondent.

Adjourned until Monday next, at 12 o'clock.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 22, 1919.

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

Arthur Heyman, of Atlanta, Ga.; Henry D. Moyle, of Salt Lake City, Utah; H. M. Tomlinson, of Portland, Oreg.; William Harman Black, of New York City; F. R. Jeffrey, of Kennewick, Wash.; D. A. McAskill, of San Antonio, Tex.; Sylvan Lang, of San Antonio, Tex.; and I. Maurice Wormser, of New York City, were admitted to practice.

No. 82. J. H. Branson, sheriff and collector of Crawford County, Arkansas, et al., appellants, *v.* B. F. Bush, receiver of the property of St. Louis, Iron Mountain & Southern Railway Company. Appeal from the United States Circuit Court of Appeals for the Eighth 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 Western District of Arkansas affirmed, with costs, and cause remanded to said district court. Opinion by Mr. Justice Clarke. Dissenting: Mr. Justice McReynolds.

No. 101. Godchaux Company, Inc., plaintiff in error, *v.* Albert Estopinal, Jr., sheriff of the Parish of St. Bernard et al. In error to the Supreme Court of the State of Louisiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds. (Mr. Chief Justice White concurs in the result.)

The Chief Justice announced the following orders of the court:

No. —, original. William Duhne, complainant, *v.* The State of New Jersey, et al. Ordered that rule to show cause why the bill of complaint should not be filed be issued returnable Monday, January 5, next.

No. —, original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Ordered that rule to show cause why the bill of complaint should not be filed be issued returnable Monday, January 5, next.

No. 505. Arthur C. Gilson and Thomas J. Duffy, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 613. Charles F. Goodspeed, petitioner, *v.* Herbert E. Law. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 617. Ellsworth J. Trader, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 251. George J. Twohy, Executor, etc., plaintiff in error, *v.* E. J. Doran, Commissioner of the Revenue, et al. Motion to dismiss submitted by Mr. J. D. Hank, Jr., and Mr. John R. Saunders, for the defendants in error in support of the motion, and by Mr. George Mason Dillard for the plaintiff in error in opposition thereto.

No. 620. The Kansas City Southern Railway Company, et al., plaintiffs in error, *v.* Road Improvement District Number 6 of Little River County, Arkansas. Petition for a writ of certiorari herein submitted by Mr. Alexander Britton in behalf of Mr. James B. McDonough and Mr. Samuel W. Moore for the plaintiffs in error in support of the petition, and by Mr. William H. Arnold for the defendant in error in opposition thereto, with leave to plaintiffs in error to file printed record hereafter.

No. 289. George R. Broadwell, petitioner, *v.* The Board of County Commissioners of Carter County, Oklahoma. Motion to dismiss submitted by Mr. George B. Rittenhouse and Mr. C. A. Galbraith for the respondent in support of the motion and by Mr. George P. Glaze for the petitioner in opposition thereto.

No. 604. Carlos L. Byron, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Edward M. Comyns for the petitioner, and by Mr. Assistant Attorney General Nebeker and Mr. H. L. Underwood for the respondent.

No. 625. Lillian B. Pembleton, petitioner, *v.* Illinois Commercial Men's Association. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Harrison Musgrave and Mr. William S. Oppenheim for the petitioner, and by Mr. James G. Condon for the respondent.

No. 626. The Baltimore Dry Dock & Ship Building Company, petitioner, *v.* New York & Porto Rico Steamship Company, Owner and Claimant of the Steamship *Isabella*, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. George Weems Williams for the petitioner, and by Mr. Assistant Attorney General Spellacy and Mr. J. Frank Staley and Mr. George Forbes and Mr. Ray Rood Allen for the respondents.

Adjourned until Monday, January 5, 1920, at 12 o'clock.

The day call for Monday, January 5, 1920, will be as follows: Nos. 521 (and 522 and 523), 567, 386, 540, 593, 348, 355, 525, 526, 535, and 591.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 5, 1920.

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

R. E. Taylor, of Henrietta, Tex.; W. A. Johnson, of Portland, Oreg.; Robert R. Reid, of Amite City, La.; Edward R. Wright, of Santa Fe, N. Mex.; Rob V. Phillips, of Toledo, Ohio; Edward H. Horton, of Toledo, Ohio; Joseph M. Levine, of New York City; B. F. Louis, of Houston, Tex.; Frank Moore, of Lexington, Va.; Otho C. Jackson, of Lexington, Va.; William J. Kenealy, of Youngstown, Ohio; Richard J. Coffey, of San Francisco, Calif.; O. B. Harvey, of Clifton Forge, Va.; Anthony L. Williams, of Wilkes-Barre, Pa.; Samuel G. Nolin, of Pittsburgh, Pa.; Lawrence A. Lawlor, of Lawrence, Mass.; J. E. Golladay, of Washington, D. C.; W. C. Miller, of Clearfield, Pa.; Paul J. Jones, of Youngstown, Ohio; John W. Ryan, of Buffalo, N. Y.; and Harry M. Westfall, of Seattle, Wash., were admitted to practice.

No. 603. Jacob Ruppert, a corporation, appellant, *v.* Francis G. Caffey, United States Attorney for the Southern District of New York, and Richard J. McElligott, acting and deputy collector of internal revenue of the Third District of New York. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds, Mr. Justice Day, and Mr. Justice Van Devanter. Dissenting: Mr. Justice Clarke.

No. 192. Mergenthaler Linotype Company, plaintiff in error, *v.* Samuel W. Davis et al. In error to the Springfield Court of Appeals of the State of Missouri. Dismissed for want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 118. Southern Pacific Company, petitioner, *v.* Industrial Accident Commission of the State of California et al. On writ of certiorari to the Supreme Court of the State of California. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke.

No. 70. William F. Hays, appellant, *v.* Port of Seattle, State of Washington, et al. Appeal from the District Court of the United States for the Western District of Washington. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 84. William Schall, jr., et al., petitioners, *v.* Frederic Camors et al., trustees, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Louisiana. Opinion by Mr. Justice Pitney.

No. 29. The United States, petitioner, *v.* William B. Poland and Frederick William Low. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed, and cause remanded to the District Court of the United States for the District of Alaska for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 219. Producers Transportation Company, plaintiff in error, *v.* The Railroad Commission of the State of California. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 51. City of Winchester et al., appellants, *v.* Winchester Water Works Company. Appeal from the District Court of the United States for the Eastern District of Kentucky. Decree affirmed with costs. Opinion by Mr. Justice Day.

No. 71. St. Louis, Iron Mountain & Southern Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Day. Dissenting, Mr. Justice McReynolds.

No. 458. The United States of America, plaintiff in error, *v.* Standard Brewery, Incorporated. In error to the District Court of the United States for the District of Maryland.

No. 474. The United States, plaintiff in error, *v.* The American Brewing Company. In error to the District Court of the United States for the Eastern District of Louisiana. Judgments affirmed. Opinion by Mr. Justice Day.

The Chief Justice announced the following orders of the court:

No. 251. George J. Twohy, Executor, etc., plaintiff in error, *v.* E. J. Doran, Commissioner of the Revenue, et al. In error to the Supreme Court of Appeals of the State of Virginia. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stats. L., 727.

Nos. 15 to 21. Wirt K. Winton, as administrator, etc., et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws. Ordered that these cases be restored to the docket for reargument.



No. 80. H. Turner et al., executors, etc., plaintiffs in error, *v.* J. P. Wade, sheriff of Brooks County, Georgia. Ordered that this case be restored to the docket for reargument.

No. 625. Lillian B. Pemberton, petitioner, *v.* Illinois Commercial Men's Association. Petition for a writ of certiorari to the Supreme Court of the State of Illinois granted.

No. 604. Carlos L. Byron, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 626. The Baltimore Dry Dock & Ship Building Company, petitioner, *v.* New York & Porto Rico Steamship Company, owner and claimant of the steamship *Isabella*, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

*Order.* It is ordered by the court that the bond presented by the marshal this day be approved and recorded.

No. 593. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Leave granted to file brief as amicus curiæ, on motion of Mr. Solicitor General King for The United States.

No. —, original. *Ex parte* In the matter of Walter Peterson, as receiver of the Interstate Coal Company, Inc., petitioner. Motion for leave to file petition for writ of prohibition or writ of mandamus submitted by Mr. A. J. Rose for the petitioner.

No. 636. Edgar C. Caldwell, appellant, *v.* W. E. Parker, sheriff, etc. Motion to advance submitted by Mr. Benjamin Micou for the appellee.

No. 224. Coleman J. Ward et al., petitioners, *v.* The Board of County Commissioners of Love County, Oklahoma. Motion to dismiss submitted by Mr. Clinton A. Galbraith and Mr. George A. Trice for the respondent, and by Mr. George B. Rittenhouse and Mr. P. T. McVay as amicus curiæ, in support of the motion, and by Mr. John Emerson Bennett and Mr. George P. Glaze for the petitioners in opposition thereto.

No. 654. Walter Evans, plaintiff in error, *v.* J. Rogers Gore, deputy and acting collector of internal revenue. Motion to advance submitted by Mr. Frank Hagerman in behalf of Mr. William Marshall Bullitt for the plaintiff in error.

No. 239. W. W. Harris, plaintiff in error, *v.* The State of Kansas. Motion to dismiss submitted by Mr. Richard J. Hopkins for the defendant in error in support of the motion, and by Mr. Joseph G. Waters for the plaintiff in error in opposition thereto.

No. 394. Fort Smith Lumber Company, plaintiff in error, *v.* The State of Arkansas ex rel. John D. Arbuckle, Attorney General. Submitted pursuant to the 20th rule by Mr. Joseph M. Hill and Mr.

Henry L. Fitzhugh for the plaintiff in error, and by Mr. John D. Arbuckle and Mr. George Vaughn for the defendant in error; and petition for writ of certiorari submitted by Mr. Joseph M. Hill and Mr. Henry L. Fitzhugh for the plaintiff in error in support of the petition, and by Mr. John D. Arbuckle and Mr. George Vaughn for the defendant in error in opposition thereto.

No. 608. Hurni Packing Company, petitioner, *v.* Mutual Life Insurance Company of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Deloss C. Shull for the petitioner, and by Mr. Frederick L. Allen and Mr. Frederic D. McKenney for the respondent.

No. 619. The Norma Mining Company, petitioner, *v.* Hugh Mackay. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George Lull for the petitioner, and by Mr. Frederick A. Williams for the respondent.

No. 623. Wade C. Kilmer, Trustee, etc., petitioner, *v.* The First Savings and Banking Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Conrad H. Syme and Mr. F. H. Stephens for the petitioner and by Mr. Clarence E. Martin for the respondent.

No. 629. Virginia-Western Power Company, petitioner, *v.* The Commonwealth of Virginia at the relation of the City of Clifton Forge;

No. 630. Virginia-Western Power Company, petitioner, *v.* The Commonwealth of Virginia at the relation of the City of Buena Vista;

No. 631. Virginia-Western Power Company, petitioner, *v.* The Commonwealth of Virginia at the relation of the town of Covington; and

No. 632. Virginia-Western Power Company, petitioner, *v.* The Commonwealth of Virginia at the relation of the town of Lexington. Petition for writs of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. F. W. King and Mr. J. M. Perry for the petitioner, and by Mr. O. B. Harvey for the respondent in No. 629, and by Mr. William A. Anderson, Mr. Frank Moore, and Mr. O. C. Jackson for the respondent in No. 632.

No. 635. Erie Railroad Company, petitioner, *v.* James B. Connors. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. D. Hine and Mr. Paul J. Jones for the petitioner, and by Mr. W. J. Kenealy for the respondent.

No. 637. Edward Hines Lumber Company, petitioner, *v.* American Car & Foundry Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Jacob Newman, Mr. Conrad H. Poppenhusen, Mr. Henry L. Stern, and by Mr. Edward R. Johnston for the petitioners, and by Mr. William D. McKenzie for the respondent.

No. 639. Emil Herman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. C. E. S. Wood for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

Nos. 641 and 642. Consolidated Window Glass Company, petitioner, *v.* Window Glass Machine Company et al.;

Nos. 643 and 644. Pennsylvania Window Glass Company, petitioner, *v.* Window Glass Machine Company et al.; and

Nos. 645 and 646. Kane Glass Company, petitioner, *v.* Window Glass Machine Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Marshall A. Christy and Mr. Charles Neave for the petitioners, and by Mr. George H. Parmelee, Mr. Clarence P. Byrnes and Mr. Livingston Gifford for the respondents.

No. 648. Arctic Iron Company, petitioner, *v.* Cleveland-Cliffs Iron Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Otto C. Sommerich and Mr. Edwin M. Borchard for the petitioner, and by Mr. A. C. Dustin, Mr. Horace Andrews, and Mr. W. P. Belden for the respondent.

No. 64. Great Northern Railway Company, plaintiff in error, *v.* The State of Washington. In error to the Supreme Court of the State of Washington. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 148. Magma Copper Company, plaintiff in error, *v.* Charles Rissala. In error to the District Court of the United States for the District of Arizona. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 567. The United States of America, plaintiff in error, *v.* A. Schrader's Son, Inc. Passed, on motion of Mr. Solicitor General King for the plaintiff in error.

No. 591. Matty McLaughlin, plaintiff in error, *v.* The United States of America. Submitted by Mr. Daniel L. Cruice for the plaintiff in error, and by Mr. Solicitor General King and Mr. A. F. Myers for the defendant in error.

No. —, original. William Duhne, complainant, *v.* The State of New Jersey et al. Argument commenced by Mr. Everet V. Abbott

for the complainant, continued by Mr. Thomas F. McCran for the State of New Jersey, and concluded by Mr. Solicitor General King for the defendants other than the State of New Jersey.

No. 521. O. O. Askren, Attorney General, etc., et al., appellants, *v.* The Continental Oil Company;

No. 522. O. O. Askren, Attorney General, etc., et al., appellants, *v.* Sinclair Refining Company; and

No. 523. O. O. Askren, Attorney General, etc., et al., appellants, *v.* The Texas Company. Argument commenced by Mr. A. B. Renehan for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 6, will be as follows: Nos. 521 (and 522 and 523), 386, 540, 593, 348, 355, 525, 526, 535, and 117.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 6, 1920.

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

Myron L. Lesser, of New York City, Theodore Kiendl, jr., of New York City, and Francis Brandon Moriarty, of Washington, D. C., were admitted to practice.

No. 521. O. O. Askren, Attorney General, etc., et al., appellants, *v.* The Continental Oil Company;

No. 522. O. O. Askren, Attorney General, etc., et al., appellants, *v.* Sinclair Refining Company; and

No. 523. O. O. Askren, Attorney General, etc., et al., appellants, *v.* The Texas Company. Argument continued by Mr. Charles R. Brock for the appellees, and concluded by Mr. E. R. Wright for the appellees.

No. 386. Brooks-Scanlon Company, petitioner, *v.* Railroad Commission of Louisiana. Argument commenced by Mr. J. Blanc Monroe for the petitioner, continued by Mr. Wylie M. Barrow for the respondent, and concluded by Mr. Robert R. Reid for the petitioner.

No. 540. Roberto Gayon, plaintiff in error, *v.* Thomas C. McCarthy, U. S. Marshal, etc. Argued by Mr. William S. Bennet for the appellant and plaintiff in error, and by Mr. Assistant Attorney General Stewart for the appellee and defendant in error.

No. 593. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company. Three hours allowed each side in the argument, on motion of Mr. Charles E. Hughes for the appellee. Argument commenced by Mr. William Marshall Bullitt for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 7, will be as follows: Nos. 593, 348, 355, 525, 526, 535, 117, 119, 123, and 124.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 7, 1920.

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

Philip A. Walter, of New York City, William M. Matthews, of Kansas City, Mo., John R. Howard, of Des Moines, Iowa, Wilson Forman Harper, of Vinton, Iowa, and Thomas W. Bramhall, of Washington, D. C., were admitted to practice.

No. 593. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Argument continued by Mr. William Marshall Bullitt for the appellant, by Mr. Charles E. Hughes for the Federal Land Bank, of Wichita, Kans., by Mr. George W. Wickersham for the First Joint Stock Land Bank, of Chicago, and by Mr. Frank Hagerman for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 8, will be as follows: Nos. 593, 348, 355, 525, 526, 535, 117, 119, 123, and 124.

141036—20—43

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 8, 1920.

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

Fred H. Haggerson, of New York City; J. B. Larimer, of Topeka, Kans.; R. W. Blair, of Topeka, Kans.; and Samuel Poorman, jr., of Los Angeles, Cal., were admitted to practice.

No. 593. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Argument concluded by Mr. Frank Hagerman for the appellant.

No. 348. Erie Railroad Company, petitioner, *v.* William M. Collins. Argued by Mr. John W. Ryan for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 355. Erie Railroad Company, petitioner, *v.* Antoni Szary. Argued by Mr. Theodore Kiendl, jr., for the petitioner, and by Mr. John C. Robinson for the respondent.

No. 525. Worth Brothers Company, petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue, etc.; and

No. 526. Forged Steel Wheel Company, petitioner, *v.* C. G. Lewellyn, Collector of Internal Revenue, etc. Three hours allowed for the argument, on motion of Mr. George Sutherland for the petitioner in No. 526. Argument commenced by Mr. George B. Gordon for the petitioner in No. 526, continued by Mr. A. H. Wintersteen for the petitioner in No. 525, and by Mr. Assistant Attorney General Frierson for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 9, will be as follows: Nos. 525 (and 526), 535, 117, 119, 123, 124, 125 (and 220), 126, 127, and 130 (and 131).

141036—20—44 ★

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 9, 1920.

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

Franklin Rubrecht, of Columbus, Ohio; Donald M. Hamilton, of Columbus, Ohio; Lyman C. Shreve, of Erie, Pa.; and Bert Russell, of New York City, were admitted to practice.

No. 130. William H. Garanflo, petitioner, *v.* The United States of America; and

No. 131. Robert D. Duncan, petitioner, *v.* The United States of America. On petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed for want of prosecution on motion of Mr. Assistant Attorney General Frierson for the respondent.

No. 525. Worth Brothers Company, petitioner, *v.* Ephraim Lederer, collector of internal revenue, etc.; and

No. 526. Forged Steel Wheel Company, petitioner, *v.* C. G. Lewellyn, collector of internal revenue, etc. Argument continued by Mr. Assistant Attorney General Frierson for the respondents and concluded by Mr. George Sutherland for the petitioner in No. 526.

No. 117. Matthew T. Chapman et al., petitioners, *v.* John A. Wintroath. Argued by Mr. John L. Jackson for the petitioner and by Mr. Paul Synnestvedt for the respondent.

No. 119. Joseph E. Nadeau et al., plaintiffs in error, *v.* Union Pacific Railroad Company. Argument commenced by Mr. A. E. Crane for the plaintiffs in error and continued by Mr. R. W. Blair for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 12, will be as follows: Nos. 119, 535, 123, 124, 125 (and 220), 126, 127, 110, 134, and 135.

141036—20—45



## SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 12, 1920.

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

William Lemke, of Fargo, N. Dak., Jesse Andrews, of Houston, Tex., Lovering Hill, of New York City, Joseph B. Newlin, of Winchester, Va., Bernard Guy Smith, of Montgomery, Ala., Harold G. Aron, of New York City, George Noyes Slayton, of New York City, M. Walton Hendry, of Washington, D. C., and T. J. Wills, of Raleigh, Miss., were admitted to practice.

No. 73. Maryland Casualty Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment modified and affirmed; and cause remanded for proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Clarke.

No. 357. The Eastern Extension, Australasia and China Telegraph Company, Limited, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 76. The Birge-Forbes Company, petitioner, *v.* Carl R. Heye. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Texas. Opinion by Mr. Justice Holmes.

No. 109. Northern Pacific Railway Company, appellant, *v.* The United States;

No. 132. The Seaboard Air Line Railway, appellant, *v.* The United States;

No. 133. The New York Central & Hudson River Railroad Company, appellant, *v.* The United States; and

No. 232. Kansas City, Mexico and Orient Railway Company *or* Texas, appellant, *v.* The United States. Appeals from the Court of Claims. Judgments affirmed. Opinion by Mr. Justice Holmes. Concurring: Mr. Justice Pitney and Mr. Justice McKenna. Dissenting: Mr. Justice Day and Mr. Justice Van Devanter. (Mr. Justice

McReynolds took no part in the consideration or decision of this case.)

No. —, original. William Duhne, complainant, *v.* The State of New Jersey et al. Motion for leave to file bill of complaint herein denied. Opinion by Mr. Chief Justice White.

No. 83. Western Union Telegraph Company, plaintiff in error, *v.* Peter Boegli. In error to the Supreme Court of the State of Indiana. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 239. W. W. Harris, plaintiff in error, *v.* The State of Kansas. In error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for want of jurisdiction upon the authority of Consolidated Turnpike Co. *v.* Norfolk, etc., Ry. Co., 228 U. S. 326, 334; St. Louis & San Francisco R. R. Co. *v.* Shepherd, 240 U. S. 240, 241; Bilby *v.* Stewart, 246 U. S. 255, 257.

No. 591. Matty McLaughlin, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) Toledo Newspaper Company *v.* The United States, 247 U. S. 402, 410–411; Besette *v.* W. B. Conkey Co., 194 U. S. 324, 328–337; O'Neal *v.* United States, 190 U. S. 36, 37–38; (2) Carey *v.* Houston & Texas Central Ry. Co., 150 U. S. 171; Maynard *v.* Hecht, 151 U. S. 324; Courtney *v.* Pradt, 196 U. S. 89; (3) in re Lennon, 150 U. S. 393, 399–401; (4) Itow et al. *v.* United States, 233 U. S. 581; Sugarman *v.* United States, 249 U. S. 182, 184.

No. 128. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. In error to the Supreme Court of the State of Pennsylvania. Per curiam: Restored to the docket for reargument. The attention of counsel is directed to the question of whether under the State law the right to review the action of the commission was limited by the State statutes to the particular remedy which was here resorted to, or whether such statutes left open the right to invoke judicial power by way of independent suit for the purpose of redressing wrongs deemed to have resulted from action taken by the commission.

No. —, original. Ex parte in the matter of Walter Peterson, as receiver, etc., petitioner. Motion for leave to file petition for writ of prohibition or mandamus granted, and a rule to show cause awarded returnable Monday, March 1, next.

No. 636. Edgar C. Caldwell, appellant, *v.* W. E. Parker, sheriff, etc. Motion to advance granted, and cause assigned for argument on Monday, March 1 next, after the cases heretofore assigned for that day.

No. 654. Walter Evans, plaintiff in error, *v.* J. Rogers Gore, deputy and acting collector of internal revenue. Motion to advance granted, and cause assigned for argument on Monday, March 1 next, after the cases heretofore assigned for that day.

No. 224. Coleman J. Ward et al., petitioners, *v.* The Board of County Commissioners of Love County, Oklahoma. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 608. Hurni Packing Company, petitioner, *v.* Mutual Life Insurance Company of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 619. The Norma Mining Company, petitioner, *v.* Hugh Mackay. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 623. Wade C. Kilmer, trustee, etc., petitioner, *v.* The First Savings and Banking Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 629. Virginia-Western Power Company, petitioner, *v.* The Commonwealth of Virginia at the relation of the city of Clifton Forge;

No. 630. Virginia-Western Power Company, petitioner, *v.* The Commonwealth of Virginia at the relation of the city of Buena Vista;

No. 631. Virginia-Western Power Company, petitioner, *v.* The Commonwealth of Virginia at the relation of the town of Covington; and

No. 632. Virginia-Western Power Company, petitioner, *v.* The Commonwealth of Virginia at the relation of the town of Lexington. Petition for writs of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 635. Erie Railroad Company, petitioner, *v.* James B. Connors. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 637. Edward Hines Lumber Company, petitioner, *v.* American Car & Foundry Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 639. Emil Herman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

Nos. 641 and 642. Consolidated Window Glass Company, petitioner, *v.* Window Glass Machine Company et al.;

Nos. 643 and 644. Pennsylvania Window Glass Company, petitioner, *v.* Window Glass Machine Company et al.; and

Nos. 645 and 646. Kane Glass Company, petitioner, *v.* Window Glass Machine Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 648. Arctic Iron Company, petitioner, *v.* Cleveland-Cliffs Iron Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 235. The United States of America, as trustee, etc., plaintiff in error, *v.* Seufert Brothers Company et al. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, on motion of Mr. Solicitor General King for the plaintiff in error.

No. 508. John W. Scott et al., appellants, *v.* Lynn J. Frazier et al. Motion to advance submitted by Mr. F. A. Pike for the appellees, in support of the motion, and by Mr. N. C. Young for the appellants, in opposition thereto.

No. 163. The Atlantic Coast Line Railroad Company, appellant, *v.* The United States. Leave granted to file brief as amicus curiae on motion of Mr. F. Carter Pope in that behalf.

No. 663. Morris & Cumings Dredging Company, petitioner, *v.* Cornell Steamboat Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Chauncey I. Clark and Mr. George Noyes Slayton for the petitioner, and by Mr. J. Parker Kirlin and Mr. Robert S. Erskine for the respondent.

No. —, original. *Ex parte* In the matter of James F. Bishop, administrator, etc., petitioner. Motion for leave to file petition for a writ of prohibition or mandamus submitted by Mr. F. S. Tyler in behalf of Mr. Harry W. Standidge for the petitioner.

No. 342. El Banco Popular de Economias y Prestamos de San Juan, P. R., appellant, *v.* Elias B. Wilcox. Motion to dismiss submitted by Mr. Jose R. F. Savage and Mr. Ben A. Matthews for the appellee, in support of the motion, and by Mr. Boyd B. Jones for the appellant, in opposition thereto.

No. 600. W. F. Hallowell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William P. Richardson for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 634. Yee Won, petitioner, *v.* Edward White, as Commissioner of Immigration, port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. E. Harvey and Mr. M. Walton Hendry for the petitioner.

No. 660. The American Guaranty Company, petitioner, *v.* American Fidelity Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Smith W. Bennett, Mr. Ralph E. Westfall, and Mr. Hugh M. Bennett for the petitioner, and by Mr. H. B. Arnold for the respondent.

No. 135. Joseph Gordon, plaintiff 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 the tenth rule.

No. 119. Joseph E. Nadeau et al., plaintiffs in error, *v.* Union Pacific Railroad Company. Argument continued by Mr. R. W. Blair and Mr. N. H. Loomis for the defendant in error, and concluded by Mr. A. E. Crane for the plaintiffs in error.

No. —, original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General of the United States, et al. Argued on motion for leave to file bill by Mr. Herbert A. Rice for the complainant, and by Mr. Assistant Attorney General Frierson and Mr. Solicitor General King for the defendants.

No. 535. Carbon Steel Company, petitioner, *v.* C. G. Lewellyn, collector, etc. Argued by Mr. H. V. Blaxter for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 123. National Lead Company, appellant, *v.* The United States. Argument commenced by Mr. Alexander Britton for the appellant. Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 13, will be as follows: Nos. 123, 124, 125 (and 220), 126, 127, 110, 134, 136, 137 (to 145), and 146.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 13, 1920.

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

Frederick Clayton Peterson, of San Francisco, Calif., and Harold K. Acker, of Washington, D. C., were admitted to practice.

No. 664. Jeong Quey How, petitioner, *v.* Edward White, as Commissioner of Immigration at the Port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jackson H. Ralston for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 125. George F. Archer et al., appellants, *v.* The United States; and

No. 220. The United States, appellant, *v.* George F. Archer et al. Death of George F. Archer suggested, and appearance of Kate C. Archer, as administratrix of the estate of George F. Archer, deceased, as a party, filed and entered, on motion of Mr. T. M. Miller for Archer.

No. 146. John C. Robinson et al., plaintiffs in error, *v.* The United States of America on behalf of and for the use of Brown-Ketcham Iron Works et al. Passed, on motion of Mr. S. Hazen Bond in that behalf.

No. 123. National Lead Company, appellant, *v.* The United States. Argument continued by Mr. Alex. Britton for the appellant, by Mr. Assistant Attorney General Davis for the appellee, and concluded by Mr. Alexander Britton for the appellant.

No. 124. Great Northern Railway Company, plaintiff in error, *v.* J. C. Cahill et al. Argued by Mr. E. C. Lindley for the plaintiff in error, and by Mr. Oliver E. Sweet for the defendants in error.

No. 125. Kate C. Archer, as Administratrix of the Estate of George F. Archer et al., appellants, *v.* The United States; and

No. 220. The United States, appellant, *v.* Kate C. Archer, as Administratrix of the Estate of George F. Archer et al. Argument commenced by Mr. T. M. Miller for Archer, continued by Mr. Solicitor General King, for the United States, and concluded by Mr. Percy Bell for Archer.

No. 126. Mary A. Rex, Administratrix, etc., appellant, *v.* The United States et al. Argued by Mr. Harry Peyton for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

No. 127. David Goldsmith et al., plaintiffs in error, *v.* The George G. Prendergast Construction Company. Argument commenced by Mr. David Goldsmith for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 14, will be as follows: Nos. 127, 110, 134, 136, 137 (to 145), 147, 150, 151, 152, and 153.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 14, 1920.

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

J. P. Hobson, of Frankfort, Ky., and William T. Fowler, of Frankfort, Ky., were admitted to practice.

No. 154. Kansas City Southern Railway Company, appellant, *v.* The United States. Leave granted to file brief as amicus curiæ, on motion of Mr. Benjamin Carter in that behalf.

No. 153. The Grand Trunk Western Railway Company, appellant, *v.* The United States. Passed, to be restored to the call pursuant to section 9 of rule 26, on motion of Mr. Assistant Attorney General Spellacy for the appellee.

No. 127. David Goldsmith et al., plaintiffs in error, *v.* The George G. Prendergast Construction Company. Argument continued by Mr. David Goldsmith for the plaintiffs in error, by Mr. Hickman P. Rodgers for the defendant in error, and concluded by Mr. David Goldsmith for the plaintiffs in error.

No. 110. Henry Farncomb et al., plaintiffs in error, *v.* the City and County of Denver et al. Argued by Mr. T. J. O'Donnell for the plaintiff in error, and by Mr. James A. Marsh for the defendants in error.

No. 134. The United States of America, plaintiff in error, *v.* The Chase National Bank. Argument commended by Mr. Assistant Attorney General Spellacy for the plaintiff in error, and continued by Mr. Henry Root Stern for the defendant in error.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 15, will be as follows: Nos. 134, 136, 137 (to 145), 147, 150, 151, 152, 154, 155 (to 158), and 159.

141036—20—48



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 15, 1920.

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

W. B. Rodman, jr., of Washington, N. C., George L. Wire, of Chicago, Ill., William A. Kneeland, of Boston, Mass., Matthew H. Bishop, of Detroit, Mich., Simon Rasch, of New York City, William C. Morton, of White Plains, N. Y., Abraham Levitan, of Jersey City, N. J., Eldon Scott Longley, of Albuquerque, N. Mex., Charles W. Steiger, of El Dorado, Kans., and Matthew S. Farmer, jr., of Cleveland, Ohio, were admitted to practice.

No. 134. The United States of America, plaintiff in error, *v.* The Chase National Bank. Argument continued by Mr. Henry Root Stern for the defendant in error, and concluded by Mr. Assistant Attorney General Spellacy for the plaintiff in error.

No. 136. E. Gouge et al., appellants, *v.* John M. Hart, collector of internal revenue, et al. Argued by Mr. J. S. Ashworth for the appellants, and by Mr. Assistant Attorney General Frierson for the appellees.

No. 137. E. B. Spiller, plaintiff in error, *v.* Atchison, Topeka, & Santa Fe Railway Company;

No. 138. E. B. Spiller, plaintiff in error, *v.* Chicago & Eastern Illinois Railroad Company;

No. 139. E. B. Spiller, plaintiff in error, *v.* Chicago & Alton Railroad Company;

No. 140. E. B. Spiller, plaintiff in error, *v.* The Missouri Pacific Railway Company;

No. 141. E. B. Spiller, plaintiff in error, *v.* St. Louis, Iron Mountain & Southern Railway Company;

No. 142. E. B. Spiller, plaintiff in error, *v.* St. Louis & San Francisco Railroad Company;

No. 143. E. B. Spiller, plaintiff in error, *v.* Chicago, Rock Island & Pacific Railway Company;

No. 144. E. B. Spiller, plaintiff in error, *v.* Illinois Central Railroad Company; and

No. 145. E. B. Spiller, plaintiff in error, *v.* Missouri, Kansas & Texas Railway Company. Argued by Mr. Buckner F. Deatherage for the plaintiff in error, and by Mr. T. J. Norton for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 16, will be as follows: Nos. 147, 150, 151, 152, 154, 155 (to 158), 159, 160, 161, and 162.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 16, 1920.

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

Frank M. Tyrrell, of Lincoln, Nebr., G. T. Kincaid, of Corry, Pa., Robert Burkham, of St. Louis, Mo., Clarence Alfred Bunker, of Boston, Mass., James N. Rosenberg, of New York City, and A. T. West, of Ardmore, Okla., were admitted to practice.

