

SUPREME COURT OF THE UNITED STATES.

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

Claude Duty, of Rogers, Ark.; Adelbert H. Sweet, of San Diego, Calif.; Henry E. Bolt, of Wichita Falls, Tex.; Foster Wood, of Washington, D. C.; Conder C. Henry, of Washington, D. C.; Joseph D. Hern, of Pittsburgh, Pa.; Charles Whitney Babcock, of Milwaukee, Wis.; Louis J. Cohen, of Newark, N. J.; W. Randolph Montgomery, of New York City; John M. Niven, of Milwaukee, Wis.; Percy H. Stewart, of New York City; Clyde C. Souders, of Wichita, Kans.; Louis W. Bennett, of Berkeley, Calif.; Perry Post Taylor, of St. Louis, Mo.; William C. Todd, of Cristobal, Canal Zone; Walter A. Wade, of Chicago, Ill.; J. Henry Doyle, of Greenfield, Ill.; Albert M. Cristy, of Honolulu, Hawaii; Karl F. Griffith, of Dallas, Tex.; E. Irving Smith, of Boston, Mass.; Stokes V. Robertson, of Jackson, Miss.; Elmer H. Groefsema, of Detroit, Mich.; Arthur W. Kilpatrick, of Detroit, Mich.; Andrew B. Dougherty, of Lansing, Mich.; William T. Sabine, jr., of Washington, D. C.; Clayton D. Potter, of Jackson, Miss.; Alvah L. Sawyer, of Menominee, Mich.; Daniel Coleman, of Norfolk, Va.; Louis Cohane, of Detroit, Mich.; and Stephen E. Hurley, of Chicago, Ill., were admitted to practice.

The Chief Justice announced that after entertaining motions for admission to the bar, and all other motions noticed for to-day, the court would adjourn in order that the members of the court might pay their respects to the President of the United States. The court will commence the call of the docket to-morrow, pursuant to the twenty-sixth rule.

No. 22, original. The United States of America, complainant, *v.* The State of Minnesota; and

No. 24, original. The United States of America, complainant, *v.* The State of Minnesota. Leave granted defendant to file answer

herein on or before October 29, on motion of Mr. Solicitor General Beck in behalf of counsel for the defendant.

No. 2. Hillsboro Coal Company et al., appellants, *v.* Edward C. Knotts, United States District Attorney, etc. Appeal from the District Court of the United States for the Southern District of Illinois. Dismissed, without costs to either party, per stipulation, on motion of Mr. Solicitor General Beck in that behalf.

No. 3. Herman C. Perry et al., appellants, *v.* Edward C. Knotts, United States District Attorney, etc. Appeal from the District Court of the United States for the Southern District of Illinois. Dismissed, without costs to either party, per stipulation, on motion of Mr. Solicitor General Beck in that behalf.

No. 42. Corona Coal Company, appellant, *v.* The United States. Motion to dismiss submitted by Mr. Solicitor General Beck for the appellee in support of the motion, and by Mr. Forney Johnston for the appellant in opposition thereto.

No. 46. Title Guaranty & Trust Company et al., Executors, etc., plaintiffs in error, *v.* William H. Edwards, Collector, etc. Motion to dismiss or affirm submitted by Mr. Solicitor General Beck and Mr. Alfred A. Wheat for the defendant in error in support of the motion, and by Mr. James F. Brady for the plaintiffs in error in opposition thereto.

No. 76. Savage Arms Corporation, appellant, *v.* The United States. Passed, on motion of Mr. Solicitor General Beck for the appellee.

No. 140. Joe Wyman, plaintiff in error, *v.* The United States of America. Advanced, to be consolidated with No. 45, as one case, on motion of Mr. Solicitor General Beck for the defendant in error.

No. 250. Federal Trade Commission et al., appellants, *v.* Claire Furnace Company et al. Motion to advance submitted by Mr. Solicitor General Beck for the appellants.

No. 496. Jack Mays, petitioner, *v.* The United States of America. Leave granted counsel for the respondent to file brief in opposition to petition for a writ of certiorari herein on or before October 8, on motion of Mr. Solicitor General Beck for the respondent.

No. 549. Standard Oil Company of New Jersey, as Owner, etc., petitioner, *v.* The United States of America. Leave granted counsel for the respondent to file brief in opposition to petition for a writ of certiorari herein on or before October 22, on motion of Mr. Solicitor General Beck for the respondent.

No. 567. Algional H. Rae, Claimant, etc., petitioner, *v.* The United States of America;

No. 568. Charles Eugene Albury, Claimant, etc., petitioner, *v.* The United States of America; and

No. 569. Charles Eugene Albury, Claimant, etc., petitioner, *v.* The United States of America. Leave granted counsel for the respondent to file brief in opposition to petitions for writs of certiorari herein on or before October 8, on motion of Mr. Solicitor General Beck for the respondent.

No. 705, October term, 1921. Justus S. Wardell, as Collector of Internal Revenue for the First District of California, petitioner, *v.* James A. Blum et al., Executors, etc. Leave granted to submit memorandum on motion to revoke denial of petition for writ of certiorari on or before October 15, on motion of Mr. Solicitor General Beck for the petitioner.

No. 357. The United States of America, petitioner, *v.* Edward H. Childs, Trustee in Bankruptcy of J. Menist Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. Moses Cohen for the respondent.

No. 392. Robert E. Tod, Commissioner of Immigration, petitioner, *v.* Szejua Waldman et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck, Mr. Assistant Attorney General Crim, and Mr. Harry S. Ridgely for the petitioners.

No. 415. The United States of America, petitioner, *v.* James J. Johnston. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the petitioner, and by Mr. Thomas C. Bradley for the respondent.

No. 455. Charles V. Duffy, Collector, etc., petitioner, *v.* The Central Railroad Company of New Jersey. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the petitioner, and by Mr. Charles E. Miller for the respondent.

No. 535. American Chain Company, petitioner, *v.* Interstate Iron & Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James M. Beck and Mr. Victor Elting for the petitioner, and by Mr. Jacob Newman and Mr. Edward R. Johnston for the respondent.

No. 546. William R. Rodman, United States Marshal, petitioner, *v.* Roland R. Pothier. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by

Mr. Solicitor General Beck for the petitioner, and by Mr. Davis G. Arnold for the respondent.

No. 512. Edmund L. Ebert et al., petitioners, *v.* Harry P. Poston. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. P. J. M. Hally for the petitioners, and by Mr. Louis Cohane for the respondent.

No. 369. Panama Railroad Company, plaintiff in error, *v.* Andrew Johnson. Motion to advance submitted by Mr. Wade H. Ellis in that behalf.

No. 532. Edgar S. Appleby et al., plaintiffs in error, *v.* The City of New York et al. Petition for a writ of certiorari herein submitted by Mr. John A. Kratz in behalf of Mr. Charles Henry Butler and Mr. Banton Moore for the plaintiffs in error in support of the petition, and by Mr. George P. Nicholson, Mr. Charles J. Nehrbas, and Mr. William C. Cannon for the defendant in error in opposition thereto; with leave to counsel for the plaintiff in error to file the record hereafter.

No. 533. Edgar S. Appleby et al., plaintiffs in error, *v.* John T. Delaney, as Commissioner of Docks of the City of New York. Petition for a writ of certiorari herein submitted by Mr. John A. Kratz in behalf of Mr. Charles Henry Butler and Mr. Banton Moore for the plaintiff in error in support of the petition, and by Mr. George P. Nicholson and Mr. Charles J. Nehrbas for the defendant in error in opposition thereto; with leave to counsel for the plaintiff in error to file record hereafter.

No. 367. Brooks-Scanlon Corporation, appellant, *v.* The United States. Motion to advance submitted by Mr. Jackson H. Ralston for the appellant.

No. 427. United Shoe Machinery Corporation, petitioner, *v.* Lorenz Muther. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. A. M. Holcomb in behalf of Mr. Charles F. Choate, jr., and Mr. Lucius E. Varney for the petitioner, and by Mr. Edward F. McClennen for the respondent; with leave to Mr. Solicitor General Beck to file suggestions herein in behalf of the United States on or before Friday next.

No. 438. Bestwall Manufacturing Company, petitioner, *v.* United States Gypsum Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. A. M. Holcomb in behalf of Mr. Laurence A. Janney for the petitioner, and by Mr. W. Clyde Jones for the respondent.

No. 543. Frank Trueba, 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

Ash for the petitioner, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Crim for the respondent.

No. 504. Continental & Commercial Trust & Savings Bank, plaintiff in error, *v.* Wilhelmina Werner et al. Petition for a writ of certiorari herein submitted by Mr. Robert Ash in behalf of Mr. Oliver O. Haga for the plaintiff in error in support of the petition; with leave to counsel for the plaintiff in error to file record hereafter.

No. 554. Cowokochee, plaintiff in error, *v.* James A. Chapman et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Robert Ash in behalf of Mr. Lewis C. Lawson for the plaintiff in error in support of the petition; with leave to counsel for the plaintiff in error to file record hereafter.

No. —, original. Empire Machinery & Supply Corporation et al., petitioners. Motion for leave to file petition for a writ of mandamus and/or a writ of prohibition and/or a writ of certiorari, submitted by Mr. Jacob Louis Morewitz for the petitioners.

No. 435. Continental Insurance Company et al., petitioners, *v.* Minneapolis, St. Paul & Sault Ste. Marie Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Nathan H. Chase, Mr. M. H. Boutelle, and Mr. Lamar Hill for the petitioners, and by Mr. Henry S. Mitchell for the respondent.

No. —, original. The United States, petitioner, *v.* Edwin L. Garvin, United States District Judge of the United States District Court for the Eastern District of New York. Motion for leave to intervene herein submitted by Mr. Harvey C. McClintock in behalf of the Shooter's Island Shipyards Corporation.

No. 270. Charles Boettcher et al., Receivers of the Denver & Salt Lake Railroad Company, plaintiffs in error, *v.* The Public Utilities Commission of the State of Colorado et al. Motion to dismiss submitted by Mr. Charles H. Bradley and Mr. Tison S. Dines for the defendants in error in support of the motion, and by Mr. Milton Smith, Mr. Charles R. Brock and Mr. Elmer L. Brock for the plaintiff in error in opposition thereto.

No. 534. Walter Davis, petitioner, *v.* John Barton Payne, Agent, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oregon submitted by Mr. William R. King in behalf of Mr. William M. Cake for the petitioner, with leave to file record when printed.

No. 18. Commonwealth Trust Company of Pittsburgh, appellant, *v.* Max Smith et al. Passed, per stipulation, on motion of Mr. William R. King in that behalf.

No. 19. Twin Falls Salmon River Land & Water Company et al., appellants, *v.* A. E. Caldwell et al. Passed, per stipulation, on motion of Mr. William R. King in that behalf.

No. 14. Gorham Manufacturing Company, appellant, *v.* State Tax Commission of the State of New York et al. Passed, per stipulation, on motion of Mr. W. W. Bride in that behalf.

No. 24. Bass, Ratcliff & Gretton (Limited), plaintiff in error, *v.* The State Tax Commission. Passed, per stipulation, on motion of Mr. W. W. Bride in that behalf.

No. 398. The United States of America ex rel. St. Louis Southwestern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission et al. Petition for a writ of certiorari herein submitted by Mr. W. W. Bride in behalf of Mr. J. R. Turney and Mr. Charles D. Drayton for the plaintiff in error in support of the petition.

No. 448. Clara F. Chapin, Executrix, etc., petitioner, *v.* Bartholomew A. Brickley, Trustee, etc.; and

No. 449. Clara F. Chapin, Executrix, etc., petitioner (In the matter of Codman, Fletcher & Company, Bankrupts). Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. E. Irving Smith in behalf of Mr. Hollis R. Bailey for the petitioner, and by Mr. Mark M. Horblit and Mr. Jacob Wasserman for the respondent.

No. 248. The Illinois Central Railroad Company, appellant, *v.* The United States. Motion to advance submitted by Mr. Benjamin Carter for the appellant.

No. 555. Walter Carr, appellant, *v.* A. Alexsen, Master, etc., et al. Motion to advance submitted by Mr. Harry K. Wolcott for the appellant.

No. —, original. R. Lee Makely, Trading as Makely Motor Company, plaintiff, *v.* Victor P. Gauthey et al. Motion for leave to file original action in assumpsit herein, dismissed, without prejudice, on motion of Mr. Lloyd T. Everett for the plaintiff.

No. 451. Ziang Sung Wan, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John S. Flannery in behalf of Mr. James A. O'Shea, Mr. Charles Fahy, Mr. Frederic D. McKenney, and Mr. William C. Dennis for the petitioner.

No. 417. New England Oil Corporation, petitioner, *v.* Island Oil Marketing Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Harry Covington and Mr. Thomas B. Gay for the petitioner, and by Mr. Frank J. Hogan, Mr. Frederick T. Kelsey, and Mr. George Bryan for the respondent.

No. 32. William R. Warner & Company, petitioner, *v.* Eli Lilly & Company. Passed, per stipulation, on motion of Mr. R. A. Ford in that behalf.

No. 452. Guillermo Severino, petitioner, *v.* Fabiola Severino et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Quintin Paredes and Mr. Felipe Buencamino, jr., for the petitioner, and by Mr. F. C. Fisher for the respondents.

No. 570. W. F. Gravins, petitioner, *v.* Walker D. Hines, Director General, etc. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. Joseph Cox in behalf of Mr. Robert H. Talley for the petitioner, and by Mr. David H. Leake and Mr. Walter Leake for the respondent.

No. 481. The Union Central Life Insurance Company, petitioner, *v.* Isaac M. Roden et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Robert Ramsey for the petitioner.

No. 366. The State of Washington, plaintiff in error, *v.* W. C. Dawson & Company. Motion to advance submitted by Mr. Blaine Mallan in that behalf.

No. 442. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 443. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 444. Adelaide H. C. Frick et al., etc., plaintiffs in error, *v.* Commonwealth of Pennsylvania; and

No. 445. Adelaide H. C. Frick et al., etc., plaintiffs in error, *v.* Commonwealth of Pennsylvania. Motion to advance submitted by Mr. David A. Reed in that behalf.

No. —, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion for leave to file bill of complaint herein submitted by Mr. Alvah L. Sawyer and Mr. Andrew B. Dougherty for the complainant.

No. 202. Harriet C. Brittin, appellant, *v.* S. E. Juden, Presiding Justice, et al., etc. Motion to advance under the 32d rule submitted by Mr. Edward D. Hays in that behalf.

No. 202. Harriet C. Brittin, appellant, *v.* S. E. Juden, Presiding Justice, et al., etc. Motion to affirm submitted by Mr. Arthur L. Oliver for the appellees in support of the motion, and by Mr. Patrick H. Cullen and Mr. T. T. Fauntleroy for the appellant in opposition thereto.

No. 352. The People of the State of New York, petitioner, *v.* Louis Jersawit, as Trustee in Bankruptcy of Ajax Dress Company

(Inc.). Motion to advance submitted by Mr. Robert P. Beyer in that behalf.

No. —, original. Ex parte In the Matter of The State of New York et al., etc., petitioners. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus and/or a writ of certiorari herein submitted by Mr. Clarence C. Fowler for the petitioner.

No. 286. Aetna Insurance Company et al., plaintiffs in error, *v.* Stokes V. Robertson, State Revenue Agent of the State of Mississippi, etc. Petition for a writ of certiorari herein submitted by Mr William H. Watkins, Mr. R. L. McLaurin, Mr. William Thompson, Mr. Edward L. Blodgett, and Mr. Foye M. Murphy for the plaintiffs in error in support of the petition, and by Mr. Earl N. Floyd for the defendant in error in opposition thereto.

No. 347. James C. Davis, Director General of Railroads, as Agent, etc., petitioner, *v.* Standard Oil Company of Indiana. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Herbert E. Boynton for the petitioner, and by Mr. Reuben Hatch for the respondent.

No. 348. The Pennsylvania Railroad Company, petitioner, *v.* Nettie A. Crouse, Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Union C. DeFord for the petitioner.

No. 356. W. Meiskke-Smith et al., petitioners, *v.* Justus S. Wardell, United States Collector of Internal Revenue, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Allan P. Matthew and Mr. Edward J. McCutchen for the petitioners.

No. 360. The United States of America to the use and benefit of W. B. Young Supply Company, petitioner, *v.* Charles O. Stewart et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. I. N. Watson and Mr. Henry N. Ess for the petitioner.

No. 361. The Banco Mexicano de Comercio e Industria et al., appellants, *v.* Deutsche Bank, et al. Petition for a writ of certiorari herein submitted by Mr. Henry W. Taft for the appellant in support of the petition.

No. 362. Charles H. Addington, as Trustee in Bankruptcy of Marvel Oil Burner Company (Inc.), Bankrupt, petitioner, *v.* Forsyth Metal Goods Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. John A. Van Arsdale for the petitioner, and by Mr. Harold J. Adams for the respondent.

No. 363. Sumner Iron Works, petitioner, *v.* Todd Drydock & Construction Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. J. E. Horan for the petitioner, and by Mr. Solicitor General Beck, Mr. Chauncey G. Parker, and Mr. Henry M. Ward for the respondent.

No. 365. B. Fernandez & Bros., Successors, petitioner, *v.* Leonor Ayllan y Ojeda, in her own right and as Guardian ad litem, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Philip N. Jones, Mr. Frank Antonsanti, and Mr. Frederick S. Tyler for the petitioner.

No. 369. Panama Railroad Company, plaintiff in error, *v.* Andrew Johnson. Petition for a writ of certiorari herein submitted by Mr. Richard Reid Rogers for the plaintiff in error in support of the petition.

No. 371. James C. Davis, Agent, petitioner, *v.* Mrs. Mary Kennedy, Administratrix of the Estate of Dave Kennedy, deceased. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. Fitzgerald Hall and Mr. Frank Slemmons for the petitioner, and by Mr. F. M. Bass and Mr. W. E. Norvell, jr., for the respondent.

No. 373. Harry Glassman, petitioner, *v.* Robert C. Rand, Temporary Receiver of Herman Brenner and Jacob Brenner, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Dorothy Frooms for the petitioner, and by Mr. Archibald Palmer for the respondent.

No. 378. Ray E. Robinson 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. Benjamin Slade for the petitioners, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 379. James Cox Davis, as Agent designated by the President under and in pursuance of the Transportation Act of 1920, petitioner, *v.* Marion C. Slocomb, Administratrix of the Estate of Wilson M. Slocomb, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. F. G. Dorety and Mr. Edwin C. Matthias for the petitioner, and by Mr. Arthur E. Griffin for the respondent.

No. 380. Paul P. Glaser, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Frank P. Walsh and Mr. Paul P. Glaser, p. p., for the petitioner.

No. 382. Julius Conrad et al., petitioners, *v.* *The Mazatlan* and the Owner thereof, California & Mexico Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James Donovan for the petitioners, and by Mr. Edward J. McCutchen, Mr. Farnham P. Griffiths, and Mr. Robert M. Clarke for the respondent.

No. 387. Michael Heitler, 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. Weymouth Kirkland for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Crim and Mr. Harry S. Ridgely for the respondent.

No. 388. Nathaniel Perlman, 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. Weymouth Kirkland for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Crim, and Mr. Harry S. Ridgely for the respondent.

No. 389. Mandel Greenberg, 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. Weymouth Kirkland for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Crim, and Mr. Harry S. Ridgely for the respondent.

No. 390. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* Eva Chinn and Henry Chinn. Petition for a writ of certiorari to the Appellate Court of the State of Indiana submitted by Mr. O. W. Dynes and Mr. H. H. Field for the petitioner.

No. 395. J. L. Lancaster et al., Receivers, etc., petitioners, *v.* R. A. Sexton, Administrator of the Estate of William T. Dunn, deceased. Petition for a writ of certiorari to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas submitted by Mr. F. H. Prendergast for the petitioners, and by Mr. S. P. Jones for the respondent.

No. 401. Westinghouse Electric & Manufacturing Company, petitioner, *v.* The Formica Insulation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Drury W. Cooper and Mr. John C. Kerr for the petitioner, and by Mr. John H. Lee and Mr. J. Edgar Bull for the respondent.

No. 410. Ne-Gon-Ah-E-Quaince, or Mrs. C. C. Clark, Frank Beaulieu, et al., petitioners, *v.* Otto H. Horn. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted

by Mr. Webster Ballinger for the petitioners, and by Mr. John L. Erdall for the respondent.

No. 413. Buhl Independent School District No. 3, in Twin Falls County, Idaho, petitioner, *v.* Neighbors of Woodcraft. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Fremont Wood for the petitioner, and by Mr. James H. Richards and Mr. Oliver O. Haga for the respondent.

No. 414. American Mills Company, petitioner, *v.* George F. Hoffman et al., copartners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Henry Uttal for the petitioners, and by Mr. John B. Doyle for the respondents.

No. 416. Kathryn Sellers, Judge Juvenile Court, District of Columbia, petitioner, *v.* Willis Brown. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Lewis B. Perkins and Miss Kathryn Sellers, p. p., for the petitioner.

No. 422. Frank F. Pels Company (Inc.), petitioner, *v.* Saxony Spinning Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. J. Parker for the petitioner, and by Mr. John M. Robinson for the respondent.

No. 423. Baltimore & Ohio Railroad Company, petitioner, *v.* Freda Groeger, Administratrix of the Estate of John C. Groeger, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. S. H. Tolles for the petitioner, and by Mr. Frank M. Cobb for the respondent.

No. 431. Ethel V. Lanston, petitioner, *v.* Aubrey Lanston et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. T. M. Wampler for the petitioner.

No. 433. Jules Schnerb et al., petitioners, *v.* Holt Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William H. Page for the petitioners.

No. 436. S. M. Nixon 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. W. H. Witty and Mr. J. H. Petersen for the petitioners, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Crim for the respondent.

No. 437. August Pope et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. B. B. McGinnis and Mr. John C. Bane for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 439. Jacob Petry, petitioner, *v.* Commonwealth of Pennsylvania. Petition for a writ of certiorari to the Superior Court of the State of Pennsylvania submitted by Mr. Lowrie C. Barton for the petitioner.

No. 442. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania. Petition for a writ of certiorari herein submitted by Mr. George Wharton Pepper and Mr. George B. Gordon for the plaintiff in error in support of the petition.

No. 443. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania. Petition for a writ of certiorari herein submitted by Mr. George Wharton Pepper and Mr. George B. Gordon for the plaintiff in error in support of the petition.

No. 444. Adelaide H. C. Frick et al., plaintiffs in error, *v.* Commonwealth of Pennsylvania. Petition for a writ of certiorari herein submitted by Mr. George Wharton Pepper and Mr. George B. Gordon for the plaintiff in error in support of the petition.

No. 445. Adelaide H. C. Frick et al., plaintiffs in error, *v.* Commonwealth of Pennsylvania. Petition for a writ of certiorari herein submitted by Mr. George Wharton Pepper and Mr. George B. Gordon for the plaintiff in error in support of the petition.

No. 446. Merrimack National Bank, petitioner, *v.* Hollis R. Bailey et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Philip N. Jones for the petitioner.

No. 450. A. L. May, as Trustee in Bankruptcy, etc., petitioner, *v.* J. M. Henderson, jr., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Henry G. W. Dinkelspiel for the petitioner.

No. 462. R. L. Bennett & Sons, petitioner, *v.* Farmers Seed & Gin Company of Paris (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John M. Spellman for the petitioner, and by Mr. Tom L. Beauchamp for the respondent.

No. 465. International Radio Telegraph Company, petitioner, *v.* Atlantic Communication Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Cir-

cuit submitted by Mr. Frederick W. Winter and Mr. Drury W. Cooper for the petitioner, and by Mr. George C. Fraser for the respondent.

No. 466. International Radio Telegraph Company, petitioner, *v.* Atlantic Communication Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick W. Winter and Mr. Drury W. Cooper for the petitioner, and by Mr. George C. Fraser for the respondent.

No. 470. Juvenile Shoe Company (Inc.), petitioner, *v.* Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Paul Overton for the petitioner.

No. 474. Eva Hand, Administratrix, etc., petitioner, *v.* James C. Davis, Agent, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Warren Switzler for the petitioner.

No. 483. American Paper Products Company of Indiana, petitioner, *v.* Lagerloeff Trading Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Edward E. Gates for the petitioner, and by Mr. H. H. Hornbrook for the respondent.

No. 491. Henry Fischer, petitioner, *v.* Wabash Railway Company et al. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Jerome E. Malino for the petitioner, and by Mr. Winslow S. Pierce, Mr. Lawrence Greer, and Mr. William S. Jenney for the respondent.

No. 495. James C. Davis, Director General, etc., petitioner, *v.* A. E. Manry. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia submitted by Mr. T. M. Cunningham, jr., and Mr. I. J. Hofmayer for the petitioner, and by Mr. Robert Douglas Feagin for the respondent.

No. 496. Jack Mays, 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. Randolph Harrison for the petitioner.

No. 499. Mitsubishi Shoji Kaisha (Ltd.), petitioner, *v.* James C. Davis, Director General, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph Larocque for the petitioner, and by Mr. Theodore Kiendl for the respondent.

No. 500. Southern Express Company, petitioner, *v.* Parks-Cramer Company. Petition for a writ of certiorari to the Supreme Court

of the State of North Carolina submitted by Mr. John M. Robinson for the petitioner, and by Mr. Hamilton C. Jones for the respondent.

No. 501. Dampskibs Selsk Dannebrog, 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. Roscoe H. Hupper for the petitioner, and by Mr. Horace L. Cheyney for the respondents.

No. 502. Marconi Wireless Telegraph Company of America, petitioner, *v.* Atlantic Communication Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John W. Griggs and Mr. James R. Sheffield for the petitioner.

No. 505. Walter L. Ross, Receiver, etc., petitioner, *v.* Industrial Commission of Illinois et al. Petition for a writ of certiorari to the Circuit Court of St. Clair County, State of Illinois, submitted by Mr. C. E. Pope and Mr. Walter A. Eversman for the petitioner.

No. 506. J. B. Simpson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John J. Sullivan for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 510. Sue Phillips Gates, petitioner, *v.* Maryland Casualty Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Dallas V. Halverstadt for the petitioner.

No. 513. Wenborne-Karpen Dryer Company, petitioner, *v.* Cutler Dry Kiln Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William R. Rummler and Mr. Joseph B. Cotton for the petitioner, and by Mr. Drury W. Cooper for the respondent.

No. 514. The Territory of Alaska, petitioner, *v.* Annette Island Packing Company 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 for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Ottinger, and Mr. Harvey B. Cox for the respondents.

No. 515. Henry L. Bogart et al., petitioners, *v.* Southern Pacific Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Spotswood D. Bowers and Mr. Dudley F. Phelps for the petitioners, and by Mr. Arthur H. Van Brunt and Mr. Gordon M. Buck for the respondent.

No. 516. Henry L. Bogart et al., petitioners, *v.* Southern Pacific Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Dudley F. Phelps for the petitioners, and by Mr. Arthur H. Van Brunt and Mr. Gordon M. Buck for the respondent.

No. 517. E. I. du Pont de Nemours & Company, petitioner, *v.* James C. Davis, Director General, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Z. B. Harrison for the petitioner.

No. 523. Joseph F. Dierikx, petitioner, *v.* James C. Davis, Federal Agent, etc. Petition for a writ of certiorari to the Supreme Court of the State of Indiana submitted by Mr. David K. Tone for the petitioner, and by Mr. Silas H. Strawn, Mr. J. Walter Dohany, Mr. J. D. Black, Mr. John A. Gavit, and Mr. Frank E. Robson for the respondent.

No. 525. Commercial Electrical Supply Company, petitioner, *v.* W. L. Curtis, Receiver, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James B. McDonough and Mr. M. C. Early for the petitioner.

No. 527. Nicodemus B. Hurr et al., petitioners, *v.* Everett W. Davis et al. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Robert C. Bell for the petitioner.

No. 528. William M. Barrett, as President of the Adams Express Company, petitioner, *v.* Arthur H. Van Pelt. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Charles W. Stockton for the petitioner, and by Mr. Lamar Hardy and Mr. Louis C. White for the respondent.

No. 536. Mount Vernon Car Manufacturing Company, petitioner, *v.* The Pressed Steel Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Henry Love Clarke for the petitioner, and by Mr. George T. Buckingham and Mr. George L. Wilkinson for the respondents.

No. 538. William Joring et al., petitioners, *v.* William Leslie Harriss et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George B. Hayes for the petitioners, and by Mr. Martin W. Littleton, Mr. Charles E. Hughes, jr., and Mr. Otis B. Kent for the respondents.

No. 541. Marie Dove Williamson, petitioner, *v.* Seaboard Air Line Railway Company. Petition for a writ of certiorari to the Supreme

Court of Appeals of the State of Virginia submitted by Mr. Edward P. Buford for the petitioner.

No. 545. The State of Ohio *ex rel.* George S. Hawke, plaintiff in error, *v.* Robert A. Le Blond, as Presiding Judge of the Court of Common Pleas of Hamilton County, Ohio. Petition for a writ of certiorari herein submitted by Mr. George S. Hawke *pro se* in support of the petition.

No. 547. Missouri Pacific Railroad Company, petitioner, *v.* Roy Stroud. Petition for a writ of certiorari to the Springfield Court of Appeals of the State of Missouri submitted by Mr. Edward J. White, Mr. James F. Green, and Mr. J. C. Sheppard for the petitioner.

No. 549. Standard Oil Company of New Jersey, as Owner, etc., *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. Cletus Keating and Mr. John M. Woolsey for the petitioner.

No. 557. Sanford Coal Company, petitioner, *v.* Wisconsin Bridge & Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Bruce A. Campbell, Mr. Edward C. Kramer, and Mr. Rudolph J. Kramer for the petitioner, and by Mr. Silas H. Strawn, Mr. John D. Black, and Mr. Arthur W. Fairchild for the respondent.

No. 564. Sebastian Bridge District, petitioner, *v.* Missouri Pacific Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James B. McDonough for the petitioner.

No. 567. Algional H. Rae, Claimant, etc., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas B. Felder, Mr. Pierre M. Brown, and Mr. Horace L. Cheyney for the petitioner.

No. 568. Charles Eugene Albury, Claimant, etc., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas B. Felder, Mr. Pierre M. Brown, and Mr. Horace L. Cheyney for the petitioner.

No. 569. Charles Eugene Albury, Claimant, etc., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas B. Felder, Mr. Pierre M. Brown, and Mr. Horace L. Cheyney for the petitioner.

No. 573. Fullerton-Krueger Lumber Company, petitioner, *v.* Northern Pacific Railway Company et al. Petition for a writ of

certiorari to the Supreme Court of the State of Minnesota submitted by Mr. John Junell for the petitioner.

No. 578. The Delaware, Lackawanna & Western Railroad Company, petitioner, *v.* Spencer, Kellogg & Sons (Inc.). Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. William S. Jenney for the petitioner, and by Mr. Frank Gibbons for the petitioner.

No. 579. Edward A. Rumely 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. Walter C. Noyes and Mr. Henry B. Johnson for the petitioners, and by Mr. Solicitor General Beck and Mr. LeRoy L. Hight for the respondent.

No. 8. James C. Davis, Director General, etc., plaintiff in error, *v.* J. J. Smith, Jr., Administrator, etc. In error to the Supreme Court of the State of Mississippi. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 13. Los Angeles Gas & Electric Corporation, plaintiff in error, *v.* Department of Public Service of the City of Los Angeles et al. In error to the District Court of Appeal, First Appellate District, Division 1, of the State of California. Dismissed with costs, per stipulation.

No. 154. J. O'Neal Sandel, as Administrator of the Personal Estate of Thelma Sandel, deceased, plaintiff in error, *v.* The State of South Carolina. Motion to affirm submitted by Mr. Samuel M. Wolfe for the defendant in error in support of the motion, and by Mr. William N. Graydon for the plaintiff in error in opposition thereto.

No. 286. Aetna Insurance Company et al., plaintiffs in error, *v.* Stokes V. Robertson, State Revenue Agent of the State of Mississippi, etc. Motion to dismiss or affirm submitted by Mr. Earl N. Floyd for the defendant in error in support of the motion, and by Mr. W. H. Watkins, Mr. William Thompson, and Mr. R. L. McLaurin for the plaintiffs in error in opposition thereto.

No. 302. Missouri Pacific Railroad Company, plaintiff in error, *v.* Dorothy Pugh. In error to the Supreme Court of the State of Arkansas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 302. Missouri Pacific Railroad Company, plaintiff in error, *v.* Dorothy Pugh. Petition for a writ of certiorari herein dismissed, on motion of counsel for the plaintiff in error and petitioner.

No. 386. Indian Territory Illuminating Oil Company, appellant, *v.* Bartlesville Zinc Company et al. Petition for a writ of certiorari herein submitted by Mr. Watson B. Robinson, Mr. William J. Hughes, and Mr. Charles A. Frueauff for the appellant in support of the petition, and by Mr. Joseph B. Cotton for the appellee in opposition thereto.

No. 386. Indian Territory Illuminating Oil Company, appellant, *v.* Bartlesville Zinc Company et al. Motion to dismiss submitted by Mr. Joseph B. Cotton for the appellee in support of the motion, and by Mr. Watson B. Robinson, Mr. William J. Hughes, and Mr. Charles A. Frueauff for the appellant in opposition thereto.

No. 406. American Railway Express Company, petitioner, *v.* Santa Anna Gas Company. On petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas. Petition dismissed, on motion of counsel for the petitioner.

No. 530. James Cox Davis, as the Agent of the President, etc., plaintiff in error, *v.* Marion C. Slocomb, Administratrix, etc. Motion to dismiss submitted by Mr. Arthur E. Griffin for the defendant in error in support of the motion, and by Mr. F. G. Dorety and Mr. Edwin C. Matthias for the plaintiff in error in opposition thereto.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 2, will be as follows: Nos. 1, 4, 5, 6, 7, 9, 10, 11, 12, and 15.

SUPREME COURT OF THE UNITED STATES.

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

Ben J. Gibson, of Des Moines, Iowa; John F. McCabe, of New York City; John J. Halloran, of Des Moines, Iowa; Bernie Ray Stewart, of Winston-Salem, N. C.; H. Mason Welch, of Washington, D. C.; and Maurice W. Stoffer, of St. Paul, Minn., were admitted to practice.

No. 404, October term, 1921. Thomas D. McCarthy, United States Marshal for the Southern District of New York, appellant, *v.* Jules W. Arndstein. Leave granted to file brief herein as amicus curiae, on motion of Mr. John S. Flannery in behalf of Mr. W. Randolph Montgomery for National Association of Credit Men.

No. 9. Frank Gonsalves, appellant, *v.* Morse Dry Dock & Repair Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. John A. Kratz in that behalf.

No. 4. Auditore Contracting Company (Inc.), et al., petitioners, *v.* Foreign Trade Banking Corporation. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. John M. Woolsey in that behalf.

No. 520. Ne-Kah-Wah-She-Tun-Kah et al., appellants, *v.* Albert B. Fall, Secretary of the Interior, et al. Resignation of Albert B. Fall as Secretary of the Interior suggested; and Hubert Work, present Secretary of the Interior, substituted as a party appellee herein, on motion of Mr. C. F. R. Ogilby in that behalf.

No. 1. Luella Swartwood, as Sole Administratrix, etc., plaintiff in error, *v.* Lehigh Valley Railroad Company. Submitted by Mr. Charles C. Annabel and Mr. Frederick S. Tyler for the plaintiff in error, and by Mr. Riley Heath for the defendant in error.

No. 5. First National Bank of Council Bluffs, Iowa, etc., appellant, *v.* J. D. Hannan, County Auditor, etc., et al. Continued, per stipulation.

No. 7. The American Railway Express Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Submitted by Mr. Charles W. Stockton and Mr. Lawrence Maxwell for the plaintiff in error, and by Mr. Charles I. Dawson for the defendant in error.

No. 11. Panama Railroad Company, plaintiff in error, *v.* James Rock. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. William C. Todd in that behalf.

No. 15. Board of Public Utility Commissioners of the State of New Jersey, appellant, *v.* Public Service Railway Company. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 6. The School District of the Borough of Greenburg, plaintiff in error, *v.* S. T. Lopes et al. Argued by Mr. James S. Beacom for the plaintiff in error. The court declined to hear further argument.

No. 10. St. Cloud Public Service Company, appellant, *v.* City of Cloud. Argued by Mr. J. O. P. Wheelwright for the appellant, and by Mr. R. B. Brower for the appellee.

No. 12. James A. Baker, Receiver, etc., et al., plaintiffs in error, *v.* Karl L. Druesedow, Tax Collector of Harris County, Texas, et al. Argued by Mr. Samuel B. Dabney for the plaintiffs in error, and submitted by Mr. W. A. Keeling for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 3, will be as follows: Nos. 16, 17, 20, 21, 22, 23, 27, 39, 40 (and 38), and 41.

SUPREME COURT OF THE UNITED STATES.

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

Maurice G. Roberts, of St. Louis, Mo.; Charles R. Fridley, of Superior, Wis.; Eldon Paul King, of Lexington, Va.; Harold L. Feigenholtz, of Chicago, Ill.; and Thomas R. Wheeler, of Buffalo, N. Y., were admitted to practice.

No. 93. Webster Electric Company, petitioner, *v.* Splitdorf Electrical Company. Passed per stipulation of counsel pursuant to the 26th rule on motion of Mr. W. W. Bride in that behalf.

No. 40. The United States of America, et al., appellants, *v.* Illinois Central Railroad Company et al., and

No. 38. Wyoming Railway Company, appellant, *v.* The United States of America et al. Passed pursuant to the 26th rule on motion of Mr. Solicitor General Beck for the United States.

No. 427. United Shoe Machinery Corporation, petitioner, *v.* Lorenz Muther. Leave heretofore granted the United States of America to file suggestions herein by October 8 withdrawn on motion of Mr. Solicitor General Beck for the United States.

No. 16. Charles Butters, et al., plaintiffs in error, *v.* The City of Oakland et al. Submitted by Mr. C. Irving Wright and Mr. J. E. Manders for the plaintiffs in error and by Mr. James A. Johnson for the defendants in error.

No. 21. Security Savings Bank, plaintiff in error, *v.* The State of California. Submitted by Mr. Edward J. McCutchen, Mr. Warren Olney, jr., and Mr. A. Crawford Green for the plaintiffs in error and by Mr. U. S. Webb for the defendant in error.

No. 22. Pecos Water Users' Association, appellant, *v.* L. A. Surtart et al. Passed pursuant to the 26th rule on motion of Mr. Fred Dennett in behalf of the appellant.

No. 17. Des Moines National Bank, plaintiff in error, *v.* Thomas Fairweather, Mayor, etc., et al. Argued by Mr. J. G. Gamble for the plaintiff in error and by Mr. Ben J. Gibson and Mr. John J. Halloran for the defendants in error.

No. 20. United States of America, plaintiff in error, *v.* Leroy W. Walter. Argued by Mr. Solicitor General Beck for the plaintiff in error and submitted by Mr. John W. Dodge for the defendant in error.

No. 23. Mangum Electric Co., appellant, *v.* Campbell Russell et al., individually, etc. Submitted by Mr. George F. Short and Mr. C. A. Galbraith for the appellees. No brief filed for appellant.

No. 27. Johanna Frese, Administratrix, etc., petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Argued by Mr. John J. Parkinson for the petitioner and Mr. M. G. Roberts for the respondent.

No. 39. Director General of Railroads, petitioner, *v.* Samuel Kastenbaum. Argument commenced by Mr. Thomas R. Wheeler for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 4, will be as follows: Nos. 39, 41, 42, 43, 44, 45 (and 140), 46, 47, 48, and 49.

SUPREME COURT OF THE UNITED STATES.

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

John J. Brennan, jr., of St. Louis, Mo.; Virgil M. Chapman, of Paris, Ky.; Morris B. Redmann, of New Orleans, La.; Otho S. Bowling, of New York City; Charles E. Harrington, of Kittanning, Pa.; and James J. O'Byrne, of Washington, D. C., were admitted to practice.

No. 42. *Corona Coal Company, appellant, v. The United States.* Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Alfred A. Wheat for the appellee.

No. 48. *Harvey McConaughey, for Himself and Others, etc., appellant, v. J. J. Morrow, Governor, etc.* Submitted by Mr. Harry A. Hegarty for the appellant, and by Mr. G. H. Martin for the appellee.