No. 161. Jin Fuey Moy, plaintiff in error, *v.* The United States of America. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Assistant Attorney General Stewart for the defendant in error.

No. 147. Panama Railroad Company, plaintiff in error, *v.* Joseph T. Toppin. Argued by Mr. William C. MacIntyre for the defendant in error, and submitted by Mr. Frank Feuille and Mr. Walter F. Van Dame for the plaintiff in error.

No. 150. B. C. Lee, petitioner, *v.* Central of Georgia Railway Company et al. Argued by Mr. Alexander A. Lawrence for the petitioner, and by Mr. H. W. Johnson for the respondents.

No. 151. Elizabeth Hull, administratrix, etc., petitioner, *v.* The Philadelphia & Reading Railway Company. Argued by Mr. Charles D. Wagaman for the petitioner, and by Mr. Henry H. Keedy, jr., for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 19, will be as follows: Nos. 152, 154, 155 (to 158), 159, 160, 162, 153, 163, 164, and 165.

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## SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 19, 1920.

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

Edward H. Decker, of La Jolla, Calif; Ralph J. Baker, of Harrisburg, Pa.; Henry D. Green, of Ballston, Va.; William J. Mack, of Chicago, Ill.; Arthur P. French, of Boston, Mass.; John B. Sullivan, of Boston, Mass.; John A. Beck, jr., of Washington, D. C.; Frank M. Avery, of New York City; Charles E. Lalanne, of New York City; J. Raymond Tiffany, of Hoboken, N. J.; W. K. Swetland, of Coudersport, Pa.; Herbert V. Juul, of Chicago, Ill.; Thos. W. O'Brien, of Washington, D. C.; Churchill Mehard, of Pittsburgh, Pa.; and William F. Du Bois, of Coudersport, Pa., and Samuel Heyman, of Jersey City, N. J., were admitted to practice.

No. 276. Robert F. Stroud, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Kansas. Petition for rehearing denied. Opinion by Mr. Justice Day.

No. 401. Napa Valley Electric Company, appellant, *v.* The Railroad Commission of the State of California, et al. Appeal from the District Court of the United States for the Northern District of California. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 516. Chipman, Limited, plaintiff in error, *v.* The Thomas B. Jeffery Company. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 136. E. Gouge et al., appellants, *v.* John M. Hart, collector of internal revenue et al. Appeal from the District Court of the United States for the Western District of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of *Courtney v. Pratt*, 196 U. S., 89, 91; *Farrugia v. Philadelphia & Reading Ry. Co.*, 233 U. S., 352, 353; *Louisville & Nashville Ry. Co. v. Western Union Tel. Co.*, 234 U. S., 369, 371-372; *Male v. Atchison, Topeka & Santa Fe Ry. Co.*, 240 U. S., 97, 99.

No. —, original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General of the United States et al. Motion for leave to file bill of complaint herein granted.

No. —, original. Ex parte in the matter of James F. Bishop, administrator, etc., petitioner. Motion for leave to file petition for a writ of prohibition or mandamus herein denied.

No. 508. John W. Scott et al., appellants, *v.* Lynn J. Frazier et al. Motion to advance granted and cause assigned for argument on Monday, April 12 next.

No. 289. George R. Broadwell, petitioner, *v.* The Board of County Commissioners of Carter County, Oklahoma. Further consideration of the motion to dismiss in this cause postponed to the hearing on the merits.

No. 342. El Banco Popular de Economias y Prestamos de San Juan, P. R., appellant, *v.* Elias B. Wilcox. Further consideration of the motion to dismiss in this cause postponed to the hearing on the merits.

No. 620. The Kansas City Southern Railway Company, plaintiff in error, *v.* Road Improvement District Number 6 of Little River County, Arkansas. Further consideration of the petition for a writ of certiorari in this cause postponed to the hearing on the writ of error.

No. 634. Yee Won, petitioner, *v.* Edward White, as Commissioner of Immigration, port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 600. W. F. Hallowell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 660. The American Guaranty Company, petitioner, *v.* American Fidelity Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 663. Morris & Cumings Dredging Company, petitioner, *v.* Cornell Steamboat Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 664. Jeong Quey How, petitioner, *v.* Edward White, as Commissioner of Immigration at the port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

*Order.* It is ordered that the cases heretofore placed on the summary docket, viz: Nos. 281 and 415, be assigned for Monday, March 1 next, at the head of the call for that day.

No. 29, original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General of the United States et al. Process waived and appearance for the defendants entered on motion of Mr. Solicitor General King for the defendants.

No. 444. The United States of America, plaintiff in error, *v.* Everett L. Simpson. Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 492. Federal Trade Commission, petitioner, *v.* Anderson Gratz et al., etc. Motion to advance submitted by Mr. Solicitor General King for the petitioner.

No. 370. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Joint motion to place on the summary docket submitted by Mr. Alexander C. King in behalf of Mr. David Gerber and Mr. William J. Hughes for the petitioner. Mr. Charles H. Tuttle for the respondent, and Mr. Nathan Burkan for respondent's licensee, Famous Players-Lasky Corporation.

Nos. 582 and 601. George S. Hawke, plaintiff in error, *v.* Harvey C. Smith, Secretary of State of Ohio. Joint motion to advance to be heard together submitted by Mr. Arthur Hellen and Mr. George S. Hawke for the plaintiff in error, and by Mr. John G. Price and Mr. Lawrence Maxwell for the defendant in error.

No. 128. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. Joint motion to set for rehearing submitted by Mr. John G. Buchanan, Mr. George B. Gordon, and Mr. William Watson Smith for the plaintiff in error, and by Mr. David L. Starr, Mr. Albert G. Liddell and Mr. L. K. Guiler for Ben Avon Borough, McKees Rocks Borough, Bellevue Borough, Avalon Borough, township of Stowe, West View Borough, and William B. Dawson, defendants in error, and by Mr. Berne H. Evans for the Public Service Commission of the Commonwealth of Pennsylvania, defendant in error.

No. 628. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* McCaull-Dinsmore Company. Petition for a writ of certiorari to the United States Circuit of Appeals for the Eighth Circuit submitted by Mr. H. H. Field, Mr. O. W. Dynes, and Mr. F. W. Root for the petitioner.

No. 638. The Western Union Telegraph Company, petitioner, *v.* Eugene E. Southwick. Petition for a writ of certiorari to the Court of Civil Appeals for the Seventh Supreme Judicial District of the State of Texas submitted by Mr. Rush Taggart and Mr. Francis Raymond Stark for the petitioner.

No. 647. Atlanta Terminal Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Mark Bolding and Mr. Arthur Heyman for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 655. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* Nichols & Company. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Charles N. Burch, Mr. H. D. Minor, and Mr. Blewett Lee for the petitioners, and by Mr. John W. Cutrer and Mr. Frederick S. Tyler for the respondent.

No. 658. James G. Wilson, trustee, etc., petitioner, *v.* A. J. Benham et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James G. Wilson for the petitioner.

No. 666. Marie Equi, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. C. E. S. Wood and Mr. James E. Fenton for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 675. Edwin Reitz, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Louis W. Crofoot for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 165. F. S. Royster Guano Company, plaintiff in error, *v.* The Commonwealth of Virginia. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 176. V. & S. Bottle Company, plaintiff in error, *v.* Mountain Gas Company. Leave granted to file brief of the Pennsylvania Electric Association as amicus curiæ in this cause, on motion of Mr. Ralph J. Baker, in that behalf.

No. 26, Original. *Ex parte* In the matter of J. Raymond Tiffany, as receiver, etc. Argued by Mr. Merritt Lane for the petitioner and by Mr. Samuel Heyman for the respondent.

No. 152. Evansville and Bowling Green Packet Company, plaintiff in error, *v.* M. M. Logan et al., etc. Argued by J. P. Hobson for the plaintiff in error and by Mr. William T. Fowler for the defendant in error.

No. 154. Kansas City Southern Railway Company, appellant, *v.* The United States. Submitted by Mr. Alexander Britton and Mr. Evans Browne for the appellant and by Mr. Assistant Attorney General Spellacy for the appellee and by Mr. Benjamin Carter as amicus curiæ.

No. 155. John L. Bates, receiver, etc., *v.* Sumner Dresser, administrator, etc.

No. 156. Sumner Dresser, administrator, etc., appellant, *v.* John L. Bates, receiver, etc.

No. 157. John L. Bates, receiver, etc., appellant, *v.* John M. Dean, executor, etc., et al., and

No. 158. John L. Bates, receiver, etc., appellant, *v.* Clarence Alfred Bunker et al., administrators, etc. Four hours allowed for the argument of these cases on motion of Mr. Robert G. Dodge that in behalf. Argument commenced by Mr. Frank N. Nay for Bates, receiver, etc.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 20, will be as follows: Nos. 155 (to 158), 159, 160, 162, 153, 163, 164, 567, 167, and 170.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 20, 1920.

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

Thomas Beckett, of Washington, D. C.; Thomas Jewell Price, of Little Rock, Ark.; and Peter A. Chappelle, of Sapulpa, Okla., were admitted to practice.

The Chief Justice announced the following order of the court:

No. —. Harmon P. McKnight *v.* The United States. Application for leave to proceed in forma pauperis for the purposes of a petition for certiorari to and an appeal from the District Court of the United States for the District of Massachusetts. Per curiam: The prayer to be allowed to proceed in forma pauperis for the purpose of an application for certiorari to review the judgment below, as well as for the purpose of an appeal asked to review a refusal to release on habeas corpus, made to the Chief Justice and by him submitted to the court for its action is hereby denied.

No. 170. Louis H. Eberlein, appellant, *v.* The United States. Passed pursuant to section 9, rule 26, on motion of Mr. Assistant Attorney General Davis for the appellee.

No. 155. John L. Bates, receiver, etc., *v.* Sumner Dresser, administrator, etc.;

No. 156. Sumner Dresser, administrator, etc., appellant, *v.* John L. Bates, receiver, etc.;

No. 157. John L. Bates, receiver, etc., appellant, *v.* John M. Dean, executor, etc., et al., and

No. 158. John L. Bates, receiver, etc., appellant, *v.* Clarence Alfred Bunker, et al., administrators, etc. Argument continued by Mr. Frank N. Nay, for Bates, receiver, etc.; by Mr. Robert G. Dodge, for Dresser, administrator, etc.; by Mr. Clarence Alfred Bunker, for Bunker and Hardy, administrators, etc.; by Mr. A. E. Pillsbury, for Dean, executor, etc., et al., and concluded by Mr. Frank N. Nay, for Bates, receiver, etc.

No. 159. The Western Union Telegraph Company, petitioner, *v.* George M. Brown, executor, etc., et al. Argument commenced by Mr. Beverly L. Hodgehead for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 21, will be as follows: Nos. 159, 160, 162, 153, 163, 164, 567, 167, 86, and 171.



# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 21, 1920.

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

Oscar R. Luhring, of Evansville, Ind.; William A. Barnhill, of Los Angeles, Calif.; Isidor Kahn, of Evansville, Ind.; Thomas M. Baker, of Washington, D. C.; Thomas Hewes, of Farmington, Conn.; Frank X. Sullivan, of New York City; and John M. Sutton, of Ovid, N. Y., were admitted to practice.

No. 174. Seaboard Air Line Railway Company, petitioner, *v.* Mrs. Lessie Horton, administratrix, etc., on writ of certiorari to the Supreme Court of the State of North Carolina. Dismissed with costs, on motion of counsel for the petitioner.

No. 171. Rederiaktiebolaget Atlanten, petitioner, *v.* Aktieselskabet Korn-Og Foderstof Kompagniet. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 159. The Western Union Telegraph Company, petitioner, *v.* George M. Brown, executor, etc., et al. Argument continued by Mr. Beverly L. Hodgehead for the petitioner, by Mr. Samuel Poorman, jr., for the respondents, and concluded by Mr. Rush Taggart, for the petitioners.

No. 160. Cornelia A. Dunbar, plaintiff in error, *v.* The City of New York. Argued by Mr. Harold G. Aron, for the plaintiff in error, and by Mr. William Herbert King, for the defendant in error.

No. 162. Charles I. Henry, as sole executor, etc., appellant, *v.* The United States. Argued by Mr. Simon Lyon, for the appellant, and by Mr. Solicitor General King, for the appellee.

No. 153. The Grand Trunk Western Railway Company, appellant, *v.* The United States. Argument commenced by Mr. Thomas D. Halpin, for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 22, will be as follows: Nos. 153, 163, 164, 567, 167, 86, 176, 177, 178, 180.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 22, 1920.

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

Clark C. Seely, of Detroit, Mich.; Harry Scherr, of Williamson, W. Va.; E. Randolph Preston, of Charlotte, N. C.; Murray T. Quigg, of New York City, and Andrew J. Hickey, of La Porte, Ind., were admitted to practice.

No. 683. George Wallace et al., appellants *v.* Walker D. Hines, Director General of Railroads et al. Joint motion to advance submitted by Mr. Charles W. Bunn of counsel for the appellees.

No. 177. Atlantic Coast Electric Railway Company, plaintiff in error, *v.* Board of Public Utility Commissioners of the State of New Jersey et al. Passed pursuant to section 9, rule 26.

No. 153. The Grand Trunk Western Railway Company, appellant, *v.* The United States. Argument continued by Mr. Thomas D. Halpin for the appellant and concluded by Mr. Assistant Attorney General Spellacy for the appellee.

No. 163. The Atlantic Coast Line Railroad Company, appellant, *v.* The United States. Argued by Mr. F. Carter Pope and Mr. Benjamin Carter for the appellant and by Mr. Assistant Attorney General Davis for the appellee.

No. 164. Duplex Printing Press Company, appellant, *v.* Emil J. Deering et al., etc. Argued by Mr. Walter Gordon Merritt and Mr. Daniel Davenport for the appellant and by Mr. Frank X. Sullivan for the appellees.

No. 567. The United States of America, plaintiff in error, *v.* A. Schrader's Son, Inc. Argument commenced by Mr. Henry S. Mitchell for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 23, will be as follows, Nos: 567, 167, 86, 176, 178, 180, 181, 186, 187, and 189.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 23, 1920.

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

Charles Lincoln McGuire, of Oklahoma City, Okla., was admitted to practice.

No. 189. The Baltimore and Ohio Railroad Company, plaintiff in error, *v.* John S. Coffland. Submitted by Mr. D. A. Hollingsworth for the plaintiff in error, and by Mr. Ernest Sidney McNamee for the defendant in error.

No. 567. The United States of America, plaintiff in error, *v.* A. Schrader's Son, Inc. Argument continued by Mr. Frank M. Avery for the defendant in error, and concluded by Mr. Solicitor General King for the plaintiff in error.

No. 167. The United States of America, plaintiff in error, *v.* Thomas C. MacMillan et al. Submitted by Mr. Solicitor General King and Mr. A. F. Myers for the plaintiff in error, and by Mr. George T. Buckingham and Mr. Marquis Eaton for the defendants in error.

No. 86. Carter Glass, Secretary of the Treasury, et al., appellants, *v.* De Forest L. Ormes, administrator, etc. Argued by Mr. Solicitor General King for the appellant, and by Miss Mary O'Toole for the appellee.

No. 176. V. & S. Bottle Company, plaintiff in error, *v.* Mountain Gas Company. Argued by Mr. C. LaRue Munson and Mr. W. K. Swetland for the plaintiff in error, and by Mr. Churchill Mehard for the defendant in error.

No. 178. The estate of P. D. Beckwith, Inc., petitioner, *v.* The Commissioner of Patents. Argued by Mr. Harry C. Howard for the petitioner, and submitted by Mr. Assistant Attorney General Davis for the respondent.

No. 180. Superior and Pittsburg Copper Company, plaintiff in error, *v.* Steve Davidovich, sometimes known as Steve Davis. Submitted by Mr. Cleon T. Knapp for the plaintiff in error, and by Mr. Samuel Herrick for the defendant in error.

No. 181. Gertrude Minnie Jones, plaintiff in error, *v.* Max Hiltsher. Argued by Mr. W. Martin Jones, jr., for the plaintiff in error, and submitted by Mr. Edward D. Tittmann and Mr. Charles T. Tittmann, for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 26, will be as follows: Nos. 186, 187, 190, 191, 193, 194, 195, 196, 197, and 250.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 26, 1920.

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

David S. Cook, of Salt Lake City, Utah, Robert M. Gibson, of Pittsburgh, Pa., Howard Lewis, of Toledo, Ohio, Charles H. Brady, of Toledo, Ohio, John S. Powers, of Buffalo, N. Y., William M. Blatt, of Boston, Mass., Jacob Louis Morewitz, of Newport News, Va., and George H. Cowie, of New York City, were admitted to practice.

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No. 126. Mary E. Rex, administratrix of James A. Ivie, deceased, appellant, *v.* The United States and the Ute Indians. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 358. Silverthorne Lumber Company, Inc., and Frederick W. Silverthorne, individually and as president of the Silverthorne Lumber Company, plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of New York. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Chief Justice White and Mr. Justice Pitney.

The Chief Justice announced the following orders of the Court:

No. 152. Evansville & Bowling Green Packet Company, plaintiff in error, *v.* M. M. Logan et al., etc. In error to the Court of Appeals of the State of Kentucky. Per curiam: Dismissed for want of jurisdiction, upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2, 39 Stat., 726).

No. 176. V. & S. Bottle Company, plaintiff in error, *v.* Mountain Gas Company. In error to the Supreme Court of the State of Pennsylvania. Per curiam: Dismissed for want of jurisdiction, upon the authority of *California Powder Works v. Davis* (151 U. S., 389, 393); *Sayward v. Denny* (158 U. S., 180, 183); *Harding v. Illinois* (196 U. S., 78, 80); *Seaboard Air Line v. Duvall* (225 U. S., 477, 481, 487); *Cleveland & Pittsburgh R. R. Co. v. Cleveland* (235 U. S., 50, 53).

No. 180. Superior & Pittsburgh Copper Company, plaintiff in error, *v.* Steve Davidovich, sometimes known as Steve Davis. In error to the Supreme Court of the State of Arizona. Per curiam: Affirmed upon the authority of Arizona Employers' Liability Cases (250 U. S. 400).

No. 181. Gertrude Minnie Jones, plaintiff in error, *v.* Max Hilt-scher. In error to the Supreme Court of the State of New Mexico. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916 (c. 448, sec. 2, 39 Stat. 726).

No. 189. The Baltimore & Ohio Railroad Company, plaintiff in error, *v.* John S. Coffland. In error to the court of appeals, Harrison County, Seventh Appellate District of the State of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) Schlosser *v.* Hemphill (198 U. S. 173, 175); Louisiana Nav. Co. *v.* Oyster Commission of Louisiana (226 U. S. 99, 101); Gray's Harbor Co. *v.* Coats-Fordney Co. (243 U. S. 251, 255); Bruce *v.* Tobin (145 U. S. 18, 19); (2) section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2, 39 Stat. 726).

No. 444. The United States of America, plaintiff in error, *v.* Everett L. Simpson. Motion to advance granted, and cause assigned for argument on Monday, March 1 next, after the cases heretofore assigned for that day.

Nos. 582 and 601. George S. Hawke, plaintiff in error, *v.* Harvey C. Smith, Secretary of State of Ohio. Motions to advance granted, and causes assigned for argument on Monday, March 1 next, after the cases heretofore assigned for that day.

No. 492. Federal Trade Commission, petitioner, *v.* Anderson Gratz and Benjamin Gratz, copartners, etc., et al. Motion to advance granted, and cause assigned for argument on Monday, April 12 next, after the case heretofore assigned for that day.

No. 683. George Wallace et al., appellants, *v.* Walker D. Hines, Director General of Railroads, et al. Motion to advance granted and cause assigned for argument on Monday, April 12 next, after the cases heretofore assigned for that day.

No. 128. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. Motion to fix a day for the reargument of this case granted, and the case assigned for Monday, March 1 next, after the cases heretofore assigned for that day.

No. 370. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Motion to place on the summary docket granted, and the case assigned for argument on Monday, March 1 next.

No. 166. International Bridge Company, plaintiff in error, *v.* The People of the State of New York. Restored to the docket for reargument.

No. 628. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* McCaull-Dinsmore Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 638. The Western Union Telegraph Company, petitioner, *v.* Eugene E. Southwick. Petition for a writ of certiorari to the Court of Civil Appeals for the Seventh Supreme Judicial District of the State of Texas granted.

No. 655. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* Nichols & Company. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi granted.

No. 647. Atlanta Terminal Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 658. James G. Wilson, trustee, etc., petitioner *v.* A. J. Benham et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 666. Marie Equi, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 675. Edwin Reitz, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

The Chief Justice also announced that the Court will take a recess from Monday, February 2, to Monday, March 1, next.

No. 29, Original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Leave granted to file motion to dismiss, on motion of Mr. Solicitor General King for the defendants.

No. 506. Edward White, Commissioner of Immigration for the Port of San Francisco, petitioner, *v.* Chin Fong. Motion to advance submitted by Mr. Solicitor General King for the petitioner.

No. —, Original. *Ex parte* In the matter of J. E. Broussard et al., petitioners. Motion for leave to file petition for a writ of mandamus herein submitted by Mr. Frederick S. Tyler and Mr. A. D. Lipscomb for the petitioner in support of the motion, and by Mr. Horace Chilton in opposition thereto.

No. 640. J. E. Broussard et al., petitioners, *v.* Walter J. Crawford, trustee, etc. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler and Mr. A. D. Lipscomb for the petitioners, and by Mr. Horace Chilton for the respondent.

No. 566. The City of New York, appellant, *v.* The Consolidated Gas Company of New York et al. Motion to advance submitted by Mr. George H. Cowie in behalf of Mr. William P. Burr for the appellant in support of the motion, and by Mr. John A. Garver for the appellees in opposition thereto.

No. 612. Fred S. Thompson, appellant, *v.* Alexander H. Nichols. Motion to advance under the thirty-second rule, or to dismiss, affirm, or transfer to the summary docket submitted by Mr. Charles Henry Butler for the appellee.

No. 679. Dallas Labor Temple Association et al., appellants, *v.* C. M. Cureton, attorney general of the State of Texas, et al. Motion for a supersedeas, etc., submitted by Mr. Joseph Manson McCormick and Mr. Francis Marion Etheridge for the appellants in support of the motion, and by Mr. C. M. Cureton for the appellees in opposition thereto.

No. 596. The Mountain State Telephone and Telegraph Company et al., plaintiffs in error, *v.* The City and County of Denver. Motion to dismiss or affirm submitted by Mr. J. A. Marsh and Mr. Norton Montgomery for the defendant in error in support of the motion, and by Mr. Milton Smith and Mr. Charles R. Brock for the plaintiff in error in opposition thereto.

No. 662. The Continental Bank of New York, petitioner, *v.* Ezra P. Prentice, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Myron T. Lesser for the petitioner, and by Mr. James N. Rosenberg for the respondent.

No. 665. Lucian C. Laughter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Theodore Mack for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 669. Gulf & Ship Island Railroad Company et al., plaintiffs in error, *v.* Carl Boone et al. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. B. E. Easton and Mr. T. J. Wills for the plaintiffs in error in support of the petition, and by Mr. George Anderson for the defendants in error in opposition thereto.

No. 670. A. J. Partan et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr.



Thomas Mannix for the petitioners, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 193. Seaboard Air Line Railway Company, petitioner, *v.* J. J. Gray. On writ of certiorari to the Supreme Court of the State of South Carolina. Dismissed per stipulation.

No. 191. Michael U. Boehmer, petitioner, *v.* Pennsylvania Railroad Company. Passed per stipulation.

No. 194. James A. Keown, petitioner, *v.* Mary E. Keown, et al. On writ of certiorari to the Superior Court of the State of Massachusetts. Dismissed for want of prosecution.

No. 195. The Ohio State Telephone Company, plaintiff in error, *v.* The City of Columbus, Ohio. In Error to the Supreme Court of the State of Ohio. Dismissed with costs, pursuant to the sixteenth rule, on motion of Mr. Frederick S. Tyler in behalf of counsel for the defendant in error.

No. 197. Blumenstock Brothers Advertising Agency, plaintiff in error, *v.* The Curtis Publishing Company. Submitted by Mr. Colin C. H. Fyffe for the plaintiff in error, and by Mr. Amos C. Miller for the defendant in error.

No. 186. Annie Harris, formerly Annie Francis, et al., appellants, *v.* Harry H. Bell, et al. Argued by Mr. James C. Davis for the appellants, and by Mr. William M. Matthews for the appellees.

No. 187. Meccano Limited, petitioner, *v.* John Wanamaker, New York. Argument commenced by Mr. Reeve Lewis for the petitioner, and continued by Mr. H. A. Toulmin for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 27, will be as follows: Nos. 187, 190, 196, 250, etc., 198, 199, 200, 202, 203, and 204 (and 28).

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 27, 1920.

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

James W. Reid, of Parsons, Kans.; Alfred Zuger, of Bismarck, N. Dak.; Riley Cleveland, of Okmulgee, Okla.; Franklin Grady, of New York City; C. Foster Cable, of Los Angeles, Calif.; Gordon Boone, of Corpus Christi, Tex.; and Walter F. Timon, of Corpus Christi, Tex., were admitted to practice.

No. 206. Frank P. Chesbrough, plaintiff in error, *v.* Mary L. Hotchkiss et al. Death of Mary Schreiber, formerly Mary L. Hotchkiss, one of the defendants in error herein, suggested, and appearance of Northern Trust Company, executor of the last will of Mary Schreiber, deceased, as a party defendant in error, filed and entered, on motion of Mr. E. S. Clark for the defendants in error.

No. 199. The Missouri, Kansas & Texas Railway Company, appellant, *v.* The United States. Passed, per stipulation.

No. 202. Ana Maria Sugar Company (Inc.), petitioner, *v.* Tomas Quinones. Passed, per stipulation.

No. 187. Meccano (Ltd.), petitioner, *v.* John Wanamaker, New York. Argument continued by Mr. H. A. Toulmin for the respondent and concluded by Mr. Reeve Lewis for the petitioner.

No. 190. The Board of Public Utility Commissioners, petitioner, *v.* Ynchausti & Company et al. Argued by Mr. Chester J. Gerkin and Mr. Edward S. Bailey for the petitioner, and by Mr. Alexander Britton for the respondent.

No. 196. The New York Central Railroad Company, petitioner, *v.* Wilbur H. Mohney. Argued by Mr. Howard Lewis for the petitioner, and by Mr. Albert H. Miller for the respondent.

No. 250. The United States of America, plaintiff in error, *v.* Josiah V. Thompson. Argument commenced by Mr. W. C. Herron for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 28, will be as follows: Nos. 250, 198, 200, 203, 204 (and 28), 205, 206, 207, 208, and 209.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 28, 1920.

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

Joseph Walsh, of New Bedford, Mass., John Robison Baker, of Fulton, Mo., John A. Dienner, of Chicago, Ill., and William H. Vann, of Lenapah, Okla., were admitted to practice.

No. 207. James A. Peterson, plaintiff in error, *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the defendant in error.

No. 209. Louis C. Tiffany, sole surviving executor, etc., appellant, *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 250. The United States of America, plaintiff in error, *v.* Josiah V. Thompson. Argument continued by Mr. W. C. Herron for the plaintiff in error, and concluded by Mr. J. E. B. Cunningham for the defendant in error.

No. 198. The Chicago, Rock Island & Pacific Railway Company and A. J. Carney, petitioners, *v.* Fred Ward. Submitted by Mr. R. J. Roberts, Mr. W. H. Moore, Mr. Thomas P. Littlepage, Mr. Sidney A. Taliaferro, and Mr. W. F. Dickinson for the petitioners, and by Mr. W. S. Pendleton for the respondent.

No. 200. The United States, appellant, *v.* Nederlandsch-Amerikaansche Stoomvaart Maatschappij (Holland American Lijn). Argued by Mr. Assistant Attorney General Davis for the appellant, and by Mr. Howard Mansfield for the appellee.

No. 203. Leo Weidhorn, petitioner, *v.* Benjamin A. Levy, trustee, etc. Argument commenced by Mr. William M. Blatt for the petitioner, continued by Mr. Lee M. Friedman for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 29, will be as follows: Nos. 203, 204 (and 28), 205, 206, 208, 210, 211, 212 (and 285), 213, and 214.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 29, 1920.

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

Louis A. Lecher, of Milwaukee, Wis., Eloi Bauers, of Minneapolis, Minn., Marcellus Donald Redlich, of Indianapolis, Ind., and George William Hott, of Washington, D. C., were admitted to practice.

No. 210. Postal Telegraph-Cable Company, petitioner, *v.* J. L. Dickerson. Passed, per stipulation.

No. 211. Piedmont & Georges Creek Coal Company, petitioner, *v.* Seaboard Fisheries Company, claimant, etc. Passed, per stipulation.

No. 213. John W. Simpson et al., executors, etc., appellants, *v.* The United States. Passed, per stipulation.

No. 214. The United States, appellant, *v.* Atlantic Dredging Company, W. B. Brooks, agent. Passed, per stipulation.

No. 203. Leo Weidhorn, petitioner, *v.* Benjamin A. Levy, trustee, etc. Argument continued by Mr. Lee M. Friedman for the respondent, and concluded by Mr. William M. Blatt for the petitioner.

No. 204. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* Washburn Lignite Coal Company; and

No. 28. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* The C. L. Merrick Company. Argument commenced by Mr. John L. Erdall for the plaintiff in error, continued by Mr. Alfred Zuger for the defendants in error, and concluded by Mr. Andrew Miller for the defendants in error.

No. 205. Ralph H. Cameron et al., appellants, *v.* The United States of America. Argument commenced by Mr. William C. Prentiss for the appellants, and continued by Mr. Assistant Attorney General Nebeker for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 30, will be as follows: Nos. 205, 206, 208, 212 (and 285), 215, 216, 218, 222, 223, and 224.

# SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 30, 1920.

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

John H. Stone, of Boston, Mass.; Edgar W. McCallister, of Pittsburgh, Pa.; Francis P. McEvoy, of Waterbury, Conn.; Samuel H. Crowe, of Detroit, Mich.; Perry F. Loucks, of Watertown, S. Dak.; Julian C. Harrison, of Ridgewood, N. J., and Claire J. Baird, of Omaha, Nebr., were admitted to practice.

No. 294. C. C. Calhoun, petitioner, *v.* Bland Massie. Advanced to be heard with case No. 85, on motion of Mr. Charles F. Consaul for the petitioner.

Nos. 15 to 21. Wirt K. Winton, administrator, etc., and others, appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws. Assigned for April 12, 1920, on motion of Mr. W. W. Scott for the appellants.

No. 215. The State of Missouri at the relation of the City of Sedalia, plaintiff in error, *v.* The Public Service Commission of Missouri, etc. Submitted by Mr. John D. Lindsay for the defendant in error. No brief filed for the plaintiff in error.

No. 216. Everglades Drainage League et al., appellants, *v.* Napoleon B. Broward Drainage District et al. Appeal from the District Court of the United States for the Southern District of Florida. Dismissed with costs on motion of counsel for the appellants.

No. 218. The city of Fulton, plaintiff in error, *v.* Public Service Commission of Missouri, etc. Submitted by Mr. Eugene C. Brokmeyer and Mr. John Robison Baker for the plaintiff in error, and by Mr. John D. Lindsay for the defendant in error.

No. 222. W. F. Harn et al., plaintiffs in error, *v.* Missouri State Life Insurance Company. Passed, per stipulation.

No. 223. Jose Lopez Garcia, appellant, *v.* Orval P. Townshend, commanding officer, Camp Las Casas. Appeal from the District Court of the United States for Porto Rico. Dismissed with costs, on motion of counsel for the appellant.

No. 205. Ralph H. Cameron et al., appellants, *v.* The United States of America. Argument concluded by Mr. Assistant Attorney General Nebeker for the appellee.

No. 206. Frank P. Chesbrough, plaintiff in error, *v.* Mary L. Hotchkiss et al. Argued by Mr. Thomas A. E. Weadock for the plaintiff in error, and by Mr. Edward S. Clark for the defendants in error.

No. 208. Hiawassee River Power Company, plaintiff in error, *v.* Carolina-Tennessee Power Company. Argued by Mr. Eugene R. Black for the plaintiff in error, and by Mr. Julius C. Martin for the defendant in error.

No. 212. Ash Sheep Company, appellant, *v.* The United States of America; and

No. 285. Ash Sheep Company, plaintiff in error, *v.* The United States of America. Argued by Mr. C. B. Nolan for the appellant and plaintiff in error, and by Mr. Assistant Attorney General Nebeker for the appellee and defendant in error.

Adjourned until Monday next at 12 o'clock.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 2, 1920.

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

Frederic O. Berge, of Kansas City, Mo.; Lucius Q. C. Lamar, of Baltimore, Md.; Robert P. Reeder, of Philadelphia, Pa.; James Bertram Burns, of Napa, Calif.; Erle H. Wilson, of Paola, Kans.; Carroll T. Prince, of Mobile, Ala.; John McDuffie, of Monroeville, Ala.; and Walter C. Sanders, of Cedartown, Ga., were admitted to practice.