No. 39. *Director General of Railroads, petitioner, v. Samuel Kas-tenbaum.* Argument continued by Mr. Thomas R. Wheeler for the petitioner, and concluded by Mr. Israel G. Holender for the respondent.

No. 41. *F. E. Wear et al., plaintiffs in error, v. Virgil W. Johnston et al.* Argument commenced by Mr. Samuel Feller for the plaintiffs in error. The court declined to hear further argument.

No. 43. *St. Johns, N. F., Shipping Corporation, Owner, etc., petitioner, v. S. A. Companhia Geral Commercial do Rio de Janeiro.* Argued by Mr. Clarence Bishop Smith for the petitioner, and by Mr. E. Curtis Rouse for the respondent.

No. 44. *August V. Anderson, Warden, etc., petitioner, v. Arthur Corall.* Argued by Mr. Alfred A. Wheat for the petitioner. No appearance for the respondent.

No. 45. John H. Brede, appellant, *v.* James M. Powers, United States Marshal, etc.; and

No. 140. Joe Wyman, plaintiff in error, *v.* The United States. Argument commenced by Mr. Otho S. Bowling for the appellant and plaintiff in error. The court declined to hear further argument.

No. 46. Title Guaranty & Trust Company et al., Executors, etc., plaintiffs in error, *v.* William H. Edwards, Collector, etc. Argued by Mr. James F. Brady for the plaintiffs in error, and by Mr. Alfred A. Wheat for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 5, will be as follows: Nos. 47, 49, 50, 51, 53, 54, 55, 56, 57, and 58.

SUPREME COURT OF THE UNITED STATES.

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

Peter B. Nelson, of Chicago, Ill.; Clare Woolwine, of Los Angeles, Cal.; Samuel W. Tannenbaum, of New York City; Don C. McMullen, of Tampa, Fla.; Guy M. Peters, of Chicago, Ill.; L. D. McGregor, of Warrenton, Ga.; and E. P. Davis, of Warrenton, Ga., were admitted to practice.

No. 191. John A. Grogan, Collector, etc., plaintiff in error, *v.* Bryant Walker, Executor, etc. In error to the District Court of the United States for the Eastern District of Michigan. Dismissed with costs, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 90. Board of Trade of the City of Chicago et al., petitioners, *v.* E. H. Johnson, Trustee, etc. Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Robert Ash in behalf of counsel.

No. 104. John Maynard Harlan, appellant, *v.* James S. Harlan. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Robert Ash in behalf of counsel.

No. 430. John A. Davis et al., plaintiffs in error, *v.* G. G. Warde et al. In error to the Supreme Court of the State of Georgia. Dismissed with costs, per stipulation.

No. 53. W. Trinidad, as Insular Collector, etc., petitioner, *v.* Sagrada Orden de Predicadores de la Provincia, etc. Submitted by Mr. Grant T. Trent, Mr. Logan N. Rock, and Mr. F. Granville Munson for the petitioner, and by Mr. Gabriel La O for the respondent.

No. 55. Hector H. Elwell, appellant, *v.* The United States. Submitted by Mr. Roy D. Keehn for the appellant, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Riter, and Mr. LeRoy L. Hight for the appellee.

No. 47. Edwin Denby, Secretary of the Navy, etc., plaintiff in error, *v.* George A. Berry. Argued by Mr. George Ross Hull for the plaintiff in error, and by Mr. Daniel Thew Wright for the defendant in error.

No. 49. Wallace Benedict, as Receiver in Bankruptcy, etc., petitioner, *v.* Aaron Ratner. Argued by Mr. Selden Bacon for the petitioner, and by Mr. Louis S. Posner for the respondent.

No. 50. A. Bourjois & Company (Inc.), *v.* George W. Aldridge, Collector, etc. Argued by Mr. Hans von Briesen for A. Bourjois & Co. (Inc.), and submitted by Mr. Solicitor General Beck and Mr. Harry E. Knight for George W. Aldridge, collector, etc.

No. 51. Samuel Homer Woodbridge et al., Executors, etc., appellants, *v.* The United States. Argument commenced by Mr. Henry P. Doolittle for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 8, will be as follows: Nos. 51, 54, 56, 57, 58, 59, 60, 61, 62, and 63.

SUPREME COURT OF THE UNITED STATES.

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

Harry Keller, of Bellefonte, Pa.; Theodore P. C. Willis, of Washington, D. C.; Dana B. Van Dusen, of Omaha, Nebr.; Samuel Harding Lefton, of Pittsburgh, Pa.; Carrol Harvey Ivins, of Washington, D. C.; Samuel D. Gittig, of Bellefonte, Pa.; Harry K. Curtis, of Detroit, Mich.; Frank H. Long, of Washington, D. C.; Felix Cordova Davila, of San Juan, P. R.; Pablo Berga, of San Juan, P. R.; Pedro Guevara, of Manila, P. I.; Newton B. Spangler, of Bellefonte, Pa.; J. M. Sharp, of Reidsville, N. C.; Oscar O. Efirid, of Winston-Salem, N. C.; G. Tyler Smith, of Baltimore, Md.; Edward Clifford, of Chicago, Ill.; J. A. Tellier, of Little Rock, Ark.; and Edward T. Sherer, of Los Angeles, Calif., were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 15, original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and

No. 16, original. The State of Ohio, complainant, *v.* The State of West Virginia. Petition for rehearing granted; and cases set for reargument on Monday, November 19 next, at the head of the call for that day.

No. —. Shooters Island Shipyard Company, appellant, *v.* Standard Shipbuilding Corporation;

No. —. The United States, appellant, *v.* Standard Shipbuilding Corporation; and

No. —. The United States, appellant, *v.* Standard Shipbuilding Corporation. Motion for leave to file petition for appeals herein denied.

No. —. The United States, petitioner, *v.* Edwin L. Garvin, Judge, District Court of the United States for the Eastern District of New York. Motion for leave to file petition for a writ of prohibition or mandamus herein denied.

No. —, original. *Ex parte* In the matter of Empire Machinery & Supply Company et al., petitioners. Motion for leave to file petition for a writ of mandamus and/or prohibition and/or certiorari herein denied.

No. —, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion for leave to file bill of complaint herein granted; and process ordered to issue returnable on Monday, January 7 next.

No. —, original. *Ex parte* In the matter of the State of New York et al., petitioners. Motion for leave to file petition for a writ of prohibition, mandamus, or certiorari herein denied.

No. 250. Federal Trade Commission et al., appellants, *v.* Claire Furnace Company et al. Motion to advance granted; and cause assigned for argument on Monday, December 3 next.

No. 369. Panama Railroad Company, plaintiff in error, *v.* Andrew Johnson. Motion to advance granted; and cause assigned for argument on Monday, December 3 next, after the case heretofore assigned for that day.

No. 442. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 443. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 444. Adelaide H. C. Frick et al., etc., plaintiffs in error, *v.* Commonwealth of Pennsylvania; and

No. 445. Adelaide H. C. Frick et al., etc., plaintiffs in error, *v.* Commonwealth of Pennsylvania. Motion to advance granted; and cases assigned for argument on Monday, December 3 next, after the cases heretofore assigned for that day.

No. 352. The People of the State of New York, petitioner, *v.* Louis Jersawit, as Trustee in Bankruptcy of Ajax Dress Co., Inc. Motion to advance granted; and cause assigned for argument on Monday, December 3 next, after the cases heretofore assigned for that day.

No. 367. Brooks-Scanlon Corporation, appellant, *v.* The United States. Motion to advance granted; and cause assigned for argument on Monday, January 7 next.

No. 366. The State of Washington, plaintiff in error, *v.* W. C. Dawson & Company. Motion to advance granted, on condition of the case being placed on the summary docket; and cause assigned for argument on Monday, January 7 next, after the case heretofore assigned for that day.

No. 202. Harriet C. Brittin, appellant, *v.* S. E. Juden, Presiding Justice, et al., etc. Motion to advance granted; and cause assigned for submission under the 32d rule on Monday, October 15 next.

No. 248. The Illinois Central Railroad Company, appellant, *v.* The United States. Motion to advance denied.

No. 42. Corona Coal Company, appellant, *v.* The United States. Upon consideration of the motion to dismiss this case, it is ordered that a rule issue to the appellant to show cause why the appeal should not be dismissed.

No. 202. Harriet C. Brittin, appellant, *v.* S. E. Juden, Presiding Justice, et al., etc. On consideration of the motion to affirm herein, it is ordered that the same be assigned for submission under the 32d rule on Monday, October 15 next.

No. 270. Charles Boettcher et al., Receivers, etc., plaintiffs in error, *v.* The Public Utilities Commission of the State of Colorado et al. Further consideration of the motion to dismiss herein postponed to the hearing of the case on the merits.

No. 46. Title Guaranty & Trust Company et al., Executors, etc., plaintiffs in error, *v.* William H. Edwards, Collector, etc. In error to the District Court of the United States for the Southern District of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195.

No. 154. J. O'Neal Sandel, Administrator, etc., plaintiff in error, *v.* The State of South Carolina. In error to the Supreme Court of the State of South Carolina. Per curiam: Dismissed for want of jurisdiction upon the authority of *Louisiana Navigation Co. v. Oyster Commission*, 226 U. S. 99, 101; *Schlosser v. Hemphill*, 198 U. S. 173, 175; *Missouri, etc., Ry. Co. v. Olathe*, 222 U. S. 185, 186.

No. 286. Aetna Insurance Company et al., plaintiffs in error, *v.* Stokes V. Robertson, State Revenue Agent, etc. In error to the Supreme Court of the State of Mississippi. 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, ch. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S. 1, 5-6.

No. 386. Indian Territory Illuminating Oil Company, appellant, *v.* Bartlesville Zinc Company et al. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 568, 569; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577, 578; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 1. Luella Swartwood, as Sole Administratrix, etc., plaintiff in error, *v.* Lehigh Valley Railroad Company. In error to the Court

of Appeals 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, ch. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S. 1, 5-6.

No. 7. *The American Railway Express Company*, plaintiff in error, *v. The Commonwealth of Kentucky*. 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, ch. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S. 1, 5-6.

No. 6. *The School District of the Borough of Greensburg*, plaintiff in error, *v. S. T. Lopes et al.* In error to the Supreme Court of the State of Pennsylvania. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195.

No. 41. *F. E. Wear et al.*, plaintiffs in error, *v. Virgil W. Johnston et al.* 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, ch. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S. 1, 5-6.

No. 23. *Mangum Electric Company*, appellant, *v. Campbell Russell et al.*, Individually, etc. Appeal from the District Court of the United States for the Western District of Oklahoma. *Per curiam*: Action below to enjoin utility rates as in violation of the due process clause of the fourteenth amendment. Rates sustained as reasonable by State Commission, State Supreme Court, and the United States District Court below. Appellee has filed brief. Appellant has failed to do so. The court declines, in the absence of a brief, to examine a lengthy record to determine whether the evidence contained therein overcomes the presumption attaching to the finding of the commission and two courts. Decree affirmed.

No. 50. *A. Bourjois & Company (Inc.) v. George W. Aldridge*, Collector, etc. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. *Per curiam*: The two questions certified by the Circuit Court of Appeals for the Second Circuit are answered in the affirmative upon the authority of *Bourjois & Company v. Katzel*, 260 U. S. 689, the defendant not objecting.

No. 357. The United States of America, petitioner, *v.* Edward H. Childs, Trustee in Bankruptcy of J. Menist Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 365. B. Fernandez & Bros., Successors, petitioner, *v.* Leonor Ayllon y Ojeda, etc., et al. Petitions for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 371. James C. Davis, Agent, petitioner, *v.* Mrs. Mary Kennedy, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee granted.

No. 392. Robert E. Tod, Commissioner of Immigration, petitioner, *v.* Szejua Waldman et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 401. Westinghouse Electric & Manufacturing Company, petitioner, *v.* The Formica Insulation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 415. The United States of America, petitioner, *v.* James J. Johnston. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 286. Aetna Insurance Company et al., plaintiffs in error, *v.* Stokes V. Robertson, State Revenue Agent, etc. Petition for a writ of certiorari herein denied.

No. 347. James C. Davis, Director General, etc., petitioner, *v.* Standard Oil Company of Indiana. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 348. The Pennsylvania Railroad Company, petitioner, *v.* Nettie A. Crouse, Administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 356. W. Meischkke-Smith et al., Trustees, etc., petitioners, *v.* Justus S. Wardell, United States Collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 360. The United States of America to the use and benefit of W. B. Young Supply Company, petitioner, *v.* Charles O. Stewart et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 362. Charles H. Addington, as Trustee in Bankruptcy of Marvel Oil Burner Company (Inc.), Bankrupt, petitioner, *v.* Forsyth Metal Goods Company. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 363. Sumner Iron Works, petitioner, *v.* Todd Drydock & Construction Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 378. Ray E. Robinson et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 379. James Cox Davis, Agent, etc., petitioner, *v.* Marion C. Slocomb, Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 380. Paul P. Glaser, 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. 382. Julius Conrad et al., petitioners, *v.* *The Mazatlan*, and the Owner thereof, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 386. Indian Territory Illuminating Oil Company, appellant, *v.* Bartlesville Zinc Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 410. Ne-Gon-Ah-E-Quaince, or Mrs. C. C. Clark, et al., petitioners, *v.* Otto H. Horn. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 413. Buhl Independent School District No. 3, in Twin Falls County, Idaho, petitioner, *v.* Neighbors of Woodcraft. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 414. American Mills Company, petitioner, *v.* George F. Hoffman et al., Copartners, etc. Petition for a writ of certiorari to the United States Circuit of Appeals for the Second Circuit denied.

No. 416. Kathryn Sellers, Judge Juvenile Court, District of Columbia, petitioner, *v.* Willis Brown. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 417. New England Oil Corporation, petitioner, *v.* Island Oil Marketing Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 361. The Banco Mexicano de Comercio e Industria et al., appellants, *v.* Deutsche Bank et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the appeal.

No. 369. Panama Railroad Company, plaintiff in error, *v.* Andrew Johnson. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 128. Sven Haavik, appellant, *v.* Alaska Packers' Association;
No. 156. Alfred Street, suing on behalf of himself, etc., et al., appellants, *v.* Shipowners' Association of the Pacific Coast et al.; and
No. 255. Clallam County, Washington, et al., *v.* The United States of America. It is ordered by the court that these cases heretofore assigned for argument on Monday, November 5 next, be, and they are hereby, reassigned for argument on Monday, November 12 next, at the head of the call for that day.

No. 62. The United States of America, appellant, *v.* California Midway Oil Company et al. Passed, per stipulation, on motion of Mr. Solicitor General Beck for the appellant.

No. 553. Federal Reserve Bank of Richmond, plaintiff in error, *v.* D. J. Malloy et al., trading as Malloy Brothers. Motion to advance submitted by Mr. Solicitor General Beck for the plaintiff in error.

No. 103. New York State Railways, plaintiff in error, *v.* N. Monroe Marshall, as Treasurer, etc., et al. George K. Shuler, as State treasurer of the State of New York, and Frances Perkins, as a member of the State Industrial Board of the State of New York, substituted as parties defendants in error herein, on motion of Mr. John S. Flannery in behalf of counsel.

No. 593. R. E. Sheehan Company et al., plaintiffs in error, *v.* George K. Shuler, as State Treasurer of the State of New York, et al. Motion to advance submitted by Mr. John S. Flannery in behalf of counsel.

No. 581. C. O. Linder, 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 Turner for the petitioner, and by Mr. Solicitor General Beck, Mr. John W. H. Crim and Harry S. Ridgely for the respondent.

No. 513. Wenborne-Karpen Dryer Company, petitioner, *v.* Cutler Dry Kiln Company et al. Leave granted counsel for the petitioner to file reply brief within two days, on motion of Mr. William R. Rummler for the petitioner.

No. 480. Peter Weisengoff, plaintiff in error, *v.* The State of Maryland. Motion to advance submitted by Mr. J. N. Ulman for the plaintiff in error.

No. 537. O. H. Chrisp, plaintiff in error, *v.* James C. Davis, Director General, etc. Petition for a writ of certiorari herein submitted by Mr. Leslie C. Garnett for the petitioner.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al., etc.;

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al., etc.; and

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al., etc. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Mortimer C. Rhone for the petitioners, and by Mr. Newton B. Spangler and Samuel D. Gittig for the respondents.

No. 517. E. I. du Pont de Nemours & Company, petitioner, *v.* James C. Davis, Director General, etc. Leave granted to file brief herein as amicus curiae, on motion of Mr. Charles H. Farrell in behalf of Mr. Luther M. Walter.

No. 56. John Brosnan, jr., et al., *v.* Margaret E. Brosnan. Motion for leave to file brief herein as amicus curiae of Mr. Frank J. Hogan denied.

No. 490. Louisiana Public Service Commission et al., appellants, *v.* Shreveport Railways Company. Motion to advance submitted by Mr. John E. Benton in behalf of Mr. Huey P. Long for the appellants.

No. 376. The State of Missouri ex rel. The St. Louis, Brownsville & Mexico Railway Company, plaintiff in error, *v.* Wilson A. Taylor, Judge, etc. Petition for a writ of certiorari herein submitted by Mr. Edward J. White, Mr. James F. Green, and Mr. M. W. Hayden for the plaintiff in error in support of the petition.

No. 492. William S. Brewer, 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. William S. Brewer, p. p., and by Mr. Solicitor General Beck and Mr. John W. H. Crim for the respondent.

No. 548. Asuncion Mitchel, petitioner, *v.* The Manila Railroad Company. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Alexander Britton, Mr. F. W. Clements, and Mr. L. H. Cake for the petitioner.

No. 550. Fair Oaks Steamship Corporation, claimant, etc., petitioner, *v.* United States Shipping Board et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. John W. Griffin for the petitioner and by Mr. Solicitor General Beck, Mr. Chauncey G. Parker, and Mr. Oscar A. Stumpe for respondents.

No. 566. Adam Kluchinsky et al., etc., petitioners, *v.* John Zernosky, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Roscoe R. Koch for the petitioner and by Mr. Daniel C. Donoghue and Mr. M. J. Ryan for respondents.

No. 577. Pacific American Fisheries, petitioners, *v.* Emil Hoof. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Evan S. McCord and Mr. Stephen V. Carey for the petitioner.

No. 584. Irving Bank-Columbia Trust Company, petitioner, *v.* New York Railways Company et al. Petition for a writ or certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edward Cornell, Mr. Frank D. Pavey, Mr. Martin A. Schenck, and Mr. William J. Hughes for the petitioner and by Mr. Edwin S. S. Sunderland and Mr. Mansfield Ferry for the respondents.

No. 167. McMillan Contracting Company et al., appellants, *v.* Walter L. Abernathy et al. Motion to dismiss submitted by Mr. O. H. Dean, Mr. H. M. Langworthy, Mr. Roy B. Thomas, and Mr. M. W. Borders for the appellees in support of the motion, and by Mr. Justin D. Bowersock and Mr. Arthur Miller for the appellants in opposition thereto.

Motion to remand submitted by Mr. Justin D. Bowersock and Mr. Arthur Miller for the appellants in support of the motion, and by Mr. O. H. Dean, Mr. H. M. Langworthy, Mr. Roy B. Thomas, and Mr. M. W. Borders for the appellees in opposition thereto.

No. 168. McMillan Contracting Company et al., appellants, *v.* B. Haywood Hagerman. Motion to dismiss submitted by Mr. Albert S. Marley for the appellee in support of the motion, and by Mr. Justin D. Bowersock and Mr. Arthur Miller in opposition thereto.

Motion to remand submitted by Mr. Justin D. Bowersock and Mr. Arthur Miller for the appellants in support of the motion, and by Mr. Albert S. Marley for the appellee in opposition thereto.

No. 433. Jules Schnerb et al., petitioners, *v.* Holt Manufacturing Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed, per stipulation.

No. 60. C. N. Love et al., plaintiffs in error, *v.* James S. Griffith et al. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 63. Charles D. Newton, as Attorney General of the State of New York, et al., appellants, *v.* The Newtown Gas Company. Appeal from the District Court of the United States for the Southern District of New York. Dismissed, per stipulation.

No. 51. Samuel Homer Woodbridge et al., Executors, etc., appellants, *v.* The United States. Argument continued by Mr. H. P. Doolittle for the appellants, and concluded by Mr. Harry E. Knight for the appellee.