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No. 162. Charles I. Henry, as sole executor under the last will and testament of Arthur T. Hendricks, deceased, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 386. Brooks-Scanlon Company, petitioner, *v.* Railroad Commission of Louisiana. On writ of certiorari to the Supreme Court of the State of Louisiana. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the Court:

No. 596. The Mountain States Telephone & Telegraph Company et al., plaintiffs in error, *v.* The City and County of Denver. In error to the Supreme Court of the State of Colorado. Per curiam: Dismissed for want of jurisdiction, upon the authority of *City of Pawhuska v. Pawhuska Oil & Gas Company* (250 U. S., 394). See *City of Chicago v. Dempcy*, decided November 10, 1919.

No. —, Original. Ex parte In the matter of J. E. Broussard et al., petitioners. Motion for leave to file petition for writ of mandamus herein denied.

No. 506. Edward White, Commissioner of Immigration for the Port of San Francisco, petitioner, *v.* Chin Fong. Motion to advance granted, and cause assigned for argument on Monday, April 12 next, after the case heretofore assigned for that day.

No. 566. The City of New York, appellant, *v.* The Consolidated Gas Company of New York et al. Motion to advance granted, and

cause assigned for argument on Monday, April 12 next, after the cases heretofore assigned for that day.

No. 612. Fred S. Thompson, appellant, *v.* Alexander H. Nichols. Ordered that this case be placed on the summary docket and assigned for Monday, March 1 next.

No. 679. Dallas Labor Temple Association et al., appellants, *v.* C. M. Cureton, Attorney General of the State of Texas, et al. Motion for supersedeas, etc., denied.

No. 640. J. E. Broussard et al., petitioners, *v.* Walter J. Crawford, trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 662. The Continental Bank of New York, petitioner, *v.* Ezra P. Prentice, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second-Circuit denied.

No. 665. Lucian C. Laughter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 669. Gulf & Ship Island Railroad Company et al., plaintiffs in error, *v.* Carl Boone, Robert Boone, et al., etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 670. A. J. Partan et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 243. The United States, appellant, *v.* The Omaha Tribe of Indians. Motion to remand to the Court of Claims for additional findings submitted by Mr. Solicitor General King and Mr. Assistant Attorney General Davis for the appellant in support of the motion, and by Mr. Charles H. Merillat, Mr. C. J. Kappler, and Mr. Hiram Chase for the appellee in opposition thereto.

No. 244. The Omaha Tribe of Indians, appellant, *v.* The United States. Motion for order on the Court of Claims to certify the whole record to this court submitted by Charles H. Merillat, Mr. Charles J. Kappler, and Mr. Hiram Chase for the appellant.

No. 687. Postal Telegraph-Cable Company, petitioner, *v.* Bowman & Bull Company. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. R. E. L. Smith in behalf of Mr. Jacob E. Dittus and Mr. Leon A. Berezniak for the petitioner, and by Mr. Edwin H. Cassels for the respondent.

No. 23, Original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and



No. 24, Original. The State of Ohio, complainant, *v.* The State of West Virginia. Motion for reference to and appointment of a special master submitted by Mr. A. Leo Weil in behalf of counsel for complainants.

No. 23, Original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and

No. 24, Original. The State of Ohio, complainant, *v.* The State of West Virginia. Motion to consolidate causes, for the appointment of a commissioner, and for other directions submitted by Mr. Fred O. Blue in behalf of counsel for the defendant.

No. 421. American Steel Foundries, petitioner, *v.* James T. Newton, Commissioner of Patents. Motion for leave to file brief as *amicus curiae* and to make oral argument submitted by Mr. Charles E. Riordan for Simplex Electric Heating Company.

No. 700. Herman M. Wartell, petitioner, *v.* Ralph S. Moore, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. D. Garrett in behalf of Mr. James McNamara for the petitioner, and by Mr. Benjamin Vosper for the respondent.

No. 659. Clarence E. Reed, petitioner, *v.* Hughes Tool Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Melville Church, Mr. Edwin T. Merrick, and Mr. William F. Hall for the petitioner, and by Mr. Frank Andrews for the respondent.

No. 661. Gutierrez Hermanos, petitioner, *v.* The Insular Collector of Customs. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. David A. Baer and Mr. S. W. O'Brien for the petitioner, and by Mr. Dana T. Gallup, Mr. Lawrence H. Hedrick, and Mr. Charles Marvin for the respondent.

No. 673. Wabash Railway Company, petitioner, *v.* Charlotte Sheehan, administratrix, etc. Petition for a writ of certiorari to the Appellate Court of the Third District of the State of Illinois submitted by Mr. Frederic D. McKenney for the petitioner, and by Mr. Charles C. Le Forgee for the respondent.

No. 674. Norfolk-Southern Railroad Company, petitioner, *v.* M. R. Owens. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. W. B. Rodman, jr., and Mr. W. B. Rodman for the petitioner.

No. 688. The Malleable Iron Range Company, petitioner, *v.* Fred E. Lee, as administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Thomas A. Banning and Mr. Samuel Walker Banning for the petitioner, and by Mr. Harry C. Howard and Mr. Fred L. Chappell for the respondent.

No. 695. Robert L. Fink, petitioner, *v.* Okmulgee Window Glass Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. E. N. Higgins and Mr. F. O. Berge for the petitioner, and by Mr. William M. Matthews for the respondent.

No. 277. Laforest L. Simmons, plaintiff in error, *v.* Joe Duarte. Motion to dismiss submitted by Mr. David R. Radovsky for the defendant in error in support of the motion, and by Mr. Edward C. Stone for the plaintiff in error in opposition thereto.

Adjourned until Monday, March 1 next, at 12 o'clock.

The day call for Monday, March 1, will be as follows: Nos. 281, 415, 370, 612, 499, 609, 618, 56, 636, 654, 444, 582 (and 601), and 128.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 1, 1920.

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

Edward Schoen, of Newark, N. J.; John S. Wrinkle, of Chattanooga, Tenn.; A. W. Dobyns, of Little Rock, Ark.; William T. Rawlins, of Honolulu, Hawaii; Robert J. McMillan, of San Antonio, Tex.; Lloyd L. Frank, of Gordon, Pa.; Robert A. Reick, of Frackville, Pa.; William Charles Devitt, of Ashland, Pa.; Otto C. Wierum, of New York City; Harry H. Lynch, of Winchester, Va.; R. C. McBee, of Greenwood, Miss.;—Lawrence E. Brown, of Scottsboro, Ala.; Charles Hendon, of Pawhuska, Okla.; H. D. Durst, of Ranger, Tex.; J. Frank Hanly, of Indianapolis, Ind.; George H. Mitchell, of New York City; F. Dudley Kohler, of New York City; Ernest S. Lyons, of New York City; Niel P. Sterne, of Anniston, Ala.; Charles D. Kline, of Anniston, Ala.; and A. Johnston Ackiss, of Virginia Beach, Va., were admitted to practice.

No. 117. Matthew T. Chapman and Mark C. Chapman, petitioners, *v.* John A. Wintroath. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke. Dissenting: Mr. Justice McReynolds.

No. 123. National Lead Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 154. Kansas City Southern Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 196. The New York Central Railroad Company, petitioner, *v.* Wilbur H. Mohney. On writ of certiorari to the Court of Appeals of Lucas County, State of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice Clarke. (Mr. Justice Day and Mr. Justice Van Devanter concur in the result.)

No. 212. Ash Sheep Company, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals

for the Ninth Circuit. Decree affirmed and cause remanded to the District Court of the United States for the District of Montana. Opinion by Mr. Justice Clarke.

No. 285. Ash Sheep Company, plaintiff in error, *v.* The United States of America. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed and cause remanded to the District Court of the United States for the District of Montana. Opinion by Mr. Justice Clarke.

No. 540. Roberto Gayon, appellant and plaintiff in error, *v.* Thomas D. McCarthy, U. S. Marshal, etc. Appeal from and in error to the District Court of the United States for the Southern District of New York. Final order affirmed with costs. Opinion by Mr. Justice Clarke.

No. 55. The Milwaukee Electric Railway & Light Company, plaintiff in error, *v.* The State of Wisconsin ex rel. City of Milwaukee. In error to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice Pitney and Mr. Justice McReynolds.

No. 79. Frank P. McCloskey, plaintiff in error, *v.* John W. Tobin, sheriff of Bexar County, Texas. In error to the Court of Criminal Appeals of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 150. B. C. Lee, petitioner, *v.* Central of Georgia Railway Company et al. On writ of certiorari to the Court of Appeals of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 153. The Grand Trunk Western Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 206. Frank P. Chesbrough, plaintiff in error, *v.* Northern Trust Company, executor of Mary Schreiber, deceased, et al. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Eastern District of Michigan. Opinion by Mr. Justice McReynolds.

No. 567. The United States of America, plaintiff in error, *v.* A. Schrader's Son (Inc.). In error to the District Court of the United States for the Northern District of Ohio. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis. (Mr. Justice Clarke concurs in the result.)

No. 531. Charles B. Shaffer, appellant, *v.* Frank C. Carter, State auditor, et al. Appeal from the District Court of the United States for the Eastern District of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Pitney.

No. 580. Charles B. Shaffer, appellant, *v.* Frank C. Carter, State auditor, et al. Appeal from the District Court of the United States for the Eastern District of Oklahoma. Decree affirmed with costs. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice McReynolds.

No. 548. Eugene M. Travis, as comptroller of the State of New York, appellant, *v.* The Yale & Towne Manufacturing Company. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds concurs in the result.)

No. 108. Jett Bros. Distilling Company, plaintiff in error, *v.* City of Carrollton. In error to the Court of Appeals of the State of Kentucky. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 110. Henry Farncomb et al., plaintiffs in error, *v.* The City and County of Denver et al. In error to the Supreme Court of the State of Colorado. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 127. David Goldsmith et al., plaintiffs in error, *v.* The George G. Prendergast Construction Company. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 198. The Chicago, Rock Island and Pacific Railway Company et al., petitioners, *v.* Fred Ward. On writ of certiorari to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 330. Pennsylvania Gas Company, plaintiff in error, *v.* Public Service Commission, Second District, of the State of New York, The City of Jamestown, N. Y., et al. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 26, Original. Ex parte in the matter of J. Raymond Tiffany, as receiver etc., petitioner. Rule discharged and petition dismissed. Opinion by Mr. Justice Day.

No. 68. South Coast Steamship Company, petitioner, *v.* J. C. Rudbach. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the Northern

District of California. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna, Mr. Justice Pitney, and Mr. Justice Clarke.

No. 155. John L. Bates, receiver of the National City Bank of Cambridge, Mass., appellant, *v.* Sumner Dresser, administrator of the estate of Edwin Dresser, deceased;

No. 156. Sumner Dresser, administrator of the estate of Edwin Dresser, deceased, appellant, *v.* John L. Bates, receiver of the National City Bank of Cambridge, Mass.;

No. 157. John L. Bates, receiver of the National City Bank of Cambridge, Mass., appellant, *v.* John M. Dean, executor of George W. Gale, deceased, et al.; and

No. 158. John L. Bates, receiver of the National City Bank of Cambridge, Mass., appellant, *v.* Clarence Alfred Bunker et al., administrators, etc. Appeals from the United States Circuit Court of Appeals for the First Circuit. Decree modified by charging the estate of Dresser with interest from February 1, 1916, to June 1, 1918, upon the sum found to be due, and, as so modified, affirmed with costs. Opinion by Mr. Justice Holmes. (Mr. Justice Van Devanter and Mr. Justice Brandeis took no part in the consideration or decision of this case.) Mr. Justice McKenna and Mr. Justice Pitney dissent.

No. 394. Fort Smith Lumber Company, plaintiff in error, *v.* The State of Arkansas ex rel. John D. Arbuckle, Attorney General. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna, Mr. Justice Day, Mr. Justice Van Devanter, and Mr. Justice McReynolds. Petition for certiorari denied.

No. 6. The United States of America, appellant, *v.* United States Steel Corporation et al. Appeal from the District Court of the United States for the District of New Jersey. Decree affirmed. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day, Mr. Justice Pitney, and Mr. Justice Clarke. (Mr. Justice McReynolds and Mr. Justice Brandeis took no part in the consideration or decision of this case.)

No. 270. Peter Schaefer, plaintiff in error, *v.* The United States of America;

No. 271. Paul Vogel, plaintiff in error, *v.* The United States of America;

No. 272. Louis Werner, plaintiff in error, *v.* The United States of America;

No. 273. Martin Darkow, plaintiff in error, *v.* The United States of America; and

No. 274. Herman Lemke, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the

Eastern District of Pennsylvania. Judgments in Nos. 270 and 271 reversed and causes remanded for further proceedings in conformity with the opinion of this court. Judgments in Nos. 272, 273, and 274 affirmed. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Brandeis, Mr. Justice Holmes, and Mr. Justice Clarke.

No. 535. Carbon Steel Company, petitioner, *v.* C. G. Lewellen, collector of internal revenue, etc. 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 District Court of the United States for the Western District of Pennsylvania. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day and Mr. Justice Van Devanter.

No. 526. Forged Steel Wheel Company, petitioner, *v.* C. G. Lewellyn, collector of internal revenue, etc. 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 District Court of the United States for the Western District of Pennsylvania. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day and Mr. Justice Van Devanter.

No. 525. Worth Brothers Company, petitioner, *v.* Ephraim Lederer, collector of internal revenue, etc. 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 District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day and Mr. Justice Van Devanter.

No. 160. Cornelia A. Dunbar, plaintiff in error, *v.* The City of New York. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 190. The Board of Public Utility Commissioners, petitioner, *v.* Ynchausti & Company et al. On writ of certiorari to the Supreme Court of the Philippine Islands. Judgment reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 250. The United States of America, plaintiff in error, *v.* Josiah V. Thompson. In error to the District Court of the United States for the Western District of Pennsylvania. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. —, Original. *Ex parte*; In the matter of the United States, petitioner. Motion for leave to file petition for writs of mandamus and prohibition denied.

No. 163. The Atlantic Coast Line Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Per curiam: Affirmed upon the authority of Atchison, Topeka & Santa Fe Ry. Co. *v.* United States, 225 U. S. 640.

No. 218. City of Fulton, plaintiff in error, *v.* Public Service Commission of Missouri, etc., et al. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of City of Pawhuska *v.* Pawhuska Oil & Gas Co. (250 U. S., 394). See City of Chicago *v.* Dempsy, decided Nov. 10, 1919.

No. 215. The State of Missouri at the relation of The City of Sedalia, plaintiff in error, *v.* The Public Service Commission of Missouri, etc. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of City of Pawhuska *v.* Pawhuska Oil & Gas Co. (250 U. S., 394). See City of Chicago *v.* Dempsy, decided Nov. 10, 1919.

No. 277. Laforest L. Simmons, plaintiff in error, *v.* Joe Duarte. In error to the Supreme Judicial Court of the State of Massachusetts. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2, 39 Stat., 726).

No. ——. Kosta Kisin, petitioner, *v.* The State of California. On petition for a writ of certiorari to the Superior Court of the State of California in and for the County of Contra Costa. Per curiam: The motion for leave to proceed in forma pauperis in this case and that the clerk of this court be directed to file the petition for a writ of certiorari herein is denied.

No. 243. The United States, appellant, *v.* The Omaha Tribe of Indians. Motion to remand to the Court of Claims for additional findings of fact denied.

No. 244. The Omaha Tribe of Indians, appellant, *v.* The United States. Motion for an order on the Court of Claims directing it to certify the whole record to this court postponed to the hearing of the case on the merits.

No. 674. Norfolk-Southern Railroad Company, petitioner, *v.* M. R. Owens. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 659. Clarence E. Reed, petitioner, *v.* Hughes Tool Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 661. Gutierrez Hermanos, petitioner, *v.* The Insular Collector of Customs. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.



No. 673. Wabash Railway Company, petitioner, *v.* Charlotte Sheehan, administratrix, etc. Petition for a writ of certiorari to the Appellate Court, Third District of the State of Illinois, denied.

No. 687. Postal Telegraph-Cable Company, petitioner, *v.* Bowman & Bull Company. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 688. The Malleable Iron Range Company, petitioner, *v.* Fred E. Lee, as administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 695. Robert L. Fink, petitioner, *v.* Okmulgee Window Glass Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 700. Herman M. Wartell, petitioner, *v.* Ralph S. Moore, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 125. Kate C. Archer, administratrix of George F. Archer, deceased, et al., appellants, *v.* The United States; and

No. 220. The United States, appellant, *v.* Kate C. Archer, administratrix of George F. Archer, deceased, et al. Appeals from the Court of Claims. Judgment affirmed by an equally divided Court.

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No. 85. Sue Erskine Newman, administratrix, etc., et al., appellants, *v.* Ida M. Moyers et al., etc., and

No. 86. Carter Glass, Secretary of the Treasury, et al., appellants, *v.* De Forest L. Ormes, administrator, etc. Motion to substitute as one of the appellants David F. Houston, present Secretary of the Treasury, in the place of Carter Glass, former Secretary of the Treasury, granted on motion of Mr. Solicitor General King for the appellants.

No. 319. The United States, appellant, *v.* The North American Transportation & Trading Company. Motion to remand to the Court of Claims for additional findings of fact submitted by Mr. Solicitor General King for the appellant in support of the motion, and by Mr. Abram R. Serven and Mr. Burt E. Barlow for the appellee in opposition thereto.

No. 636. Edgar C. Caldwell, appellant, *v.* W. E. Parker, sheriff, etc. Leave granted to file brief as amicus curiae, on motion of Mr. Solicitor General King in that behalf.

No. 696. George C. Dempsey, appellant, *v.* Thomas J. Boynton, United States attorney for Massachusetts, et al. Advanced to be heard with No. 29, Original, on motion of Mr. Solicitor General King for the appellee.

No. 29, Original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Leave granted to file brief on behalf of twenty-one States, as amicus curiae, on motion of Mr. Charles E. Hughes in that behalf.

No. 752. Kentucky Distilleries & Warehouse Company, appellant, *v.* W. V. Gregory, district attorney, etc., et al. Advanced to be heard with No. 29, Original, on motion of Mr. William Marshall Bullitt in that behalf.

No. 25, Original. The State of New Mexico, complainant, *v.* The State of Colorado. Leave granted to file answer and cross bill, on motion of Mr. E. T. Taylor in behalf of counsel for the defendants.

No. 609. The State of Missouri, appellant, *v.* Ray P. Holland, U. S. game warden. Leave granted to file brief as amicus curiae, on motion of Mr. F. M. Brylawski in behalf of Mr. Louis Marshall.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to file answer and counterclaim, on motion of Mr. T. W. Gregory for the defendant.

No. 749. J. W. Atkins, petitioner. *v.* L. G. Garrett. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Walter S. Penfield, Mr. W. B. Spencer, and Mr. Charles Payne Fenner for the petitioner.

No. —. Union Trust Company, of Rochester, New York, et al., petitioners, *v.* Woodward & Lothrop. Petition for the allowance of an appeal from the Court of Appeals of the District of Columbia submitted by Mr. William G. Johnson for the petitioners.

No. 328. Kansas City, plaintiff in error, *v.* Public Service Commission of Missouri et al. Motion to retax costs submitted by Mr. C. R. McAtee in behalf of counsel.

No. 609. The State of Missouri, appellant. *v.* Ray P. Holland, U. S. game warden. Leave granted to file brief as amicus curiae, on motion of Mr. Evans Browne in that behalf.

No. 718. Camp Bird, Limited, petitioner, *v.* Frank W. Howbert, as collector of internal revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. F. Ogilby in behalf of Mr. William V. Hodges for the petitioner, and by Mr. Solicitor General King and Mr. William C. Herron for the respondent.

No. 171. Rederiaktiebolaget Atlanten, petitioner, *v.* Aktieselskabet Korn-Og Foderstof Kompagniet. Leave granted to file brief as amicus curiae, on motion of Mr. Oscar W. Underwood, jr., in that behalf.

No. 739. Atchafalaya Land Company, petitioner, *v.* Paul Capdevielle, auditor, et al. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr.

Frederick S. Tyler in behalf of Mr. George Janvier for the petitioner, with leave to file the printed record hereafter.

No. —, Original. Ex parte in the matter of James F. Bishop, administrator, etc., petitioner. Motion for leave to file petition for a writ of prohibition submitted by Mr. Frederick S. Tyler in behalf of Mr. Harry W. Standidge for the petitioner.

No. 709, October Term, 1918. James F. Bishop, administrator of the estate of Susie C. Plamondon, deceased, et al., petitioners, *v.* Great Lakes Towing Company; and

No. 897, October Term, 1918. James F. Bishop, administrator of the estate of Susie C. Plamondon, deceased, et al., petitioners, *v.* Great Lakes Towing Company. Motion to withdraw transcripts of records submitted by Mr. Frederick S. Tyler in behalf of Mr. Harry W. Standidge for the petitioner.

No. 697. John P. Galbraith, petitioner, *v.* John Vallely, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. S. D. Welles in behalf of Mr. Fred B. Dodge for the petitioner.

No. 746. Henry Krichman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. C. M. Chambers in behalf of Harrison P. Lindabury for the petitioner.

No. 711. Hudson Navigation Company, petitioner, *v.* J. Aron & Company (Inc.) et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Seth Shepard and Mr. Stuart G. Gibboney for the petitioner, and by Mr. Charles R. Hickox and Mr. Geo. H. Mitchell for the respondents.

No. 418. Prudential Insurance Company of America, plaintiff in error, *v.* Robert T. Cheek. Motion to dismiss submitted by Mr. Frederick H. Bacon for the defendant in error in support of the motion, and by Mr. Samuel W. Fordyce, jr., and Mr. Thomas W. White for the plaintiff in error in opposition thereto.

No. 669. Gulf & Ship Island Railroad Company et al., plaintiffs in error, *v.* Carl Boone et al., etc. Motion to dismiss or affirm submitted by Mr. George Anderson for the defendants in error in support of the motion, and by Mr. T. J. Wills for the plaintiffs in error in opposition thereto.

No. 692. Cheatham Electric Switching Device Company, appellant, *v.* Transit Development Company et al. Motion to dismiss or affirm submitted by Thomas J. Johnston for the defendants in error in support of the motion, and by Mr. Albert M. Austin for the plaintiffs in error in opposition thereto.

No. 677. John M. Anderson, plaintiff in error, *v.* Peter W. Durr, as former auditor, etc., et al. Petition for a writ of certiorari herein submitted by Mr. Murray Seasongood for the plaintiff in error.

No. 678. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* O. C. Swaim. Petition for a writ of certiorari to the Supreme Court of the State of Iowa submitted by Mr. Joseph G. Gamble for the petitioner, and by Harriet B. Evans for the respondent.

No. 682. J. B. Pollard, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William H. Atwell for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 686. Ada Griffith, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Benjamin C. Bachrach for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 697. John P. Galbraith, petitioner, *v.* John Vallely, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Fred B. Dodge for the petitioner.

No. 701. Frederick M. Kilmer, trustee for Alice F. Kilmer, petitioner, *v.* Charles H. Keith, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Elbridge R. Anderson for the petitioner, and by Mr. Lee M. Friedman for the respondent.

No. 703. Rome Lane, on behalf of himself and others, petitioners, *v.* The Equitable Trust Company of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Wells H. Blodgett and Mr. Clifford B. Allen for the petitioners, and by Mr. G. W. Murray and Mr. Lawrence Greer for the respondent.

No. 704. Maria Eloisa Rocha, petitioner, *v.* Emilia Tuason y Patino et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. W. A. Kincaid for the petitioner.

No. 712. Western Union Telegraph Company, petitioner, *v.* Addie Speight. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. Francis Raymond Stark, Mr. Charles W. Tillett, and Mr. Thomas C. Guthrie for the petitioner.

No. 721. The Phillips Company, petitioner, *v.* Byron F. Everitt, trustee, etc. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William L. Carpenter for the petitioner, and by Mr. Clarence A. Lightner for the respondent.

No. 722. Alfred R. Swann, petitioner, *v.* W. W. Austell, executor, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Daniel W. Rountree and Mr. Clifford L. Anderson for the petitioner, and by Mr. Jack J. Spalding and Mr. Charles T. Hopkins for the respondent.

No. 732. William F. Hanrahan, petitioner, *v.* Pacific Transport Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Silas B. Axtell for the petitioner, and by Mr. Robert S. Erskine and Mr. L. de Grove Potter for the respondent.

No. 748. E. B. Capps, administrator, etc., petitioner, *v.* The Atlantic Coast Line Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. James S. Manning for the petitioner, and by Mr. Frederic D. McKenney and Mr. P. A. Willcox for the respondent.

No. 750. Maryanne Shipping Company, claimant of steamship *Maryanne*, petitioner, *v.* Ranberg Iron Works. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Horace L. Cheyney and Mr. Ralph J. M. Bullowa for the petitioner, and by Mr. Francis Martin for the respondent.

No. 754. Cricket Steamship Company, petitioner, *v.* John P. Parry. Petition for a 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. S. B. Axtell for the respondent.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Acknowledgment of satisfaction of decree of this court of June 14, 1915, in favor of complainant presented, and ordered filed.

No. 14, Original. The State of New York, complainant, *v.* International Nickel Company. Dismissed, per stipulation.

No. 15, Original. The State of New York, complainant, *v.* Standard Oil Company. Dismissed, per stipulation.

No. 477. Wysong & Miles Company et al., plaintiffs in error, *v.* Planters National Bank of Richmond. In error to the Supreme Court of the State of North Carolina. Dismissed, per stipulation.

No. 478. Wysong & Miles Company et al., plaintiffs in error *v.* Bank of North America, Philadelphia, Pa. In error to the Supreme Court of the State of North Carolina. Dismissed, per stipulation.

No. 612. Fred S. Thompson, appellant, *v.* Alexander H. Nichols. Appeal from the District Court of the United States for the District of Maine. Dismissed per stipulation. Mandate granted on motion of Mr. Charles Henry Butler for the defendant in error.

No. 499. The Penn Mutual Life Insurance Company, petitioner, *v.* Ephraim Lederer, collector, etc. Passed, to be restored to the call pursuant to section 9 of rule 26, on motion of Mr. Solicitor General King for the respondent.

No. 582. George S. Hawke, plaintiff in error, *v.* Harvey C. Smith, Secretary of State of Ohio; and

No. 601. George S. Hawke, plaintiff in error, *v.* Harvey C. Smith, as secretary of the State of Ohio. Reassigned for argument on April 12th, after cases heretofore assigned for that day, on motion of Mr. Arthur Hellen, of counsel for the plaintiff in error.

No. 281. Canadian Northern Railway Company, petitioner, *v.* Gus Eggen. Argued by Mr. William D. Mitchell for the petitioner and by Mr. Ernest A. Michel for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 2, will be as follows: Nos. 415, 370, 609, 618, 56, 636, 654, 444, 128, and 171.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 2, 1920.

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

- Ike E. Lambert, of Emporia, Kans.; Gotthard A. Dahlberg, of Chicago, Ill.; Frank E. Woods, of Cincinnati, Ohio; and Sidney G. Kusworm, of Dayton, Ohio, were admitted to practice.

No. 415. Philadelphia and Reading Railway Company, plaintiff in error, *v.* Margaret L. Hancock. Argued by Mr. George Gowan Parry for the plaintiff in error, and by Mr. Hannis Taylor for the defendant in error.

No. 370. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Argued by Mr. David Gerber for the petitioner, and by Mr. Charles H. Tuttle for the respondent.

No. 609. The State of Missouri, appellant, *v.* Ray P. Holland, United States Game Warden. Argument commenced by Mr. J. G. L. Harvey for the appellant, continued by Mr. Assistant Attorney General Frierson and Mr. Solicitor General King for the appellee, and concluded by Mr. John T. Gose for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 3, will be as follows: Nos. 618, 56, 636, 654, 444, 128, 171, 191, 85, and 224.

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## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 3, 1920.

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

Alexander Lincoln, of Boston, Mass.; Alonzo Wilder, of Tampa, Fla.; Stewart Hanley, of Detroit, Mich.; Samuel R. Wachtell, of New York City; and Charles E. McCulloch, of Portland, Oreg., were admitted to practice.

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No. 618. The First National Bank, of Canton, Pa., appellant, *v.* John Skelton Williams, comptroller, etc. Argument commenced by Mr. John B. Stanchfield for the appellant, continued by Mr. LaRue Brown and Mr. Solicitor General King for the appellee, and concluded by Mr. John B. Stanchfield for the appellant.

No. 56. Peter Geddes et al., appellants, *v.* Anaconda Copper Mining Company et al. Two and one-half hours allowed each side in the reargument of this cause, on motion of Mr. T. J. Walsh for the appellants. Reargument commenced by Mr. T. J. Walsh for the appellants and continued by Mr. W. B. Rogers for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 4, will be as follows: Nos. 56, 636, 654, 444, 128, 171, 191, 85, 294, and 224.

141036—20—65



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 4, 1920.

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

Henry Hornor Snelling, of Washington, D. C., Frederic W. Miller, of Pittsburgh, Pa., Robert Stewart, of New York City, John H. Lucas, of Kansas City, Mo., and Worth E. Caylor, of Chicago, Ill., were admitted to practice.

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No. 29, Original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Assigned for argument on Monday, the 8th instant, on motion of Mr. Assistant Attorney General Frierson for the defendants.

No. 56. Peter Geddes et al., appellants, *v.* Anaconda Copper Mining Company et al. Argument continued by Mr. W. B. Rodgers for the appellees, and concluded by Mr. T. J. Walsh for the appellants.

No. 636. Edgar C. Caldwell, appellant, *v.* W. E. Parker, sheriff of Calhoun County, Alabama. Argument commenced by Mr. Henry E. Davis for the appellant, and continued by Mr. Neil P. Sterne for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 5, will be as follows: Nos. 636, 654, 444, 128, 171, 191, 85, 294, 224, and 225.

141036—20—66

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 5, 1920.

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

Jacob L. Newman, of Newark, N. J.; Joseph G. Wolber, of Newark, N. J.; Ivan Bowen, of Mankato, Minn.; Ralph D. Reeves, of Silsbee, Tex.; Walter S. Jackson, of Lima, Ohio; and John Ross Delafield, of New York City, were admitted to practice.

No. 756. City of San Antonio et al., appellants, *v.* San Antonio Public Service Company. Motion to advance submitted by Mr. R. J. McMillan for the appellants.

No. 225. D. H. Gill et al., plaintiffs in error, *v.* The City of Dallas et al. In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas. Dismissed with costs, pursuant to the tenth rule.

No. 636. Edgar C. Caldwell, appellant, *v.* W. E. Parker, Sheriff, etc. Argument continued by Mr. Neil P. Sterne and Mr. J. Q. Smith for the appellee, and concluded by Mr. Charles D. Kline for the appellant.

No. 654. Walter Evans, plaintiff in error, *v.* J. Rogers Gore, Deputy and Acting Collector of Internal Revenue. Argument commenced by Mr. William Marshall Bullitt for the plaintiff in error, continued by Mr. Assistant Attorney General Frierson for the defendant in error, and concluded by Mr. Edmund F. Trabue for the plaintiff in error.

No. 444. The United States of America, plaintiff in error, *v.* Everett L. Simpson. Submitted by Mr. Assistant Attorney General Frierson for the plaintiff in error. No appearance for the defendant in error.

No. 128. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. Reargument commenced by Mr. William Watson Smith for the plaintiff in error, continued by Mr. Berne H. Evans and Mr. Leonard K. Guiler for the defendants in error, and by Mr. J. G. Buchanan for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 8, will be as follows: Nos. 128, 29 Original (and 696, and 752); 171, 191, 85, 294, 224, 226, 227, and 228.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 8, 1920.

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

Fred A. Otis, of Providence, R. I.; Charles P. Sisson, of Providence, R. I.; Charles Campbell, jr., of St. Louis, Mo.; E. R. Callister, of Salt Lake City, Utah; Harvey Given, of Washington, D. C.; Lindsley Maddin Brown, of Fort Worth, Tex.; Patrick P. Curran, of Providence, R. I.; Charles Thomas Randolph, of Carmi, Ill.; Grover Newton McCormick, of Memphis, Tenn.; L. J. Dickinson, of Algona, Iowa; William M. Wherry, jr., of New York City; Thomas A. Sullivan, of Buffalo, N. Y.; Arthur C. Dayton, of Portland, Oreg.; Albert D. Rodenberg, of Springfield, Ill.; Charles E. Hughes, jr., of New York City; and James Martin Gray, of Chicago, Ill., were admitted to practice.

No. 16, Original. The State of Minnesota, Complainant, *v.* The State of Wisconsin. Decree for the complainant, costs to be equally divided. Opinion by Mr. Justice McReynolds. (Mr. Justice Brandeis concurs in the result.)

No. 318. Mark Eisner, as collector of United States internal revenue for the third district of the State of New York, plaintiff in error, *v.* Myrtle H. Macomber. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice Pitney. Dissenting together: Mr. Justice Holmes and Mr. Justice Day. Dissenting together: Mr. Justice Brandeis and Mr. Justice Clarke.

No. 234. Clinton H. Pierce et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of New York. Judgment affirmed. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Brandeis and Mr. Justice Holmes.

No. 413. The United States of America, at the relation of Kansas City Southern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission. In error to the Court of Appeals of the District of Columbia. Judgment of the Court of Appeals reversed and cause remanded, with directions to reverse that of the supreme court, and direct the supreme court to grant a writ of mandamus in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 418. Prudential Insurance Company of America, plaintiff in error, *v.* Robert T. Cheek. In error to the supreme court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of *Schlosser v. Hemphill* (198 U. S. 173, 175), *Louisiana Navigation Co. v. Oyster Commission of Louisiana* (226 U. S. 99, 101), *Gray's Harbor Co. v. Coats-Fordney Co.* (243 U. S. 251, 255), *Bruce v. Tobin* (245 U. S. 18, 19).

No. 669. Gulf & Ship Island Railroad Company et al., plaintiffs in error, *v.* Carl Boone et al., etc. In error to the Supreme Court of the State of Mississippi. Per curiam: Dismissed for want of jurisdiction upon the authority of *McCorquodale v. Texas* (211 U. S. 432), *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.* (228 U. S. 326, 334), *St. Louis & San Francisco R. R. Co. v. Shepherd* (240 U. S. 241), *Bilby v. Stewart* (246 U. S. 255, 257).

No. 692. Cheatham Electric Switching Device Company, appellant, *v.* Transit Development Company et al. Appeal from the District Court of the United States for the Eastern District of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of *Aspen Mining & Smelting Co. v. Billings* (150 U. S. 31, 37), *Brown v. Alton Water Co.* (222 U. S. 325, 332-334), *Metropolitan Water Co. v. Kaw Valley District* (223 U. S. 519, 522), *Shapiro v. United States* (235 U. S. 412, 416), and see *Red Jacket, Jr., Coal Co. et al. v. United Thacker Coal Co.* (248 U. S. 531).

No. —, Original. *Union Trust Company v. Woodward & Lothrop*. Petition for allowance of an appeal herein denied.

No. —, Original. Ex parte In the matter of James F. Bishop, administrator of the estate of Herman A. Ristow, deceased, petitioner. Motion for leave to file a petition for a writ of prohibition herein denied.

Nos. 709 and 897, October term, 1918. James F. Bishop, administrator of Susie C. Plamondon et al., petitioners, *v.* Great Lakes Towing Company. Motion for leave to withdraw the original transcripts of record in these cases denied.

No. 319. The United States, appellant, *v.* The North American Transportation & Trading Company. Motion to remand for additional findings denied.

No. 756. City of San Antonio et al., appellants, *v.* San Antonio Public Service Company. Motion to advance denied without prejudice.

No. 697. John P. Galbraith, petitioner, *v.* John Vallely, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 712. Western Union Telegraph Company, petitioner, *v.* Addie Speight. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 746. Henry Krichman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 677. John M. Anderson, plaintiff in error, *v.* Peter W. Durr, as former auditor, etc., et al. Further consideration of the petition for a writ of certiorari herein postponed to the hearing of the case on the writ of error.

No. 678. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* O. C. Swaim. Petition for a writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 682. J. B. Pollard, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 686. Ada Griffith, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 701. Frederick M. Kilmer, trustee for Alice F. Kilmer, petitioner, *v.* Charles H. Keith, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 703. Rome Lane, on behalf of himself and others, petitioner, *v.* The Equitable Trust Company of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 704. Maria Eloisa Rocha, petitioner, *v.* Emilia Tuason y Patino et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 711. Hudson Navigation Company, petitioner, *v.* J. Aron & Company (Inc.), et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 718. Camp Bird, Limited, petitioner, *v.* Frank W. Howbert, as collector of internal revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 721. The Phillips Company, petitioner, *v.* Byron F. Everitt, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 722. Alfred R. Swann, petitioner, *v.* W. W. Austell, executor, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 732. William F. Hanrahan, petitioner, *v.* Pacific Transport Company (Ltd.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 748. E. B. Capps, administrator, etc., petitioner, *v.* The Atlantic Coast Line Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 749. J. W. Atkins, petitioner, *v.* L. G. Garrett. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 750. Maryanne Shipping Company, Claimant of steamship *Maryanne*, petitioner, *v.* Ramberg Iron Works. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 754. Cricket Steamship Company, petitioner, *v.* John P. Parry. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 534. Leslie C. Stallings, appellant, *v.* Maurice Splain, United States marshal, etc. Motion to advance submitted by Mr. Solicitor General King for the appellee, in support of the motion, and by Mr. W. B. Jaynes for the appellant in opposition thereto.

No. 628. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* McCaull-Dinsmore Company. Motion to advance submitted by Mr. Solicitor General King in behalf of counsel for the petitioner.

No. 696. George C. Dempsey, appellant, *v.* Thomas J. Boynton, United States attorney for the District of Massachusetts, et al., and

No. 752. Kentucky Distilleries & Warehouse Company, appellant, *v.* W. V. Gregory, District Attorney, etc., et al. Leave granted to

file brief as *amicus curiæ*, on motion of Mr. Wayne B. Wheeler in that behalf.

No. —. Charles Kollman, petitioner, *v.* The United States. Motion for extension of time within which to submit petition for a writ of certiorari submitted by Mr. Chester J. Gerkin, Mr. Samuel T. Ansell, and Mr. Edward S. Bailey for the petitioner.

No. 312. John M. Tananevicz, plaintiff in error, *v.* The People of the State of Illinois. Motion to dismiss submitted by Mr. A. D. Rodenberg in behalf of Mr. Edward J. Brundage and Mr. Edward C. Fitch for the defendant in error in support of the motion, and by Mr. Emory J. Smith for the plaintiff in error in opposition thereto.

No. 29, Original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Leave granted to file brief as *amicus curiæ*, on motion of Mr. Elihu Root in that behalf.

No. 752. Kentucky Distilleries & Warehouse Company, appellant, *v.* W. V. Gregory, district attorney, etc., et al. Leave granted to file brief as *amicus curiæ*, on motion of Mr. Charles E. Hughes, jr., in that behalf.

No. —, Original. The State of New Jersey, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Motion for leave to file bill of complaint submitted by Mr. Thomas F. McCran for the complainant.

No. 7, Original. The State of Arkansas, complainant, *v.* The State of Mississippi. Motion for entry of interlocutory decree and for the appointment of commissioners submitted by Mr. George F. Snyder in behalf of counsel.

No. 29, Original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Leave granted to file brief as *amicus curiæ*, on motion of Mr. Alex. Lincoln in that behalf.

No. 733. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* H. A. F. Ault. Petition for a writ of certiorari herein submitted by Mr. F. Carter Pope in behalf of Mr. Robert E. Wiley and Mr. Edgar B. Kinsworthy for the plaintiffs in error, with leave to file printed record hereafter.

No. 262. Virginia and West Virginia Coal Company, plaintiff in error, *v.* Green Charles. Motion to dismiss submitted by Mr. William H. Werth for the defendant in error in support of the motion, and by Mr. A. M. Belcher and Mr. S. B. Avis for the plaintiff in error in opposition thereto.

No. 694. United Mine Workers of America et al., petitioners, *v.* Coronado Coal Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

submitted by Mr. G. L. Grant, Mr. Webb Covington, and Mr. Henry Warrum for the petitioners.

No. 709. Walter F. Britton, trustee, etc., petitioner, *v.* Union Investment Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Harrison L. Schmitt for the petitioner, and by Mr. William A. Lancaster and Mr. David F. Simpson for the respondent.

No. 725. Walter M. Reeder et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John W. Scothorn for the petitioners.

No. 226. Midland Linseed Company, plaintiff in error, *v.* American Liquid Fireproofing Company et al. Continued, per stipulation.

No. 128. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. Re argument concluded by Mr. J. G. Buchanan for the plaintiff in error.

No. 29, Original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Argument commenced by Mr. Herbert A. Rice in opposition to motion<sup>7</sup> to dismiss the bill, and continued by Mr. Assistant Attorney General Frierson in support of the motion.

Adjourned until to-morrow at 12 o'clock.

The call for Tuesday, March 9, will be as follows: Nos. 29, Original; 696, 752, 171, 191, 85 (and 294), 224, 227, 228, and 230.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 9, 1920.

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

Oscar W. Ehrhorn, of New York City; John A. Johnson, of Boston, Mass.; Dwight Davis Graves, of Bridgeport, Conn.; Robert R. Hendon, jr., of Shawnee, Okla.; Walter Stover, of Watertown, S. Dak.; and E. E. Johnson, of Culpeper, Va., were admitted to practice.

No. 29, original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Argument continued by Mr. Assistant Attorney General Frierson and Mr. Solicitor General King, for the defendants, in support of the motion to dismiss the bill, and concluded by Mr. Herbert A. Rice, for the complainant, in opposition to the motion.

No. 696. George C. Dempsey, appellant, *v.* Thomas J. Boynton, United States Attorney for Massachusetts, et al. Argued by Mr. P. H. Kelley for the appellant, and by Mr. Assistant Attorney General Frierson for the appellees.

No. 752. Kentucky Distilleries & Warehouse Company, appellant, *v.* W. V. Gregory, District Attorney for the United States for the Western District of Kentucky, et al. Argument commenced by Mr. Levy Mayer for the appellant, and continued by Mr. Assistant Attorney General Frierson for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 10, will be as follows: Nos. 752, 171, 191, 85 (and 294), 224, 227, 228, 230, 231, and 233.

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 10, 1920.

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

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Edward G. Curtis, of Boston, Mass.; Daniel L. Morris, of Washington, D. C.; William S. Hammers, of Washington, D. C.; Urey Howard, of Nashville, Tenn.; John O. Hillis, of Memphis, Tenn.; J. C. McCoid, of Mount Pleasant, Iowa; and Paul B. Galer, of Mount Pleasant, Iowa, were admitted to practice.

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No. 231. Edward A. Shedd et al., appellants, *v.* Guardian Trust Company et al. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 752. Kentucky Distilleries & Warehouse Company, appellant, *v.* W. V. Gregory, district attorney for the United States for the Western District of Kentucky, et al. Argument continued by Mr. Assistant Attorney General Frierson and Mr. Solicitor General King for the appellees, and concluded by Mr. William Marshall Bullitt for the appellant.

No. 171. Rederiaktiebolaget Atlanten, petitioner, *v.* Aktieselskabet Korn-Og Foderstof Kompagniet. Argued by Mr. Charles Bishop Smith for the petitioner, and by Mr. Roscoe H. Hupper for the respondent.

No. 191. Michael U. Boehmer, petitioner, *v.* Pennsylvania Railroad Company. Argument commenced by Mr. E. C. Brandenburg for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 11, will be as follows: Nos. 191, 85, 294, 224, 227, 228, 230, 233, 236, and 237.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 11, 1920.

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

R. L. Ralston, of Kittanning, Pa.; Philip L. Miller, of New York City; William G. Mirow, of San Diego, Calif.; James R. Caskie, of Lynchburg, Va.; John H. Cunningham, of San Antonio, Tex.; Charles H. Potter, of Washington, D. C.; James F. Pierce, of Washington, D. C.; and Philip S. McLean, of New York City, were admitted to practice.

No. 237. *The Globe Works, appellant, v. The United States.* Appeal from the Court of Claims. Dismissed, pursuant to the sixteenth rule, on motion of Mr. Assistant Attorney General Davis for the appellee.

No. 191. *Michael U. Boehmer, petitioner, v. Pennsylvania Railroad Company.* Argument continued by Mr. E. C. Brandenburg for the petitioner, by Mr. Frederic D. McKinney, for the respondent, and concluded by Mr. Thomas A. Sullivan for the petitioner.

No. 85. *Sue Erskine Newman, administratrix, etc., et al, appellants, v. Ida M. Moyers et al.* Argued by Mr. Assistant Attorney General Frierson for the appellants, and by Mr. Charles F. Consaul for the appellees.

No. 294. *C. C. Calhoun, petitioner, v. Bland Massie.* Argued by Mr. Charles F. Consaul for the petitioner, and by Mr. James R. Caskie for the respondent.

No. 224. *Coleman J. Ward et al., petitioners, v. The Board of County Commissioners of Love County, Okla.* Submitted by Mr. John Emerson Bennett and Mr. George P. Glaze for the petitioners. No appearance for the respondent.

No. 227. *McCay Engineering Company, appellant, v. The United States.* Argument commenced by Mr. George A. King for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 12, will be as follows: Nos. 227, 228, 230, 233, 236, 240, 241, 242, 243 (and 244) and 248.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 12, 1920.

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

Myer J. Stein, of Chicago, Ill.; Charles M. McCabe, of Crawfordsville, Ind.; Frank P. McDennon, of Jersey City, N. J.; George T. Farrell, of Washington, D. C.; and W. B. Council, of Hickory, N. C., were admitted to practice.

No. 242. Ada C. Mongrain, plaintiff in error, *v.* W. H. Aaron et al. Passed, per stipulation.

No. 227. McCay Engineering Company, appellant, *v.* The United States. Argument continued by Mr. George A. King for the appellant, by Mr. Assistant Attorney General Davis for the appellee, and concluded by Mr. George A. King for the appellant.

No. 230. C. C. Taft Company, plaintiff in error, *v.* The State of Iowa. Argued by Mr. F. C. Davidson for the defendant in error, and submitted by Mr. Fred P. Carr and Mr. Robert M. Haines for the plaintiff in error.

No. 228. George E. Burnap, appellant, *v.* The United States. Argued by Mr. George A. King for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

No. 233. The United States, appellant, *v.* Wayne County, Kentucky. Argued by Mr. Assistant Attorney General Davis for the appellant, and by Mr. Jackson H. Ralston for the appellee.

No. 236. James P. Parsons, plaintiff in error, *v.* William H. Moor et al. Death of Fred O. Peak, one of the defendants in error herein, suggested, and appearance of Bell S. Peak, individually and as executrix under the last will and testament of Fred O. Peak, deceased, as a party defendant in error herein, filed and entered, on motion of Mr. Herbert P. Whitney for the defendants in error.

No. 236. James P. Parsons, plaintiff in error, *v.* William H. Moor et al. Argued by Mr. Herbert P. Whitney for the defendants in

error, and submitted by Mr. Charles F. Carusi for the plaintiff in error.

No. 240. E. W. Bliss Company, appellant, *v.* The United States. Argument commenced by Mr. Arthur C. Fraser for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 15, will be as follows: Nos. 240, 241, 243 (and 244), 248, 211, 102, 213, 214, 249, and 252 (and 253).

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 15, 1920.

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

H. P. Adair, of Jacksonville, Fla.; P. H. Odom, of Jacksonville, Fla.; Harold Williams, jr., of Boston, Mass.; John T. Hughes, of Boston, Mass.; Frank Lord Warrin, jr., of New York City; Charles L. Byron, of Chicago, Ill.; Robert A. Kaftan, of Green Bay, Wis.; Barnes Gillespie, of Tazewell, Va.; George Campbell Peery, of Tazewell, Va.; and Louis B. King, of Boston, Mass., were admitted to practice.

No. 147. Panama Railroad Company, plaintiff in error, *v.* Joseph T. Toppin. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Canal Zone. Opinion by Mr. Justice Brandeis.

Nos. 172 and 173. George A. Cole et al., petitioners, *v.* Joseph Ralph. On writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgments of the Circuit Court of Appeals reversed with costs, and judgments of the District Court of the United States for the District of Nevada affirmed with costs; and causes remanded to the said district court. Opinion by Mr. Justice Van Devanter.

The Chief Justice announced the following orders of the court:

No. 312. John M. Tananevicz, plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) Consolidated Turnpike Co. *v.* Norfolk, etc., Ry. Co., 228 U. S. 326, 334; St. Louis & San Francisco R. R. Co. *v.* Shepherd, 240 U. S. 240, 241; Bilby *v.* Stewart, 246 U. S. 255, 257; (2) Brolan *v.* United States, 236 U. S. 216, 218; United Security Co. *v.* American Fruit Produce Co., 238 U. S. 140, 142; Sugarman *v.* United States, 249 U. S. 182, 184; (3) section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stats. L. 726.

No. 262. Virginia and West Virginia Coal Company, plaintiff in error, *v. Green Charles*. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) section 128 of the Judicial Code; *Shulthis v. McDougal*, 225 U. S. 561, 568; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444; (2) *Spencer v. Duplan Silk Co.*, 191 U. S. 526, 530; *Devine v. Los Angeles*, 202 U. S. 313, 333; *Shulthis v. McDougal*, 225 U. S. 561, 569.

No. 230. C. C. Taft Company, plaintiff in error, *v. The State of Iowa*. In error to the Supreme Court of the State of Iowa. Per curiam: Dismissed for want of jurisdiction upon the authority of the act of September 6, 1916, c. 448, sec. 6, 39 Stats. L. 726, 727.

No. 236. James P. Parsons, plaintiff in error, *v. William H. Moor et al.* In error to the Supreme Court of the State of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stats. L. 726.

No. —, Original. The State of New Jersey, complainant, *v. A. Mitchell Palmer*, Attorney General, et al. On motion for leave to file original bill.

ORDER. Application for leave to file bill granted and process ordered; but should the Attorney General be advised to move to dismiss, a motion to advance the hearing on the motion to dismiss to the earliest practicable day will be entertained, in order that the issues arising from such motion may be considered in connection with the controversies now under advisement resulting from the original bill filed by the State of Rhode Island and other causes involving kindred questions which are now also under submission.

No. 328. Kansas City, plaintiff in error, *v. Public Service Commission of Missouri et al.* Motion to retax costs in this case denied.

No. 534. Leslie C. Stallings, appellant, *v. Maurice Splain*, U. S. Marshal, etc. Motion to advance granted, and cause assigned for argument on Monday, April 12, next, after the cases hereto assigned for that day.

No. 628. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v. McCaull-Dinsmore Company*. Motion to advance granted, and cause assigned for argument on Monday, April 12, next, after the cases heretofore assigned for that day.

No. 709. Walter F. Britton, trustee, etc., petitioner, *v. Union Investment Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 725. Walter M. Reeder et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 739. Atchafalaya Land Company, petitioner, *v.* Paul Capdevielle, auditor, et al. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. —. Charles Kollman, petitioner, *v.* The United States. Application to extend time for filing a certified copy of the transcript of record in support of the petition for a writ of certiorari heretofore lodged with the clerk of this court within the time prescribed by law granted.

No. —, Original. The State of New Jersey, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Leave granted to file motion to dismiss, on motion of Mr. Solicitor General King for the complainant, and cause assigned for argument on Monday, the 29th instant.

No. 788. Christian Feigenspan, a corporation, appellant, *v.* Joseph L. Bodine, U. S. Attorney, etc., et al. Advanced and assigned for argument on Monday, the 29th instant, on motion of Mr. Solicitor General King for the appellees.

No. 794. Hiram A. Sawyer, as United States Attorney, etc., et al., appellants, *v.* Manitowoc Products Company. Advanced and assigned for argument on Monday, the 29th instant, on motion of Mr. Solicitor General King for the appellees.

No. 221. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Motion for certiorari on suggestion of diminution of the record submitted by Mr. Solicitor General King for the defendant in error.

No. 293. The United States of America, plaintiff in error, *v.* H. L. Sprinkle. In error to the District Court of the United States for the Southern District of Florida. Dismissed, on motion of Mr. Solicitor General King for the plaintiff in error.

No. 770. Carl H. Richardson, as trustee, etc., petitioner, *v.* The German Bank of the City of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Carroll G. Walter for the petitioner, and by Mr. Bernard Hershkopf for the respondent.

No. 728. Porto Rico Railway Light & Power Company *v.* Adalberto Diaz Mor. Petition for a writ of certiorari to bring up the entire record and cause submitted by Mr. Carroll G. Walter for Porto Rico Railway Light & Power Company.

No. 689. Western Fuel Company *v.* Antone Garcia, as administrator, etc. Petition for a writ of certiorari to bring up the entire record



and cause submitted by Mr. Norman Fischer for the Western Fuel Company.

No. 731. J. J. Dillion, appellant, *v.* R. W. Gloss, deputy collector of internal revenue. Motion to advance submitted by Mr. Levi Cooke in behalf of Mr. Theodore A. Bell for the appellant.

No. 775. J. Leroy Nickel et al., as trustees, etc., et al., plaintiffs in error, *v.* George A. Cole, as State Comptroller of the State of Nevada; and

No. 776. Nellie Miller Nickel et al., as trustees, etc., et al., plaintiffs in error, *v.* The State of Nevada. Petition for writs of certiorari herein submitted by Mr. Edward F. Treadwell and Mr. Azro E. Cheney for the plaintiffs in error in support of the petition, and by Mr. William C. Prentiss for the defendants in error, in opposition thereto.

No. 795. William G. Street, appellant, *v.* Lincoln Safe Deposit Company and Daniel L. Porter. Motion to advance submitted by Mr. Paul E. Lesch in behalf of Mr. Joseph S. Auerbach and Mr. Charles H. Tuttle for the appellant.

No. 29, Original. The State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Leave granted to file brief of Mr. Aaron A. Ferris as amicus curiae, on motion of Mr. E. H. Scott in that behalf.

No. 716. E. J. Frasier, petitioner, *v.* The State of Oregon. Petition for a writ of certiorari to the Supreme Court of the State of Oregon submitted by Mr. Enos S. Stockbridge for the petitioner, and by Mr. George M. Brown for the respondent.

No. 723. Alfred J. Keppelmann et al., executors and trustees, etc., petitioners, *v.* A. Mitchell Palmer, as Alien Property Custodian. Petition for a writ of certiorari to the Court of Chancery of the State of New Jersey submitted by Mr. Edward M. Colie for the petitioners, and by Mr. Assistant Attorney General Spellacy for the respondent.

No. 724. Carl Goepel et al., partners, etc., petitioners, *v.* A. Mitchell Palmer, as Alien Property Custodian. Petition for a writ of certiorari to the Court of Chancery of the State of New Jersey submitted by Mr. Ruby R. Vale for the petitioners, and by Mr. Assistant Attorney General Spellacy for the respondent.

No. 735. Louis De F. Munger, petitioner, *v.* Firestone Tire & Rubber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William A. Redding for the petitioner, and by Mr. Charles Neave, Mr. William G. McKnight, and Mr. Edward Rector for the respondent.

No. 736. Louis De F. Munger, petitioner, *v.* The B. F. Goodrich Company. Petition for a writ of certiorari to the United States Cir-

cuit Court of Appeals for the Second Circuit submitted by Mr. William A. Redding for the petitioner, and by Mr. Charles Neave, Mr. William G. McKnight, and Mr. Edward Rector for the respondent.

No. 747. American Ore Reclamation Company, petitioner, *v.* Dwight & Lloyd Sintering Company (Inc.). Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Henry B. Gayley for the petitioner, and by Mr. Otto C. Wierum for the respondent.

No. 757. Empire Fuel Company, petitioner, *v.* J. E. Lyons. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Arthur S. Dayton, Mr. Melvin G. Sperry, and Mr. Frank E. Wood for the petitioner, and by Mr. Murray Seasongood for the respondent.

No. 783. S. J. Lindsey, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. A. Johnston Ackiss for the petitioner.

No. 784. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* Industrial Commission of the State of Illinois (Maria Kiley, administratrix, etc.). Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Gardiner Lathrop for the petitioner, and by Mr. Leo L. Donahoe for the respondent.

No. 249. The People of the State of New York on the relation of The Troy Union Railroad Company, plaintiff in error, *v.* G. Frank Mealy et al., etc., et al. Passed, on account of sickness of counsel per stipulation, to be restored to the call pursuant to section 9, rule 26.

No. 240. E. W. Bliss Company, appellant, *v.* The United States. Argument continued by Mr. Arthur C. Fraser for the appellant, and by Mr. Assistant Attorney General Davis and Mr. Daniel L. Norris for the appellee, and concluded by Mr. Arthur C. Fraser for the appellant.

No. 28. Original. *Ex parte* In the matter of Walter Peterson, as receiver, etc., petitioner. Argued on return to rule to show cause by Abram J. Rose for the petitioner, and by Mr. George Zabriskie for the respondent.

No. 241. The Kansas City Bolt & Nut Company, plaintiff in error, *v.* Kansas City Light & Power Company. Argued by Mr. Rees Turpin for the plaintiff in error, and by Mr. John H. Lucas for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 16, will be as follows: Nos. 214, 248, 211, 102, 213, 243 (and 244), 252 (and 253), 256, 257, and 258.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 16, 1920.

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

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H. Brua Campbell, of New York City; James H. Bridgers, of Henderson, N. C.; Harry N. Guterman, of Boston, Mass.; Jesse H. Evans, of Tonopah, Nev.; Reginald Heber Smith, of Boston, Mass.; and Howard Garfield Cook, of St. Louis, Mo., were admitted to practice.

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No. 256. Samuel W. Scott et al., plaintiffs in error, *v.* Ida B. W. Booth. Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26.

No. 258. Louis B. Nagler, plaintiff in error, *v.* The United States of America. Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26.

No. 214. The United States, appellant, *v.* Atlantic Dredging Company et al. Argued by Mr. Assistant Attorney General Davis for the appellant, and by Mr. William L. Marbury for the appellees.

No. 248. The Seaboard Air Line Railway, appellant, *v.* The United States. Argued by Mr. Benjamin Carter for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

No. 211. Piedmont & Georges Creek Coal Company, petitioner, *v.* Seaboard Fisheries Company, claimant, etc. Argument commenced by Mr. John M. Woolsey for the petitioner, and continued by Mr. Philip L. Miller for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 17, will be as follows: Nos. 211, 102, 213, 243 (and 244), 252 (and 253), 257, 499, 259, 260, and 261.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 17, 1920.

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

Henry C. Cox, of Washington, D. C.; Perrett F. Gault, of Watertown, S. Dak.; C. Arch Williams, of Chicago, Ill.; and Percy A. Atherton, of Boston, Mass., were admitted to practice.

No. 260. George C. Beidler, appellant, *v.* The United States. Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26.

No. 211. Piedmont & Georges Creek Coal Company, petitioner, *v.* Seaboard Fisheries Company, claimant, etc. Argument continued by Mr. Philip L. Miller for the respondent, and concluded by Mr. John M. Woolsey for the petitioner.

No. 102. The Cuyahoga River Power Company, appellant, *v.* The Northern Ohio Traction and Light Company et al. Argument commenced by Mr. Carroll G. Walter for the appellant, continued by Mr. John E. Morley and Mr. J. S. Clark for the appellees, and concluded by Mr. Carroll G. Walter for the appellant.

No. 213. John W. Simpson et al., executors, etc., appellants, *v.* The United States. Death of Thomas Thacher suggested, and ordered that cause proceed in the name of John W. Simpson, as surviving executor, etc., on motion of Mr. Thomas M. Day for the appellants.

No. 213. John W. Simpson, as surviving executor, etc., appellant, *v.* The United States. Argument commenced by Mr. Thomas M. Day for the appellants, and continued by Mr. Solicitor General King for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 19, will be as follows: Nos. 213, 243 (and 244), 252 (and 253), 257, 499, 259, 261, 165, 263, and 266.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 18, 1920.

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

George Holden Tinkham, of Boston, Mass., was admitted to practice.

No. 601. George S. Hawke, plaintiff in error, *v.* Harvey C. Smith, as Secretary of State of Ohio. Leave granted to file brief as *amicus curiae*, on motion of Mr. George Wharton Pepper in behalf of the National Woman's party.

No. 213. John W. Simpson et al., executors, etc., appellants, *v.* The United States. Argument continued by Mr. Solicitor General King for the appellee, and concluded by Mr. Thomas M. Day for the appellants.

No. 243. The United States, appellant, *v.* The Omaha Tribe of Indians; and

No. 244. The Omaha Tribe of Indians, appellant, *v.* The United States. Argued by Mr. Charles H. Merillat for The Omaha Tribe of Indians, and by Mr. Assistant Attorney General Davis for The United States.

No. 252. The South Covington & Cincinnati Street Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky; and

No. 253. The Cincinnati, Covington & Erlanger Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Argument commenced by Mr. Alfred C. Cassatt for the plaintiffs in error, and continued by Mr. Stephens L. Blakely for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 19, will be as follows: Nos. 257, 259, 261, 165, 263, 266, 267, 268, 269, and 499.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 19, 1920.

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

Ed S. Vaught, of Oklahoma City, Okla.; John S. Strahorn, of Annapolis, Md.; Le Roy Reeves, of Johnson City, Tenn.; J. Edward Cole, of Norfolk, Va.; Paul V. Connolly, of Cincinnati, Ohio; Saul S. Klein, of Cincinnati, Ohio; William Whipple Symmes, of Cincinnati, Ohio; and Gustave R. Thompson, of New York City, were admitted to practice.

No. 267. E. B. Howard, State Auditor of the State of Oklahoma, appellant, *v.* H. V. Foster et al., etc. Appeal from the District Court of the United States for the Western District of Oklahoma. Dismissed with costs, on motion of counsel for the appellant.

No. 268. Bartholomew Sullivan et al., appellants, *v.* Jane Kidd. Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26.

No. 252. The South Covington & Cincinnati Street Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky; and

No. 253. The Cincinnati, Covington & Erlanger Railway Company; plaintiff in error, *v.* The Commonwealth of Kentucky. Argument continued by Mr. Stephens L. Blakely for the defendant in error, and concluded by Mr. Alfred C. Cassatt for the plaintiffs in error.

No. 257. New Orleans Land Company, plaintiff in error, *v.* Willis J. Roussel, administrator, etc., et al. Argued by Mr. Charles Louque for the plaintiff in error, and submitted by Mr. William Winans Wall for the defendants in error.

No. 259. Oneida Navigation Corporation, claimant, etc., appellant, *v.* W. & S. Job & Company (Inc.). Argued by Mr. George Whitefield Betts, jr., for the appellant, and submitted by Mr. Peter S. Carter for the appellee.

No. 261. Edward C. Mason, as he is trustee in bankruptcy, etc., plaintiff in error, *v.* Thomas J. Shannon et al. Argued by Mr. Har-

old Williams, jr., for the plaintiff in error, and by Mr. John T. Hughes for the defendants in error.

No. 165. F. S. Royster Guano Company, plaintiff in error, *v.* The Commonwealth of Virginia. Argument commenced by Mr. Cadwallader J. Collins for the plaintiff in error, and continued by Mr. J. D. Hank, jr., for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 22, will be as follows: Nos. 165, 263, 266, 499, 269 (and 303), 278 (and 279), 280, 282 (and 283), 284, and 287.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 22, 1920.

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

Marcus Borchardt, of Washington, D. C.; William H. Russell, of San Antonio, Tex.; Jesse L. Webb, of Galveston, Tex.; Frederick W. Dallinger, of Cambridge, Mass.; Edward P. McDermott, of Kearney, Nebr.; William H. Daly, of New York City; Charles J. Starkey, jr., of Ashtabula, Ohio; John Fox Weiss, of Harrisburg, Pa.; John D. Cox, of Washington, D. C.; John A. Fain, of Oklahoma City, Okla.; and Walter H. Jacobs, of Chicago, Ill., were admitted to practice.

No. 129. The Oklahoma Operating Company, appellant, *v. J. E. Love et al.*, composing the Corporation Commission of the State of Oklahoma. Appeal from the District Court of the United States for the Western District of Oklahoma. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 32. Oklahoma Gin Company, plaintiff in error, *v. The State of Oklahoma*. In Error to the Supreme Court of the State of Oklahoma. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 208. Hiawassee River Power Company, plaintiff in error, *v. Carolina-Tennessee Power Company*. In Error to the Supreme Court of the State of North Carolina. Dismissed for want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 171. Rederiaktiebolaget Atlanten, petitioner, *v. Aktieselskabet Korn-Og Foderstof Kompagniet*. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes.



No. 370. *J. Hartley Manners, petitioner, v. Oliver Morosco.* 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 Holmes. Dissenting: Mr. Justice Clarke and Mr. Justice Pitney.

The Chief Justice announced the following orders of the Court:

No. 111. *The Union Pacific Coal Company, petitioner, v. Mark A. Skinner, Collector of Internal Revenue.* On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Affirmed with costs upon the authority of *Lynch v. Hornby*, 247 U. S. 339, and cause remanded to the District Court of the United States for the District of Colorado.

No. 227. *McCay Engineering Company, appellant, v. The United States.* Appeal from the Court of Claims. Per curiam: Affirmed by an equally divided Court. Mr. Justice McReynolds took no part in the decision of this case.

No. 241. *The Kansas City Bolt & Nut Company, plaintiff in error, v. Kansas City Light & Power Company.* In Error to the Supreme Court of the State of Missouri. Per curiam: Affirmed upon the authority of *Union Dry Goods Co. v. Georgia Public Service Corporation*, 248 U. S. 372.

No. 257. *New Orleans Land Company, plaintiff in error, v. Willis J. Roussell, Administrator, etc., et al.* In Error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2, 39 Stat. 726.

No. 261. *Edward C. Mason, as he is Trustee in Bankruptcy, etc., plaintiff in error, v. Thomas J. Shannon et al.* In Error to the Superior Court of the State of Massachusetts. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2, 39 Stat. 726.