No. 54. American Railway Express Company, petitioner, *v.* Lucius P. Levee. Argued by Mr. Arthur A. Moreno for the petitioner, and by Mr. Charles T. Wortham for the respondent.

No. 56. John Brosnan, jr., et al. *v.* Margaret E. Brosnan. Argument commenced by Mr. Rudolph H. Yeatman for John Brosnan, jr., et al., continued by Mr. W. Gwynne Gardiner for Margaret E. Brosnan, and concluded by Mr. Wilton J. Lambert for John Brosnan, jr., et al. Ordered that the whole record be considered; and counsel for Margaret E. Brosnan granted leave to file additional brief in one week, and counsel for John Brosnan, jr., et al. within two days thereafter.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 9, will be as follows: Nos. 57, 58, 59, 61, 64 (and 86), 65, 66, 67 (and 68), 69, and 70.

SUPREME COURT OF THE UNITED STATES.

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

Julius Moses, of Chicago, Ill.; Louis A. Jones, of Boston, Mass.; Lloyd Dort, of Lincoln, Nebr.; John C. Dort, of Lincoln, Nebr.; Peter T. Wheeler, of Hazard, Ky.; and John E. Ryan, of Seattle, Wash., were admitted to practice.

No. 57. Superior Water, Light & Power Company, plaintiff in error, *v.* City of Superior et al. Argument commenced by Mr. Frank B. Kellogg for the plaintiff in error, continued by Mr. Louis Hanitch and Mr. S. L. McIntosh for the defendants in error, and concluded by Mr. Frank B. Kellogg for the plaintiff in error.

No. 58. Charles E. McGregor, plaintiff in error, *v.* George P. Hogan, Sheriff of Warren County, Georgia, et al. Argued by Mr. L. D. McGregor for the plaintiff in error, and by Mr. E. P. Davis for the defendants in error.

No. 59. C. B. Giles et al., petitioners, *v.* Henry Vette et al. Argument commenced by Mr. William Burry for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 10, will be as follows: Nos. 59, 61, 64 (and 86), 65, 66, 67 (and 68), 69, 70, 71, and 72.

SUPREME COURT OF THE UNITED STATES.

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

Leo W. Morrissey, of Syracuse, N. Y.; Samuel N. Pond, of Chicago, Ill.; Arthur Roy Shaw, of San Francisco, Calif.; A. Carey Hough, of Oklahoma City, Okla.; John Henry Kane, of Bartlesville, Okla.; Robert Dwight Leeper, of Lewiston, Idaho; and Everett Petry, of Tulsa, Okla., were admitted to practice.

No. 103. New York State Railways, plaintiff in error, *v.* N. Monroe Marshall, as Treasurer, etc., et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. John S. Flannery for the plaintiff in error.

No. 59. C. B. Giles et al., petitioners, *v.* Henry Vette et al. Argument continued by Mr. William Burry for the petitioners, by Mr. G. T. Buckingham and Mr. H. K. Tenney for the respondents, and concluded by Mr. Guy N. Peters for the petitioners.

No. 61. Annie Viola Douglas, appellant, *v.* J. W. Rhodes. Argued by Mr. Patrick H. Loughran for the appellant and by Mr. J. A. Tellier for the appellee.

No. 64. New Orleans Land Company, plaintiff in error, *v.* Robert R. Brott et al.; and

No. 86. Robert R. Brott et al., plaintiffs in error, *v.* New Orleans Land Company. Argument commenced by Mr. Charles Louque for the New Orleans Land Co., and continued by Mr. William Winans Wall for Brott et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 11, will be as follows: Nos. 64 (and 86), 65, 66, 67 (and 68), 69, 70, 71, 72, 73, and 74.

SUPREME COURT OF THE UNITED STATES.

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

Henry T. Lindsay, of St. Louis, Mo.; Charles P. Swindler, of Washington, D. C.; and James M. Parsons, of Des Moines, Iowa, were admitted to practice.

No. 83. Steamship "Gul Djemal," her engines, etc., et al., appellants, *v.* Campbell & Stuart (Inc.). Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. William A. Purrington for the appellants.

No. 64. New Orleans Land Company, plaintiff in error, *v.* Robert R. Brott et al.; and

No. 86. Robert R. Brott et al., plaintiffs in error, *v.* New Orleans Land Company. Argument continued by Mr. William Winans Wall for Brott et al. and concluded by Mr. Charles Louque for New Orleans Land Company.

No. 65. Paul V. Lacoste et al., plaintiffs in error, *v.* Department of Conservation of the State of Louisiana. Argument commenced by Mr. Morris B. Redmann for the plaintiffs in error, continued by Mr. Paul A. Sompayrac for the defendant in error, and concluded by Mr. Edwin T. Merrick for the plaintiffs in error.

No. 66. Mutual Life Insurance Company of New York, petitioner, *v.* Hurni Packing Company. Argued by Mr. James M. Beck for the petitioner and submitted by Mr. Charles M. Stilwill and Mr. Edwin J. Stason for the respondent.

No. 67. The United States, petitioner, *v.* Frederick L. Merriam; and

No. 68. The United States, petitioner, *v.* Henry B. Anderson. Argument commenced by Mr. Solicitor General Beck for the petitioner and continued by Mr. Roy C. Gasser for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 12, will be as follows: Nos. 67 (and 68), 69, 70, 71, 72, 73, 74, 75, 77, and 78.

SUPREME COURT OF THE UNITED STATES.

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

John A. Cadigan, of Superior, Wis.; William H. Wylie, of San Diego, Calif.; Emerson Stringham, of New York City; and Joseph K. Ellenbogen, of New York City, were admitted to practice.

No. 110. Southern Power Company, petitioner, *v.* North Carolina Public Service Company et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. R. V. Lindabury for the petitioner.

No. 67. The United States, petitioner, *v.* Frederick L. Merriam; and

No. 68. The United States, petitioner, *v.* Henry B. Anderson. Argument continued by Mr. Roy C. Gasser for the respondents, and concluded by Mr. Solicitor General Beck for the petitioner.

No. 69. Chicago Cold Storage Warehouse Company, appellant, *v.* The United States. Argument commenced by Mr. Charles T. Tittmann for the appellant, continued by Mr. Alfred A. Wheat for the appellee, and concluded by Mr. Peter B. Nelson for the appellant.

No. 70. James C. Davis, Director General of Railroads, etc., petitioner, *v.* George Wechsler. Argued by Mr. Roy B. Thomson for the petitioner, and by Mr. W. S. Hogsett for the respondent.

No. 71. James C. Davis, as Agent, etc., petitioner, *v.* Lee A. Wolfe. Argued by Mr. Frank H. Sullivan for the petitioner, and submitted by Mr. Sidney Thorne Able and Mr. P. H. Cullen for the respondent.

No. 72. Canute Steamship Company (Limited) et al., petitioners, *v.* Pittsburgh & West Virginia Coal Company et al. Argument commenced by Mr. Charles R. Hickox for the petitioners.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 15, will be as follows: Nos. 72, 73, 74, 75, 77, 78, 79, 80, 81, and 82.

SUPREME COURT OF THE UNITED STATES.

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

John C. Altman, of San Francisco, Calif.; S. D. McReynolds, of Chattanooga, Tenn.; Luther A. Johnson, of Corsicana, Tex.; H. E. Wassell, of Corsicana, Tex.; L. G. Miller, of Washington, D. C.; Frank J. Jones, of Joliet, Ill.; A. Rea Williams, of Washington, D. C.; and Maurice Rey McMicken, of Seattle, Wash., were admitted to practice.

No. 27. Johanna Frese, Administratrix of the Estate of Joseph J. Frese, deceased, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 404. October term, 1922, Thomas D. McCarthy, United States Marshal for the Southern District of New York, appellant, *v.* Jules W. Arndstein. The petition for a rehearing in this case is granted; and the case assigned for reargument on Monday, November 19 next, after the cases heretofore assigned for that day.

No. 593. R. E. Sheehan Company et al., plaintiffs in error, *v.* George K. Shuler, as State Treasurer of the State of New York, et al. Motion to advance granted, and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 490. Louisiana Public Service Commission et al., appellants, *v.* Shreveport Railways Company. Motion to advance granted, and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 553. Federal Reserve Bank of Richmond, plaintiff in error, *v.* D. J. Malloy et al. Motion to advance granted, on the condition

that the cause be placed on the summary docket, and assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 480. Peter Weisengoff, plaintiff in error, *v.* The State of Maryland. Motion to advance granted, and cause advanced to be heard with case No. 127, as one case, when No. 127 is reached.

No. 423. Baltimore & Ohio Railroad Company, petitioner, *v.* Freda Groeger, Administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 450. A. L. May, as Trustee, etc., petitioner, *v.* J. M. Henderson, jr., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 451. Ziang Sung Wan, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 455. Charles V. Duffy, Collector, etc., petitioner, *v.* The Central Railroad Company of New Jersey. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 395. J. L. Lancaster et al., Receivers, etc., petitioners, *v.* R. A. Sexton, Administrator, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas denied.

No. 422. Frank F. Pels Company (Inc.), petitioner, *v.* Saxony Spinning Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 427. United Shoe Machinery Corporation, petitioner, *v.* Lorenz Muther. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 431. Ethel V. Lanston, petitioner, *v.* Aubrey Lanston et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 435. Continental Insurance Company et al., petitioners, *v.* Minneapolis, St. Paul & Sault Ste. Marie Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 436. S. M. Nixon 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. 437. August Pope et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 439. Jacob Petry, petitioner, *v.* Commonwealth of Pennsylvania. Petition for a writ of certiorari to the Superior Court of the State of Pennsylvania denied.

No. 446. Merrimack National Bank, petitioner, *v.* Hollis R. Bailey et al., Trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 448. Clara F. Chapin, Executrix, etc., petitioner, *v.* Bartholomew A. Brickley, Trustee, etc.; and

No. 449. Clara F. Chapin, Executrix, etc., petitioner (In the matter of Codman, Fletcher & Company, Bankrupts). Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 452. Gullermo Severino, petitioner, *v.* Fabiola Severino et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 462. R. L. Bennett & Sons, petitioner, *v.* Farmers Seed & Gin Company of Paris (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 465. International Radio Telegraph Company, petitioner, *v.* Atlantic Communication Company;

No. 466. International Radio Telegraph Company, petitioner, *v.* Atlantic Communication Company; and

No. 502. Marconi Wireless Telegraph Company of America, petitioner, *v.* Atlantic Communication Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 470. Juvenile Shoe Company (Inc.), petitioner, *v.* Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 474. Eva Hand, Administratrix of Fay D. Hand, petitioner, *v.* James C. Davis, Agent, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 481. The Union Central Life Insurance Company, petitioner, *v.* Isaac M. Roden et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 483. American Paper Products Company of Indiana, petitioner, *v.* Lagerloeff Trading Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 491. Henry Fischer, petitioner, *v.* Wabash Railway Company et al. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 496. Jack Mays, 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. 499. Mitsubishi Shoji Kaisha (Limited), petitioner, *v.* James C. Davis, Director General, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 501. Dampskibs Selsk Dannebrog, 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. 55. Hector H. Elwell, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Northern District of Illinois. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195.

No. 61. Annie Viola Douglas, appellant, *v.* J. W. Rhodes. Appeal from the District Court of the United States for the Eastern District of Arkansas. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195.

No. 69. Chicago Cold Storage Warehouse Company, appellant, *v.* The United States. Appeal from the Court of Claims. *Per curiam*: Affirmed upon the authority of *Baltimore & Ohio Railroad Co. v. United States*, decided April 9, 1923; *United States v. North American Transport Co.*, 253 U. S. 330, 333.

The Chief Justice also announced that the court will take a recess from Monday, the 22d instant, to Monday, November 12 next.

No. 88. The United States of America, plaintiff in error, *v.* The National City Bank of New York. In error to the United States Circuit Court of Appeals for the Second Circuit. Dismissed, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 121. Thomas N. Brady, appellant, *v.* Albert B. Fall, Secretary of the Interior, etc. Hubert Work, present Secretary of the Interior, substituted as the party appellee herein, on motion of Mr. Solicitor General Beck for the appellee.

No. 252. First National Bank in St. Louis, plaintiff in error, *v.* The State of Missouri at the information of Jesse W. Barrett, At-

torney General. Motion for leave to file brief as *amicus curiæ* and to take part in the oral argument herein, submitted by Mr. Solicitor General Beck for The United States, and suggestions on behalf of the defendant in error submitted by Mr. Robert C. Morris, Mr. Harold R. Small, and Mr. Jesse W. Barrett.

No. 252. First National Bank in St. Louis, plaintiff in error, *v.* The State of Missouri at the information of Jesse W. Barrett, Attorney General. Motion to extend the scope of the reargument submitted by Mr. Otto Schlobohm in behalf of counsel for the plaintiff in error in support of the motion, and by Mr. Robert C. Morris in behalf of Mr. Jesse W. Barrett for the defendant in error in opposition thereto.

No. 361. The Banco Mexicano de Comercio e Industria et al., appellants, *v.* Deutsche Bank et al. Motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. 409. A. W. Duckett & Company (Inc.), appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Beck for the appellee.

No. 705, October term, 1921. Justus S. Wardell, as Collector of Internal Revenue for the First District of California, petitioner, *v.* James A. Blum et al. Time within which to file suggestions extended until the 22d instant, on motion of Mr. Solicitor General Beck for the petitioner.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels, more or less, alleged Apple Cider Vinegar, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. John G. White and Mr. Austin V. Cannon for the respondents.

No. 582. Ephraim Lederer, Collector of Internal Revenue, etc., petitioner, *v.* Fidelity Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the petitioner, and by Mr. H. Gordon McCouch for the respondent.

No. 108. Washington-Southern Navigation Company *v.* Baltimore & Philadelphia Steamboat Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Otto Schlobohm in that behalf.

No. —, original. *Ex parte* In the Matter of the Transportes Maritimos do Estado, a Department of the Government of the Republic of Portugal, petitioner. Motion for leave to file petition for

a writ of mandamus and/or prohibition submitted by Mr. F. Dudley Kohler for the petitioner.

No. 79. Waldeman Gnerich & Jeremiah T. Regan, copartners, etc., appellant, *v.* S. F. Rutter, as Prohibition Director, etc. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of counsel in that behalf.

No. 563. Porto Rico Fertilizer Company, petitioner, *v.* Pedro Gandia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Francis G. Caffey for the petitioner, and by Mr. Jose A. Poventud for the respondent.

No. 574. A. J. Oliver, as Trustee, etc., et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Louis V. Crowley for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 208. George L. Mesker et al., Trustees, etc., appellants, *v.* Ohio River Sand Company et al. Motion to dismiss submitted by Mr. John Bryce Baskin for the appellees, and by Mr. Helm Bruce for the appellants.

No. 202. Harriet C. Brittin, appellant, *v.* S. E. Juden, Presiding Justice, et al. Submitted, pursuant to the 32d rule, by Mr. Patrick H. Cullen and Mr. T. T. Fauntleroy for the appellant, and by Mr. Arthur L. Oliver for the respondents.

No. 80. Matt Walser, plaintiff in error, *v.* City of Sioux Falls. Submitted by Mr. Joe Kirby for the plaintiff in error, and by Mr. R. W. Parlman and Mr. W. G. Porter for the defendant in error.

No. 81. Edwin Schwab, plaintiff in error, *v.* Friend W. Richardson, as Treasurer, etc. Submitted by Mr. W. I. Brobeck and Mr. Herbert W. Clark for the plaintiff in error, and by Mr. U. S. Webb for the defendant in error.

No. 72. Canute Steamship Company Limited et al., petitioners, *v.* Pittsburgh & West Virginia Coal Company et al. Argument continued by Mr. Charles R. Hickox for the petitioners, by Mr. Thomas F. Barrett and Mr. Theodore Kiendl for the respondents, and concluded by Mr. Charles R. Hickox for the petitioners.

No. 73. Richard M. Jones, plaintiff in error, *v.* Union Guano Company (Inc.). Argument commenced by Mr. E. C. Jerome for the plaintiff in error, continued by Mr. Louis M. Swink and Mr. W. M. Hendren for the defendant in error, and concluded by Mr. E. C. Jerome for the plaintiff in error.

No. 74. The Salem Trust Company, petitioner, *v.* Manufacturers' Finance Company et al. Argument commenced by Mr. Alexander Whiteside for the petitioner, continued by Mr. Robert G. Dodge for the respondents, and concluded by Mr. Alexander Whiteside for the petitioner.

No. 75. Theodore A. Heyer, doing business as T. A. Heyer Duplicator Company, petitioner, *v.* Duplicator Manufacturing Company. Argument commenced by Mr. Samuel W. Banning for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 16, will be as follows: Nos. **75, 77, 78, 82, 84 (and 85), 87, 89, 91, 92, and 94.**

SUPREME COURT OF THE UNITED STATES.

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

Abraham M. Wattenberg, of New York City, and Edward W. McGrew, of Chicago, Ill., were admitted to practice.

No. 95. Piel Brothers, appellant, *v.* Ralph A. Day, Federal Prohibition Director, etc. Passed, to be heard with case No. 200, when No. 200 is reached.

No. 96. Southeastern Express Company, appellant, *v.* Stokes V. Robertson, State Revenue Agent, etc., et al. Appeal from the District Court of the United States for the Southern District of Mississippi. Dismissed with costs, without prejudice to the right of the appellant to prosecute its appeal in case (between same parties) now pending in this court, being No. 216, October term, 1923, on motion of Mr. S. R. Prince in behalf of counsel for the appellant.

No. 346. John D. Flanagan, petitioner, *v.* Federal Coal Company. Time prescribed by the rule in which the petition should have been submitted waived; and petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. James J. Lynch for the petitioner.

No. 520. Ne-Kah-Wah-She-Tun-Kah et al., appellants, *v.* Hubert Work, Secretary of the Interior, et al. Motion to advance submitted by Mr. C. F. R. Ogilby for the appellants.

No. 75. Theodore A. Heyer, doing business as T. A. Heyer Duplicator Manufacturing Company, petitioner, *v.* Duplicator Manufacturing Company. Argument continued by Mr. Samuel W. Banning for the petitioner, continued by Mr. G. L. Wilkinson for the respondent, and concluded by Mr. Samuel W. Banning for the petitioner.

No. 77. Charles G. Binderup, plaintiff in error, *v.* Pathe Exchange (Inc.) et al. Argument commenced by Mr. Dana B. Van Dusen for the plaintiff in error, continued by Mr. William Marston Seabury

and Mr. Arthur F. Mullen for the defendants in error, and concluded by Mr. Dana B. Van Dusen for the plaintiff in error.

No. 78. Louis Klebe et al., Copartners, etc., appellants, *v.* The United States. Argument commenced by Mr. Daniel C. Donoghue for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 17, will be as follows: Nos. 78, 82, 84 (and 85), 87, 89, 91, 92, 94, 40 (and 38), and 97 (and 98).

SUPREME COURT OF THE UNITED STATES.

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

Nelson T. Hartson, of Seattle, Wash.; Joseph E. Davies, of Madison, Wis.; George E. Merritt, of Oklahoma City, Okla.; and William O. Goddard, of New York City, were admitted to practice.

No. 78. Louis Klebe et al., Copartners, etc., appellants, *v.* The United States. Argument continued by Mr. Daniel C. Donoghue for the appellants, and concluded by Mr. Assistant Attorney General Ottinger for the appellee.

No. 82. Charles L. Craig, petitioner, *v.* William C. Hecht, United States Marshal, etc. Argued by Mr. E. L. Mooney for the petitioner, and by Mr. Solicitor General Beck for the respondent.

No. 84. The Matthew Addy Company, petitioner, *v.* The United States; and

No. 85. Benjamin N. Ford, petitioner, *v.* The United States. Argument commenced by Mr. Julius R. Samuels for the petitioners, and continued by Mr. George Ross Hull for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 18, will be as follows: Nos. 84 (and 85), 87, 89, 91, 92, 94, 40 (and 38), 97 (and 98), 102, and 105.

SUPREME COURT OF THE UNITED STATES.

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

Joseph C. Bruce, of Washington, D. C.; Harold F. Jones, of Washington, D. C.; Sidney J. Parsons, of Los Angeles, Calif.; W. K. Zewadski, jr., of Tampa, Fla.; and George A. Morin, of Boston, Mass., were admitted to practice.

No. 102. Federal Trade Commission, petitioner, *v.* Raymond Bros.-Clark Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. George Ross Hull in that behalf.