No. 541. *The United States of America et al., appellants, v. Alaska Steamship Company et al.* Counsel requested to file briefs concerning the effect upon the issues herein involved resulting from the act of Congress terminating the Federal control of railroads and amending the act to regulate commerce in certain particulars, approved February 28, 1920.

No. 7, original. *The State of Arkansas, complainant, v. The State of Mississippi.* Interlocutory decree appointing Samuel S. Gannett,

of Washington, D. C.; Charles H. Miller, of Little Rock, Ark.; and Stevenson Archer, jr., of Greenville, Miss., commissioners to run, locate, and designate the boundary line between the respective States, entered.

No. 221. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Motion for writ of certiorari on suggestion of diminution of record granted without prejudice, the matter submitted with the suggestion to stand as a return to the writ.

No. 731. J. J. Dillon, appellant, *v.* R. W. Gloss, Deputy Collector of Internal Revenue. Motion to advance denied, but leave is granted counsel to file briefs in the cases assigned for the 29th instant as amici curiae.

No. 795. William G. Street, appellant, *v.* Lincoln Safe Deposit Company et al. Motion to advance denied, but leave is granted counsel to file briefs in the cases assigned for the 29th instant as amici curiae.

No. 694. United Mine Workers of America et al., petitioners, *v.* Coronado Coal Company et al. Further consideration of the petition for a writ of certiorari herein postponed to the hearing of the case (No. 707) on the writ of error.

No. 733. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* H. A. F. Ault. Further consideration of the petition for a writ of certiorari herein postponed to the hearing of the case on the writ of error.

No. 775. J. Leroy Nickel et al., as Trustees, etc., et al., plaintiffs in error, *v.* George A. Cole, as State Comptroller of the State of Nevada; and

No. 776. Nellie Miller Nickel et al., as Trustees, etc., et al., plaintiffs in error, *v.* The State of Nevada. Further consideration of the petition for writs of certiorari herein postponed to the hearing of the cases on the writs of error.

No. 728. Porto Rico Railway, Light & Power Company, *v.* Adalberto Diaz Mor. Petition for a writ of certiorari to bring up the entire record and cause denied. Motion to advance granted, and cause assigned for argument on Monday, April 12 next, after the cases heretofore assigned for that day.

No. 689. Western Fuel Company *v.* Antone Garcia, as Administrator, etc. Petition for a writ of certiorari to bring up the entire record and cause denied.

No. 716. E. J. Frazier, petitioner, *v.* The State of Oregon. Petition for a writ of certiorari to the Supreme Court of the State of Oregon denied.

No. 723. Alfred J. Keppelmann et al., Executors and Trustees, etc., petitioners, *v.* A. Mitchell Palmer, as Alien Property Custodian. Petition for a writ of certiorari to the Court of Chancery of the State of New Jersey denied.

No. 724. Carl Goepel et al., partners, etc., petitioners, *v.* A. Mitchell Palmer, as Alien Property Custodian. Petition for a writ of certiorari to the Court of Chancery of the State of New Jersey denied.

No. 735. Louis De F. Munger, petitioner, *v.* Firestone Tire & Rubber Company; and

No. 736. Louis De F. Munger, petitioner, *v.* The B. F. Goodrich Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 747. American Ore Reclamation Company, petitioner, *v.* Dwight & Lloyd Sintering Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 757. Empire Fuel Company, petitioner, *v.* J. E. Lyons. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 770. Carl H. Richardson, as Trustee, etc., petitioner, *v.* The German Bank of the City of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 783. S. J. Lindsey, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 784. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* Industrial Commission of the State of Illinois (Maria Kiley, Administratrix, etc.). Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

The Chief Justice also announced that at the conclusion of the argument of the cases specially assigned for the 29th instant the Court will take a recess until Monday, April 12 next.

No. 291. The United States of America *ex rel.* Jennie Johnson et al., plaintiffs in error, *v.* Franklin K. Lane, Secretary of the Interior; and

No. 349. The United States of America on the relation of Verdine R. Hall, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. John Barton Payne, present Secretary of the Interior, substituted as defendant in error herein in the place of Franklin K. Lane, former Secretary thereof, on motion of Mr. Solicitor General King for the defendant in error.

No. 764. Ernest B. Dane, plaintiff in error, *v.* Charles L. Burrill. Motion to advance submitted by Mr. William Harold Hitchcock for the defendant in error.

No. 811. E. A. Green et al., plaintiffs in error, *v.* Lynn J. Frazier, Governor, et al., etc. Motion to advance submitted by Mr. L. R. Alden in behalf of counsel.

No. 479. The Houston & Texas Central Railroad Company, petitioner, *v.* The City of Ennis et al. Petition for a writ of certiorari to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas submitted by Mr. Charles H. Bates in behalf of Mr. H. M. Garwood, Mr. J. L. Gammon, and Mr. Jesse Andrews for the petitioner.

No. 774. Southwestern Gas & Electric Company, petitioner, *v.* The City of Shreveport. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Max Pam for the petitioner.

No. 224. Coleman J. Ward et al., petitioners, *v.* The Board of County Commissioners of Love County, Oklahoma. Leave granted to file brief for respondents, on motion of Mr. James A. Bass in behalf of counsel for the respondent.

No. 745. Antonio Cisneros Chapa, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. C. M. Chambers for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 755. W. S. Bullock, Judge, etc., et al., plaintiffs in error, *v.* The State of Florida upon the relation of the Railroad Commission of the State of Florida. Petition for a writ of certiorari herein submitted by Mr. George C. Bedell for the plaintiff in error in support of the petition.

No. 760. The Central Elevator Company of Baltimore City, petitioner, *v.* Naam Looze Vennoot Schap, etc., and

No. 761. The Pennsylvania Railroad Company, petitioner, *v.* Naam Looze Vennoot Schap, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frederic D. McKenney and Mr. Shirley Carter for the petitioner, and by Mr. Charles R. Hickox and Mr. John M. Woolsey for the respondent.

No. 762. The Central Elevator Company of Baltimore City, petitioner, *v.* Edwin Dyason, Master of the Steamship Welbeck Hall, etc., and

No. 763. The Pennsylvania Railroad Company, petitioner, *v.* Edwin Dyason, Master of the Steamship Welbeck Hall, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frederic D. McKenney and Mr. Shirley Carter for the petitioner, and by Mr. James K. Symmers for the respondent.

No. 766. V. F. Miller, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. M. Chambers for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 773. France & Canada Steamship Corporation, petitioner, *v.* Konrad Storgard. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Bertrand L. Pettigrew for the petitioner, and by Mr. Silas B. Axtell for the respondent.

No. 778. Alec Erickson, petitioner, *v.* John A. Roebling's Sons Company of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Silas B. Axtell for the petitioner.

No. 787. Karl Sandgren et al., petitioners, *v.* Ulster Steamship Company, Limited, Owner, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William J. Waguespack for the petitioners.

No. 284. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* H. T. True, Jr. In Error to the Supreme Court of the State of Oklahoma. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 287. F. R. Glascock et al., plaintiffs in error, *v.* Ellis McDaniel et al., Minors, by J. O. Cravens, Guardian. Submitted by Mr. William B. Moore and Mr. George S. Ramsey for the plaintiffs in error, and by Mr. Grant Foreman and Mr. James D. Simms for the defendants in error, with leave to counsel for the defendants in error to file additional brief by Friday next.

No. 165. F. S. Royster Guano Company, plaintiff in error, *v.* The Commonwealth of Virginia. Argument continued by Mr. J. D. Hank, jr., for the defendant in error, and concluded by Mr. Cadwallader J. Collins for the plaintiff in error.

No. 263. B. T. Backus, plaintiff in error, *v.* Norfolk Southern Railroad Company. Argument commenced by Mr. J. Edward Cole for the plaintiff in error. The Court declined to hear counsel for the defendant in error.

No. 266. Mary Willem, a Creditor of Mrs. Kate King, a Bankrupt, appellant, *v.* Dawson E. Bradley, Trustee, etc. Argued by Mr. William W. Symmes for the appellant, and by Mr. Paul V. Connolly for the appellee.

No. 499. The Penn Mutual Life Insurance Company, petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue. Argument commenced by Mr. George Wharton Pepper for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 23, will be as follows: Nos. 499, 269 (and 303), 278 (and 279), 280, 282 (and 283), 288, 289, 291, 292, and 295.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 23, 1920.

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

Nelson J. Jewett, of Chicago, Ill.; Harlan F. Stone, of New York City; Oran J. Logan, of Oklahoma City, Okla.; Solomon Wolff, of New Orleans, La.; and Annette Abbott Adams, of San Francisco, Calif., were admitted to practice.

No. 421. American Steel Foundries, petitioner, *v.* James T. Newton, Commissioner of Patents. Leave granted the Simplex Electric Heating Company to file a printed brief herein and to participate through counsel in the oral argument.

No. 291. The United States of America *ex rel.* Jennie Johnson et al., plaintiffs in error, *v.* John Barton Payne, Secretary of the Interior. Passed, per stipulation.

No. 292. The United States of America, plaintiff in error, *v.* Harry C. Wheeler et al. Passed, per stipulation.

No. 499. The Penn Mutual Life Insurance Company, petitioner, *v.* Ephraim Lederer, Collector of Internal Revenue. Argument continued by Mr. George Wharton Pepper for the petitioner, by Mr. Assistant Attorney General Frierson for the respondent, and concluded by Mr. George Wharton Pepper for the petitioner.

No. 269. Thomas P. Kenney, as Administrator, etc., petitioner, *v.* Supreme Lodge of the World, Loyal Order of Moose; and

No. 303. Thomas P. Kenney, as Administrator, etc., plaintiff in error, *v.* Supreme Lodge of the World, Loyal Order of Moose. Argued by Mr. G. R. Harsh for the petitioner and plaintiff in error, and by Mr. E. J. Fenning for the respondent and defendant in error.

No. 278. Chicago, Milwaukee & St. Paul Railway Company et al., petitioners, *v.* Des Moines Union Railway Company et al.; and

No. 279. Des Moines Union Railway Company et al., petitioners, *v.* Chicago, Milwaukee & St. Paul Railway Company et al. One hour

additional time allowed each side in the argument, on motion of Mr. Robert J. Cary in that behalf. Argument commenced by Mr. Robert J. Cary for Chicago, Milwaukee & St. Paul Railway Company et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 24, will be as follows: Nos. 278 (and 279), 280, 282 (283), 288, 289, 295, 296, 297, 298, and 299.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 24, 1920.

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

Harry F. R. Dolan, of Cambridge, Mass.; Philip R. Ammidon, of Cambridge, Mass.; James H. Morson, of Brookline, Mass.; Theodore Schmidt, of Chicago, Ill.; Campbell Locke, of New York City; and Howard L. Bump, of Des Moines, Iowa; were admitted to practice.

No. 813. Herman Wessels, appellant, *v.* John D. McDonald, commandant of the United States navy yard. Motion for an order maintaining the status quo pending appeal and continuing the appellant in custody of the United States marshal for the eastern district of New York submitted by Mr. William H. Daly and Mr. Thomas J. O'Neill for the appellant.

No. 296. Niles-Bement-Pond Company, appellant, *v.* Iron Molders' Union, Local No. 68, et al. Continued, per stipulation.

No. 298. Union Pacific Railroad Company et al., plaintiffs in error, *v.* W. H. Jenkins et al. In error to the Supreme Court of the State of Nebraska. Dismissed with costs pursuant to the 10th rule.

No. 278. Chicago, Milwaukee & St. Paul Railway Company et al., petitioners, *v.* Des Moines Union Railway Company et al.; and

No. 279. Des Moines Union Railway Company et al., petitioners, *v.* Chicago, Milwaukee & St. Paul Railway Company et al. Argument continued by Mr. Robert J. Cary for Chicago, Milwaukee & St. Paul Railway Company et al., by Mr. James L. Parrish and Mr. Frederick W. Lehmann for Des Moines Union Railway Company et al., and concluded by Mr. Burton Hanson for Chicago, Milwaukee & St. Paul Railway Company et al.

No. 280. Emily M. Maguire, plaintiff in error, *v.* William D. T. Trefy, tax commissioner, etc. Argued by Mr. Richard W. Hale for the plaintiff in error, and by Mr. William Harold Hitchcock for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 25, will be as follows: Nos. 282 (and 283), 288, 289, 295, 297, 300, 301, 302, 304, and 305.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 25, 1920.

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

Charles Alvin Jones, of Pittsburgh, Pa., and Chester Lee Wallace, of Kittanning, Pa., were admitted to practice.

No. 288. C. B. Munday, trustee, et al., plaintiffs in error, *v.* Wisconsin Trust Company et al. Death of Frederick Robinson, one of the defendants in error herein, suggested, and appearance of Farmers Loan & Trust Company, executor of Frederick Robinson, deceased, as a party defendant in error herein, filed and entered, on motion of Mr. W. E. Black in that behalf.

No. 282. The Metropolitan West Side Elevated Railway Company et al., plaintiffs in error, *v.* Maclay Hoyne, State's attorney, etc., et al.; and

No. 283. The Metropolitan West Side Elevated Railway Company et al., plaintiffs in error, *v.* The Sanitary District of Chicago et al. Argument commenced by Mr. Frank J. Loesch for the plaintiffs in error, continued by Mr. Edmund D. Adcock for the defendants in error in No. 282, and concluded by Mr. T. J. Scofield for the plaintiff in error, and submitted by Mr. C. Arch Williams for the defendants in error in No. 283.

No. 288. C. B. Munday, trustee, et al., plaintiffs in error, *v.* Wisconsin Trust Company et al. Argued by Mr. William E. Black for the defendants in error, and submitted by Mr. Walter Bachrach and Mr. Hamilton Moses for the plaintiffs in error.

No. 289. George R. Broadwell, petitioner, *v.* The Board of County Commissioners of Carter County, Oklahoma. Submitted by Mr. George P. Glaze for the petitioner, and by Mr. George B. Rittenhouse, Mr. Clinton A. Galbraith, Mr. P. T. McVay, and Mr. J. A. Bass for the respondent.

No. 295. E. W. Blancett, plaintiff in error, *v.* The State of New Mexico. Submitted by Mr. A. B. Renehan for the plaintiff in error, with leave to counsel for the defendant in error to file brief hereafter.

No. 297. Queens Land & Title Company et al., appellants, *v.* Kings County Trust Company et al. Argued by Mr. William G. Cooke for the appellants, and by Mr. George E. Brower for the appellees.

No. 300. Fidelity Title & Trust Company, ancillary administrator, etc., petitioner, *v.* The Dubois Electric Company. Argument commenced by Mr. Alvin Jones for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 26, will be as follows: Nos. 300, 301, 302, 304, 305, 306, 307, 308, 310, and 313.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 26, 1920.

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

Ralph W. Jackman of Madison, Wis., Percy W. Grose of Detroit, Mich., John J. Du Laney of Ashdown, Ark., and W. H. Lucas of Claremore, Okla., were admitted to practice.

No. 795. William G. Street, appellant, *v.* Lincoln Safe Deposit Company and Daniel L. Porter. Second motion to advance submitted by Mr. Paul E. Lesh in behalf of Mr. Joseph S. Auerbach and Mr. Charles H. Tuttle for the appellant.

No. 300. Fidelity Title & Trust Company, ancillary administrator, etc., petitioner, *v.* The Dubois Electric Company. Argument continued by Mr. Charles Alvin Jones for the petitioner, and concluded by Mr. W. C. Miller for the respondent.

No. 301. The Pennsylvania Railroad Company, petitioner, *v.* Kittaning Iron and Steel Manufacturing Company. Argument commenced by Mr. Henry Wolf Bikle for the petitioner, continued by Mr. R. L. Ralston for the respondent, and concluded by Mr. Fred-eric D. McKenney for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 29, will be as follows: Nos. 30 original, 788 and 794.

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## SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 29, 1920.

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

Hughes Spalding, of Atlanta, Ga.; Maximilian M. Stallman, of East Orange, N. J.; Jerome T. Congleton, of Newark, N. J.; Edwin F. Smith, of Jersey City, N. J.; Daniel MacDoogald, of Atlanta, Ga.; W. H. Austin, of Milwaukee, Wis.; Elliott J. Stoddard, of Detroit, Mich.; Robert E. Lee Murphy, of Lexington, Ky.; Jacob O. Bollinger, of Pelzer, S. C.; Arthur C. Wallace, of Miami, Okla.; George Hewlett, of San Francisco, Calif.; Charles Steere, of Boston, Mass.; Harry P. Warner, of Fort Smith, Ark.; Edward J. Kelly, of New York City; Daniel Taylor, of Chicago, Ill.; Paul E. Oliver, of Westfield, N. J.; Albert D. Bennett, of Miami, Okla.; William M. Thomas, of Quapaw, Okla.; John Weaver Sherman, of Boston, Mass.; Roy Leon Daily, of Philadelphia, Pa.; and William D. Copernoll, of Anchorage, Alaska, were admitted to practice.

No. 350. Charles Glen Collins, appellant, *v.* Frank M. Miller, United States marshal for the Eastern District of Louisiana; and

No. 351. Tom F. Carlisle, British Consul General, appellant, *v.* Charles Glen Collins. Appeals from the District Court of the United States for the Eastern District of Louisiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 373. Strathearn Steamship Company (Limited), petitioner, *v.* John Dillon. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Northern District of Florida. Opinion by Mr. Justice Day.

No. 391. J. M. Thompson, master and claimant of the steamship *Westmeath*, etc., petitioner, *v.* Peter Lucas and Gustav Blixt. 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 Eastern District of New York. Opinion by Mr. Justice Day.

The Chief Justice announced the following orders of the Court:

No. 764. Ernest B. Dane, plaintiff in error, *v.* Charles L. Burrill. Motion to advance granted, and cause assigned for argument on Monday, April 19 next, after the cases this day reassigned for that day.

No. 811. E. A. Green et al., plaintiffs in error, *v.* Lynn J. Frazier, governor, et al. Motion to advance granted, and cause assigned for argument on Monday, April 19 next, after the cases this day reassigned for that day.

No. 795. William G. Street, appellant, *v.* Lincoln Safe Deposit Company and Daniel L. Porter. Motion to advance granted, and cause assigned for argument on Monday, April 19 next, after the cases this day reassigned for that day.

No. 813. Herman Wessels, appellant, *v.* John D. McDonald, commandant of the United States Navy Yard, Brooklyn, N. Y. Motion for an order maintaining the status quo pending appeal and continuing the appellant in the custody of the United States marshal for the Eastern District of New York pending appeal, granted.

No. 755. W. S. Bullock, judge, etc., et al., plaintiffs in error, *v.* The State of Florida upon the relation of the Railroad Commissioners of the State of Florida. Further consideration of the petition for a writ of certiorari herein postponed to the hearing of the case on the writ of error.

No. 479. The Houston & Texas Central Railroad Company, petitioner, *v.* The City of Ennis et al. Petition for a writ of certiorari to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas denied.

No. 745. Antonio Cisneros Chapa, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 760. The Central Elevator Company of Baltimore City, petitioner, *v.* Naam Looze Vennoot Schap, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 761. The Pennsylvania Railroad Company, petitioner, *v.* Naam Looze Vennoot Schap, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 762. The Central Elevator Company of Baltimore City, petitioner, *v.* Edwin Dyason, master of the steamship *Welbeck Hall*, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 763. The Pennsylvania Railroad Company, petitioner, *v.* Edwin Dyason, master of the steamship *Welbeck Hall*, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 766. V. F. Miller, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 773. France & Canada Steamship Corporation, petitioner, *v.* Konrad Storgard. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 774. Southwestern Gas & Electric Company, petitioner, *v.* The City of Shreveport. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 778. Alec Erickson, petitioner, *v.* John A. Roebling's Sons Company of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 787. Karl Sandgren et al., petitioners, *v.* Ulster Steamship Company (Limited), owner and claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

The Chief Justice also announced that, at the close of the argument of the cases specially assigned for to-day, the court will take a recess until Monday, April 19 next.

*Order.* It is ordered by the court that cases heretofore assigned for argument on Monday, April 12 next, viz: Nos. 508, 492, 683, 15 to 21, inclusive, 506, 566, 582 and 601, 534, 628, and 728, be reassigned for Monday, April 19 next.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to intervene and to file petition in intervention, and to submit motion for injunction and receiver or receivers, submitted by Mr. Solicitor General King for the United States. Statement as to motion submitted by Mr. C. M. Cureton for the defendant.

No. 788. Christian Feigenspan, a corporation, appellant, *v.* Joseph L. Bodine, United States attorney, etc., et al.

No. 794. Hiram A. Sawyer, as United States attorney, etc., et al., appellants, *v.* Manitowoc Products Company. Leave granted to file brief as *amicus curiæ*, on motion of Mr. Wayne B. Wheeler in that behalf.

No. 785. Shelley B. Hutchinson, petitioner, *v.* William M. Sperry et al. Petition for a writ of certiorari to the United States Circuit

Court of Appeals for the Third Circuit submitted by Mr. William Mayo Atkinson for the petitioner, and by Mr. W. Benton Crisp and Mr. Frederick Geller for the respondents.

No. 769. Jesse C. Washburn et al., petitioners, *v.* E. N. Gillespie. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. L. T. Michener, Mr. Henry S. Johnston, and Mr. Horace Speed for the petitioners.

No. 808. William J. Givens, appellant, *v.* Fred G. Zerst, warden, etc. Motion to advance submitted by Mr. John S. Strahorn for the appellant.

No. 834. Elizabeth Denny Gregg, petitioner, *v.* Francis P. Garvan, Alien Property Custodian; and

No. 835. A. J. Kelly, jr., et al., trustees, etc., petitioners, *v.* Francis P. Garvan, Alien Property Custodian. Petition for writs of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Frederic W. Miller for the petitioners.

No. 731. J. J. Dillon, appellant, *v.* R. W. Gloss, deputy collector of internal revenue. Motion to advance submitted by Mr. Theodore A. Bell for the appellant.

No. 30, Original. The State of New Jersey, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Leave granted to file brief as *amicus curiæ*, on motion of Mr. Alexander Lincoln in that behalf.

No. 799. Christian Tjosevig et al., petitioners, *v.* T. J. Donohoe et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James Wickersham in behalf of Mr. John Rustgard for the petitioners, and by Mr. Edmund Smith for the respondents.

No. 837. St. Louis Brewing Association, appellant, *v.* George H. Moore, collector of internal revenue for the First District of Missouri, et al. Advanced and submitted by Mr. Charles A. Houtz, Mr. John T. Fitzsimmons, and Mr. Edward C. Crow for the appellant, with leave to counsel for the appellees to file brief hereafter.

No. 836. H. Snowden Marshal, as receiver, etc., petitioner, *v.* The people of the State of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alexander C. King in behalf of Mr. A. S. Gilbert and Mr. William J. Hughes for the petitioner, and by Mr. Cortland A. Johnson for the respondent.

No. 385. Michael F. Mangan, administrator, etc., *v.* The United States. Motion to remand for additional findings of fact submitted by Mr. Charles F. Consaul, Mr. John S. Blair, and Miss Ida M.



Moyers for the appellant in support of the motion, and by Mr. Solicitor General King and Mr. Assistant Attorney General Davis for the appellee in opposition thereto.

No. 581. Mary L. Greer Conklin, appellant, *v.* George H. Conklin, et al. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mrs. Mary L. Greer Conklin *pro se*. Motion to reverse or to place on the summary docket submitted by Mrs. Mary L. Greer Conklin *pro se* in support of the motion, and by Mr. William H. Barrett, Mr. C. Henry Cohen, and Mr. Bryan Cumming for the appellees in opposition thereto.

No. 423. Chicago & Northwestern Railway Company, plaintiff in error, *v.* Herman Van de Zande. Motion to dismiss or affirm submitted by Mr. Robert A. Kaftan for the defendant in error in support of the motion, and by Mr. R. N. Van Doren for the plaintiff in error in opposition thereto.

No. 693. Benjamin Horowitz, et al., plaintiffs in error, *v.* The United States of America. Petition for a writ of certiorari herein submitted by Mr. John J. Fitzgerald and Mr. Elijah N. Zoline for the plaintiffs in error in support of the petition, and by Mr. Assistant Attorney General Stewart for the defendant in error, in opposition thereto.

No. 710. The Merchants' National Bank of Richmond, Va., plaintiff in error, *v.* The City of Richmond. Petition for a writ of certiorari herein submitted by Mr. Legh R. Page for the plaintiff in error in support of the petition, and by Mr. H. R. Pollard and Mr. George Wayne Anderson for the defendant in error, in opposition thereto.

No. 737. Barber & Company (Inc.), petitioner, *v.* Steamship *Knutsford* (Limited). Petition for a 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. Charles R. Hickox and Mr. L. De G. Potter for the respondent.

No. 753. Arthur Bain, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Abram M. Tillman for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 758. Charles L. Baender, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George D. Collins for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 759. Webb Jay et al., petitioners, *v.* Frederick Weingberg et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles S. Burton and Mr. George L. Wilkinson for the petitioners, and by Mr. R. A. Parker for the respondent.

No. 772. Murle L. Rowe, as trustee, etc., petitioner, *v.* James L. Drohen et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Herman J. Westwood for the petitioner, and by Mr. Grafton L. McGill and Mr. Francis S. Maguire for the respondents.

No. 779. The United States, petitioner, *v.* National Surety Company, and

No. 780. The United States, petitioner, *v.* National Surety Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General King and Mr. Assistant Attorney General Spellacy for the petitioner.

No. 804. New York Central Railroad Company, claimant of the barge *Chapin*, etc., petitioner, *v.* John S. Howell et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Oscar R. Houston for the petitioner.

No. 818. Lehigh Valley Railroad Company, petitioner, *v.* Frederick W. Howell et al., etc., et al. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. Lindley M. Garrison, Mr. Edgar H. Boles, Mr. Richard W. Barrett, and Mr. George S. Hobart for the petitioner, and by Mr. John O. H. Pitney and Mr. Frederick B. Campbell for the respondents.

Nos. 819 to 830. Lehigh Valley Railroad Company, petitioner *v.* Royal Indemnity Company et al. Petition for writs of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. Lindley M. Garrison, Mr. Edgar H. Boles, Mr. Richard W. Barrett, and Mr. George S. Hobart for the petitioner, and by Mr. Jeremiah F. Hoover, Mr. M. M. Stallman, and Mr. Edwin F. Smith for the respondents.

No. 347. National Surety Company, appellant, *v.* The United States of America for the use of American Sheet Metal Works et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs, and mandate granted, on motion of counsel for the appellant.

No. 30, original. The State of New Jersey, complainant, *v.* A. Mitchell Palmer, Attorney General, et al. Argued on motion to dismiss by Mr. Thomas F. McCran for the complainant and by Mr. Assistant Attorney General Frierson for the defendants.

No. 788. Christian Feigenspan, a corporation, appellant, *v.* Joseph L. Bodine, United States attorney for the district of New Jersey, et al. Argument commenced by Mr. Elihu Root for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 30, will be as follows: Nos. 788 and 794.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 30, 1920.

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

E. Warren Wall, of Richmond, Va., Frederick M. McCarthy, of Ansonia, Conn., and Emil C. Rawitser, of Memphis, Tenn., were admitted to practice.

No. 65. Franklin Shaw et al., appellants, *v.* Franklin K. Lane, Secretary of the Interior; and

No. 405. Franklin K. Lane, Secretary of the Interior, et al., plaintiffs in error, *v.* The United States of America ex rel. Allen L. Newton. John Barton Payne, present Secretary of the Interior, substituted as the party appellee in No. 65 and as one of the parties plaintiffs in error in No. 405, in the place of Franklin K. Lane, former Secretary of the Interior, on motion of Mr. Solicitor General King in that behalf.

No. 405. John Barton Payne, Secretary of the Interior, et al., plaintiffs in error, *v.* The United States of America ex rel. Allen L. Newton. Motion to dismiss or affirm submitted by Mr. F. W. Clements and Mr. Alexander Britton for the defendant in error in support of the motion, and by Mr. Assistant Attorney General Nebeker for the plaintiffs in error in opposition thereto.

No. 788. Christian Feigenspan, a corporation, appellant, *v.* Joseph L. Bodine, United States attorney for the district of New Jersey, et al. Leave granted to file brief as amicus curiæ, on motion of Mr. Levi Cooke in that behalf.

No. 788. Christian Feigenspan, a corporation, appellant, *v.* Joseph L. Bodine, United States attorney for the district of New Jersey, et al. Argument continued by Mr. W. D. Guthrie for the appellant and by Mr. Solicitor General King for the appellees, and concluded by Mr. Assistant Attorney General Frierson for the appellees.

No. 794. Hiram A. Sawyer, as United States attorney for the eastern district of Wisconsin, et al., appellants, *v.* Manitowoc Products Company. Argument commenced by Mr. Assistant Attorney General Frierson for the appellants, continued by Mr. Ralph W. Jackman for the appellee, and concluded by Mr. Solicitor General King for the appellants.

Adjourned until to-morrow at 12 o'clock.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 31, 1920.  

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Present: The Chief Justice and Mr. Justice McReynolds.

Adjourned until to-morrow at 12 o'clock.

141036—20—85

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 1, 1920.

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

Bertha M. Sanford, of Detroit, Mich., was admitted to practice.

No. 27, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion of The United States for leave to intervene and for an injunction and appointment of a receiver granted, and Jacob M. Dickinson, Esq., of Chicago, Ill., appointed receiver on giving bond in the sum of \$100,000.

Adjourned until Monday, April 19, at 12 o'clock.

The day call for Monday, April 19, will be as follows: Nos. 508, 492, 683, 15 (to 21), 506, 566, 582 (and 601), 534, 628, 678, 764, 811, and 795.

141036—20—86

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 13, 1920, 3.50 P. M.

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The Court met in special term pursuant to a call by the Chief Justice having the approval of all the Associate Justices.

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

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Frederic A. Delano, Esq., of Chicago, Ill., is appointed Receiver, vice Jacob M. Dickinson, declined, on giving bond in the sum of \$100,000.

Adjourned until Monday, April 19, at 12 o'clock.

141036—20—87



## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 19, 1920.

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

H. M. Darling, of Chicago, Ill.; C. J. Murphy, of Grand Forks, N. Dak.; Tracy R. Bangs, of Grand Forks, N. Dak.; Aubin L. Boulware, of Richmond, Va.; George Roscoe Davis, of Deadwood, S. Dak.; James C. Rogers, of Washington, D. C.; Donald Horn of San Francisco, Calif.; James Tyson Dortch, of Oklahoma City, Okla.; John T. Wingo, of Richmond, Va.; Frank L. Fetzer, of Denver, Colo.; Jesse J. Miller, of Lexington, Ky.; Clifton Mathews, of Bisbee, Ariz.; Jean P. Day, of Oklahoma City, Okla.; Jay A. Larkin, of Winnebago, Nebr.; William M. Stewart, jr., of Philadelphia, Pa.; John F. Goshorn, of Kansas City, Mo.; George Remus, of Chicago, Ill.; K. C. Barkley, of Houston, Tex.; Charles B. Felder, of Wichita Falls, Tex.; George Nordlin, of St. Paul, Minn.; James R. Clark, of Cincinnati, Ohio; A. H. Carrigan, of Wichita Falls, Tex.; D. L. Pendleton, of Winchester, Ky.; Erskine Wood, of Portland, Oreg.; D. F. Lyons, of St. Paul, Minn.; Orville Bullington, of Wichita Falls, Tex.; W. F. Weeks, of Wichita Falls, Tex.; Charles O. Blake, of El Reno, Okla.; Thomas K. Schmuck, of Cincinnati, Ohio; George W. Reed of Boston, Mass.; Arthur M. Boal, of Boston, Mass.; Fred K. Dyar, of South Pasadena, Calif.; Roland S. Palmer, of Amenia, N. Y.; George R. Wales, of Washington, D. C.; Alfred M. Allen, of Cincinnati, Ohio.; James L. Bruff, of New York City; Charles B. Smith, of Cincinnati, Ohio; Carl C. Brown, of West Plains, Mo.; James G. Mathis, of Bonifay, Fla.; Thomas M. Foley, of San Francisco, Calif.; Frederick W. Denniston, of Wilkes-Barre, Pa.; Thomas B. Shoemaker, of Washington, D. C.; Henry B. Hazard, of Washington, D. C.; Wesley T. Crozier, of New York City; Clair T. Brickner, of Fargo, N. Dak.; Vincent Victory, of New York City; W. S. Lauder, of Wahpeton, N. Dak.; Clyde R. Hoey, of Shelby, N. C.; and S. L. Nuchols, of Mandan, N. Dak., were admitted to practice.

No. 178. The Estate of P. D. Beckwith, Inc., petitioner, *v.* The Commissioner of Patents. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clarke. Dissenting: Mr. Justice McReynolds.

No. 213. John W. Simpson, as Sole Surviving Executor of the Estate of John G. Moore, deceased, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 281. Canadian Northern Railway Company, petitioner, *v.* Gus Eggen. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment of the Circuit Court of Appeals reversed with costs, and judgment of the District Court of the United States for the District of Minnesota affirmed with costs, and cause remanded to the said district court. Opinion by Mr. Justice Clarke.

No. 228. George E. Burnap, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 259. Oneida Navigation Corporation, Claimant of the Sailing Vessel Percy R. Pyne, 2d, etc., appellant, *v.* W. & S. Job & Company, Inc. Appeal from the District Court of the United States for the Southern District of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 499. The Penn Mutual Life Insurance Company, petitioner, *v.* Ephraim Lederer, Collector 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 District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Brandeis.

No. 134. The United States of America, plaintiff in error, *v.* The Chase National Bank. In error to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke.

No. 191. Michael U. Boehmer, petitioner, *v.* Pennsylvania Railroad Company. 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 Western District of New York. Opinion by Mr. Justice McReynolds.

No. 288. C. B. Munday, trustee, et al., plaintiffs in error, *v.* Wisconsin Trust Company et al. In error to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 618. The First National Bank of Canton, Pennsylvania, appellant, *v.* John Skelton Williams, Comptroller, etc. Appeal from the District Court of the United States for the Middle District of Pennsylvania. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 86. David F. Houston, Secretary of the Treasury, et al., appellants, *v.* DeForest L. Ormes, administrator of the estate of Belva A. Lockwood, deceased. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 151. Elizabeth Hull, administratrix of John M. Hill, deceased, etc., petitioner, *v.* The Philadelphia & Reading Railway Company. On writ of certiorari to the Court of Appeals for the State of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Clarke.

No. 205. Ralph H. Cameron et al., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the District of Arizona. Opinion by Mr. Justice Van Devanter.

No. 444. The United States of America, plaintiff in error, *v.* Everett L. Simpson. In error to the District Court of the United States for the District of Colorado. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice Clarke.

No. 197. Blumenstock Brothers Advertising Agency, plaintiff in error, *v.* The Curtis Publishing Company. In error to the District Court of the United States for the Northern District of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 521. O. O. Askren, Attorney General of the State of New Mexico, et al., appellants, *v.* The Continental Oil Company;

No. 522. O. O. Askren, Attorney General of the State of New Mexico, et al., appellants, *v.* Sinclair Refining Company; and

No. 523. O. O. Askren, Attorney General of the State of New Mexico, et al., appellants, *v.* The Texas Company. Appeals from the District Court of the United States for the District of New Mexico. Decrees affirmed with costs. Opinion by Mr. Justice Day.

No. 269. Thomas P. Kenney, as administrator of the estate of Donald E. Kenney, deceased, petitioner, *v.* Supreme Lodge of the World, Loyal Order of Moose. On writ of certiorari to the Supreme Court of the State of Illinois; and

No. 303. Thomas P. Kenney, as Administrator of the estate of Donald E. Kenney, deceased, plaintiff in error, *v.* Supreme Lodge of the World, Loyal Order of Moose. In error to the Supreme Court of Illinois. Writ of certiorari dismissed. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 609. The State of Missouri, appellant, *v.* Ray P. Holland, United States Game Warden. Appeal from the District Court of the United States for the Western District of Missouri. Decree affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Van Devanter and Mr. Justice Pitney.

No. 102. The Cuyahoga River Power Company, appellant, *v.* The Northern Ohio Traction and Light Company et al. Appeal from the District Court of the United States for the Northern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 252. The South Covington and Cincinnati Street Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day, Mr. Justice Van Devanter, and Mr. Justice Pitney.

No. 253. The Cincinnati, Covington & Erlanger Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day, Mr. Justice Van Devanter, and Mr. Justice Pitney.

No. 636. Edgar C. Caldwell, appellant, *v.* W. E. Parker, Sheriff of Calhoun County, Alabama. Appeal from the District Court of the United States for the Northern District of Alabama. Final order affirmed with costs. Opinion by Mr. Chief Justice White.

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

No. 297. Queens Land and Title Company et al., plaintiffs in error, *v.* Kings County Trust Company et al. Appeal from the District Court of the United States for the Eastern District of New York. Per curiam: Affirmed with costs upon the authority of *Farrell v. O'Brien* (199 U. S. 89, 100), *Goodrich v. Ferris* (214 U. S., 71, 79), *Brolan v. United States*, 236 U. S. 216, 218), *Sugarman v. United States* (249 U. S., 182, 184), and see *Blumenstock Bros. Advertising Agency v. Curtis Publishing Co.*, this day decided, ante, page 211.

No. 266. *Mary Willem, a Creditor, etc., appellant, v. Dawson E. Bradley, Trustee, etc.* Appeal from the District Court of the United States for the Southern District of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of *Farrel v. O'Brien* (199 U. S., 89, 100), *Empire State-Idaho Mining Co. v. Hanley* (205 U. S., 225, 232), *Goodrich v. Ferris* (214 U. S., 71, 79), *Brolan v. United States* (236 U. S., 216, 218), *Sugarman v. United States* (249 U. S., 182, 184).

No. 282. *The Metropolitan West Side Elevated Railway Company et al., plaintiffs in error, v. Maclay Hoyne, State's Attorney, etc., et al.; and*

No. 283. *The Metropolitan West Side Elevated Railway Company et al., plaintiffs in error, v. The Sanitary District of Chicago et al.* In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2; 39 Stat., 726).

No. 295. *E. W. Blancett, plaintiff in error, v. The State of New Mexico.* In error to the Supreme Court of the State of New Mexico. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2; 39 Stat., 726).

No. 423. *Chicago & Northwestern Railway Company, plaintiff in error, v. Herman Van de Zande.* In error to the Supreme Court of the State of Wisconsin. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2; 39 Stat., 726).

No. 233. *The United States, appellant, v. Wayne County, Kentucky.* Appeal from the Court of Claims. Per curiam: Affirmed upon the authority of (1) *United States v. Cress* (243 U. S., 316, 329), *United States v. Welch* (217 U. S., 333, 339), *United States v. Grizzard* (219 U. S., 180, 185); (2) *St. Louis v. Western Union Tel. Co.* (148 U. S., 92, 101), *Western Union Tel. Co. v. Richmond* (224 U. S., 160, 169), and see *Stockton v. Baltimore & New York R. Co.* (32 Fed., 9); (3) *Farrel v. O'Brien* (199 U. S., 89, 100), *Goodrich v. Ferris* (214 U. S., 71, 79), *Brolan v. United States* (236 U. S., 216, 218), *Sugarman v. United States* (249 U. S., 182, 184).

No. 263. *B. T. Backus, plaintiff in error v. Norfolk Southern Railroad Company.* In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916 (c. 448, sec. 2; 39 Stat., 726).

No. 287. F. R. Glascock et al., plaintiffs in error, *v.* Ellis McDaniel et al., minors, by J. O. Cravens, guardian. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916 (c. 448, sec. 2; 39 Stat., 726).

No. 731. J. J. Dillon, appellant, *v.* R. W. Gloss, Deputy Collector of Internal Revenue. Motion to advance denied without prejudice.

No. 808. William J. Givens, appellant, *v.* Fred G. Zerst, Warden, etc. Motion to advance granted and cause assigned for argument on Monday, October 11, next.

No. 385. Michael F. Mangan, Administrator, *v.* The United States. Motion to remand for additional findings denied.

No. 581. Mary L. Greer Conklin, appellant, *v.* George H. Conklin et al. Further consideration of the motion for a writ of certiorari on suggestion of diminution of record postponed to the hearing of the case on the merits. Motion to place on the summary docket granted.

No. 405. John Barton Payne, Secretary of the Interior, et al., plaintiffs in error, *v.* The United States of America ex rel. Allen L. Newton. Further consideration of the motion to dismiss or affirm postponed to the hearing of the case on the merits.

Nos. 779 and 780. The United States, petitioner, *v.* National Surety Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 836. H. Snowden Marshal, as Receiver, etc., petitioner, *v.* The People of the State of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 693. Benjamin Horowitz et al., plaintiffs in error, *v.* The United States of America. Petition for a writ of certiorari herein denied.

No. 737. Barber & Company, Inc., petitioner, *v.* Steamship Knutsford, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 753. Arthur Bain, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 758. Charles L. Baender, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 759. Webb Jay et al., petitioners, *v.* Frederick Weinberg et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 769. Jesse C. Washburn et al., petitioners, *v.* E. N. Gillespie. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 772. Murle L. Rowe, as Trustee, etc., petitioner, *v.* James L. Drohen et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 785. Shelley B. Hutchinson, petitioner, *v.* William M. Sperry et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 799. Christian Tjosevig et al., petitioners, *v.* T. J. Donohoe et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 804. New York Central Railroad Company, Claimant, etc., petitioner, *v.* John S. Howell et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 834. Elizabeth Denny Gregg, petitioner, *v.* Francis P. Garvan, Alien Property Custodian; and

No. 835. A. J. Kelley, Jr., et al., Trustees, etc., petitioners, *v.* Francis P. Garvan, Alien Property Custodian. Petition for writs of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 23, Original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and

No. 24, Original. The State of Ohio, complainant, *v.* The State of West Virginia. Motion to consolidate cases for the purpose of taking testimony granted, times for taking testimony designated, and Levi Cooke, Esq., appointed commissioner to take testimony.

The Chief Justice also announced that the call of the docket will be suspended for the term on Friday, the 30th instant, and no petitions for writs of certiorari or motions, except motions for admission to practice, will be received after Tuesday, June 1 next.

No. 209. Louis C. Tiffany, Sole Surviving Executor, etc., appellant, *v.* The United States. Appeal from the Court of Claims. Reversed, upon confession of error, and cause remanded for further proceedings in conformity with law, and mandate granted, on motion of Mr. Solicitor General King for the appellee.

No. 833. Western Union Telegraph Company, petitioner *v.* S. B. Poston. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. Solicitor General King in behalf of Mr. Rush Taggart, Mr. Francis Raymond Stark, Mr. Henry E. Davis, and Mr. P. A. Willcox for the petitioner, with leave to the Solicitor General to file suggestions.

No. —, original. Ex parte In the matter of James J. O'Brien, petitioner. Motion for leave to file petitions for writs of mandamus and prohibition submitted by Mr. James J. O'Brien *pro se*.

No. 543. Knickerbocker Ice Company, plaintiff in error, *v.* Lillian E. Stewart. Leave granted to file an additional brief, on motion of Mr. W. C. Sullivan in behalf of Mr. Frank R. Savidge for the plaintiff in error.

No. 775. J. Leroy Nickel et al., as Trustees, etc., et al., plaintiffs in error, *v.* George A. Cole, as State Comptroller of the State of Nevada; and

No. 776. Nellie Miller Nickel et al., as Trustees, etc., et al., plaintiffs in error, *v.* The State of Nevada. Leave granted to file amended writs of error, on motion of Mr. Erskine Wood in that behalf.

No. 797. Cuyamel Fruit Company, petitioner, *v.* Johnson Iron Works, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Walter S. Penfield for the petitioner.

No. 710. The Merchants' National Bank of Richmond, Virginia, plaintiff in error, *v.* The City of Richmond. Motion to dismiss or affirm submitted by Mr. Henry R. Pollard and Mr. George Wayne Anderson for the defendant in error in support of the motion, and by Mr. Legh R. Page and Mr. E. Warren Wall for the plaintiff in error in opposition thereto.

No. 786. E. A. King, etc., petitioner, *v.* Robert H. Barr et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Levi Cooke and Mr. William C. Bristol for the petitioner, and by Mr. C. E. S. Wood for the respondent.

No. 667. William L. Walls, Attorney General of the State of Wyoming, et al., *v.* Midland Carbon Company et al. Motion to advance submitted by Mr. Frederic D. McKenney in behalf of counsel.

No. 684. Piedmont Power & Light Company, appellant, *v.* The Town of Graham et al.; and

No. 685. J. R. Paschall et al., appellants, *v.* The Town of Graham et al. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Clyde R. Hoey, Mr. Charles W. Tillet, and Mr. William P. Bynum for the appellees in support of the motion, and by Mr. James H. Bridgers for the appellants in opposition thereto.

No. 842. Philadelphia & Reading Railway Company, petitioner, *v.* Maria Domenica Di Donato;

No. 843. Philadelphia & Reading Railway Company, petitioner, *v.* Annie Reynolds; and

No. 844. Philadelphia & Reading Railway Company, petitioner, *v.* Marie E. Polk. Petition for writs of certiorari to the Supreme



Court of the State of Pennsylvania submitted by Mr. George Gowen Parry for the petitioner, and by Mr. Francis M. McAdams for the respondents in Nos. 843 and 844.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Petition for leave to intervene by the Agriculture Aid Association and twenty-two others, submitted by Mr. Charles L. McGuire in that behalf.

No. 768. Anna H. Watson et al., Executors, etc., plaintiffs in error, *v.* The State Comptroller of the State of New York. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of counsel for the plaintiffs in error.

No. 864. Grant Smith-Porter Ship Company *v.* Herman F. Rohde. Motion to advance submitted by Mr. Charles A. Hart for the Grant Smith-Porter Ship Company.

No. 726. Sarah A. Whittemore, plaintiff in error, *v.* Maud B. Crawford. Motion to dismiss submitted by Mr. Thomas M. Baker for the defendant in error in support of the motion.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motions to modify order appointing receiver submitted by Mrs. Lillie Morgan et al.; National Oil Company et al.; Sinclair Oil & Gas Company; T. P. Roberts; R. S. Allen; James B. McMahan, lessee; J. L. Schnakenberg et al.; George P. Holtzen; J. H. Runyan et al.; and Bass Petroleum Company as to real estate and personal property.

No. 493. City Trust Company, plaintiff in error, *v.* Bankers' Mortgage Loan Company. Motion to dismiss submitted by Mr. Frank H. Gaines and Mr. C. J. Baird for the defendant in error in support of the motion, and by Mr. Sylvester R. Rush for the plaintiff in error in opposition thereto.

No. 592. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Hannah L. Zuber. Motion to dismiss submitted by Mr. Charles W. Smith for the defendant in error in support of the motion, and by Mr. Joseph M. Bryson, Mr. Clifford L. Jackson, Mr. Gardiner Lathrop, Mr. J. R. Cottingham, Mr. S. W. Hayes, Mr. Alex. Britton, and Mr. C. S. Burg for the plaintiffs in error in opposition thereto.

No. 615. David G. Wine, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. C. Flansburg for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 767. The State of Louisiana, petitioner, *v.* William T. Joyce Company et al. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William Winans Wall for the petitioner, and by Mr. Robert R. Reid and Mr. Henry Fitts for the respondent.

No. 782. Herman Bloch, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. C. B. Hudspeth, Mr. George E. Wallace, and Mr. St. Clair Adams for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 798. Gerhardt Wessels, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. R. H. Ward for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 802. The New York Central & Hudson River Railroad Company, plaintiff in error, *v.* York & Whitney Company. Petition for a writ of certiorari herein submitted by Mr. William L. Parsons for the plaintiff in error in support of the petition.

No. 803. York & Whitney Company, plaintiff in error, *v.* The New York Central & Hudson River Railroad Company. Petition for a writ of certiorari herein submitted by Mr. Amos L. Taylor in support of the petition.

No. 812. Herman Theden et al., petitioners, *v.* The Union Pacific Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. L. W. Keplinger for the petitioner, and by Mr. N. H. Loomis, Mr. R. W. Blair, and Mr. T. M. Lillard for the respondent.

No. 816. Albert F. Houghton et al., petitioners, *v.* Eugene F. Enslin, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Z. T. Rudolph for the petitioners.

No. 817. Anna Lang, as Administratrix, etc., petitioner, *v.* New York Central Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Hamilton Ward for the petitioner, and by Mr. M. C. Spratt for the respondent.

No. 831. Archie J. McLaren, administrator, etc., petitioner, *v.* L. G. Fleischer. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Samuel Herrick for the petitioner.

No. 832. Robert L. Culpepper, petitioner, *v.* James M. Ocheltree. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Samuel Herrick for the petitioner.

No. 852. Freeman-Sweet Company, petitioner, *v.* Luminous Unit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Paul Bakewell for the petitioner, and by Mr. Harry Lea Dodson for the respondent.

No. 856. D. W. Ryan Towboat Company, Inc., petitioner, *v.* Carrie S. Draper et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John Charles Harris for the petitioner.

No. 857. Bowers Southern Dredging Company, petitioner, *v.* Carrie S. Draper et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John Neethe and Mr. J. W. Terry for the petitioner.

No. 805. The District of Columbia, petitioner, *v.* R. P. Andrews Paper Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. F. H. Stephens for the petitioner.

No. 806. The District of Columbia, petitioner, *v.* Saks & Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. F. H. Stephens for the petitioner.

No. 807. The District of Columbia, petitioner, *v.* Abraham Lisner. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. F. H. Stephens for the petitioner.

No. 800. Dunkley Company et al., petitioners, *v.* Pasadena Canning Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Fred L. Chappell, Mr. Drury W. Cooper, and Mr. William S. Hodges for the petitioner, and by Mr. Kemper B. Campbell, Mr. Francis J. Heney, Mr. Frederick S. Lyon, and Mr. William J. Carr for the respondents.

No. 502. Southern Cotton Oil Company et al., appellants, *v.* St. Louis, Iron Mountain & Southern Railway Company. Appeal from the District Court of the United States for the Eastern District of Arkansas. Dismissed with costs, per stipulation.

No. 698. The Delaware, Lackawanna & Western Railroad Company et al. *v.* Marie L. Thompson. On a certificate from the United States Circuit Court of Appeals for the Third Circuit. Dismissed per stipulation.

No. 796. The New York Evening Post Company, petitioner, *v.* John Armstrong Chaloner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed on motion of counsel for the petitioner.

No. 366. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Road Improvement District No. 1 of Prairie County, Arkansas. In Error to the Supreme Court of the State of Arkansas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 367. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* Monroe County Road Improvement District et al. In Error to the Supreme Court of the State of Arkansas. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. —. Alice Holbert and John H. Holbert, plaintiffs in error, *v.* Ed R. Patrick and Mrs. T. C. Galbraith. Motion for leave to proceed in forma pauperis submitted by Mr. W. H. Vann for the plaintiffs in error.

No. 764. Ernest B. Dane, plaintiff in error, *v.* Charles L. Burrick. Continued, per stipulation.

No. 811. E. A. Green et al., plaintiffs in error, *v.* Lynn J. Frazier, Governor, et al. Advanced to be heard with No. 508, on motion of Mr. Frederick A. Pike for the defendants in error.

No. 508. John W. Scott et al., appellants, *v.* Lynn J. Frazier et al.; and

No. 811. E. A. Green et al., plaintiffs in error, *v.* Lynn J. Frazier, Governor, et al. Two hours allowed on each side in the argument of these cases, on motion of Mr. N. C. Young for the appellants in No. 508. Argument commenced by Mr. N. C. Young for the appellants in No. 508, and continued by Mr. Tracy R. Bangs for the appellants in No. 508 and Mr. Thomas C. Daggett for the plaintiffs in error in No. 811.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 20, will be as follows: Nos. 508 (and 811), 492, 688, 15 (to 21), 506, 566, 582 (and 601), 534, 628, 728, and 795.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 20, 1920.

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

W. P. LaRoch, of Portland, Oreg.; H. A. Hauxhurst, of Cleveland, Ohio; Fuller Barnard, jr., of Cumberland, Md.; Nathan W. Littlefield, of Providence, R. I.; Albert E. Sheets, jr., of Bismarck, N. Dak.; Isaiah S. Coomes, of Webster, S. Dak.; Carl A. Heisterman, of Washington, D. C.; William J. Martin, of Washington, D. C.; Richard L. Merrick, of Washington, D. C.; Henry F. Droste, of St. Louis, Mo.; and Oscar O'Neill Touchstone, of Dallas, Tex., were admitted to practice.

Nos. 582 and 601. George S. Hawke, plaintiff in error *v.* Harvey C. Smith, Secretary of State of Ohio. Leave granted to file brief as *amicus curiae* on motion of Mr. Wayne B. Wheeler in that behalf.

No. 508. John W. Scott et al., appellants, *v.* Lynn J. Frazier et al., and

No. 811. E. A. Green et al., plaintiffs in error *v.* Lynn J. Frazier, Governor, et al. Argument continued by Mr. S. L. Nuchols and Mr. W. S. Lauder, for the appellees in No. 508, by Mr. Frederick A. Pike for certain appellees and defendants in error in Nos. 508 and 811, and concluded by Mr. C. J. Murphy, for appellants in No. 508.

No. 492. Federal Trade Commission, petitioner, *v.* Anderson Gratz et al. Argument commenced by Mr. Huston Thompson for the petitioner and continued by Mr. Thomas F. Magner for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 21, will be as follows: Nos. 492, 683, 15 (to 21), 506, 566, 582 (and 601), 534, 628, 728, and 795.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 21, 1920.

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

George Thompson Motlow, of Lynchburg, Tenn.; John A. Verhoeven, of Chicago, Ill.; Mark E. Guerin, of Chicago, Ill.; Walter Guest Kellogg, of Ogdensburg, N. Y.; Beverly Allen Read, of Dallas, Tex.; and Gilbert Potter Bullis, of Vidalia, La., were admitted to practice.

No. 492. Federal Trade Commission, petitioner, *v.* Anderson Gratz et al. Argument concluded by Mr. Thomas F. Magner for the respondents.

No. 683. George Wallace et al., appellants, *v.* Walker D. Hines, Director General, etc., et al. Argued by Mr. F. E. Packard for the appellants, by Mr. E. Marvin Underwood for the appellee Hines, etc., and by Mr. Charles W. Bunn for the appellee railway companies.

Nos. 15 to 21. Wirt K. Winton, Administrator, etc., and Others, appellants, *v.* Jack Amos and Others, known as the Mississippi Choctaws. Two hours and a half allowed appellants in the argument. Argument commenced by Mr. William W. Scott for the appellants in No. 15 and continued by Mr. Guion Miller for the appellants in Nos. 16 to 21.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 22, will be as follows: Nos. 15 (to 21), 506, 566, 582 (and 601), 534, 628, 728, 795, 221, and 256.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 22, 1920.

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

Herbert A. Buck, of Boston, Mass., was admitted to practice.

Nos. 15 to 21. Wirt K. Winton, administrator, etc., and others, appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws. Reargument continued by Mr. Guion Miller for the appellants in Nos. 16 to 21, by Mr. Assistant Attorney General Davis for the appellees, by Mr. W. W. Scott for the appellants in No. 15, and concluded by Mr. Guion Miller for the appellants in Nos. 16 to 21.

No. 506. Edward White, Commissioner of Immigration for the port of San Francisco, petitioner, *v.* Chin Fong. Argued by Mr. Assistant Attorney General Stewart for the petitioner, and by Mr. J. H. Ralston for the respondent.

No. 566. The City of New York, appellant, *v.* The Consolidated Gas Company of New York et al. Argued by Mr. Vincent Victory for the appellant, and by Mr. John A. Garver for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 23, will be as follows: Nos. 582 (and 601), 534, 628, 728, 795, 221, 256, 268, 260, and 292.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 23, 1920.

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

Claude B. Sanford, of Washington, D. C.; Robert H. Carruth, of Warren, Ark.; Thomas Amory Lee, of Topeka, Kans.; and James Henderson Lee, of Detroit, Mich., were admitted to practice.

Nos. 582 and 601. George S. Hawke, plaintiff in error, *v.* Harvey C. Smith, Secretary of State of Ohio. Argued by Mr. J. Frank Hanly for the plaintiff in error, and by Mr. Lawrence Maxwell for the defendant in error.

No. 534. Leslie C. Stallings, appellant, *v.* Maurice Splain, United States Marshal, etc. Argued by Mr. William B. Jaynes for the appellant, and by Mr. Solicitor General King for the appellee.

No. 628. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* McCaull-Dinsmore Company. Argued by Mr. O. W. Dynes for the petitioner, and submitted by Mr. J. O. P. Wheelwright for the respondent.

No. 728. Porto Railway, Light & Power Company *v.* Adalberto Diaz Mor. Argued by Mr. Carroll G. Walter for Railway, Light & Power Company. No brief filed for Mor.

No. 221. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Argument commenced by Mr. Gilbert E. Roe for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 26, will be as follows: Nos. 221, 795, 256, 268, 260, 292, 231, 302, 304, 305 (and 306).



## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 26, 1920.

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

Edwin L. Wilson, of Washington, D. C.; Thomas E. Nolan, of Chicago, Ill.; Alexander K. McRae, jr., of Washington, D. C.; Fred D. Giesler, of Washington, D. C.; Harry Summers Carson, of Minneapolis, Minn.; Fred W. Sargent, of Des Moines, Iowa; Edward H. Wilson, of Salem, S. Dak.; Charles A. Christopherson, of Sioux Falls, S. Dak.; Henry C. Lank, of Washington, D. C.; Gregor B. Moormann, of Cincinnati, Ohio; Robert B. Fennell, of Washington, D. C.; Otto A. Schlobohm, of Washington, D. C.; and George E. Wallace, of Bismarck, N. Dak.; were admitted to practice.

No. 3. The United States of America, appellant, *v.* Reading Company et al.; and

No. 4. Reading Company et al., appellants, *v.* The United States of America. Appeals from the District Court of the United States for the Eastern District of Pennsylvania. Decree affirmed in part and reversed in part; and cause remanded with direction to enter a decree in conformity with the opinion of this court. Opinion by Mr. Justice Clarke. Dissenting: Mr. Chief Justice White, Mr. Justice Holmes, and Mr. Justice Van Devanter. (Mr. Justice McReynolds and Mr. Justice Brandeis took no part in the consideration or decision of this case.)

No. 224. Coleman J. Ward et al., petitioners, *v.* The Board of County Commissioners of Love County, Okla. On writ of certiorari to the Supreme Court of the State of Oklahoma. Motion to dismiss denied. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 289. George R. Broadwell, petitioner, *v.* The Board of County Commissioners of Carter County, Okla. On writ of certiorari to the Supreme Court of the State of Oklahoma. Motion to dismiss denied.

Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 280. Emily M. Maguire, plaintiff in error, *v.* William D. T. Trefry, tax commissioner of the Commonwealth of Massachusetts. In error to the Superior Court of the State of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Day. Dissenting: Mr. Justice McReynolds.

No. 214. The United States, appellant, *v.* Atlantic Dredging Company, W. B. Brooks, agent. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna. Dissenting: The Chief Justice and Mr. Justice Clarke.

The Chief Justice announced the following orders of the court:

No. 493. City Trust Company, plaintiff in error, *v.* Bankers Mortgage Loan Company. In error to the Supreme Court of the State of Nebraska. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726.

No. 27, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervenor. Ordered that the State of Oklahoma, the State of Texas, and the United States show cause on or before Monday, May 3, 1920, why motions for leave to intervene and for modifications of interlocutory order granting injunction and appointing receiver should not be granted.

No. —, original. Ex parte In the matter of James J. O'Brien, petitioner. Motion for leave to file petition for writ of mandamus or prohibition denied.

No. —. Alice Holbert and John H. Holbert, plaintiffs in error, *v.* Ed R. Patrick and Mrs. T. C. Galbraith. Motion for leave to proceed in forma pauperis denied.

No. 667. William L. Walls, attorney general of the State of Wyoming et al., appellants, *v.* Midland Carbon Company et al. Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the case heretofore assigned for that day.

No. 768. Anna H. Watson et al., executors, etc., plaintiffs in error, *v.* The State comptroller of the State of New York. Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 864. Grant Smith-Porter Ship Company *v.* Herman F. Rohde. Motion to advance to be heard with cases Nos. 689 and 771 granted.

No. 592. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Hannah L. Zuber. Further consideration of the

motion to dismiss the writ of certiorari in this cause postponed to the hearing of the cause on the writ of error.

No. 710. The Merchants' National Bank of Richmond, Virginia, plaintiff in error, *v.* the City of Richmond. Further consideration of the motion to dismiss or affirm in this case postponed to the hearing on the merits. Further consideration of the petition for a writ of certiorari in this cause postponed to the hearing of the cause on the writ of error.

No. 593. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Restored to the docket for reargument.

No. 802. The New York Central & Hudson River Railroad Company, plaintiff in error, *v.* York & Whitney Company. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts granted.

No. 803. York & Whitney Company, plaintiff in error, *v.* The New York Central & Hudson River Railroad Company. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts granted.

No. 805. The District of Columbia, petitioner, *v.* R. P. Andrews Paper Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 806. The District of Columbia, petitioner, *v.* Saks & Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 807. The District of Columbia, petitioner, *v.* Abraham Lisner. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 817. Anna Lang, as administratrix, etc., petitioner, *v.* New York Central Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of New York granted.

No. 831. Archie J. McLaren, administrator, etc., petitioner, *v.* L. G. Fleischer. Petition for a writ of certiorari to the Supreme Court of the State of California granted.

No. 832. Robert L. Culpepper, petitioner, *v.* James M. Ocheltree. Petition for a writ of certiorari to the Supreme Court of the State of California granted.

No. 833. Western Union Telegraph Company, petitioner, *v.* S. B. Poston. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina granted.

No. 842. Philadelphia & Reading Railway Company, petitioner, *v.* Maria Domenica Di Donato. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania granted.

No. 844. Philadelphia & Reading Railway Company, petitioner, *v.* Marie E. Polk. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania granted.

No. 818. Lehigh Valley Railroad Company, petitioner, *v.* Frederick W. Howell et al., as firm of B. H. Howell, Son & Company, et al. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

Nos. 819 to 830. Lehigh Valley Railroad Company, petitioner, *v.* Royal Indemnity Company and others. Petition for writs of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 615. David G. Wine, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 767. The State of Louisiana, petitioner, *v.* William T. Joyce Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 782. Herman Bloch, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 786. E. A. King (and those who wish also to intervene for their benefit), petitioner, *v.* Robert H. Barr et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 797. Cuyamel Fruit Company, petitioner, *v.* Johnson Iron Works, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 798. Gerhardt Wessels, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 800. Dunkley Company and Michigan Canning & Machinery Company, petitioners, *v.* Pasadena Canning Company and George E. Grier. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 812. Herman Theden and Anna Theden, petitioners, *v.* The Union Pacific Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 816. Albert F. Houghton et al., petitioners, *v.* Eugene F. Enslin et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 843. Philadelphia & Reading Railway Company, petitioner, *v.* Annie Reynolds. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 852. Freeman-Sweet Company, petitioner, *v.* Luminous Unit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 856. D. W. Ryan Towboat Company (Inc.), petitioner, *v.* Carrie S. Draper et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 857. Bowers Southern Dredging Company, petitioner, *v.* Carrie S. Draper et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

The Chief Justice also announced that the court will take a recess from Monday, May 3, to Monday, May 17.

No. 845. Ephraim Lederer, collector of internal revenue, petitioner, *v.* Northern Trust Company and Henry R. Zesinger, executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General King and Mr. Assistant Attorney General Frierson for the petitioner.

No. 657. Gertrude Groot, plaintiff in error, *v.* Caroline I. Reilly. Motion to dismiss submitted by Mr. Mason N. Richardson and Mr. Edwin L. Wilson for the defendant in error in support of the motion, and by Mr. William C. Prentiss for the plaintiff in error in opposition thereto.

No. 653. The Underwood Typewriter Company, plaintiff in error, *v.* Frederick S. Chamberlain, treasurer of the State of Connecticut. Motion to advance submitted by Mr. William H. White, jr., in behalf of Mr. Arthur L. Shipman for the plaintiff in error, in support of the motion, and by Mr. Hugh M. Alcorn for defendant in error in opposition thereto.

No. 781. Thomas D. Thomas, petitioner, *v.* South Butte Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles A. Beardsley for the petitioner and by Mr. John A. Shelton for the respondent.

No. 789. Weber Electric Company, petitioner, *v.* E. H. Freeman Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles Neave for the petitioner and by Mr. Livingston Gifford and Mr. David P. Wolhaupter for the respondent.

No. 847. Michigan Central Railroad Company, petitioner, *v.* Mark Owen & Company. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Ralph M. Shaw for the petitioner.

No. 853. C. T. Doremus, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit

Court of Appeals for the Fifth Circuit submitted by Mr. C. A. Davies for the petitioner and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 875. Grace McMillan Gibson, petitioner, *v.* Ethel M. Gernat. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Frederic D. McKenney, Mr. John Spalding Flannery, and Mr. G. Bowdoin Craighill for the petitioner and by Mr. Thomas P. Littlepage and Mr. Sidney F. Taliaferro for the respondent.

No. 846. Inter-Urban Railway Company and London Guarantee & Accident Company, petitioners, *v.* Mrs. Fred Smith. On petition for writ of certiorari to the Supreme Court of the State of Iowa. Dismissed on motion of counsel for the petitioners.

No. 304. John W. LeCrone, receiver, etc., plaintiff in error, *v.* William G. McAdoo, Secretary of the Treasury. Submitted by Mr. George N. Baxter for the plaintiff in error and by Mr. Solicitor General King for the defendant in error.

No. 221. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Argument continued by Mr. Gilbert E. Roe for the plaintiffs in error, and concluded by Mr. Assistant Attorney General Stewart for the defendant in error.