No. 84. The Matthew Addy Company, petitioner, *v.* The United States; and

No. 85. Benjamin N. Ford, petitioner, *v.* The United States. Argument continued by Mr. George Ross Hull for the respondent, and concluded by Mr. Julius R. Samuels for the petitioners.

No. 87. The United States, appellant, *v.* William W. Slaymaker. Argued by Mr. Assistant Attorney General Lovett for the appellant, and by Mr. George A. King for the appellee.

No. 89. Samuel A. Myers et al., Copartners, etc., petitioners, *v.* International Trust Company. Argued by Mr. Edward F. McClenen for the petitioners, and by Mr. John R. Lazenby for the respondent.

No. 91. Edward Hines Yellow Pine Trustees et al., appellants, *v.* The United States et al. Argument commenced by Mr. William S. Bennett for the appellants, continued by Mr. Blackburn Esterline for the United States, and by Mr. P. J. Farrell for the Interstate Commerce Commission.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 19, will be as follows: Nos. 91, 92, 94, 40 (and 38), 97 (and 98), 105, 106, 107, 109, and 112.

SUPREME COURT OF THE UNITED STATES.

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

G. B. Wells, of Plant City, Fla.; William F. Rose, of San Francisco, Calif.; N. Dwight Ford, of Broken Bow, Nebr.; and R. B. Watts, of Birmingham, Ala., were admitted to practice.

No. 91. Edward Hines Yellow Pine Trustees et al., appellants, *v.* The United States et al. Argument continued by Mr. Joseph E. Davies for the appellee American Wholesale Lumber Association, by special leave of court, and concluded by Mr. William S. Bennett for the appellants.

No. 97. De Witt Garrison Brown et al., plaintiffs in error, *v.* The United States; and

No. 98. The United States, plaintiff in error, *v.* De Witt Garrison Brown et al. Argued by Mr. J. H. Peterson for Brown et al., and by Mr. W. W. Dyar for the United States.

No. 92. The United States ex rel. Michael Bilokumsky, appellant, *v.* Robert E. Tod, Commissioner of Immigration, etc. Argued by Mr. Walter Nelles for the appellant, and by Mr. George Ross Hull for the appellee.

No. 94. Jay Burns Baking Company et al., plaintiffs in error, *v.* Charles W. Bryan, as Governor, etc. Argued by Mr. M. A. Hall for the plaintiffs in error, and by Mr. Lloyd Dort for the defendants in error.

Adjourned until Monday next at 12 o'clock.

MONDAY, OCTOBER 22, 1923.

SUPREME COURT OF THE UNITED STATES.

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

Paul L. Martin, of Omaha, Nebr.; Joseph Charles Meyerstein, of San Francisco, Calif.; Dwight E. Rorer, of Baltimore, Md.; Hugh A. Allen, of New York City; H. P. Janisch, of Chicago, Ill.; Joseph T. Keating, of Washington, D. C.; Herbert L. Brooke, of Helena, Mont.; and H. Lewis Brown, of New York City, were admitted to practice.

No. 20. The United States of America, plaintiff in error, *v.* Leroy W. Walter. In error to the District Court of the United States for the Southern District of Florida. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 54. American Railway Express Company, petitioner, *v.* Lucius P. Levee. On writ of certiorari to the Court of Appeal, First Circuit, 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.

No. 70. James C. Davis, Director General of Railroads, etc., petitioner, *v.* George Wechsler. On writ of certiorari to the Kansas City Court of Appeals, State of Missouri. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 45. John H. Brede, appellant, *v.* James M. Powers, United States Marshal for the Eastern District of New York. Appeal from the District Court of the United States for the Eastern District of New York. Final order affirmed with costs. Opinion by Mr. Justice McKenna. Mr. Justice McReynolds and Mr. Justice Brandeis concur in the result.

No. 140. Joe Wyman, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Eastern District of New York. Judgment affirmed. Opinion by Mr. Justice McKenna. Mr. Justice McReynolds and Mr. Justice Brandeis concur in the result.

The Chief Justice announced the following orders of the Court:

No. 252. First National Bank in St. Louis, plaintiff in error, *v.* State of Missouri at the information of Jesse W. Barrett, Attorney General. Motion of the United States for leave to file brief herein as *amicus curiae* and to participate in the oral argument of this cause granted. Motion of plaintiff in error for modification of order and to extend the scope of the reargument in this cause, granted, and any further briefs on behalf of plaintiff in error or of the United States shall be filed on or before November 1 and briefs in reply thereto shall be filed on or before November 9 next.

No. —, original. *Ex parte* In the matter of Transportes Maritimos, etc., petitioner. Motion for leave to file petition for a writ of mandamus and/or prohibition herein granted; and a rule to show cause ordered to issue to the respondent returnable on Monday, January 7 next.

No. 208. George L. Mesker et al., Trustees, etc., appellants, *v.* Ohio River Sand Company et al. Further consideration of the motion to dismiss in this cause postponed until the hearing of the cause on the merits.

No. 361. The Banco Mexicana de Comercio e Industria et al., appellants, *v.* Deutsche Bank et al. Motion to advance granted; and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 469. The United States of America et al., appellants, *v.* The New York Central Railroad Company et al. Motion to advance granted; and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 409. A. W. Duckett & Company (Inc.), appellant, *v.* The United States. Motion to advance denied.

No. 520. Ne-Kah-Wah-She-Tun-Kah, et al., appellants, *v.* Hubert Work, Secretary of the Interior, et al. Motion to advance denied.

No. 373. Harry Glassman, petitioner, *v.* Robert C. Rand, Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 512. Edmund L. Ebert et al., petitioners, *v.* Harry P. Poston. Petition for a writ of certiorari to the Supreme Court of the State of Michigan granted.

No. 517. E. I. Dupont de Nemours & Company, petitioner, *v.* James C. Davis, Director General, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 546. William R. Rodman, United States Marshal, petitioner, *v.* Roland R. Pothier. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 547. Missouri Pacific Railroad Company, petitioner, *v.* Roy Stroud. Petition for a writ of certiorari to the Springfield Court of Appeals of the State of Missouri granted.

No. 549. Standard Oil Company of New Jersey, as Owner, etc., of the Steamship *Llama*, 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 granted.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels, more or less, Alleged Apple Cider Vinegar et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 573. Fullerton-Krueger Lumber Company, petitioner, *v.* Northern Pacific Railway Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 574. A. J. Oliver, as Trustee, etc., petitioner, *v.* The United States of America et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 581. C. O. Linder, 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. 582. Ephraim Lederer, Collector of Internal Revenue, etc., petitioner, *v.* Fidelity Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 418. Fox Typewriter Company, petitioner, *v.* Underwood Typewriter Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 492. William S. Brewer, 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. 505. Walter L. Ross, Receiver Toledo, St. Louis & Western Railroad Company, petitioner, *v.* Industrial Commission of Illinois et al. Petition for a writ of certiorari to the Circuit Court of St. Clair County, Illinois, denied.

No. 506. J. B. Simpson, 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. 510. Sue Phillips Gates, petitioner, *v.* Maryland Casualty Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 513. Wenbourne-Karpen Dryer Company, petitioner, *v.* Cutler Dry Kiln Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 514. The Territory of Alaska, petitioner, *v.* Annette Island Packing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 515. Henry L. Bogart et al., petitioners, *v.* Southern Pacific Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 516. Henry L. Bogart et al., petitioners, *v.* Southern Pacific Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 523. Joseph F. Dierickx, petitioner, *v.* James C. Davis, Federal Agent, etc. Petition for a writ of certiorari to the Supreme Court of the State of Indiana denied.

No. 525. Commercial Electrical Supply Company, petitioner, *v.* W. L. Curtis, Receiver of the Commonwealth Public Service Company, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 527. Nicodemus B. Hurr et al., petitioners, *v.* Everett W. Davis et al. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 535. American Chain Company, petitioner, *v.* Interstate Iron & Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 536. Mount Vernon Car Manufacturing Company, petitioner, *v.* The Pressed Steel Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 537. O. H. Chrisp, plaintiff in error, *v.* James C. Davis, Director General. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 538. William Joring et al., petitioners, *v.* William Leslie Harriss et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 541. Marie Dove Williamson, petitioner, *v.* Seaboard Air Line Railway Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 543. Frank Trueba, 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. 548. Asuncion Mitchel, petitioner, *v.* The Manila Railroad Company. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 550. Fair Oaks Steamship Corporation, Claimant of Steamship *West Irmo*, petitioner, *v.* United States Shipping Board et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 557. Sanford Coal Company, petitioner, *v.* Wisconsin Bridge & Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 563. Porto Rico Fertilizer Company, petitioner, *v.* Pedro Gandia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 564. Sebastian Bridge District, petitioner, *v.* Missouri Pacific Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 566. Adam Kluchinsky et al., etc., petitioners, *v.* John Zernosky, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 567. Algional H. Rae, Claimant of 1,250 Cases of Intoxicating Liquors, 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. 568. Charles Eugene Albury, Claimant of the Schooner *Henry L. Marshall*, 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. 569. Charles Eugene Albury, Claimant of the Schooner *Henry L. Marshall*, 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. 577. Pacific American Fisheries, petitioner, *v.* Emil Hoof. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 578. The Delaware, Lackawanna & Western Railroad Company, petitioner, *v.* Spencer, Kellogg & Sons (Inc.). Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 579. Edward A. Rumely et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 584. Irving Bank-Columbia Trust Company, petitioner, *v.* New York Railways Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 398. The United States of America ex rel. St. Louis Southwestern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the case on the writ of error.

No. 532. Edgar S. Appleby and John S. Appleby, etc., Executors, etc., of Charles E. Appleby, deceased, plaintiffs in error, *v.* The City of New York et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the case on the writ of error.

No. 533. Edgar S. Appleby and John S. Appleby, plaintiffs in error, *v.* John T. Delaney, as Commissioner of Docks of the City of New York. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the case on the writ of error.

No. 202. Harriet C. Brittin, appellant, *v.* S. E. Juden, Presiding Justice, et al. Appeal from the District Court of the United States for the Eastern District of Missouri. Per curiam: Decree affirmed with costs upon the authority of *Colvin v. Jacksonville*, 158 U. S. 456, 459-460; *El Paso Water Co. v. El Paso*, 152 U. S. 157, 159.

No. 80. Matt Walser, plaintiff in error, *v.* City of Sioux Falls. In error to the Municipal Court of the City of Sioux Falls, State of South Dakota. Dismissed for the want of jurisdiction upon the

authority of (1) Equitable Life Assurance Co. *v.* Brown, 187 U. S. 308, 314; Consolidated Turnpike Co. *v.* Norfolk, etc., Ry. Co., 228 U. S. 596, 600; Contributors to Pennsylvania Hospital *v.* City of Philadelphia, 245 U. S. 20, 24; (2) Chapin *v.* Frye, 179 U. S. 127, 130; Hunter *v.* Pittsburgh, 207 U. S. 161, 176; Booth *v.* Indiana, 237 U. S. 391, 394; Gasquet *v.* Lapeyre, 242 U. S. 367, 369; (3) Vigliotti *v.* Pennsylvania, 258 U. S. 403, 408.

No. 614. Homer I. Stephenson, appellant, *v.* Frank Kratke, Warden of the Common Jail of the City and County of Denver. Appeal from the District Court of the United States for the District of Colorado. Docketed and dismissed with costs, on motion of Mr. Blackburn Esterline for the appellee.

No. 276. William H. Edwards, former Collector, etc. petitioner, *v.* Joseph Jermain Slocum et al. Motion to advance submitted by Mr. Blackburn Esterline for the petitioner.

No. 705, October term, 1921. Justus S. Wardell, Collector of Internal Revenue, etc., petitioner, *v.* James A. Blum. Leave granted petitioner to withdraw motion to revoke order denying petition for writ of certiorari, on motion of Mr. Blackburn Esterline for the petitioner.

No. 252. First National Bank in St. Louis, plaintiff in error, *v.* The State of Missouri at the Information of Jesse W. Barrett, Attorney General. Motion for leave to file brief as amici curiae on behalf of the Attorneys General of Wisconsin, Minnesota, Illinois, Indiana, and Iowa granted; and motion for leave to take part in the oral argument submitted by Mr. Herman L. Ekern in that behalf.

No. 330. Dayton-Goose Creek Railway Company, appellant, *v.* The United States of America. Leave granted to file brief of Samuel W. Moore as amicus curiae herein on motion of Mr. A. Rea Williams in that behalf.

No. 314. The United States of America, appellant, *v.* Roger B. Wood, Trustee in Bankruptcy, etc. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Godfrey Goldmark for the appellee in support of the motion; with leave to counsel for the appellant to file opposition thereto within one week.

No. 421. Louisiana Public Service Commission et al., appellants, *v.* Morgan's Louisiana & Texas Railroad & Steamship Company. Motion to advance submitted by Mr. J. E. Benton in that behalf.

No. 157. Harry Kellman, plaintiff in error, *v.* City of St. Louis. Motion to dismiss submitted by Mr. Franklin D. Jones in behalf of

Mr. George F. Haid for the defendant in error in support of the motion.

No. 110. Southern Power Company, petitioner, *v.* North Carolina Public Service Company et al. Motion to maintain status quo pending the determination of the suit in this court submitted by Mr. W. P. Bynum, Mr. R. V. Lindabury, Mr. E. T. Cansler, and Mr. W. S. O'B. Robinson, jr., for the petitioner in support of the motion, and by Mr. Aubrey L. Brooks and Mr. John W. Davis for the respondent in opposition thereto.

No. 607. Standard Oil Company of New Jersey, petitioner, *v.* Southern Pacific Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. W. H. McGrann and Mr. John M. Woolsey for the petitioner, and by Mr. D. Roger Englar, Mr. T. Catesby Jones and Mr. Charles C. Burlingham for the respondents.

No. 586. Isom Grayson et al., plaintiffs in error, *v.* James A. Harris et al. Petition for a writ of certiorari herein submitted by Mr. Robert M. Rainey and Mr. Streeter B. Flynn for the plaintiffs in error, in support of the petition, and by Mr. Robert F. Blair and Mr. George S. Ramsey for the defendants in error in opposition thereto.

No. 609. Austin Nichols & Company, petitioner, *v.* Steamship *Isla De Panay*, Her Engines, etc., et al;

No. 610. Eug. Sanchez et al., etc., petitioners, *v.* Steamship *Isla De Panay*, Her Engines, etc.; and

No. 611. E. Tolibia & Company, petitioner, *v.* Steamship *Isla De Panay*, Her Engines, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. Catesby Jones and Mr. James W. Ryan for the petitioner, and by Mr. John W. Crandall for the respondents.

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

The day call for Monday, November 12, will be as follows: Nos. 40 (and 38), 105, 106, 107, 109, 112, 128, 156, 255, 331, 330, 318, 252, 283 (and 284 and 285), 353, and 182.

SUPREME COURT OF THE UNITED STATES.

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

George P. Parker, of Provo, Utah; Thomas F. Trumbull, of Port Angeles, Wash.; John D. Fletcher, of Takoma, Wash.; Edward W. Vaill, of New York City; R. Granville Curry, of Staunton, Va.; Sewall Key, of Washington, D. C.; Charles K. Friedman, of Toledo, Ohio; William W. Clary, of Los Angeles, Calif.; J. Robert Robinson, of Salt Lake City, Utah; Sophus Dee Hanson, of Washington, D. C.; Joseph E. Woods, of Teague, Tex.; John H. Howell, of Washington, D. C.; E. H. Callaway, of Augusta, Ga.; R. B. Webster, of Chicago, Ill.; John Frank Martin, of Oklahoma City, Okla.; J. N. Tinchler, of Medicine Lodge, Kans.; Glenn C. Mead, of Philadelphia, Pa.; and Platt Hubbell, of Trenton, Mo., were admitted to practice.

No. 58. Charles E. McGregor, plaintiff in error, *v.* George P. Hagan, Sheriff of Warren County, Georgia, et al. In error to the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 71. James C. Davis, Designated Agent under the Transportation Act, petitioner, *v.* Lee A. Wolfe. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 72. Canute Steamship Company (Ltd.) et al., petitioners, *v.* Pittsburgh and West Virginia Coal Company et al. 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 Sanford.

No. 44. August V. Anderson, Warden United States Penitentiary, Leavenworth, Kansas, petitioner, *v.* Arthur Corall. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth

Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the District of Kansas, with directions that the respondent, Arthur Corall, be restored to the custody of the warden of the United States penitentiary at Leavenworth, Kansas. Opinion by Mr. Justice Butler.

No. 29. Frank Terrace et al., appellants, *v.* Lindsay L. Thompson, Attorney General of the State of Washington. Appeal from the District Court of the United States for the Western District of Washington. Decree affirmed with costs. Opinion by Mr. Justice Butler. Mr. Justice McReynolds and Mr. Justice Brandeis think there is no justiciable question involved, and that the case should have been dismissed on that ground. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 28. W. I. Porterfield et al., appellants, *v.* U. S. Webb, as Attorney General of the State of California, et al. Appeal from the District Court of the United States for the Southern District of California. Order affirmed with costs. Opinion by Mr. Justice Butler. Mr. Justice McReynolds and Mr. Justice Brandeis think there is no justiciable question involved, and that the case should have been dismissed on that ground. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 16. Charles Butters et al., plaintiffs in error, *v.* City of Oakland et al. In error to the District Court of Appeal of the State of California in and for the First Appellate District. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 66. Mutual Life Insurance Company of New York, petitioner, *v.* Hurni Packing Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Iowa. Opinion by Mr. Justice Sutherland.

No. 67. The United States of America, petitioner, *v.* Frederick L. Merriam. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Sutherland.

No. 68. The United States of America, petitioner, *v.* Henry B. Anderson. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Sutherland.

No. 78. Louis Klebe et al., Copartners, etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 12. James A. Baker, Receiver of the International & Great Northern Railway Company, et al., plaintiffs in error, *v.* Karl L. Druessedow, Tax Collector of Harris County, Texas, et al. Writ of error dismissed for the want of jurisdiction. Petition for a writ of certiorari herein granted; and judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 91. Edward Hines Yellow Pine Trustees et al., Trustees, appellants, *v.* The United States of America et al. Appeal from the District Court of the United States for the Northern District of Illinois. Decree affirmed. Opinion by Mr. Justice Brandeis.

No. 92. The United States of America ex rel. Michael Bilokumsky, appellant, *v.* Robert E. Tod, Commissioner of Immigration at the Port of New York, et al. Appeal from the District Court of the United States for the Southern District of New York. Final order affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 530. James Cox Davis, as the Agent of the President, etc., plaintiff in error, *v.* Marion C. Slocomb, as Administratrix of the Estate of Wilson M. Slocomb, deceased. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 43. St. Johns N. F. Shipping Corporation, Owner, etc., petitioner, *v.* S. A. Companhia Geral Commercial do Rio de Janeiro. 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 McReynolds.

No. 57. Superior Water, Light & Power Company, plaintiff in error, *v.* City of Superior and F. A. Baxter, as Mayor, et al., etc. In error to the Supreme Court of the State of Wisconsin. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 17. Des Moines National Bank, plaintiff in error, *v.* Thomas Fairweather, Mayor, et al. In error to the Supreme Court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 64. New Orleans Land Company, plaintiff in error, *v.* Robert R. Brott et al.; and

No. 86. Robert R. Brott et al., plaintiffs in error, *v.* New Orleans Land Company. In error to the Supreme Court of the State of Louisiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 75. Theodore A. Heyer, doing business as T. A. Heyer Duplicator Company, *v.* Duplicator Manufacturing Company. On writ of

certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 81. Edwin Schwab, plaintiff in error, *v.* Friend W. Richardson, as Treasurer of the State of California. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 87. The United States, appellant, *v.* William W. Slaymaker. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 39. Director General of Railroads, petitioner, *v.* Samuel Kastenbaum. On writ of certiorari to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 47. Edwin Denby, Secretary of the Navy of the United States of America, plaintiff in error, *v.* George A. Berry. In error to the Court of Appeals of the District of Columbia. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 48. Harvey McConaughey, for himself and others, etc., appellant, *v.* J. J. Morrow, Governor of the Panama Canal, et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Canal Zone. Opinion by Mr. Chief Justice Taft.

No. 51. Samuel Homer Woodbridge et al., Executors, etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 89. Samuel A. Myers et al., Copartners as S. A. & H. Myers, petitioners, *v.* International Trust Company. On writ of certiorari to the Superior Court, County of Suffolk, Commonwealth of Massachusetts. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 97. De Witt Garrison Brown et al., plaintiffs in error, *v.* The United States of America; and

No. 98. The United States of America, plaintiff in error, *v.* De Witt Garrison Brown et al. In error to the District Court of the United States for the District of Idaho. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

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

No. 252. First National Bank in St. Louis, plaintiff in error, *v.* The State of Missouri at the information of Jesse W. Barrett, Attorney General. Motions for leave to participate in the oral argument as amici curiae in this case denied.

No. 110. Southern Power Company, petitioner, *v.* North Carolina Public Service Company et al. Motion to maintain status quo pending suit denied without prejudice; and further consideration of the motion postponed to the hearing of the case.

No. 286. Aetna Insurance Company et al., plaintiffs in error, *v.* Stokes V. Robertson, State Revenue Agent, etc. In error to the Supreme Court of the State of Mississippi. Per curiam: Petition for rehearing denied. The authorities under which this case was dismissed were not section 237 of the Judicial Code, as amended by the act of September 6, 1916, ch. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S. 1, 5-6, as stated in the per curiam of October 8, 1923, but were: *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195.

No. 276. William H. Edwards, formerly Collector, etc., petitioner, *v.* Joseph Jermain Slocum et al. Motion to advance granted; and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 421. Louisiana Public Service Commission et al., appellants, *v.* Morgan's Louisiana & Texas Railroad & Steamship Company. Motion to advance granted; and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 157. Harry Kellman, plaintiff in error, *v.* City of St. Louis. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of *Bailiff v. Tipping*, 2 Cranch, 214; *Brown v. Union Bank*, 4 How. 465, 466; *Hogan v. Ross*, 9 How. 602, 603; *Insurance Co. v. Mordecai*, 21 How. 195, 201; *Kitchen v. Randolph*, 93 U. S. 86, 87; *United States v. Phillips*, 121 U. S. 254.

No. 376. The State of Missouri ex rel. The St. Louis, Brownsville & Mexico Railway Company, plaintiff in error, *v.* Wilson A. Taylor, Judge, etc. Petition for a writ of certiorari herein granted.

No. 586. Isom Grayson et al., plaintiffs in error, *v.* James A. Harris et al. Petition for a writ of certiorari herein granted.

No. 607. Standard Oil Company of New Jersey, petitioner, *v.* Southern Pacific Company et al. Petition for a writ of certiorari to

the United States Circuit Court of Appeals for the Second Circuit granted.

No. 609. Austin Nichols & Company, petitioner, *v.* Steamship *Isla De Panay*, Her Engines, etc., et al.;

No. 610. Eug. Sanchez et al., trading as E. Sanchez & Company, petitioners, *v.* Steamship *Isla De Panay*, Her Engines, etc., et al.;

No. 611. E. Tolibia & Company, petitioner, *v.* Steamship *Isla De Panay*, Her Engines, etc., et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 442. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 443. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 444. Adelaide H. C. Frick et al., etc., plaintiffs in error, *v.* Commonwealth of Pennsylvania; and

No. 445. Adelaide H. C. Frick et al., etc., plaintiffs in error, *v.* Commonwealth of Pennsylvania. Further consideration of the petition for writs of certiorari in these cases postponed to the hearing of the cases on the writs of error.

No. 438. Bestwall Manufacturing Company, petitioner, *v.* United States Gypsum Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 554. Cowokochee, plaintiff in error, *v.* James A. Chapman et al. Petition for a writ of certiorari herein denied.

ORDER.

It is ordered that section 7 of rule 24 of this court be amended by striking therefrom the words "fifteen cents per folio," in the clause prescribing fees for preparing records, etc., and substituting the words "ten cents per folio," so that the entire clause will read:

"For preparing the record or a transcript thereof for the printer, indexing the same, supervising the printing, and distributing the printed copies to the justices, the reporter, the law library, and the parties or their counsel, ten cents per folio; but when the necessary printed copies of the record, as printed for the use of the lower court, shall be furnished, the fee for supervising shall be five cents per folio."

This order shall apply to causes filed here on or after December 1, 1923, but not to causes filed prior to that date.

ORDER.

It is ordered that the following be added as section 5 to rule 37 of this court:

"5. Whenever application for the writ of certiorari to review a decision of any court, as provided in this rule, is granted, the clerk shall enter an order to that effect. The order shall also direct that the certified transcript of record on file here be deemed and treated as though sent up in reply to a formal writ, and that notice be given to the court or judges below and to counsel of record. No formal writ shall issue unless specially directed."

ORDER.

It is now and here ordered by this court that, for the convenience of counsel and litigants, the cases coming to this court from the Ninth Circuit from No. 114 to No. 375, inclusive, be, and they are hereby, assigned for hearing beginning Monday, February 18 next, in advance of other cases on the regular docket.

It is further ordered that the clerk is directed to notify counsel in the above specified cases of this order.

No. 451. Ziang Sung Wan, petitioner, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Beck for the respondent.

No. —, original. The State of New Jersey, complainant, *v.* Harry M. Daugherty, Personally and Individually and as Attorney General of the United States, et al. Motion for leave to file bill of complaint herein submitted by Mr. William Newcorn and Mr. Thomas F. McCran for the complainant.

No. 551. Charles S. Bohler, Tax Collector of Richmond County, Georgia, et al., appellants, *v.* E. H. Callaway, as Executor, etc.; and

No. 552. E. H. Callaway, as Executor, etc., appellant, *v.* Charles S. Bohler, Tax Collector of Richmond County, Georgia, et al. Motion to dismiss or affirm on the cross appeal and to reverse on the main appeal; or to advance under rule 26, submitted by Mr. Benjamin E. Pierce for the appellants and cross appellees in support of the motion, and by Mr. E. H. Callaway and Mr. W. M. Howard for the appellee and cross appellant in opposition thereto.

No. 398. The United States of America ex rel. St. Louis Southwestern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission et al. Motion to advance submitted by Mr. C. D. Drayton in that behalf.

No. 330. Dayton-Goose Creek Railway Company, appellant, *v.* The United States of America et al. Leave granted to file briefs herein as amici curiae, on motion of counsel in that behalf.

No. 545. The State of Ohio ex rel. George S. Hawke, plaintiff in error, *v.* Robert A. LeBlond, as Presiding Judge, etc. Motion to advance submitted by Mr. George S. Hawke pro se.

No. 283. Railroad Commission of the State of California, petitioner, *v.* Southern Pacific Company et al. Leave granted to file brief herein as amicus curiae on motion of Mr. J. E. Benton in that behalf.

No. 518. Crew Levick Company, plaintiff in error, *v.* City of Philadelphia to the use of J. Joseph McHugh. Motion to advance submitted by Mr. Glenn C. Mead in that behalf.

No. 644. The United States of America, plaintiff in error, *v.* Prince Line (Ltd.). In error to the District Court of the United States for the Eastern District of New York. Docketed and dismissed, on motion of Mr. William O. Goddard in behalf of Mr. Cletus Keating for the defendant in error.

No. 645. The United States of America, plaintiff in error, *v.* American Hawaiian Steamship Company. In error to the District Court of the United States for the defendant in error. Docketed and dismissed on motion of Mr. William O. Goddard in behalf of Mr. Cletus Keating for the defendant in error.

No. 621. J. B. Smyth et al., appellants, *v.* Asphalt Belt Railway Company et al. Motion for a temporary injunction herein submitted by Mr. Robert H. Kelley for the appellants.

No. 370. George D. Hile, a taxpayer, plaintiff in error, *v.* The City of Cleveland. Motion to advance submitted by Mr. H. J. Gerrity in that behalf.

No. 434. Fidelity & Columbia Trust Company et al., etc., plaintiffs in error, *v.* The Commonwealth of Kentucky. Motion to advance submitted by Mr. Wilfred Hearn in that behalf.

No. 354. Thomas A. Delaney, petitioner, *v.* The United States of America. Motion to advance and to admit petitioner to bail submitted by Mr. Otto Schlobohm in behalf of counsel for the petitioner.

No. —, original. Ex parte In the matter of L. Santiago Carmona et al., Composing the Members of the Workmen's Relief Commission of Porto Rico, et al., petitioners. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. F. Granville Munson and Mr. Grant T. Trent for the petitioners.

No. 22, original. The United States of America, complainant, *v.* The State of Minnesota; and

No. 24, original. The United States, complainant, *v.* The State of Minnesota. Answer filed, on motion of Mr. C. R. Pierce for the defendant.

No. 576. Denison-Pratt Paper Company, petitioner, *v.* News Publishing Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. Charles D. Merrick and Mr. Buford C. Tynes for the petitioner, and by Mr. C. M. Hanna for the respondent.

No. 594. C. V. Browne, petitioner, *v.* The Union Pacific Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Ray Campbell for the petitioner and by Mr. N. H. Loomis and Mr. T. M. Lillard for the respondent.

No. 595. Fata Salkovich, by Kosto Unkovich, Attorney in Fact, petitioner, *v.* Industrial Accident Commission of the State of California. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. William M. Williams for the petitioner, and by Mr. Warren H. Pillsbury for the respondent.

No. 598. Barney McCourtney 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 M. Cleary for the petitioners.

No. 599. Joseph G. Heintz, petitioner, *v.* The United States of America;

No. 600. Max Smithberger, petitioner, *v.* The United States of America;

No. 601. Joliet Citizens Brewing Company, petitioner, *v.* The United States of America; and

No. 602. Oscar Weinbrod, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Frank J. Jones for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 617. Dovan Chemical Corporation, petitioner, *v.* National Aniline & Chemical Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James R. Sheffield and Mr. Drury W. Cooper for the petitioner, and by Mr. Charles H. Otis for the respondent.

No. 620. Theodore DeWitt, 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 Ben B. Wickham for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 131. W. Fish Wilson, County Collector of Taxes, etc., et al., appellants, *v.* Illinois Southern Railway Company et al. Motion to dismiss or transfer case to the United States Circuit Court of Ap-

peals submitted by Mr. George B. Gillespie for the appellees in support of the motion, and by Mr. June C. Smith for the appellants in opposition thereto.

No. 196. Harry Ryan et al., petitioners, *v.* The United States of America. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, on motion of counsel for the petitioners.

No. 234. Venancio Concepcion, petitioner, *v.* The People of the Philippine Islands. On petition for a writ of certiorari to the Supreme Court of the Philippine Islands. Dismissed, on motion of counsel for the petitioner.

No. 287. Samuel Greenberg et al., petitioners, *v.* The United States of America. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, on motion of counsel for the petitioner.

No. 325. Aetna Life Insurance Company et al., plaintiffs in error, *v.* Mrs. Pearl Stone Dunken, Administratrix, etc. Motion to dismiss or affirm submitted by Mr. C. A. Boynton for the defendant in error in support of the motion, and by Mr. W. J. Moroney for the plaintiffs in error in opposition thereto.

No. 372. C. E. Gaines, petitioner, *v.* The State of Texas. On petition for a writ of certiorari to the Court of Criminal Appeals of the State of Texas. Dismissed, per stipulation.

No. 617. Dovan Chemical Corporation, petitioner, *v.* National Aniline & Chemical Company. Leave granted to file briefs herein as amici curiae, on motion of counsel in that behalf.

No. 40. The United States of America et al., appellants, *v.* Illinois Central Railroad Company et al.; and

No. 38. Wyoming Railway Company, appellant, *v.* The United States of America et al. Argument commenced by Mr. Blackburn Esterline for the United States of America, and continued by Mr. R. V. Fletcher for Illinois Central Railroad Company.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 13, will be as follows: Nos. 40 (and 38), 105, 106, 107, 109, 112, 128, 156, 255, 331, 330, 318, 252, 283 (and 284 and 285), 353, and 182.

SUPREME COURT OF THE UNITED STATES.

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

Donald Evans, of Des Moines, Iowa; James Owen Sword, of Los Angeles, Calif.; Watts T. Estabrook, of Washington, D. C.; Dwight B. Galt, of Washington, D. C.; and John P. Garvin, of Seattle, Wash., were admitted to practice.

No. 113. Domingo Diaz A., et al., appellants, *v.* Guillermo Patterson. Motion to pass case submitted by Mr. Walter S. Penfield in behalf of counsel; and motion denied.

No. 133. The Kansas Natural Gas Company, plaintiff in error, *v.* The State of Kansas ex rel. A. E. Helm, Attorney, etc.; and

No. 155. The State of Missouri ex rel. Jesse W. Barrett, Attorney General, et al., appellants, *v.* Kansas Natural Gas Company. Motion to consolidate submitted by Mr. H. O. Caster in that behalf.

No. 26, original. Ex parte In the matter of Transportes Maritimos do Estado, etc., petitioner. Stay granted on motion of Mr. F. Dudley Kohler for the petitioner.

No. 40. The United States et al., appellants, *v.* Illinois Central Railroad Company et al.; and

No. 38. Wyoming Railway Company, appellant, *v.* The United States et al. Argument continued by Mr. R. V. Fletcher for the Illinois Central Railroad Co., by Mr. Garner Wynn Green for the Fernwood Columbia & Gulf Railroad Co., by Mr. H. C. Lutkin for the Wyoming Railway Co., and concluded by Mr. J. Carter Fort for the Interstate Commerce Commission.

No. 105. City of Winfield, plaintiff in error, *v.* Court of Industrial Relations et al. Argument commenced by Mr. A. M. Jackson for the plaintiff in error. The court declined to hear further argument.

No. 106. William T. Price, et al., plaintiffs in error, *v.* Magnolia Petroleum Co. et al. Argument commenced by Mr. E. E. Blake for the plaintiff in error, continued by Mr. B. B. Blakeney for

the Magnolia Petroleum Co., by Mr. George E. Merritt for commissioners of the land office of Oklahoma, and by Mr. A. T. Boys for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 14, will be as follows: Nos. **106, 107, 109, 112, 128, 156, 255, 331, 330, 318, 252, 283** (and **284 and 285**), **353**, and **182**.

SUPREME COURT OF THE UNITED STATES.

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

Harold G. Manning, of Washington, D. C., and Karl F. Phillips, of Wheeling, W. Va., were admitted to practice.

No. 106. William T. Price et al., plaintiffs in error, *v.* Magnolia Petroleum Company et al. Argument concluded by Mr. A. T. Boys for the plaintiffs in error.

No. 107. Cudahy Packing Company of Nebraska, plaintiff in error, *v.* Mary Ann Parramore, etc., et al. Argued by Mr. George T. Buckingham for the plaintiff in error, and by Mr. J. Robert Robinson for the defendants in error.

No. 109. Guaranty Title & Trust Company, Receiver, etc., appellant, *v.* The United States. Argument commenced by Mr. E. R. F. Wells for the appellant, continued by Mr. H. H. Rumble for the Norfolk-Hampton Roads Co., one of the appellees, and concluded by Mr. E. R. F. Wells for the appellant.

No. 112. Red Cross Line, petitioner, *v.* Atlantic Fruit Company. Argument commenced by Mr. Homer L. Loomis for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 15, will be as follows: Nos. 112, 128, 156, 255, 331, 330, 318, 252, 283 (and 284 and 285), 353, and 182.

SUPREME COURT OF THE UNITED STATES.

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

George Pierce Stovall, of Superior, Ariz.; L. Claude Fottrell, of New York City; and Clifton P. Williamson, of New York City, were admitted to practice.

No. 249. The Young Men's Christian Association of Columbus, Ohio, et al., petitioners, *v.* Ora Davis et al. Motion to advance submitted by Mr. Frank Davis, jr., for the petitioners.

No. 621. J. B. Smyth et al., appellants, *v.* Asphalt Belt Railway Company et al. Motion to advance submitted by Mr. Robert H. Kelley for the appellants. Motion for leave to file certified documents submitted by Mr. Robert H. Kelley for the appellants.

No. 112. Red Cross Line, petitioner, *v.* Atlantic Fruit Company. Argument continued by Mr. J. W. Crandall for the respondent, and concluded by Mr. H. L. Loomis for the petitioner.

No. 128. Sven Haavik, appellant, *v.* Alaska Packers' Association. Argued by Mr. H. W. Hutton for the appellant, and by Mr. John Rustgard for the appellee.

No. 156. Alfred Street, suing on behalf of himself and others, etc., et al., appellants, *v.* Shipowners' Association of the Pacific Coast et al. Argued by Mr. H. W. Hutton for the appellants, and by Mr. Warren Olney for the appellees.

No. 255. Clallam County, Washington, et al., *v.* The United States. Argument commenced by Mr. Thomas F. Trumbull for Clallam County, Washington, et al., continued by Mr. Solicitor General Beck for The United States, and concluded by Mr. John V. Fletcher for Clallam County, Washington, et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 16, will be as follows: Nos. 331, 330, 318, 252, 283 (and 284 and 285), 353, 182, 42, 90, and 104.

SUPREME COURT OF THE UNITED STATES.

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

William R. Benham, of Washington, D. C.; Edward T. Pares, of Chicago, Ill.; F. William Kraft, of Chicago, Ill.; Henry Anderson Guiler, of New York City; Grove Johnson Fink, of San Francisco, Calif.; Stanley W. Finch, of Washington, D. C.; and Celestino Dominguez y Rubio, of Guayama, P. R., were admitted to practice.

No. 72. Canute Steamship Company (Limited) et al., petitioners. *v.* Pittsburgh & West Virginia Coal Company et al. Mandate granted, the petitioners not objecting, on motion of Mr. Thomas F. Barrett for the respondents.

No. 331. The United States, appellant, *v.* New York Coffee & Sugar Exchange (Inc.) et al. Argument commenced by Mr. James A. Fowler for the appellant, continued by Mr. William Mason Smith and Mr. John W. Davis for the appellees. and concluded by Mr. Assistant to the Attorney General Seymour for the appellant.

No. 330. Dayton-Goose Creek Railway Company, appellant, *v.* The United States et al. Forty minutes additional allowed to each side, on motion of Mr. Solicitor General Beck for the appellees. Leave granted Mr. Frank Andrews to file brief for the appellant, in reply to brief as amicus curiae, on or before Monday, November 26. Argument commenced by Mr. Frank Andrews for the appellant, and continued by Mr. P. J. Farrell for the Interstate Commerce Commission.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 19, will be as follows: Nos. 330, 15 original (and 16 original, October term, 1922), 318, 252, 283 (and 284 and 285), 353, 182, 42, 90, 104, and 404, October term, 1922.

SUPREME COURT OF THE UNITED STATES.

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

Douglas W. Robert, of St. Louis, Mo.; Ralph H. Kimball, of New York City; Raymond G. Wright, of Seattle, Wash.; Eugene R. West, of Seattle, Wash.; and F. M. Angellotti, of San Francisco, Calif., were admitted to practice.

No. 26. U. S. Webb, as Attorney General of the State of California, et al., appellants, *v.* J. J. O'Brien et al. Appeal from the District Court of the United States for the Northern District of California. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler. Mr. Justice McReynolds and Mr. Justice Brandeis think there is no justiciable question involved, and that the cause should have been dismissed on that ground. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 111. Raymond L. Frick and N. Satow, appellants, *v.* U. S. Webb, as Attorney General 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 Butler. Mr. Justice McReynolds and Mr. Justice Brandeis think there is no justiciable question involved, and that the cause should have been dismissed on that ground. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 77. Charles G. Binderup, plaintiff in error, *v.* Pathe Exchange (Inc.) et al. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the District of Nebraska for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 21. Security Savings Bank, plaintiff in error, *v.* The State of California. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 82. Charles L. Craig, petitioner, *v.* William C. Hecht, United States Marshal for the Southern District of New York. On writ or certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McReynolds. Concurring: Mr. Chief Justice Taft. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 33. Eli Bunch, plaintiff in error, *v.* J. B. Cole and T. B. Mathews. 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 Van Devanter.

The Chief Justice announced the following orders of the court:

No. —, original. The State of New Jersey, complainant, *v.* Harry M. Daugherty, Attorney General of the United States, et al. Motion for leave to file a bill of complaint herein granted, and process ordered to issue returnable on Monday, January 21 next.

No. 621. J. B. Smyth et al., appellants, *v.* Asphalt Belt Railway Company et al. Motion for a temporary injunction herein denied. Motion for leave to file documents in support of motion for injunction granted. Motion to advance denied.