No. 795. William G. Street, appellant, *v.* Lincoln Safe Deposit Company et al. Argument commenced by Mr. Joseph S. Auerbach for the appellant, continued by Mr. Assistant Attorney General Frier-son for the appellees, and concluded by Mr. Charles H. Tuttle for the appellant.

No. 256. Samuel W. Scott et al., plaintiffs in error, *v.* Ida B. W. Booth. Argument commenced by Mr. H. M. Langworthy for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 27, will be as follows: Nos. 256, 268, 260, 292, 231, 291, 302, 305 (and 306), 307, and 308.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 27, 1920.

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

William E. Butler, of New York City, and George L. Schein, of Chicago, Ill., were admitted to practice.

No. 618. The First National Bank of Canton, Pennsylvania, appellant, *v.* John Skelton Williams, Comptroller, etc. Mandate granted, on motion of Mr. Solicitor General King for the appellee.

No. 305. The Northwestern Mutual Life Insurance Company *v.* Isabel H. Johnson. Continued by agreement of counsel.

No. 306. National Life Insurance Company of Montpelier, Vermont, *v.* A. M. Miller, administrator, etc. Continued by agreement of counsel.

No. 308. Jane Field, appellant, *v.* The United States. Continued by agreement of counsel.

No. 256. Samuel W. Scott et al., plaintiffs in error, *v.* Ida B. W. Booth. Argument continued by Mr. H. M. Langworthy for the plaintiffs in error, by Mr. C. W. Prince for the defendant in error, and concluded by Mr. Jackson H. Ralston for the plaintiffs in error. Leave granted to file an additional brief, on motion of Mr. H. M. Langworthy for the plaintiffs in error.

No. 268. Bartholomew Sullivan et al., appellants, *v.* Jane Kidd. Argued by Mr. H. M. Langworthy for the appellee, and submitted by Mr. B. I. Litowich and Mr. George F. Beatty for the appellants.

No. 260. George C. Beidler, appellant, *v.* The United States. Argument commenced by Mr. Charles J. Williamson for the appellant, and continued by Mr. Daniel L. Morris for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 28, will be as follows: Nos. 260, 292, 231, 291, 302, 307, 310, 313, 314, and 317.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 28, 1920.

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

No. 317. Lillian Nicchia, plaintiff in error, *v.* The People of the State of New York. Continued, per stipulation.

No. 260. George C. Beidler, appellant, *v.* The United States. Argument continued by Mr. Daniel L. Morris for the appellee, and concluded by Mr. Charles J. Williamson for the appellant.

No. 292. The United States of America, plaintiff in error, *v.* Harry C. Wheeler et al. Argued by Mr. W. C. Herron for the plaintiff in error, and by Mr. Charles E. Hughes for the defendants in error.

No. 231. Edward A. Shedd et al., appellants, *v.* Guardian Trust Company et al. Argued by Mr. J. C. Rosenberger for the appellants, and by Mr. Charles W. German and Mr. J. D. Bowersock for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 29, will be as follows: Nos. 291, 302, 307, 310, 313, 314, 319 (and 320), 321, 322, and 323.



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 29, 1920.

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

Leo Goldberger, of Perth Amboy, N. J.; Bert W. Gearheart, of Cleveland, Ohio; Selbie D. Grove, of Washington, D. C.; Wilbur E. Benoy, of Columbus, Ohio; and Prather S. McDonald, of Memphis, Tenn., were admitted to practice.

No. 841. The United States of America, petitioner, *v.* Aetna Explosives Company. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. Solicitor General King and Mr. Assistant Attorney General Hanson for the petitioner.

No. 625. Lillian B. Pembleton, petitioner, *v.* Illinois Commercial Men's Association. On writ of certiorari to the Supreme Court of the State of Illinois. Dismissed with costs, on motion of counsel for the petitioner.

No. 291. The United States of America *ex rel.* Jennie Johnson et al., plaintiffs in error, *v.* John Barton Payne, Secretary of the Interior. Argued by Mr. Charles H. Merillat for the plaintiffs in error, and by Mr. Assistant Attorney General Nebeker for the defendant in error.

No. 302. Cream of Wheat Company, plaintiff in error, *v.* The County of Grand Forks in the State of North Dakota. Argument commenced by Mr. Harry S. Carson for the plaintiff in error, continued by Mr. Albert E. Sheets, jr., and Mr. George E. Wallace for the defendants in error, and concluded by Mr. Rome G. Brown for the plaintiff in error.

No. 307. William Truax et al., etc., plaintiffs in error, *v.* Michael Corrigan et al. Argument commenced by Mr. Clifton Mathews for the plaintiffs in error, and continued by Mr. Jackson H. Ralston for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 30, will be as follows: Nos. 307, 310, 313, 314, 319 (and 320), 321, 322, 323, 324, and 325.

# SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 30, 1920.

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

Dallas S. Townsend, of New York City; Samuel Conrad Cohen, of New York City; William J. Hudson, of Safford, Ariz.; and Henry Selden Bacon, of New York City, were admitted to practice.

No. 307. William Truax et al., etc., plaintiffs in error, *v.* Michael Corrigan et al. Argument continued by Mr. Jackson H. Ralston and Mr. Samuel Herrick for the defendants in error, and concluded by Mr. Clifton Mathews for the plaintiffs in error.

No. 310. James K. Perrine, plaintiff in error, *v.* The State of Oklahoma ex rel. John Embry, County Attorney. Submitted by Mr. E. G. McAdams for the plaintiff in error, and by Mr. S. P. Freeling and Mr. W. C. Hall for the defendant in error.

No. 313. Kwock Jan Fat, petitioner, *v.* Edward White, as Commissioner of Immigration at the Port of San Francisco. Argued by Mr. Jackson H. Ralston for the petitioner, and submitted by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 314. Daniel J. Leary et al., administrators, etc., appellants, *v.* the United States of America. Argued by Mr. Aubrey E. Strode for the appellants, and by Mr. Marion Erwin for the appellee.

No. 319. The United States, appellant, *v.* The North American Transportation & Trading Company; and

No. 320. The North American Transportation & Trading Company, appellant, *v.* the United States. Argued by Mr. Burt E. Barlow for the North American Transportation & Trading Company, and by Mr. Assistant Attorney General Davis for the United States.

No. 321. Wells Brothers Company of New York, appellant, *v.* the United States. Submitted by Mr. A. R. Serven and Mr. Burt E.

Barlow for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

No. 324. Robert D. Kinney, plaintiff in error, *v.* Plymouth Rock Squab Company. Submitted by Mr. Robert D. Kinney, *pro se*. No appearance for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The call of the docket has been suspended for the term.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 3, 1920.

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

Leon Fraser, of New York City; John Duggan, jr., of Uniontown, Pa.; C. Keith Carlin, of Alexandria, Va.; Edward E. Reardon, of New York City; Anan Raymond, of Omaha, Nebr.; Franklin G. Wixson, of Washington, D. C.; Marcel E. Cerf, of San Francisco, Calif.; Charles H. Sooy, of San Francisco, Calif.; Uriel Thurston Clotfelter, of Los Angeles, Calif.; W. Earl Simpson, of Cleveland, Ohio; Ethelbert T. Barbour, of El Reno, Okla.; William E. Dyre, of Washington, D. C.; George H. Lowe, of St. Anthony, Idaho; Ivin E. Kerr, of Detroit, Mich.; and C. W. Taylor, of Austin, Tex., were admitted to practice.

No. 683. George Wallace et al., appellants, *v.* Walker D. Hines, Director General of Railroads, et al. Appeal from the District Court of the United States for the District of North Dakota. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 726. Sarah A. Whittemore, plaintiff in error, *v.* Maude B. Crawford; and

No. 657. Gertrude Groot, plaintiff in error, *v.* Caroline I. Reilly. Motions to dismiss postponed to the hearing of the cases on the merits.

No. 653. The Underwood Typewriter Company, plaintiff in error, *v.* Frederick S. Chamberlain, treasurer of the State of Connecticut. Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 789. Weber Electric Company, petitioner, *v.* E. H. Freeman Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 841. The United States of America, petitioner, *v.* Aetna Explosives Company. Petition for a writ of certiorari to the United States Court of Customs Appeals granted.

No. 847. Michigan Central Railroad Company, petitioner, *v.* Mark Owen & Company. Petition for a writ of certiorari to the Supreme Court of the State of Illinois granted.

No. 781. Thomas D. Thomas, petitioner, *v.* South Butte Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 845. Ephraim Lederer, collector of internal revenue, petitioner, *v.* Northern Trust Company and Henry R. Zesinger, executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 853. C. T. Doremus, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 875. Grace McMillan Gibson, petitioner, *v.* Ethel M. Gernat. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 633. Fred W. Weitzel, plaintiff in error, *v.* The United States. Motion to dismiss or affirm submitted by Mr. Solicitor General King for the defendant in error in support of the motion, and by Mr. A. E. Stricklett for the plaintiff in error in opposition thereto.

No. 27, original. The State of Oklahoma, complainant, *v.* The State of Texas. Responses of The United States to the motions for leave to intervene and for a modification of the order of April 1, 1920, filed by Mr. Solicitor General King for The United States.

No. 370. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Motion to modify decree submitted by Mr. Alexander C. King in behalf of Mr. David Gerber and Mr. William J. Hughes for the petitioner, with leave to counsel for the respondent to file brief in opposition on or before Friday next.

No. 27, original. The State of Oklahoma, complainant, *v.* The State of Texas. Response of The State of Texas to the motions for leave to intervene and for a modification of the order of April 1, 1920, filed by Mr. C. W. Taylor for the State of Texas.

No. 437. The County of Douglas, in the State of Nebraska, plaintiff in error, *v.* George Warren Smith. Motion to dismiss submitted by Mr. Francis A. Brogan and Mr. A. G. Ellick for the defendant in error in support of the motion, and by Mr. William C. Lambert for the plaintiff in error in opposition thereto.

No. 855. John C. Heald et al., committee, etc., *v.* The District of Columbia. Motion for a writ of certiorari to bring up the whole record and cause, and to advance, submitted by Mr. A. S. Worthington and Mr. Vernon E. West for Heald et al., etc., in support of the motion.

No. 869. Atlantic Coast Line Railroad Company, petitioner, *v.* The State of Alabama. Petition for a writ of certiorari to the Supreme Court of the State of Alabama submitted by Mr. Charles Henry Butler in behalf of Mr. Richard V. Lindabury for the petitioner, and by Mr. Lawrence E. Brown and Mr. J. Q. Smith for the respondent.

No. 865. Commercial Credit Company et al., petitioners, *v.* Continental Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alex. W. Smith for the petitioners, and by Mr. Warren Grice and Mr. Robert C. Alston for the respondent.

Nos. 848 and 849. The Backstay Machine and Leather company, petitioner; *v.* Helen Wade Hamilton. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Henry D. Williams and Mr. Frederic D. McKenney for the petitioner, and by Mr. W. Orison Underwood for the respondent.

No. 861. Jeannette W. Lee, petitioner, *v.* Richard C. Minor, as trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Samuel Herrick and Mr. F. C. Heffron for the petitioner, and by Mr. John H. Miller for the respondent.

No. 888. The Pennsylvania Railroad Company, petitioner, *v.* Alfred Stiedler. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. Frederic D. McKenney, Mr. Albert C. Wall, and Mr. John A. Hartpence for the petitioner, and by Mr. Alex. Simpson for the respondent.

No. 840. Emily De Four, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Marshall B. Woodworth for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 850. Texas & Gulf Steamship Company petitioner, *v.* Clarence Parker and Hill, Cook & Pope. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William B. Lockhart for the petitioner.

No. 860. The Beckwith Company (formerly the estate of P. D. Beckwith, Inc.), petitioner, *v.* Minnesota Stove Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Harry C. Howard and Mr. Fred L. Chappell for the petitioner, and by Mr. Walter H. Chamberlin for the respondent.

No. 868. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Mrs. Minnie Owens, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Willard R. Bleakmore, Mr. C. O. Blake, and Mr. T. P. Littlepage for the petitioner.

No. 873. Charles Kollman, petitioner, *v.* The United States. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Samuel T. Ansell, Mr. Edward S. Bailey, and Mr. Chester J. Gerkin for the petitioner.

No. 889. The Delaware, Lackawanna, & Western Railroad Company, petitioner, *v.* Charles S. Candee, jr. Petition for a writ of certiorari to the Supreme Court of the State of New Jersey submitted by Mr. Frederic B. Scott for the petitioner.

Adjourned until Monday, the 17th instant, at 12 o'clock, subject to a meeting on an intervening day should the public business require it.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 17, 1920.

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

George W. Lippert, of Wausau, Wis.; John Kimball Parish, of Ashland, Wis.; E. T. Simmang, of Giddings, Tex.; William Hugh McEniry, of Bessemer, Ala.; Legaré Walker, of Summerville, S. C.; Edward B. Burling, of Washington, D. C.; Frank P. Doherty, of Los Angeles, Calif.; J. P. Buchanan, of Brenham, Tex.; George A. Smart, of Wichita Falls, Tex.; John H. Agate, of Pittsford, N. Y.; Walter S. Pope, of Anson, Tex.; Frank Roberson, of Jackson, Miss.; Isadore Shapiro, of New York City; Thomas W. Davis, of Purvis, Miss.; D. D. Glover, of Malvern, Ark.; Arthur H. Brown, of Billings, Mont.; Walter F. Seay, of Dallas, Tex.; Logan N. Rock, of Washington, D. C.; Richard H. Hill, of New Castle, Ky.; Charles J. Marshall, of Lewistown, Mont.; Aldrich Baxter, of Detroit, Mich.; John A. Harries, of Williamsport, Pa.; A. M. Beets, of Oklahoma City, Okla.; B. A. Lewis, of Bartlesville, Okla.; J. L. Carpenter, of Oklahoma City, Okla.; Walter Thomas, of Philadelphia, Pa.; John H. Layne, of Chicago, Ill.; James G. Glessner, of York, Pa.; John Taylor Booz, of Chicago, Ill.; Horace Manford Mayes, of Jonesboro, Ark.; Reuben Miller Holland, of Owensboro, Ky.; H. W. Huskey, of Reno, Nev.; Richard S. Whaley, of Charleston, S. C.; and D. H. Kincheloe of Madisonville, Ky., were admitted to practice.

No. 240. *E. W. Bliss Company, appellant, v. The United States.* Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 684. *Piedmont Power & Light Company, appellant, v. The Town of Graham et al.*; and

No. 685. *J. R. Paschall and Warner Moore, appellants, v. The Town of Graham et al.* Appeals from the District Court of the United States for the Western District of North Carolina. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Clarke.



No. 294. C. C. Calhoun, petitioner, *v.* Bland Massie. On writ of certiorari to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds, Mr. Justice McKenna, Mr. Justice Van Devanter, and Mr. Justice Pitney.

No. 85. Sue Erskine Newman, administratrix of the estate of Ursula Ragland Erskine, deceased, et al., appellants, *v.* Ida M. Moyers and Charles F. Consaul, partners, trading as Moyers & Consaul. Appeal from the Court of Appeals of the District of Columbia. Decree as to appellants Houston and Burke reversed with costs; and cause remanded with directions to dismiss the bill as to them. Appeal of Newman, administratrix, dismissed for the want of prosecution; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 187, Meccano, Limited, petitioner, *v.* John Wanamaker, New York. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Motion for leave to enter a disclaimer denied. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McReynolds.

No. 221. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. In error to the District court of the United States for the Northern District of California. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 543. Knickerbocker Ice Company, plaintiff in error, *v.* Lillian E. Stewart. In error to the Supreme Court of the State of New York. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Holmes, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

Nos. 137 to 145. E. B. Spiller, plaintiff in error, *v.* Atchison, Topeka & Santa Fe Railway Company and others. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Writs of error dismissed for the want of jurisdiction. Writs of certiorari granted. Judgments reversed with costs, and causes 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 Pitney.

No. 159. The Western Union Telegraph Company, petitioner, *v.* George M. Brown, executor of the last will and testament of William Lange, Jr., deceased, and J. U. Hastings. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Northern District of California for

further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day.

No. 541. The United States of America and Interstate Commerce Commission, appellants, *v.* Alaska Steamship Company et al. Appeal from the District Court of the United States for the Southern District of New York. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day.

No. 314. Daniel J. Leary et al., administrators, etc., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Western District of Virginia. Opinion by Mr. Justice Holmes. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 628. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* McCaull-Dinsmore Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice Holmes. Dissenting: Mr. Chief Justice White.

No. 348. Erie Railroad Company, petitioner, *v.* William M. Collins. 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 Western District of New York. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Van Devanter and Mr. Justice Pitney.

No. 355. Erie Railroad Company, petitioner, *v.* Antoni Szary. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Van Devanter and Mr. Justice Pitney.

No. 506. Edward White, Commissioner of Immigration for the port of San Francisco, petitioner, *v.* Chin Fong. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Justice McKenna.

No. 124. Great Northern Railway Company, plaintiff in error, *v.* J. C. Cahill et al., copartners as Redman & Cahill, et al. In error to the Supreme Court of the State of South Dakota. Judgment reversed with costs, and cause remanded for further proceedings not

inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 231. Edward A. Shedd et al., appellants, *v.* Guardian Trust Company et al. Appeal from the District Court of the United States for the Western District of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S., 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. The United States*, 236 U. S. 216, 218; *Sugarman v. United States*, 249, U. S. 182, 184.

No. 437. The County of Douglas, in the State of Nebraska, plaintiff in error, *v.* George Warner Smith. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for the want of jurisdiction upon the authority of (1) section 128 of the Judicial Code; *Shulthis v. McDougal*, 225 U. S. 561, 568; *Hull v. Burr*, 234 U. S. 712, 720; *Louisville & Nashville R. R. Co. v. Western Union Tel. Co.*, 237 U. S. 300, 302; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444; (2) *Brown v. Alton Water Co.*, 222 U. S. 325, 332-333; *Alaska Pacific Fisheries v. Alaska*, 249 U. S. 53, 61.

No. 324. Robert D. Kinney, plaintiff in error, *v.* Plymouth Rock Squab Company. In error to the District Court of the United States for the District of Massachusetts. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218; *Sugarman v. United States*, 249 U. S. 182, 184; (2) *Kinney v. Plymouth Rock Squab Company*, 236 U. S. 43, 49.

No. 310. James K. Perrine, plaintiff in error, *v.* The State of Oklahoma ex rel. John Embry, county attorney. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for the want of jurisdiction upon the authority of 1) *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 314; *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 228 U. S. 596, 600; *Contributors to the Pennsylvania Hospital v. City of Philadelphia*, 245 U. S. 20, 24; (3) *Southern Ry. Co. v. King*, 217 U. S. 524, 534; *Gaar, Scott & Co. v. Shannon*, 223 U. S. 468, 473; *Middletown v. Texas Power & Light Co.*, 249 U. S. 152, 157; (3) *Shevlin-Carpenter Co. v. State of Minnesota*, 218 U. S. 57, 67.

No. 256. Samuel W. Scott et al., plaintiffs in error, *v.* Ida B. W. Booth. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of

Schlosser *v.* Hemphill, 198 U. S. 173, 175; Louisiana Navigation Co. *v.* Oyster Commission of Louisiana, 226 U. S. 99, 101; Gray's Harbor Co. *v.* Coats-Fordney Co., 243 U. S. 251, 255; Bruce *v.* Tobin, 245 U. S. 18, 19.

No. 633. Fred W. Weitzel, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Eastern District of Kentucky. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) Equitable Life Assurance Society *v.* Brown, 187 U. S. 308, 314; Consolidated Turnpike Co. *v.* Norfolk, etc., Ry. Co., 228 U. S. 596, 600; contributors to the Pennsylvania Hospital *v.* City of Philadelphia, 245 U. S. 20, 24; (2) Lamar *v.* United States, 240 U. S. 60; Lamar *v.* United States, 241 U. S. 103.

No. 370. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Motion to modify decree denied.

No. 855. John C. Heald et al., committee, etc., *v.* The District of Columbia. Motion for a writ of certiorari to bring up the entire record and cause postponed to the hearing of the cause on the merits.

No. 840. Emily De Four, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

Nos. 848 and 849. The Backstay Machine and Leather Co. petitioner, *v.* Helen Wade Hamilton. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 850. Texas & Gulf Steamship Co. petitioner, *v.* Clarence Parker et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 860. The Beckwith Company (formerly the estate of P. D. Beckwith, Inc.), petitioner, *v.* Minnesota Stove Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 861. Jeannette W. Lee, petitioner, *v.* Richard C. Minor, as trustee etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 865. Commercial Credit Company et al., petitioners, *v.* Continental Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 868. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Mrs. Minnie Owens, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 869. Atlantic Coast Line Railroad Company, petitioner, *v.* The State of Alabama. Petition for a writ of certiorari to the Supreme Court of the State of Alabama denied.

No. 873. Charles Kollman, petitioner, *v.* The United States. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 888. The Pennsylvania Railroad Company, petitioner, *v.* Alfred Stiedler. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 1. The United States of America, appellant, *v.* Lehigh Valley Railroad Company. Ordered that this case be restored to the docket for oral argument.

No. 268. Bartholomew Sullivan et al., appellants, *v.* Jane Kidd. Ordered that this case be restored to the docket for oral argument, and the clerk is directed to notify the Attorney General of the United States and the Attorney General of the State of Kansas of the pendency of this cause.

The Chief Justice also announced that the court will adjourn for the term on Monday, June 7 next.

ORDER. The reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the reports in one volume.

It is, therefore, now here ordered that he publish an additional volume in this year pursuant to section 226 of the Judicial Code, approved March 3, 1911.

No. 27, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file proofs in support of its responses to the applications of various parties for modification of the order granting injunction and appointing a receiver, submitted by Mr. Solicitor General King for The United States.

No. 34. Franklin K. Lane, Secretary of the Interior, et al., appellants, *v.* Central Pacific Railway Company. Leave granted to substitute as one of the appellants John Barton Payne, present Secretary of the Interior, in the place of Franklin K. Lane, former Secretary thereof, on motion of Mr. Solicitor General King for the appellants.

No. 35. The Northern Pacific Railway Company, appellant, *v.* Franklin K. Lane, Secretary of the Interior. Leave granted to substitute as party appellee John Barton Payne, present Secretary of the Interior, in the place of Franklin K. Lane, former Secretary thereof, on motion of Mr. Solicitor General King for the appellee.

No. 412. Franklin K. Lane, Secretary of the Interior, et al., appellants, *v.* The State of New Mexico. Leave granted to substitute as

one of the appellants John Barton Payne, present Secretary of the Interior, in the place of Franklin K. Lane, former Secretary thereof, on motion of Mr. Solicitor General King for the appellants.

No. 434. The United States of America ex rel. C. E. Sykes, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Leave granted to substitute as defendant in error John Barton Payne, present Secretary of the Interior, in the place of Franklin K. Lane, former Secretary thereof, on motion of Mr. Solicitor General King for the defendant in error.

No. 593. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Motion to advance submitted by Mr. Alex. C. King, Mr. William Marshall Bullitt, and Mr. Frank Hagerman for the appellant.

No. 627. The United States of America, plaintiff in error, *v.* Dimitrios J. Theophilatos et al. Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

Nos. 779 and 780. The United States, petitioner, *v.* National Surety Company. Motion to advance submitted by Mr. Solicitor General King for the petitioner.

No. 906. The United States of America, plaintiff in error, *v.* L. Cohen Grocery Company. Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 815. William E. Johnson, plaintiff in error, *v.* The State of Maryland. Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 791. The United States of America, plaintiff in error, *v.* James Butt, alias Wong Sing. Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 412. John Barton Payne, Secretary of the Interior, et al., appellants, *v.* The State of New Mexico; and

No. 742. The State of Wyoming et al., appellants, *v.* The United States of America. Motion to advance for argument after case No. 34 submitted by Mr. Solicitor General King.

No. 909. The United States of America, appellant, *v.* Northern Pacific Railway Company. Motion to advance for argument with case No. 35 submitted by Mr. Solicitor General King for the appellant.

No. 916. Federal Trade Commission, petitioner, *v.* Beech-Nut Packing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alex. C. King and Mr. Claude R. Porter for the petitioner.

No. 712. Western Union Telegraph Company, petitioner, *v.* Addie Speight. Motion to advance submitted by Mr. Francis Raymond

Stark, Mr. Charles W. Tillett, and Mr. Thomas C. Guthrie for the petitioner.

No. 931. Henry S. De Rees, appellant, *v.* David Costaguta et al., individually, etc., et al. Motion to advance submitted by Mr. Frederick M. Czaki and Mr. Marion Erwin for the appellant, in support of same, and Mr. Walter H. Merritt in opposition thereto.

No. 765. The Missouri Pacific Railway Company, plaintiff in error, *v.* McGrew Coal Company. Motion to vacate supersedeas submitted by Mr. Edwin A. Krauthoff, in support of the same, and Mr. Edward J. White and Mr. James F. Green, in opposition thereto.

No. —. John W. Davidge *v.* Leo Simmons. Petition of John W. Davidge for the allowance of a writ of error to the Court of Appeals of the District of Columbia submitted by Mr. Chapin Brown for the petitioner.

No. 27, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion of Mrs. Lillis Morgan and others for leave to present oral argument on their motion to dissolve the injunction and modify the receivership submitted by Mr. A. H. Carrigan in that behalf.

No. 898. Hiram N. Stancil et al., petitioners, *v.* Frederick Leyland & Company, Ltd., claimant, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler and Mr. John D. Grace for the petitioner.

No. 705. Sarah Mary Wall, administratrix, etc., plaintiff in error, *v.* Chesapeake & Ohio Railway Company. Motion for leave to omit parts of the record in printing submitted by Mr. H. Prescott Gatley in behalf of Mr. A. W. Bulkley and Mr. C. E. Moore for the plaintiff in error in support of the motion and by Mr. Worth E. Caylor for the defendant in error in opposition thereto.

No. 885. The Chesapeake Steamship Company of Baltimore City, owner, etc., et al., petitioners, *v.* Frank Hand, master of the British Steamship *Hawkhead*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Floyd Hughes for the petitioner, and by Mr. R. M. Hughes, jr., for the respondent.

In the matter of the petition of Edward E. Blodgett, chairman, etc. Petition as to revision of rules in admiralty submitted by Mr. Floyd Hughes in behalf of Mr. Edward E. Blodgett, and Mr. Robert M. Hughes in support of the petition.

No. 27, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion of the Judsonia Developing Association for an order upon the receiver directing him to turn over possession of its

property now held by him as receiver to said association submitted by Mr. Jesse E. Roote in that behalf.

No. 862. Hannah T. Willson, plaintiff in error, *v.* Curtis C. McDonnell. Motion to dismiss submitted by Mr. Leon Tobriner and Mr. Levi H. David for the defendant in error in support of the motion, and by Mr. Henry E. Davis for the plaintiff in error in opposition thereto.

No. 570. John F. Donahue, appellant, *v.* Helen May Donahue, alias Helen May Huskey. Motion to dismiss submitted by Mr. H. W. Huskey for the appellee in support of the motion, and by Mr. George C. Otto for the appellant in opposition thereto.

No. 900. Philadelphia & Reading Railway Company, petitioner, *v.* Amy Smith. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. George Gowen Parry for the petitioner.

No. 27, original. The State of Oklahoma, complainant, *v.* The State of Texas. Report of receiver submitted by Mr. J. S. Flannery of counsel for receiver.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to file suggestions as to report of receiver, on motion of Mr. W. A. Ledbetter in that behalf. Motion to modify order appointing receiver submitted by Mr. W. A. Ledbetter and Mr. H. L. Stuart, of counsel for the Oklahoma Petroleum & Gasoline Company et al.

No. 907. Arnold Jacob Uhl, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William Augustus Denson for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent, with leave to counsel for the petitioner to file reply brief within 10 days.

No. 707. United Mine Workers of America et al., plaintiffs in error, *v.* Coronado Coal Company et al. Motion to advance submitted by Mr. R. B. Hull, Mr. Henry S. Drinker, jr., and Mr. James B. McDonough for the defendants in error.

No. 708. J. D. Purcell et al., plaintiffs in error, *v.* The City of Lexington on relation of Thomas E. Coyne, back tax assessor. Motion to dismiss submitted by Mr. Jesse I. Miller and Mr. Harry B. Miller for the defendant in error in support of the motion, and by Mr. George C. Webb and Mr. George R. Hunt for the plaintiffs in error in opposition thereto.

No. 887. El Paso & Southwestern Railroad Company, plaintiff in error, *v.* Robert L. Lovick. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. A. L. Curtis and Mr. Win-



bourne Pearce for the defendant in error in support of the motion, and by Mr. William R. Harr, Mr. W. A. Hawkins, and Mr. Charles H. Bates for the plaintiff in error in opposition thereto.

No. 730. Boston West Africa Trading Company, petitioner, *v.* Quaker City Morocco Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Lee M. Friedman for the petitioner, and by Mr. William L. Putnam for the respondent.

No. 839. G. W. Bouldin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George W. Huntress for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 851. National Surety Company, petitioner, *v.* Leflore County, in the State of Mississippi. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John R. Tyson for the petitioner, and by Mr. R. C. McBee for the respondent.

No. 863. Samuel L. Sneierson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. William Shaw McCallum for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Franklin G. Wixson for the respondent.

No. 871. Henry Albers, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles H. Carey and Mr. James B. Kerr for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 872. H. M. Wheeler, petitioner, *v.* Charles P. Taft et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. G. P. Bullis for the petitioner, and by Mr. Henry J. Livingston for the respondents.

No. 880. F. H. Orcutt & Son Company et al., petitioners, *v.* National Trust & Credit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. H. Musgrave and Mr. William S. Oppenheim for the petitioners, and by Mr. James W. Hyde for the respondent.

No. 891. Anthony Phillips, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Fred-

erick T. Saussy for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Franklin G. Wixson for the respondent.

No. 914. Curacao Trading Company (Curacaosche Handel Mattschappij), petitioner, *v.* Carl Bjorge, master and claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. Blanc Monroe and Mr. Monte M. Lemann for the petitioner, and by Mr. William Waller Young for the respondent.

No. 346. John S. Randolph, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of New York. Dismissed, on motion of counsel for the plaintiff in error.

Adjourned until Tuesday, June 1 next, at 12 o'clock.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JUNE 1, 1920.

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

J. E. Little, of Charlotte, N. C.; W. V. Pryor, of Sapulpa, Okla.; George Walter Johnson, of Chicago, Ill.; Anthony J. Griffin, of New York City; Daniel H. Morgan, of Cookeville, Tenn.; Edward T. Brown, of Atlanta, Ga.; Charles D. Morgan, of New York City; R. W. Price, of Birmingham, Ala.; F. M. Andreani, of Los Angeles, Calif.; W. L. Walls, of Cheyenne, Wyo.; A. S. Crossfield, of Manila, P. I.; James O. Tripp, of Jackson, Ohio; Junius L. Powell, of Washington, D. C.; W. E. Tyler, of Covington, Ky.; Clinton C. McCormick, of Wellston, Ohio; Walter R. Macfarland, of Washington, D. C.; Thomas B. Murray, of Omaha, Nebr.; D. Howard Evans, of Philadelphia, Pa.; Reid L. Carr, of New York City; Edward L. Katzenbach, of Trenton, N. J.; Jacob J. Lieberman, of Denver, Colo.; E. Leland Hunt, of Oneida, N. Y.; William F. Santry, of Oneida, N. Y.; Walter Phillips, of Detroit, Mich.; Paul M. Ashbaugh, of Mount Vernon, Ohio; Bower S. Broaddus, of Muskogee, Okla.; John H. W. Schmidt, of Washington, D. C.; E. L. McHaney, of Little Rock, Ark.; Joseph Beal, of Albany, N. Y.; James W. Cosgrove, of Muskogee, Okla.; John J. Fisher, of Bayfield, Wis.; Thomas R. Flynn, of Phoenix, Ariz.; William Boyd Hunter, of San Francisco, Calif.; Albert Harper, of Washington, D. C.; Ely Neumann, of New York City; Reese D. Alsop, of New York City; Alexander Galt Barret, of Louisville, Ky.; W. A. Keeling, of Austin, Tex.; and David Brewer Karrick, of Washington, D. C.; were admitted to practice.

No. 28, Original. Ex parte in the matter of Walter Peterson, as receiver of the Interstate Coal Company, petitioner. Rule to show cause discharged and petition for writs of prohibition and mandamus denied. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McKenna, Mr. Justice Pitney, and Mr. Justice McReynolds.

No. 301. The Pennsylvania Railroad Company, petitioner, *v.* Kittingan Iron and Steel Manufacturing Company. On writ of cer-

tiorari to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 302. Cream of Wheat Company, plaintiff in error, *v.* The County of Grand Forks, in the State of North Dakota. In error to the Supreme Court of the State of North Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 319. The United States, appellant, *v.* The North American Transportation & Trading Company; and

No. 320. The North American Transportation & Trading Company, appellant, *v.* The United States. Appeals from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 534. Leslie C. Stallings, appellant, *v.* Maurice Splain, United States marshal in and for the District of Columbia. Appeal from the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 728. Porto Rico Railway, Light & Power Company *v.* Adalberto Diaz Mor. On a certificate from the United States Circuit Court of Appeals for the First Circuit. Question certified answered in the negative. Opinion by Mr. Justice Brandeis.