No. —, original. Ex parte In the matter of L. Santiago Carmona et al., petitioners. Motion for leave to file petition for a writ of mandamus herein denied.

No. 451. Ziang Sung Wan, petitioner, *v.* The United States of America. Motion to advance granted, and cause assigned for argument on Monday, January 7 next, at the head of the call for that day.

No. 398. The United States of America ex rel. Louis Southwestern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission et al. Motion to advance granted, and cause assigned for argument on Monday, January 21 next.

No. 249. The Young Men's Christian Association of Columbus, Ohio, et al., petitioners, *v.* Ora Davis et al. Motion to advance granted, and case assigned for argument with No. 276 on Monday, January 7 next.

No. 545. The State of Ohio ex rel. George S. Hawke, plaintiff in error, *v.* Robert A. LeBlond, as Presiding Judge, etc. In error to the Supreme Court of the State of Ohio. Per curiam: The motion to advance is denied. The application for certiorari is also denied, and the writ of error is dismissed by the court of its own motion upon 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. 518. Crew Levick Company, plaintiff in error, *v.* City of Philadelphia to the use of J. Joseph McHugh. Motion to advance denied.

No. 370. George D. Hile, a taxpayer, plaintiff in error, *v.* The City of Cleveland. Motion to advance denied.

No. 434. Fidelity & Columbia Trust Company et al., Administrators, etc., plaintiffs in error, *v.* The Commonwealth of Kentucky. Motion to advance denied.

No. 354. Thomas A. Delaney, petitioner, *v.* The United States of America. Motion to advance granted, and cause transferred to the docket and assigned for argument on Monday, December 3 next, after the cases heretofore assigned for that day. Motion to admit petitioner to bail denied.

No. 314. The United States of America, appellant, *v.* Roger B. Wood, Trustee in Bankruptcy of Eastern Shore Ship Building Corporation. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Per curiam: Judgment affirmed upon the authority of United States *v.* Wood, 258 U. S. 549, 570, 574; Guaranty Title & Trust Co. *v.* Title Guaranty & Surety Co., 224 U. S. 152.

No. 131. W. Fish Wilson, County Collector, etc., et al., appellants, *v.* Illinois Southern Railway Company et al. Further consideration of the motion to dismiss or transfer to the United States Circuit Court of Appeals postponed until the hearing of the cause on the merits.

No. 325. Aetna Life Insurance Company et al., plaintiffs in error, *v.* Mrs. Pearl Stone Dunken, Administratrix, etc. Further consideration of the motion to dismiss or affirm postponed until the hearing of the cause on the merits.

No. 346. John D. Flanagan, petitioner, *v.* Federal Coal Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee granted.

No. 528. William M. Barrett, as President of the Adams Express Company, petitioner, *v.* Arthur H. Van Pelt. Petition for a writ of certiorari to the Supreme Court of the State of New York granted.

No. 576. Denison-Pratt Paper Company, petitioner, *v.* News Publishing Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 598. Barney McCourtney 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. 617. Dovan Chemical Corporation, petitioner, *v.* National Aniline & Chemical Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 620. Theodore DeWitt, 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. 105. City of Winfield, plaintiff in error, *v.* Court of Industrial Relations et al. In error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for want of jurisdiction upon the authority of *City of Trenton v. New Jersey*, 262 U. S. 182; *City of Newark v. New Jersey*, 262 U. S. 192; *City of Sapulpa v. Oklahoma Natural Gas Co.*, 258 U. S. 608; *Borough of Edgewood v. Wilkesburg & East Pittsburgh Street Ry. Co.*, 258 U. S. 604; *Township of Avon v. Detroit United Railways*, 257 U. S. 618; *Chicago v. Chicago Railways Co.*, 257 U. S. 617; *Groesbeck v. Detroit United Railways*, 257 U. S. 609; *City of Hillsboro v. Public Service Commission of Oregon*, point (3), 255 U. S. 562; *Kansas City v. Public Service Commission of Missouri*, 252 U. S. 652; *Pawhuska v. Pawhuska Oil Co.*, 250 U. S. 394; *Hunter v. Pittsburgh*, 207 U. S. 161, 178.

No. 148. The United States of America ex rel. Nicolai Menservich, appellant, *v.* Robert E. Tod, Commissioner of Immigration, etc. Motion to dismiss or affirm submitted by Mr. Solicitor General Beck and Mr. George Ross Hull for the appellee in support of the motion, and by Mr. Isaac Shorr and Mr. Walter Nelles for the appellant in opposition thereto.

No. 172. William Leather et al., appellants, *v.* Mark J. White. Motion to dismiss submitted by Mr. Solicitor General Beck and Mr. Assistant Attorney General Ottinger for the appellee in support of the motion, and by Mr. George C. Wilbur for the appellants in opposition thereto.

No. 559. The United States of America, petitioner, *v.* Ninety-five barrels, more or less, Alleged Apple Cider Vinegar et al. Motion to advance submitted by Mr. Solicitor General Beck for the petitioner.

No. 644. The United States of America, plaintiff in error, *v.* Prince Line (Limited); and

No. 645. The United States of America, plaintiff in error, *v.* American Hawaiian Steamship Company. Motion to vacate judgments docketing and dismissing, and to enlarge time for docketing writs of error, submitted by Mr. Solicitor General Beck for the plaintiff in error.

No. 173. The United States *ex rel.* Nelida A. Durnford, plaintiff in error, *v.* Albert B. Fall, Secretary of the Interior. Hubert Work, present Secretary of the Interior, substituted as the party defendant in error herein, on motion of Mr. Solicitor General Beck for the defendant in error.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas *et al.* Motion for leave to file petition for intervention of Charles West submitted by Mr. C. A. Severance in that behalf; with leave to file reply to response of Mr. Solicitor General Beck on or before Friday next.

No. 87. The United States, appellant, *v.* William W. Slaymaker. Mandate granted, on motion of Mr. George A. King for the appellee.

No. 179. Tidal Oil Company *et al.*, plaintiffs in error, *v.* J. P. Flanagan. Motion to dismiss or affirm submitted by Mr. Edward H. Chandler and Mr. William O. Beall for the defendant in error in support of the motion, and by Mr. Preston C. West, Mr. A. A. Davidson, Mr. Wallace C. Franklin, and Mr. Arthur J. Biddison for the plaintiffs in error in opposition thereto.

No. 72. Canute Steamship Company Limited *et al.*, petitioners, *v.* Pittsburgh & West Virginia Coal Company *et al.* Issuance of mandate withheld for time prescribed by rule, on motion of Mr. D. M. Tibbetts for the respondents.

No. 619. Oliver Oil Gas Burner and Machine Company, petitioner. *v.* International Heating Company *et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Wilbur B. Jones, Mr. S. W. Fordyce, and Mr. Thomas W. White for the petitioners, and by Mr. Frederick W. Lehmann for the respondents.

No. 12, original. *Ex parte* In the matter of Michael Quinn, petitioner. Petition dismissed, on motion of counsel for the petitioner.

No. 613. Hans Heidner, petitioner, *v.* St. Paul & Tacoma Lumber Company. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. Guy E. Kelley for the petitioner, and by Mr. J. T. S. Lyle for the respondent.

No. 330. Dayton-Goose Creek Railway Company, appellant, *v.* The United States of America *et al.* Argument continued by Mr. Solicitor General Beck for the United States, and concluded by Mr. Robert J. Carey for the appellant.

No. **23**, original. Ex parte In the matter of The United States of America, as Owner of Nineteen Barges and Four Towboats, petitioner. Argument on return to rule to show cause commenced by Mr. Lon O. Hocker for the petitioner, and continued by Mr. Joseph T. Davis for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 20, will be as follows: Nos. **15**, original (and **16**, original, of October term, 1922), **318**, **252**, **283** (and **284** and **285**), **353**, **182**, **42**, **90**, **104**, and No. **404** of October term, 1922.

SUPREME COURT OF THE UNITED STATES.

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

Robert Elmer More, of Denver, Colo.; Charles James Lane, of New York City; and James J. Johnston, of Baltimore, Md., were admitted to practice.

No. 23, original. *Ex parte* In the matter of the United States of America, as Owner of Nineteen Barges, etc., petitioner. Argument on return to rule to show cause continued by Mr. Joseph T. Davis and Mr. Douglas W. Robert for the respondents and concluded by Mr. Lon O. Hocker for the petitioner.

No. 15, original, October term, 1922. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and

No. 16, original, October term, 1922. The State of Ohio, complainant, *v.* The State of West Virginia. Three hours allowed for the reargument of these cases. Reargument commenced by Mr. John W. Davis for the complainants, continued by Mr. P. P. Steptoe and Mr. G. M. Hoffheimer for the defendant, and concluded by Mr. George E. Alter for the complainant, the Commonwealth of Pennsylvania.

No. 318. Peoria & Pekin Union Railway Company, appellant, *v.* The United States et al. Argument commenced by Mr. R. V. Fletcher for the appellant.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 21, will be as follows: Nos. 318, 252, 283 (and 284 and 285), 353, 182, 42, 90, 104, 404 of October term, 1922, and 102.

SUPREME COURT OF THE UNITED STATES.

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

Leo A. Weisskopf, of Chicago, Ill.; Julius L. Steiner, of Chicago, Ill.; Walter S. Wheeler, of Detroit, Mich.; Robert F. Greacen, of New York City; Otto B. Rupp, of Seattle, Wash.; and Kirke T. Moore, of Tucson, Ariz., were admitted to practice.

No. 43. St. Johns, N. F., Shipping Corporation, Owner, etc., petitioner, *v.* S. A. Companhia Geral Commercial do Rio de Janeiro. Mandate granted, on motion of Mr. Blackburn Esterline in that behalf.

No. 213. Edward A. Thurston, Sole Surviving Trustee, etc., petitioner, *v.* Benjamin Brown et al. Death of Edward A. Thurston suggested, and Henry V. Cunningham, successor as trustee, substituted as the party petitioner herein, on motion of Mr. Spencer Gordon for the petitioner.

No. 318. Peoria & Pekin Union Railway Company, appellant, *v.* The United States et al. Argument continued by Mr. R. V. Fletcher for the appellant, by Mr. Blackburn Esterline for the United States, by Mr. R. Granville Curry for the Interstate Commerce Commission, by Mr. Donald Evans for the Minneapolis & St. Louis Railroad Co., and concluded by Mr. Robert V. Fletcher for the appellant.

No. 252. First National Bank of St. Louis, plaintiff in error, *v.* the State of Missouri at the information of Jesse W. Barrett, Attorney General. Three counsel allowed to argue for the defendant in error. Three hours allowed for the reargument of this case. Reargument commenced by Mr. F. H. Sullivan for the plaintiff in error, continued by Mr. Solicitor General Beck for the United States as *amicus curiæ*, by Mr. Jesse W. Barrett and Mr. Robert C. Morris for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 22, will be as follows: Nos. 252, 283 (and 284 and 285), 353, 182, 42, 90, 104, 404 of October term, 1922, 102, and 108.

SUPREME COURT OF THE UNITED STATES.

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

Pierre A. White, of Cleveland, Ohio; Vance J. Higgs, of St. Louis, Mo.; H. H. Larimore, of St. Louis, Mo.; C. W. Cornell, of Los Angeles, Calif.; and I. Lawrence Broadwin, of New York City, were admitted to practice.

No. 250. Federal Trade Commission et al., appellants, *v.* Claire Furnace Company et al. Appearance of R. C. Leffingwell for the appellees withdrawn, on motion of Mr. Levi Cooke in that behalf.

No. 252. First National Bank in St. Louis, plaintiff in error, *v.* The State of Missouri at the information of Jesse W. Barrett, Attorney General. Reargument continued by Mr. Frederick W. Lehmann for the defendant in error, and concluded by Mr. C. A. Severance for the plaintiff in error.

No. 283. Railroad Commission of the State of California, petitioner, *v.* Southern Pacific Company et al.;

No. 284. Railroad Commission of the State of California, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company; and

No. 285. Railroad Commission of the State of California, petitioner, *v.* Los Angeles & Salt Lake Railroad Company. Argument commenced by Mr. William W. Clary for the petitioner, continued by Mr. C. W. Durbrow for the respondents, and concluded by Mr. Hugh Gordon for the petitioners.

No. 353. National Association of Window Glass Manufacturers et al., appellants, *v.* The United States. Argument commenced by Mr. John W. Davis for the appellants and continued by Mr. Solicitor General Beck for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 23, will be as follows: Nos. 353, 182, 42, 90, 104, 404 of October term, 1922, 102, 108, 110, and 113.

SUPREME COURT OF THE UNITED STATES.

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

William W. Bearman, of Los Angeles, Calif.; Charles Claffin Allen, jr., of St. Louis, Mo.; and C. Sophus Johnson, of Grand Rapids, Mich., were admitted to practice.

No. 644. The United States of America, plaintiff in error, *v.* Prince Line, Ltd.; and

No. 645. The United States of America, plaintiff in error, *v.* American Hawaiian Steamship Co. Leave granted to oppose motion to vacate order docketing and dismissing, on or before Thursday next, on motion of Mr. Cletus Keating in that behalf.

No. 353. National Association of Window Glass Manufacturers et al., appellants, *v.* The United States. Argument continued by Mr. Solicitor General Beck for the appellee, and concluded by Mr. Pierre A. White for the appellants.

No. 182. Benjamin Gitlow, plaintiff in error, *v.* The People of the State of New York. Argument commenced by Mr. Walter H. Pollak for the plaintiff in error, continued by Mr. John Caldwell Myers for the defendant in error, and concluded by Mr. W. J. Wetherbee for the defendant in error.

No. 42. Corona Coal Company, appellant, *v.* The United States. Argument commenced by Mr. Forney Johnston for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 26, will be as follows: Nos. 42, 90, 104, 404 of October term, 1922, 102, 108, 110, 113, 62, and 115.

SUPREME COURT OF THE UNITED STATES.

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

David Lorbach, of Cincinnati, Ohio; Leonard Garver, jr., of Cincinnati, Ohio; Joseph B. Matre, of Cincinnati, Ohio; Arthur J. Freund, of St. Louis, Mo.; Ernest B. Weatherly, of Macon, Ga.; John T. Watkins, of Minden, La.; Thomas R. Charshree, of Baltimore, Md.; H. Raymond Bresnahan, of Washington, D. C.; William A. Eggers, of Cincinnati, Ohio; Arthur E. Weil, of Philadelphia, Pa.; Charles J. Rixey, of Richmond, Va.; J. T. Stokely, of Birmingham, Ala.; and Theodore M. Hequembourg, of New York City, were admitted to practice.

No. 56. John Brosnan, jr., Mary Bramhall, Irene McCarthy, et al., *v.* Margaret E. Brosnan. On certificate from the Court of Appeals of the District of Columbia. Question answered: Upon the issue whether the testator at the time of the execution of the will was of "sound and disposing mind and capable of executing a valid deed or contract," the burden of proof in the District of Columbia is upon the caveator. Opinion by Mr. Justice Sanford.

No. 255. Clallam County, Washington; William A. Nelson, Sheriff of Clallam County, Washington; E. C. Stewart, Treasurer of Clallam County, Washington, et al., *v.* The United States of America et al. On certificate from the United States Circuit Court of Appeals for the Ninth Circuit. First question answered in the affirmative; second question answered in the negative. Opinion by Mr. Justice Holmes.

No. 156. Alfred Street, Suing on Behalf of Himself and All Other Seamen Engaged in Interstate and Foreign Commerce by Sea, etc., appellant, *v.* Shipowners Association of the Pacific Coast and Pacific American Steamship Association. Appeal from the District Court of the United States for the Northern District of California. Cause transferred to the United States Circuit Court of Appeals for the Ninth Circuit. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Motion

for leave to file petition in intervention of Charles West in this cause denied.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels, more or less, Alleged Apple Cidar Vinegar et al. Motion to advance granted; and cause placed on the summary docket, and assigned for argument on Monday, March 3 next.

No. 148. The United States of America ex rel. Nicolai Menserovich, appellant, *v.* Robert E. Tod, Commissioner of Immigration, etc. Further consideration of the motion to dismiss or affirm in this cause postponed to the hearing of the cause on the merits; and cause advanced and placed on the summary docket, and assigned for argument on Monday, December 3 next, after the cases heretofore assigned for that day.

No. 172. William Leather and Leon K. Lee, appellants, *v.* Mark J. White. Further consideration of the motion to dismiss in this cause postponed to the hearing of the cause on the merits; and cause placed on the summary docket and assigned for argument on Monday, December 10 next.

No. 594. C. V. Browne, petitioner, *v.* The Union Pacific Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Kansas granted.

No. 619. Oliver Oil Gas Burner and Machine Company, petitioner, *v.* International Heating Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 56. John Brosnan, jr., et al. *v.* Margaret E. Brosnan. ORDER: It is now here ordered by this court that the words "the whole record to be considered; and" in the entry of October 8, 1923, as to the hearing of this cause, having been inadvertently entered, be, and the same are hereby, stricken out.

The Chief Justice also announced that the court will take a recess from Wednesday, November 28, until Monday, December 3 next.

No. 425. Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States of America et al. Motion to advance submitted by Mr. Solicitor General Beck for the appellees.

No. 311. Joshua W. Miles, formerly United States Collector, etc., plaintiff in error, *v.* Samuel J. Graham. Motion to advance submitted by Mr. Solicitor General Beck for the plaintiff in error.

No. 509. First National Bank of Columbus, Ohio, appellant, *v.* Louisiana Highway Commission et al. Motion to affirm submitted by Mr. R. J. Wilson in behalf of Mr. W. M. Barrow for the appellees in support of the motion.

No. 463. I. Goto et al., appellants, *v.* John C. Lane, High Sheriff, etc. Motion to advance submitted by Mr. T. Hardy Todd for the appellants.

No. 19. Twin Falls Salmon River Land & Water Company et al., appellants, *v.* A. E. Caldwell et al. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. F. K. Nebeker in that behalf.

No. 607. Standard Oil Company of New Jersey, petitioner, *v.* Southern Pacific Company. Motions (1) that the order of this court on November 12, 1923, granting a petition for a writ of certiorari be restricted to the respondents Southern Pacific Co. and Director General of Railroads, and be vacated as to the personal injury, cargo, and passenger claimants against whom no error is assigned in the petition; and/or (2) that the transcript of record be diminished by at least 500 pages so as to include only evidence bearing directly or indirectly on the errors of law assigned in the petition and brief for certiorari, submitted by Mr. D. Roger Englar, Mr. T. Catesby Jones, and Mr. James W. Ryan, counsel for Roberts, Carter & Co. and other cargo claimants, and by Mr. Henry O. Falk and Mr. Lawrence B. Cohen, counsel for Bonita Hearn and Dolores Francis, personal injury and passenger claimants; and motions granted.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Eleventh report of receiver filed, on motion of Mr. John S. Flannery in that behalf.

No. 157. Henry Kellman, plaintiff in error, *v.* The City of St. Louis. Motion to reinstate writ of error submitted by Mr. James T. Lloyd in behalf of counsel for the plaintiff in error.

No. 656. United States Fidelity & Guaranty Company, appellant, *v.* Joe H. Strain, Bank Commissioner of the State of Oklahoma, et al. Motion to advance submitted by Mr. E. C. Brandenburg in that behalf.

No. 369. Panama Railroad Company, plaintiff in error, *v.* Andrew Johnson. Leave granted to file brief herein as amici curiae, on motion of Mr. Theodore M. Hequembourg in behalf of John M. Woolsey and Vernon S. Jones.

No. 660. Sallie Canard, plaintiff in error, *v.* R. E. Snell, jr., et al. Petition for a writ of certiorari herein submitted by Mr. Lewis C. Lawson for the plaintiff in error in support of the petition, with leave to file printed record hereafter.

No. 650. Kwock Seu Lum, petitioner, *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. M. Walton Hendry for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Crim, and Mr. Harry S. Ridgely for the respondent.

No. 654. Illinois Fuel Company, petitioner, *v.* Walter G. Space, Doing Business under the Name and Style of Space Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Samuel W. Baxter and Mr. Henry G. Miller for the petitioner, and by Mr. John L. Flannigen for the respondent.

No. 661. Christine Walters, petitioner, *v.* John Barton Payne, Agent. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the third circuit, submitted by Mr. Clarence Balentine for the petitioner.