No. 415. Philadelphia & Reading Railway Company, plaintiff in error an petitioner, *v.* Margaret L. Hancock. In error and on writ of certiorari to the Supreme Court of the State of Pennsylvania. Writ of error dismissed for want of jurisdiction. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke.

No. 128. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. In error to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs and cause remanded with instructions to take further action not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis, Mr. Justice Holmes, and Mr. Justice Clarke.

No. 203. Leo Weidhorn, petitioner, *v.* Benjamin A. Levy, trustee in bankruptcy of the estate of J. Herbert Weidhorn, bankrupt. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree of the Circuit Court of Appeals reversed with costs, and decree of the District Court of the United States for the District of Massachusetts affirmed with costs, and cause remanded to the said District Court. Opinion by Mr. Justice Pitney.

No. 243. The United States, appellant, *v.* The Omaha Tribe of Indians; and

No. 244. The Omaha Tribe of Indians, appellant, *v.* The United States. Appeals from the Court of Claims. Judgment as to the sum of \$4,560 awarded for horses killed by the Sioux Indians reversed, and in other respects affirmed. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 654. Walter Evans, plaintiff in error, *v.* J. Rogers Gore, deputy and acting collector, etc. In error to the District Court of the United States for the Western District of Kentucky. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis.

No. 566. The City of New York, appellant, *v.* The Consolidated Gas Company of New York. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree reversed at cost of the appellant; and cause remanded with directions to dismiss the appeal. Opinion by Mr. Justice Day.

No. 582. George S. Hawke, plaintiff in error, *v.* Harvey C. Smith, secretary of state of Ohio. In error to the Supreme Court of the State of Ohio. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 601. George S. Hawke, plaintiff in error, *v.* Harvey C. Smith, as secretary of state of Ohio. In error to the Supreme Court of the State of Ohio. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 811. E. A. Green et al., plaintiffs in error, *v.* Lynn J. Frazier, governor et al. In error to the Supreme Court of the State of North Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 508. John W. Scott et al., appellants, *v.* Lynn J. Frazier et al. Appeal from the District Court of the United States for the District of North Dakota. Decree reversed at costs of appellants and cause remanded with directions to dismiss the bill for want of jurisdiction. Opinion by Mr. Justice Day.

No. 42. Fort Smith & Western Railroad Company and Superior Savings & Trust Company, trustee, appellants, *v.* Arthur L. Mills,

receiver of the Fort Smith & Western Railroad Company, and J. Virgil Bourland, U. S. district attorney. Appeal from the District Court of the United States for the Western District of Arkansas. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Specially concurring: Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, and Mr. Justice McReynolds.

No. 291. The United States of America ex rel. Jennie Johnson et al., plaintiff in error, *v.* John Barton Payne, Secretary of the Interior. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 300. Fidelity Title & Trust Company, ancillary administrator, etc., petitioner, *v.* The Dubois Electric Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment of Circuit Court of Appeals reversed with costs, and judgment of District Court of the United States for the Western District of Pennsylvania affirmed with costs and interest and cause remanded to District Court. Opinion by Mr. Justice Holmes.

No. 304. John W. Le Crone, receiver of the Orinoco Company, William G. McAdoo, Secretary of Treasury. In error to the Court of Appeals of the District of Columbia. Writ of error dismissed for want of proper defendant in error to stand in judgment. Opinion by Mr. Justice Holmes.

No. 167. The United States of America, plaintiff in error, *v.* Thomas C. MacMillan and The Empire State Surety Company. In error to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice Pitney and Mr. Justice Clarke.

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

No. 570. John F. Donahue, appellant, *v.* Helen May Donahue, alias Helen May Huskey. Appeal from the District Court of the United States for the District of Nevada. Per curiam: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218; *Sugarman v. United States*, 249 U. S. 182, 184.

No. 708. J. D. Purcell et al., plaintiffs in error, *v.* The City of Lexington on relation of Thomas E. Coyne, back tax assessor. In error

to the Court of Appeals of the State of Kentucky. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *New Orleans Water Works v. Louisiana Sugar Co.*, 125 U. S. 18, 38, 39; *Central Land Co. v. Laidley*, 159 U. S. 103, 111; *Bacon v. Texas*, 163 U. S. 207, 216; *McCullough v. Virginia*, 172 U. S. 102, 116; *Hubert v. New Orleans*, 215 U. S. 170, 175; *Missouri & Kansas Interurban Ry. Co. v. Olathe*, 222 U. S. 632, 639; (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218; *Sugarman v. United States*, 249 U. S. 182, 184.

No. —. *John W. Davidge v. Leo Simmons*. Petition for a writ of error in this case to the Court of Appeals of the District of Columbia allowed upon petitioner giving bond in the sum of one thousand dollars.

No. 705. *Sarah Mary Wall*, administratrix, etc., plaintiff in error, *v. Chesapeake & Ohio Railway Company*. Motion for leave to omit certain parts of the transcript of record in this case in printing same granted without prejudice.

No. 765. *The Missouri Pacific Railway Company*, plaintiff in error, *v. McGrew Coal Company*. Considering the motion to vacate the supersedeas herein, It is ordered that the plaintiff in error, within twenty days from the date of this order, furnish an additional bond in the sum of \$20,000, to be approved by the clerk of this court, and in default of compliance with this order, the supersedeas hitherto granted to be vacated as prayed.

No. 24. *American Steel Foundries*, petitioner, *v. The Tri-City Central Trades Council et al.* Case restored to the docket for reargument.

No. 412. *John Barton Payne*, Secretary of the Interior, et al., appellants, *v. The State of New Mexico*; and

No. 742. *The State of Wyoming*, et al., appellants, *v. The United States of America*. Motion to advance for argument after case No. 34 on the docket for the present term granted.

No. 909. *The United States of America*, appellant, *v. Northern Pacific Railway Company*. Motion to advance for argument with case No. 35 on the docket for the present term granted.

No. 593. *Charles E. Smith*, appellant, *v. Kansas City Title & Trust Company et al.* Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 627. *The United States of America*, plaintiff in error, *v. Dimitrios Theophilatos et al.* Motion to advance granted, and

cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 707. United Mine Workers of America et al., plaintiffs in error, *v.* Coronado Coal Company et al. Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

Nos. 779 and 780. The United States, petitioner, *v.* National Surety Company. Motion to advance granted, and causes assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 791. The United States of America, plaintiff in error, *v.* James Butt, alias Wong Sing. Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 815. William E. Johnson, plaintiff in error, *v.* The State of Maryland. Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 855. John C. Heald et al., committee, etc., *v.* The District of Columbia. Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 906. The United States of America, plaintiff in error, *v.* L. Cohen Grocery Company. Motion to advance granted, and cause assigned for argument on Monday, October 11 next, after the cases heretofore assigned for that day.

No. 712. Western Union Telegraph Company, petitioner, *v.* Addie Speight. Ordered that this case be placed on the summary docket.

No. 931. Henry S. De Rees, appellant, *v.* David Costaguta et al., individually and as copartners, etc., et al. Ordered that this case be placed on the summary docket.

No. 862. Hannah T. Willson, plaintiff in error, *v.* Curtis C. McDonnell. Motion to dismiss denied.

No. 887. El Paso & Southwestern Railroad Company, plaintiff in error, *v.* Robert L. Lovick. Further consideration of the motion to dismiss or affirm in this case postponed to the hearing on the merits.

No. 871. Henry Albers, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 900. Philadelphia & Reading Railway Company, petitioner, *v.* Amy Smith. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania granted.



No. 916. Federal Trade Commission, petitioner, *v.* Beech-Nut Packing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 889. The Delaware, Lackawanna & Western Railroad Company, petitioner, *v.* Charles S. Candee, jr. Petition for a writ of certiorari to the Supreme Court of the State of New Jersey denied.

No. 839. G. W. Bouldin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 851. National Surety Company, petitioner, *v.* Leflore County, in the State of Mississippi. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 863. Samuel L. Sneierson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 872. H. M. Wheeler, petitioner, *v.* Charles P. Taft and H. W. Inscore. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 880. F. H. Orcutt & Son Company et al., petitioners, *v.* National Trust & Credit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 885. The Chesapeake Steamship Company, of Baltimore City, owner, etc., et al., petitioners, *v.* Frank Hand, master, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 891. Anthony Phillips, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 898. Hiram N. Stancil et al., petitioners, *v.* Frederick Leyland & Company, Limited, claimant, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 907. Arnold Jacob Uhl, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 914. Curacao Trading Company (Curacaosche Handel Mattschappij), petitioner, *v.* Carl Bjorge, master and claimant, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

ORDER. It is ordered that the cases heretofore placed on the summary docket, viz, Nos. 581, 712, and 931, be assigned for Monday, October 11 next, at the head of the call for that day.

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No. 22, Original. The State of Georgia, complainant, *v.* The State of South Carolina. Motion for an order of reference submitted by Mr. F. H. Dominick in behalf of counsel for the defendant.

No. 14. The United States, appellant, *v.* The Quaker Oats Company et al. Appeal from the District Court of the United States for the Northern District of Illinois. Dismissed, on motion of Mr. Assistant to the Attorney General Ames for the appellant.

No. 833. Western Union Telegraph Company, petitioner, *v.* S. B. Poston. Motion to advance submitted by Mr. C. B. Ames in behalf of counsel for the plaintiff in error.

No. 952. Harry B. Tedrow, as U. S. District Attorney for the District of Colorado, appellant, *v.* The A. T. Lewis & Son Dry Goods Company et al. Motion to advance submitted by Mr. Assistant to the Attorney General Ames for the appellant.

No. 968. R. E. Kennington et al., appellants, *v.* A. Mitchell Palmer et al. Motion to advance submitted by Mr. Assistant to the Attorney General Ames for the appellees.

No. 970. American Column & Lumber Company, appellant, *v.* The United States of America. Motion to advance submitted by Mr. Assistant to the Attorney General Ames for the appellee.

No. 734. The United States, appellant, *v.* L. P. & J. A. Smith. Motion to remand for additional findings submitted by Mr. Assistant to the Attorney General Ames for the appellant.

No. 411. Morris Zucker, plaintiff in error, *v.* The United States of America. Motion to vacate stay order submitted by Mr. Assistant to the Attorney General Ames in behalf of the plaintiff in error.

No. 836. H. Snowden Marshall, as receiver, etc., petitioner, *v.* The People of the State of New York. Motion to place on the summary docket submitted by Mr. C. B. Ames in behalf of counsel for the petitioner.

No. —, Original. Vogt Brothers Manufacturing Company, petitioner, *v.* Ellicott Machine Corporation. Petition for a writ of error herein submitted by Mr. Alex. G. Barrett and Mr. Helm Bruce for the petitioner.

No. 882. Angel Vargas, petitioner, *v.* F. M. Yaptico & Company. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Ernest Wilkinson for the petitioner.

No. —, Original. Ex parte In the matter of The Chicago, Rock Island & Pacific Railway Company, petitioner. Motion for leave to

file petition for a writ of prohibition or a writ of mandamus submitted by Mr. Lawrence Maxwell, Mr. William L. Day, and Mr. Joseph S. Graydon for the petitioner.

No. 938. Southern Pacific Railroad Company, appellant, *v.* Franklin K. Lane, Secretary of the Interior, et al. Substitution of John Barton Payne, present Secretary of the Interior, in the place of Franklin K. Lane, former Secretary of the Interior, as a party appellee, ordered on motion of Mr. A. A. Hoehling in that behalf.

No. 886. Charles D. Newton, attorney general of the State of New York et al., appellants, *v.* The Brooklyn Union Gas Company. Motion to advance submitted by Mr. Ely Neumann for the appellants.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion of Micajah M. Brooks, individually and as trustee, to modify order appointing receiver, submitted by Mr. Reese D. Alsop in support of the motion. Exceptions and response of Micajah M. Brooks, individually etc., filed, on motion of Mr. Reese D. Alsop in support of the motion.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion and petition for leave to intervene by The Double Triangle Petroleum Development Association and ninety-three others, submitted by Mr. H. S. Barger in behalf of Messrs. James H. Wilkerson and Edwin H. Cassels for the petitioners.

No. 489. Silver King Coalition Mines Company, petitioner, *v.* Conkling Mining Company. Motion to vacate order allowing writ of certiorari submitted by Mr. E. B. Critchlow, Mr. W. D. McHugh, Mr. W. W. Ray, and Mr. William H. King for the respondent in support of the motion, and by Mr. W. H. Dickson, Mr. A. C. Ellis, jr., Mr. Curtis H. Lindley, Mr. R. G. Lucas, and Mr. Thomas Marioneaux for the petitioner in opposition thereto, and by Mr. Solicitor General King for the United States, with leave to the moving party to file additional papers.

No. 3. The United States of America, appellant, *v.* Reading Company et al.; and

No. 4. Reading Company et al., appellants, *v.* The United States of America. Motion to modify decree submitted by Mr. William Clarke Mason for Reading Company et al.

No. 3. The United States of America, appellant, *v.* Reading Company et al.; and

No. 4. Reading Company et al., appellants, *v.* The United States of America. Motion to modify decree submitted by Mr. Charles E. Miller and Mr. Robert W. De Forest for the Central Railroad Company of New Jersey and The Lehigh and Wilkes-Barre Coal Company.

No. 298. Union Pacific Railroad Company et al., plaintiffs in error, *v.* W. H. Jenkins et al. Motion to set aside the order of dismissal submitted by Mr. William E. Flynn for the plaintiffs in error in support of the motion, and by Mr. J. G. Beeler for the defendants in error in opposition thereto.

No. 970. American Column and Lumber Company, appellant, *v.* The United States of America. Motion for a stay herein submitted by Mr. G. Carroll Todd for the appellant in support of the motion, with leave to Mr. Assistant to the Attorney General Ames to file response within three days.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to file response to exceptions and objections of The United States, on motion of Mr. A. H. Carrigan in that behalf.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to file exceptions and response of Mellis Consolidated Placer Royal Mining Co. to receiver's report herein, on motion of Mr. J. I. Howard in that behalf.

No. 946. Mary L. Greer Conklin, appellant, *v.* The Augusta Chronicle Publishing Company. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of the appellant. Petition for a writ of certiorari herein submitted by Mr. Frederick S. Tyler in behalf of the appellant.

No. 940. John White, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederick S. Tyler for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 7, Original. The State of Arkansas, complainant, *v.* The State of Mississippi. Motion to suspend further proceedings submitted by Mr. Frederick S. Tyler in behalf of Mr. Frank Robertson, Mr. Gerald Fitz Gerald, Mr. George F. Maynard, Mr. Marcellus Green, and Mr. Garner W. Green for the defendant in support of the motion, and by Mr. John D. Arbuckle and Mr. Herbert Pope for the complainant in opposition thereto. Leave granted to file opposition to motion to suspend proceedings, on motion of Mr. K. D. Loos in behalf of counsel for the complainant.

No. 971. Pete Morgan, petitioner, *v.* The State of Louisiana. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. R. E. Milling for the petitioner.

No. 810. Lincoln Gas & Electric Light Company, appellant, *v.* The City of Lincoln et al. Motion to dismiss submitted by Mr. C. Petrus

Peterson for the appellees in support of the motion, and by Mr. Charles A. Frueauff and Mr. Robert Burns for the appellant in opposition thereto.

No. 854. R. L. Mayfield, petitioner, *v.* The State of Tennessee ex rel. F. M. Gerard. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. James A. Cobb for the petitioner.

No. 874. Fred B. Sullivan, petitioner, *v.* P. Sanford Ross, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Henry J. Bigham for the petitioner, and by Mr. A. Leo Everett for the respondent.

No. 884. Harmon P. MacKnight, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Harmon P. MacKnight for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 893. Missouri Pacific Railroad Company, petitioner, *v.* R. L. Block. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Troy Pace for the petitioner.

No. 894. George W. Canfield et al., petitioners, *v.* Lusanna Brink. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. John Devereux, Mr. Bird McGuire, Mr. Charles W. Grimes, and Mr. William J. Hughes for the petitioners, and by Mr. D. A. McDougal and Mr. W. V. Pryor for the respondent.

No. 895. George W. Canfield et al., petitioners, *v.* Ira E. Cornelius et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. John Devereux, Mr. Bird McGuire, Mr. William J. Hughes, and Mr. Charles W. Grimes for the petitioners, and by Mr. Joseph C. Stone, Mr. George S. Ramsey, Mr. M. C. Rosser, Mr. Charles A. Moon, and Mr. Francis Stewart for the respondents.

No. 902. C. B. Schoberg, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Sherman T. McPherson for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 903. Henry Kruse, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Sherman T.

McPherson for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 904. Henry Feltman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Sherman T. McPherson for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 905. Peter Wimmer, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederick M. Schmidt for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 908. The Fidelity & Casualty Company of New York, petitioner, *v.* Wallace L. Schambs, Trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. J. Wilmer Latimer for the petitioner, and by Mr. Newton D. Baker for the respondent.

Nos. 912 and 913. Joseph Bivens, Sr., petitioner, *v.* United Timber Corporation. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Hugh H. Obear, Mr. Julian Mitchell, and Mr. Chas. A. Douglas for the petitioner, and by Mr. Legare Walker for the respondent.

No. 919. Orville Anderson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Joe Kirby for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 925. Day Ammerman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Robert S. Morrison for the petitioner.

No. 926. Eugene Sol Louie, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Robert Early McFarland for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 928. Commercial Credit Company, petitioner, *v.* Sponge Exchange Bank of Tarpon Springs. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. M. B. Macfarland, Mr. N. B. K. Pettingill, and Mr. Leo Oppenheimer for the petitioner, and by Mr. James F. Glen for the respondent.

No. 932. John Simmons Company, petitioner, *v.* The Grier Brothers Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James Q. Rice for the petitioner, and by Mr. Clarence P. Byrnes, Mr. George H. Parmalee, and Mr. George E. Stebbins for the respondent.

No. 942. Aetna Life Insurance Company, petitioner, *v.* Walter N. Brand. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William H. Foster for the petitioner, and by Mr. Louis L. Waters for the respondent.

No. 945. W. B. Treadwell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Harry K. Wolcott for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 947. George E. Vandenburg, petitioner, *v.* Electric Welding Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Carlos P. Griffin for the petitioner.

No. 949. G. Sandaa, Master and Claimant, etc., et al., petitioners, *v.* The United States of America et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Henry H. Little for the petitioners.

No. 957. Peck, Stow & Wilcox Company, petitioner, *v.* The H. D. Smith & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick P. Fish for the petitioner, and by Mr. Archibald Cox for the respondent.

No. 959. Thomas Pennacchio, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John B. Golden for the petitioner.

No. 960. St. Paul Fire & Marine Insurance Company, petitioner, *v.* Hagemeyer Trading Company, and

No. 961. St. Paul Fire & Marine Insurance Company, petitioner, *v.* Hugo A. Thomsen et al. Petition for a writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar and Mr. Oscar R. Houston for the petitioner, and by Mr. Van Vechten Veeder for the respondents.

No. 965. Roxford Knitting Company, petitioner, *v.* Moore & Tierney, Inc. Petition for a writ of certiorari to the United States Cir-

cuit Court of Appeals for the Second Circuit submitted by Mr. Walter S. Hilborn and Mr. David J. Gallert for the petitioner, and by Mr. Thomas O'Connor for the respondent.

No. 966. Roxford Knitting Company, petitioner, *v.* William Moore Knitting Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Walter S. Hilborn and David J. Gallert for the petitioner, and by Mr. Thomas O'Connor for the respondent.

Adjourned until Friday next at 12 o'clock, unless sooner called.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JUNE 4, 1920.

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

Dora Palkin, of Washington, D. C.; Edwin C. Wilcox, of Anthony, Kans.; Earl J. Davis, of Saginaw, Mich.; Farnham P. Griffiths, of San Francisco, Calif.; Darius E. Perkins, of Visalia, Calif.; Gib Calloway, of Comanche, Tex.; Lineas D. Underwood, of Washington, D. C.; and George Randolph Rubin, of New York City, were admitted to practice.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Supplemental report of the receiver submitted by Mr. John S. Flannery, of counsel for the receiver.

Adjourned until Monday next at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 7, 1920.

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

Frank M. White, of St. Louis, Mo.; Walter M. Krimbill, of Chicago, Ill.; Charles S. Miller, of New Orleans, La.; August A. Rendigs, jr., of Cincinnati, Ohio; George K. Brasher, of Kansas City, Mo.; James M. Sheridan, of Washington, D. C.; Clarence F. Lea, of Santa Rosa, Calif.; William W. Moss, of Providence, R. I.; A. H. Dagnall, of Anderson, S. C.; Frederic H. Cowden, of New York City; Stanley W. Root, of Philadelphia, Pa.; James C. Fox, of Portland, Me.; Harry J. Smith, of Spring City, Pa.; Benjamin William Shipman, of Los Angeles, Calif.; Joseph Knox Fornance, of Norristown, Pa.; Clinton Robb, of Washington, D. C.; Elisha Powell Norman, of Rayville, La.; James Wilson Bailey, of Cold Spring, N. Y.; Beverly Mercer Hartman, of Washington, D. C.; William J. Wessler, of Washington, D. C.; Frank J. Murphy, of San Francisco, Calif.; Francis M. Shumaker, of Galion, Ohio; and A. Roscoe Brindley, of Gadsden, Ala., were admitted to practice.

No. 260. George C. Beidler, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 313. Kwock Jan Fat, petitioner, *v.* Edward White, as commissioner of immigration at the port of San Francisco. 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 District Court of the United States for the Northern District of California with directions to issue the writ of *habeas corpus* and for trial of the merits. Opinion by Mr. Justice Clarke.

No. 492. Federal Trade Commission, petitioner, *v.* Anderson Gratz and Benjamin Gratz, copartners doing business under the firm name and style of Warren, Jones & Gratz, et al. On writ of cer-

tiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs. Opinion by Mr. Justice McReynolds. Concurring, Mr. Justice Pitney. Dissenting, Mr. Justice Brandeis and Mr. Justice Clarke.

No. 119. Joseph E. Nadeau, Martha Nadeau, his wife, et al., plaintiffs in error, *v.* Union Pacific Railroad Company. In error to the District Court of the United States for the District of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds. Dissenting, Mr. Justice Clarke. (Mr. Justice Holmes, Mr. Justice Pitney, and Mr. Justice Brandeis took no part in the consideration or decision of this case).

No. 165. F. S. Royster Guano Company, plaintiff in error, *v.* The Commonwealth of Virginia. In error to the Supreme Court of Appeals of the State of Virginia. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney. Dissenting, Mr. Justice Brandeis and Mr. Justice Holmes.

No. 29, Original. State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General et al.

No. 30, Original. The State of New Jersey, complainant, *v.* A. Mitchell Palmer, Attorney General et al.

No. 696. George C. Dempsey, appellant, *v.* Thomas J. Boynton, as United States Attorney, et al. Appeal from the District Court of the United States for the District of Massachusetts.

No. 752. Kentucky Distilleries & Warehouse Company, appellant, *v.* W. V. Gregory, as United States Attorney, et al. Appeal from the District Court of the United States for the Western District of Kentucky.

No. 788. Christian Feigenspan, a corporation, appellant, *v.* Joseph L. Bodine, as United States Attorney, et al. Appeal from the District Court of the United States for the District of New Jersey.

No. 794. Hiram A. Sawyer, as United States Attorney, et al., appellants, *v.* Manitowoc Products Company. Appeal from the District Court of the United States for the Eastern District of Wisconsin; and

No. 837. St. Louis Brewing Association, appellant, *v.* George H. Moore, collector, et al. Appeal from the District Court of the United States for the Eastern District of Missouri. In Nos. 29 and 30, Original, the bills are dismissed. In No. 794 the decree is reversed with costs. In Nos. 696, 752, 788, and 837 the decrees are affirmed with costs. Announced by Mr. Justice Van Devanter. Concurring opinions by Mr. Chief Justice White and Mr. Justice McReynolds. Dissenting opinion by Mr. Justice McKenna. Separate opinion by Mr. Justice Clarke.

The Chief Justice announced the following orders of the court:

No. 810. Lincoln Gas & Electric Light Company, appellant, v. The City of Lincoln et al. Appeal from the District Court of the United States for the District of Nebraska. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Heike v. United States* (217 U. S. 423, 429); *United States v. Beatty* (232 U. S. 463, 466); *Rexford v. Brunswick-Balke Collander Co.* (228 U. S. 339, 346); and see *Eichel v. U. S. Fidelity & Guaranty Co.* (239 U. S. 629).

No. 27, Original. The State of Oklahoma, complainant, v. The State of Texas. Order of instructions to the receiver entered.

No. —, Original. Ex parte in the matter of the Chicago, Rock Island & Pacific Railway Company, petitioner. Motion for leave to file petition for a writ of prohibition or mandamus granted, and a rule to show cause awarded returnable Monday, October 4 next.

No. 7, Original. The State of Arkansas, complainant, v. The State of Mississippi. Motion to stay further proceedings in this cause denied.

No. 22, Original. The State of Georgia, complainant, v. The State of South Carolina. Motion for the appointment of a special master to take such testimony as may be necessary and to receive in evidence such exhibits as may be offered by the parties hereto, granted, and, on the suggestion of counsel for both parties, Mr. Charles S. Douglas, of Washington, D. C., appointed as such special master and directed to report the testimony and exhibits to the court without conclusions of law or findings of fact.

No. 3. The United States of America, appellant, v. Reading Company et al.; and

No. 4. Reading Company et al., appellants, v. The United States of America. Motions to modify the decree in these cases denied.

No. 411. Morris Zucker, plaintiff in error, v. The United States of America. Motion to vacate the stay order in this cause granted.

No. 298. Union Pacific Railroad Company et al., plaintiffs in error, v. W. H. Jenkins et al. Motion to vacate the judgment of dismissal and restore this cause to the docket denied.

No. 970. American Column & Lumber Company et al., appellants, v. The United States of America. Motion for an order staying or superseding during the pendency of this appeal of a part of the final decree of the district court herein denied.

No. 734. The United States, appellant, v. L. P. & J. A. Smith. Motion to remand this cause to the Court of Claims for additional findings granted.

No. 489. Silver King Coalition Mines Company, petitioner, v. Conkling Mining Company. Motion to vacate the order allowing a writ of certiorari in this case denied.

No. 836. H. Snowden Marshall, as receiver of All Package Grocery Stores Company, petitioner, *v.* The People of the State of New York; and

No. 946. Mary L. Greer Conklin, appellant, *v.* The Augusta Chronicle Publishing Company.

Ordered that these cases be placed on the summary docket and assigned for argument at the head of the call for Monday, October 11, next.

No. 221. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Ordered that the mandate in this case be stayed for 30 days.

No. 886. Charles D. Newton, attorney general of the State of New York, et al., appellants, *v.* The Brooklyn Union Gas Company;

No. 833. Western Union Telegraph Company, petitioner, *v.* S. B. Poston;

No. 952. Harry B. Tedrow, as United States district attorney for the District of Colorado, appellant, *v.* The A. T. Lewis & Son Dry Goods Company et al.;

No. 968. R. E. Kennington et al., appellants, *v.* A. Mitchell Palmer et al.; and

No. 970. American Column and Lumber Company, appellant, *v.* The United States of America.

Motions to advance these cases granted, and the cases assigned for argument on Monday, October 11, next, after the cases heretofore assigned for that day.

No. 926. Eugene Sol Louie, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 932. John Simmons Company, petitioner, *v.* The Grier Brothers Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 730. Boston West Africa Trading Company, petitioner, *v.* Quaker City Morocco Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 854. R. L. Mayfield, petitioner, *v.* The State of Tennessee ex rel. F. M. Gerard. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 874. Fred B. Sullivan, petitioner, *v.* P. Sanford Ross, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 882. Angel Vargas, petitioner, *v.* F. M. Yaptico & Company. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 884. Harmon P. MacKnight, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 893. Missouri Pacific Railroad Company, petitioner, *v.* R. L. Block. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 894. George W. Canfield et al., petitioners, *v.* Lusanna Brink. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 895. George W. Canfield et al., petitioners, *v.* Ira E. Cornelius et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 902. C. B. Schoberg, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 903. Henry Kruse, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 904. Henry Feltman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 905. Peter Wimmer, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 908. The Fidelity & Casualty Company of New York, petitioner, *v.* Wallace L. Schambs, trustee in bankruptcy for the estate of Hudson D. Fowler. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 912. Joseph Bivens, sr., petitioner, *v.* United Timber Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 913. Joseph Bivens, sr., petitioner, *v.* United Timber Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 919. Orville Anderson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 925. Day Ammerman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 928. Commercial Credit Company, petitioner, *v.* Sponge Exchange Bank, of Tarpon Springs. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 940. John White, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 942. Aetna Life Insurance Company, petitioner, *v.* Walter N. Brand. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 945. W. B. Tredwell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 946. Mary L. Greer Conklin, appellant, *v.* The Augusta Chronicle Publishing Company. Petition for a writ of certiorari herein denied.

No. 947. George E. Vandenburg, petitioner, *v.* Electric Welding Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 949. G. Sandaa, Master and Claimant, etc., et al., petitioners, *v.* The United States of America et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 957. Peck, Stow & Wilcox Company, petitioner, *v.* The H. D. Smith & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 959. Thomas Pennacchio, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 960. St. Paul Fire & Marine Insurance Company, petitioner, *v.* Hagemeyer Trading Company; and

No. 961. St. Paul Fire & Marine Insurance Company, petitioner, *v.* Hugo A. Thomsen et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 965. Roxford Knitting Company, petitioner, *v.* Moore & Tierney (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 966. Roxford Knitting Company, petitioner, *v.* William Moore Knitting Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 971. Pete Morgan, petitioner, *v.* The State of Louisiana. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion to set case down for hearing on certain points submitted by Mr. Solicitor General King for The United States; with leave to The State of Texas to suggest additional questions, on motion of Mr. W. A. Keeling in that behalf.

No. 320. The North American Transportation & Trading Company, appellant, *v.* The United States. Leave granted to present a petition for rehearing within 60 days, on motion of Mr. Bert E. Barlow for the appellant.

No. 696. George C. Dempsey, appellant, *v.* Thomas J. Boynton, United Attorney for Massachusetts, et al. Leave granted to present a petition for rehearing within 60 days, on motion of Mr. Levi Cooke for the appellant.

No. 788. Christian Feigenspan, a corporation, appellant, *v.* Joseph L. Bodine, United States Attorney for the District of New Jersey, et al.; and

No. 794. Hiram A. Sawyer, as United States Attorney for the Eastern District of Wisconsin, et al., appellants, *v.* Manitowoc Products Company. Leave granted to present a petition for rehearing within 60 days, on motion of Mr. Robert Crane for the appellant in No. 788 and the appellee in No. 794.

No. 29, Original. State of Rhode Island, complainant, *v.* A. Mitchell Palmer, Attorney General, et al.;

No. 30, Original. The State of New Jersey, complainant, *v.* A. Mitchell Palmer, Attorney General, et al.;

No. 752. Kentucky Distilleries & Warehouse Company, appellant, *v.* W. V. Gregory, district attorney for the United States for the Western District of Kentucky, et al.; and

No. 837. St. Louis Brewing Association, appellant, *v.* George H. Moore, collector of internal revenue, et al. Leave granted to present petitions for rehearing within 60 days, on motion of Mr. Levi Cooke in that behalf.

No. 294. C. C. Calhoun, petitioner, *v.* Bland Massie; and

No. 85. Sue Erskine Newman, administratrix, etc., et al., appellants, *v.* Ida M. Moyers et al. Leave granted to present petition for rehearing within 30 days, on motion of Mr. Charles F. Consaul for the petitioner in No. 294 and the appellees in No. 85.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file intervening petition on behalf of Judsonia Developing Association and the Burke Divide Oil Company Nos. 2 and 3 submitted by Mr. Jesse B. Roote in that



behalf. Motion for leave to file intervening petition on behalf of Mellish Consolidated Placer Oil Mining Association submitted by Mr. J. I. Howard in that behalf.

After a recess, the Chief Justice announced the following orders of the court:

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to file intervening petitions on behalf of Judsonia Developing Association, the Burke Divide Oil Company Nos. 2 and 3, and Mellish Consolidated Placer Oil Mining Association; and similar leave is granted to any and all other parties claiming any title to or interest in the lands in the possession of the receiver herein by virtue of the orders of April 1, 1920, and June 7, 1920.

No. 27, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Ordered that this cause be set down for hearing on the 15th day of November, 1920, upon certain questions, and that the parties be permitted to take and present testimony, and Ernest Knaebel, Esq., of the District of Columbia, appointed commissioner to take said evidence and report the same to the court without findings or conclusions.

*Order,* It is now here ordered by the court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued to the next term.

Adjourned to the time and place appointed by law.