No. 170. J. Harrod Lehmann, plaintiff in error, *v.* State Board of Public Accountancy et al. Motion to dismiss or affirm submitted by Mr. J. J. Mayfield for the defendant in error in support of the motion and by Mr. Erle Pettus for the plaintiff in error in opposition thereto.

No. 295. Dora E. Rooker et al., appellants, *v.* Fidelity Trust Company. Motion to dismiss or affirm submitted by Mr. Charles E. Cox for the appellee in support of the motion, and by Mr. William Velpeau Rocker for the appellants in opposition thereto.

No. 387. Michael Heitler, petitioner, *v.* The United States of America;

No. 388. Nathaniel Perlman, petitioner, *v.* The United States of America; and

No. 389. Mandel Greenberg, petitioner, *v.* The United States of America. On petitions for writs of certiorari to the United States Circuit Court of Appeals for the seventh circuit. Petitions dismissed, on motion of counsel for the petitioners.

No. 42. Corona Coal Company, appellant, *v.* The United States. Argument continued by Mr. Forney Johnston for the appellant, and concluded by Mr. Alfred A. Wheat for the appellee.

No. 90. Board of Trade of the City of Chicago, petitioner, *v.* E. H. Johnson, Trustee, etc. Argued by Mr. Henry S. Robbins for the petitioner and by Mr. Robert N. Erskine for the respondent.

No. 104. John Maynard Harlan, appellant, *v.* James S. Harlan. Argument commenced by Mr. Henry E. Davis for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 27, will be as follows: Nos. 104, 404 of October term, 1922, 102, 108, 110, 113, 62, 115, 116, and 117.

SUPREME COURT OF THE UNITED STATES.

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

John L. McMaster, of Washington, D. C., and Allen A. Atwood, of St. Cloud, Minn., were admitted to practice.

No. 34. Pacific Gas & Electric Company, appellant, *v.* The City and County of San Francisco;

No. 35. Pacific Gas & Electric Company, appellant, *v.* The City and County of San Francisco et al.; and

No. 36. Pacific Gas & Electric Company, appellant, *v.* The City and County of San Francisco et al. ORDER: It is now here ordered by this court that these cases be, and they are hereby, restored to the docket for reargument, and assigned for hearing on Monday, February 18 next, preceding the other cases from the Ninth Circuit heretofore assigned for that day.

No. 104. John Maynard Harlan, appellant, *v.* James S. Harlan. Argument continued by Mr. Henry E. Davis for the appellant, by Mr. Henry S. Robbins for the appellee, and concluded by Mr. Henry E. Davis for the appellant.

No. 404, October term, 1922. Thomas W. McCarthy, United States Marshal, etc., appellant, *v.* Jules W. Arndstein. Reargued by Mr. Selden Bacon for the National Surety Co.; and cause submitted by Mr. Solicitor General Beck, Mr. Saul S. Myers, and Mr. Walter H. Pollak for the appellant, by Mr. Lindley M. Garrison for American Surety Co. et al., and by Mr. W. Randolph Montgomery for the National Association of Credit Men, and by Mr. William J. Fallon for the appellee.

No. 102. Federal Trade Commission, petitioner, *v.* Raymond Bros.-Clark Company. Argument commenced by Mr. Adrien F. Busick for the petitioner. The court declined to hear further argument.

No. 108. Washington-Southern Navigation Company *v.* Baltimore & Philadelphia Steamboat Company. Argument commenced by Mr. Arthur E. Weil for Washington-Southern Navigation Co.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 28, will be as follows: Nos. 108, 110, 113, 62, 115, 116, 117, 118, 120, and 121.

SUPREME COURT OF THE UNITED STATES.

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

Oscar H. Montgomery, of Seymour, Ind.; Cassius W. McMullen, of Aurora, Ind.; Clay C. Rogers, of Kansas City, Mo.; George S. Brengle, of New York City; Thomas E. Atkinson, of Grand Rapids, Mich.; Benjamin H. Schwartz, of Cleveland, Ohio; William T. Carden, of Honolulu, Hawaii; and Olger B. Burtness, of Grand Forks, N. Dak., were admitted to practice.

No. 108. Washington-Southern Navigation Company *v.* Baltimore & Philadelphia Steamboat Company. Argument continued by Mr. Arthur E. Weil for Washington-Southern Navigation Co., and concluded by Mr. Thomas Raeburn White for Baltimore & Philadelphia Steamboat Co.

No. 110. Southern Power Company, petitioner, *v.* North Carolina Public Service Company et al. Argument commenced by Mr. R. V. Lindabury for the petitioner, continued by Mr. John W. Davis and Mr. A. L. Brooks for the respondents, and concluded by Mr. William P. Bynum for the petitioner.

No. 113. Domingo Diaz A et al., appellants, *v.* Guillermo Patterson. Argued by Mr. William H. Jackson for the appellants, and concluded by Mr. E. T. Merrick for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 3, will be as follows: Nos. 62, 115, 116, 117, 118, 120, 121, 250, 369, 442 (to 445), 352, 354, and 148.

SUPREME COURT OF THE UNITED STATES.

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

Vincent T. Follmar, of New York City; Otto Erwin Koegel, of Washington, D. C.; Carl F. von dem Bussche, of Missoula, Mont.; Egbert F. Halstead, of Kansas City, Mo.; Roy F. Wrigley, of New York City; Riley R. Cloud, of Denver, Colo.; J. W. Henson, of Henderson, Ky.; F. L. Willcox, of Florence, S. C.; R. E. Whiting, of Florence, S. C.; and Seth T. Cole, of Catskill, N. Y., were admitted to practice.

No. 30. King County, Washington, appellant, *v.* Seattle School District No. 1. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Western District of Washington for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 15, original, October term, 1922. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and

No. 16, original, October term, 1922. The State of Ohio, complainant, *v.* The State of West Virginia. On rehearing. Ordered that the opinion delivered and decree entered herein on June 11, 1923, be reaffirmed. Opinion by Mr. Justice Van Devanter. Mr. Chief Justice Taft took no part in the consideration or decision of these cases on the rehearing. Dissenting: Mr. Justice Holmes, Mr. Justice McReynolds, and Mr. Justice Brandeis.

No. 25. W. H. Hightower et al., appellants, *v.* The American National Bank, of Macon, Georgia. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of Georgia. Opinion by Mr. Justice Van Devanter.

The Chief Justice announced the following orders of the court:

No. 644. The United States of America, plaintiff in error, *v.* Prince Line (Limited); and

No. 645. The United States of America, plaintiff in error, *v.* American Hawaiian Steamship Company. Motion to vacate judgments docketing and dismissing and to enlarge time for docketing cases denied.

No. 157. Harry Kellman, plaintiff in error, *v.* City of St. Louis. Motion to reinstate writ of error in this cause denied.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Ordered that the eleventh report of the receiver herein be received and filed.

No. 425. Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States of America et al. Motion to advance granted; and cause assigned for argument on Monday, February 25 next.

No. 463. I. Goto et al., appellants, *v.* John C. Lane, High Sheriff, etc. Motion to advance granted; and cause assigned for argument on Monday, February 18 next, after the cases heretofore assigned for that day.

No. 656. United States Fidelity & Guaranty Company, appellant, *v.* Joe H. Strain, Bank Commissioner of the State of Oklahoma, et al. Motion to advance granted; and cause assigned for argument on Monday, February 18 next, after the cases heretofore assigned for that day.

No. 311. Joshua W. Miles, formerly United States Collector, etc., plaintiff in error, *v.* Samuel J. Graham. Motion to advance denied.

No. 19. Twin Falls Salmon River Land & Water Company et al., appellants, *v.* A. E. Caldwell et al. ORDER: On suggestion of diminution of record, it is ordered by the court that the motion for certiorari herein be, and the same is hereby, granted; the papers brought up to be regarded as part of the record, subject to objection.

No. 599. Joseph G. Heintz, petitioner, *v.* The United States of America;

No. 600. Max Smithberger, petitioner, *v.* The United States of America;

No. 601. Joliet Citizens Brewing Company, petitioner, *v.* The United States of America; and

No. 602. Oscar Weinbrod, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 650. Kwock Seu Lum, petitioner, *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. 654. Illinois Fuel Company, petitioner, *v.* Walter G. Space, doing business under the name and style of Space Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 661. Christine Walters, petitioner, *v.* John Barton Payne, Agent. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 104. John Maynard Harlan, appellant, *v.* James S. Harlan. Appeal from the Court of Appeals of the District of Columbia. Per curiam: This case has become moot because of the institution of the second suit in the Supreme Court of the District of Columbia, and the passing of the property involved to the receiver in that suit with the consent of the plaintiff in this. The cause is therefore remanded to the Court of Appeals with directions to modify its previous decree and enter an order remanding the cause to the Supreme Court of the District directing it to dismiss the case as moot, awarding no costs to either party. *United States v. Hamburg-American Co.*, 239 U. S. 466, 475; *Board of Public Utility Commissioners v. Compania General*, 249 U. S. 425, 426-7; *Heitmuller v. Stokes*, 256 U. S. 359, 362; *Atherton Mills v. Johnson*, 259 U. S. 13, 15-16.

ORDER.—The court will take a recess from Monday, December 10, to Wednesday, January 2 next.

No. 354. Thomas A. Delaney, petitioner, *v.* The United States of America. Reassigned for Wednesday, January 2 next, on motion of Mr. Solicitor General Beck for the respondent. Motion for bail submitted by Mr. Elijah N. Zoline for the petitioner; and motion denied.

No. 456. The United States of America et al., appellants, *v.* Abilene & Southern Railway Company et al. Motion to advance submitted by Mr. Solicitor General Beck for the appellants.

No. 209. Great Northern Railway Company, petitioner, *v.* McCaull-Dinsmore Company. Assigned for argument with Nos. 114, 122, and 123, on Monday, February 18 next, on motion of Mr. John J. Finerty in that behalf.

No. 209. Great Northern Railway Company, petitioner, *v.* McCaull-Dinsmore Company. Leave granted to file brief herein as

amicus curiae, on motion of Mr. John J. Finerty for the Director General of Railroads.

No. 256. E. E. Goodno, plaintiff in error, *v.* South Florida Farms Company. Motion to dismiss submitted by Mr. Daniel Thew Wright and Mr. W. Russell Osborne for the defendant in error in support of the motion.

No. 664. E. J. Finneran, petitioner, *v.* William J. Burton, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles Ray Dean and Mr. Luther Ely Smith for the petitioner, and by Mr. Forrest C. Donnell for the respondent.

No. 539. The Home Telephone and Telegraph Company of Spokane, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al.; and

No. 540. The Pacific Telephone and Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al. Motion to advance submitted by Mr. John H. Ray in that behalf.

No. 155. The State of Missouri ex rel. Jesse W. Barrett, Attorney General, et al., appellants, *v.* Kansas Natural Gas Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Clarence Miller in that behalf.

No. 200. James Everard's Breweries, appellant, *v.* Ralph A. Day, Prohibition Director, etc., et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Martin A. Schenck in behalf of Dr. Samuel W. Lambert.

No. 539. The Home Telephone and Telegraph Company of Spokane, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al.; and

No. 540. The Pacific Telephone and Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al. Motion to postpone consideration of motion to advance, and to consolidate, submitted by Mr. Blaine Mallan in that behalf.

No. 623. Commonwealth of Australia et al., petitioners, *v.* John L. McLean, as Trustee in Bankruptcy of Patterson-MacDonald Shipbuilding Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, submitted by Mr. Corwin S. Shank for the petitioners, and by Mr. Ira Bronson and Mr. H. B. Jones for the respondent.

No. 629. Robert Berryman, petitioner, *v.* The United States of American. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr.

Charles M. Bryan for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 630. Jake Tuckerman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. Charles M. Bryan for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 631. Joe Robilio et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. Charles M. Bryan for the petitioners, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 632. Loftis Wilkes et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. Charles M. Bryan for the petitioners, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 634. Board of Directors of Miller Levee District No. 2. appellants *v.* Prairie Pipe Line Company. Petition for a writ of certiorari herein submitted by Mr. Henry Moore, jr., for the appellants, in support of the petition.

No. 646. Fort Smith Light & Traction Company, plaintiff in error, *v.* Fagan Bourland et al., etc. Petition for a writ of certiorari herein submitted by Mr. Joseph M. Hill and Mr. Henry L. Fitzhugh for the plaintiff in error, in support of the petition.

No. 649. Wabash Railway Company, petitioner, *v.* Samuel T. Hoff. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Homer Hall for the petitioner, and by Mr. Clay C. Rogers and Mr. Cyrus Crane for the respondent.

No. 352. The People of the State of New York, petitioner, *v.* Louis Jersawit, as Trustee in Bankruptcy of Ajax Dress Company, Inc. Submitted by Mr. Robert P. Beyer and Mr. Claude T. Dawes for the petitioner, and by Mr. Henry B. Singer for the respondent.

No. 21, original. The State of Georgia, complainant, *v.* The City of Chattanooga. Argument on motion to dismiss commenced by Mr. Sam E. Whitaker for the defendant in support of the motion, continued by Mr. George M. Napier for the complainant in opposi-

tion to the motion, and concluded by Mr. William L. Frierson for the complainant in opposition to the motion.

No. 62. The United States of America, appellant, *v.* California Midway Oil Company et al. Argued by Mr. H. L. Underwood for the appellant, and submitted by Mr. George E. Whitaker and Mr. U. T. Clotfelter for the appellees.

No. 115. The Baltimore & Ohio Southwestern Railroad Company, petitioner, *v.* Lula Burch, Administratrix, etc. Argument commenced by Mr. William A. Eggers for the petitioner, and continued by Mr. Oscar H. Montgomery for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 4, will be as follows: Nos. 115, 117, 118, 120, 121, 116, 250, 369, 442 (to 445), and 148.

SUPREME COURT OF THE UNITED STATES.

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

Edward L. Logan, of Boston, Mass.; Daniel J. Lyne, of Boston, Mass.; Milton J. Helmick, of Albuquerque, N. Mex.; Daniel Webster, of Chicago, Ill.; Charles S. Witwer, of New York City; Harry F. Riley, of Washington, D. C.; Charles Wickham Jones, of Cleveland, Ohio; J. Lewis Stackpole, of Boston, Mass.; Bird J. Vincent, of Saginaw, Mich.; Jeremiah E. O'Connell, of Providence, R. I.; Charles S. Finklestein, of Providence, R. I.; Glenn E. Warner, of Paw Paw, Mich.; William L. Fitzgerald, of Kalamazoo, Mich.; Frank Chandler Sibley, of Detroit, Mich.; and Paul J. Thompson, of Minneapolis, Minn., were admitted to practice.

No. 115. The Baltimore & Ohio Southwestern Railroad Company, petitioner, *v.* Lula Burch, Administratrix, etc. Argument concluded by Mr. Oscar H. Montgomery for the respondent.

No. 117. George Carroll et al., plaintiffs in error, *v.* The United States. Argued by Mr. Thomas E. Atkinson for the plaintiffs in error, and by Mr. Assistant Attorney General Crim for the defendant in error.

No. 118. James C. Davis, as Agent, etc., petitioner; *v.* E. M. Matthews, Administratrix, etc. Argument commenced by Mr. F. L. Willcox for the petitioner, continued by Mr. R. E. Whiting for the respondent, and by Mr. Thomas W. Davis for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 5, will be as follows: Nos. 118, 120, 121, 116, 250, 369, 442 (to 445), 148, 124, and 126.

SUPREME COURT OF THE UNITED STATES.

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

John R. Van Horne, of New York City; William Hollinger, of New York City; John J. McCarthy, of Salem, Mass.; Hyrum S. Cartwright, of Salt Lake City, Utah; Albert Thurston St. Clair, of Washington, D. C.; Hector A. Brommlet, of Chicago, Ill.; and Eugene DeBogory, of Dallas, Tex., were admitted to practice.

No. 118. James C. Davis, as Agent, etc., petitioner, *v.* E. M. Matthews, Administratrix, etc. Argument concluded by Mr. Thomas W. Davis for the petitioner.

No. 120. Thomson Spot Welder Company, petitioner, *v.* Ford Motor Company. Three hours allowed for the argument of this cause. Argued by Mr. Frederick P. Fish for the petitioner, and by Mr. Melville Church for the respondent.

No. 121. Thomas N. Brady, appellant, *v.* Albert B. Fall, Secretary of the Interior. Death of Thomas N. Brady suggested and leave granted to file substitution within 20 days on motion of Mr. S. M. Stockslager for the appellant. Argument commenced by Mr. S. M. Stockslager for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 6, will be as follows: Nos. 121, 116, 250, 369, 442 (to 445), 148, 124, 126, 127 (and 480), and 129.

SUPREME COURT OF THE UNITED STATES.

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

Albert C. Remele, of Minneapolis, Minn.; Clarence C. Osborn, of Washington, D. C.; Avel B. Silverman, of New York City; Saul Praeger, of Cumberland, Md.; M. Hubert O'Brien, of Detroit, Mich.; W. Carl Richards, of Cumberland, Md.; and Arthur M. Loeb, of New York City, were admitted to practice.

No. 684. Industrial Accident Commission of the State of California et al., plaintiffs in error, *v.* James Rolph Company et al. Motion to advance submitted by Mr. William R. Harr in behalf of counsel for the plaintiffs in error.

No. 121. Thomas N. Brady, appellant, *v.* Hubert Work, Secretary of the Interior. Argument concluded by Mr. S. M. Stockslager for the appellant. The court declined to hear further argument.

No. 116. The Queen Insurance Company of America, petitioner, *v.* Globe & Rutgers Fire Insurance Company. Argued by Mr. Oscar R. Houston for the petitioner, and by Mr. Van Vechten Veeder for the respondent.

No. 250. Federal Trade Commission et al., appellants, *v.* Claire Furnace Company et al. Argued by Mr. Solicitor General Beck for the appellants, and by Mr. Paul D. Cravath for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 7, will be as follows: Nos. 369, 442 (to 445), 148, 124, 126, 127 (and 480), 129, 130, 131, and 132.

SUPREME COURT OF THE UNITED STATES.

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

Clarence W. Dealtry, of Boston, Mass.; Maynard Teall, of Boston, Mass.; Carl Sherman, of Buffalo, N. Y.; Quincy A. Cates, of Wilkes-Barre, Pa.; Judson E. Harriss, of Du Quoin, Ill.; William F. Ashley, of New York City; John J. O'Connor, of New York City; Henry A. Jacobs, of San Francisco, Calif.; Samuel M. Katz, of New York City; Louis Tyroler, of New York City; John Hugh Lally, of Evanston, Ill., were admitted to practice.

No. 421. Louisiana Public Service Commission et al., appellants, *v.* Morgan's Louisiana & Texas Railroad & Steamship Company. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. Ivy G. Kittredge for the city of New Orleans; motion for leave to participate in the oral argument denied.

No. 126. William Henry Packard, appellant, *v.* Joab H. Banton, District Attorney, etc. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. Louis Tyroler for the Association of Allied Taxi Owners.

No. 489. The Baltimore & Ohio Railroad Company et al., appellants, *v.* The United States et al. Motion to advance submitted by Mr. George T. Farrell in behalf of counsel.

No. 369. Panama Railroad Company, plaintiff in error, *v.* Andrew Johnson. Argued by Mr. Richard Reid Rogers for the plaintiff in error, and by Mr. Wade H. Ellis for the defendant in error.

No. 442. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 443. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 444. Adelaide H. C. Frick et al., plaintiffs in error, *v.* Commonwealth of Pennsylvania; and

No. 445. Adelaide H. C. Frick et al., plaintiffs in error, *v.* Commonwealth of Pennsylvania. Argument commenced by Mr. George Wharton Pepper for the plaintiffs in error, continued by Mr. David A. Reed for the defendant in error, and concluded by Mr. George B. Gordon for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

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

William J. Hughes, jr., of Washington, D. C.; Thomas A. Nicholas, of Sundance, Wyo.; Gray Anderson, of Knoxville, Iowa; Merton A. Albee, of Los Angeles, Calif.; John J. Darby, of Washington, D. C.; Thornton Hardie, of El Paso, Tex.; John Fletcher, of Des Moines, Iowa; H. G. Pickering, of Superior, Wis.; Alexis C. Angell, of Detroit, Mich.; John C. Hewitt, of Bay City, Mich.; and Oliver J. Cook, of Chicago, Ill., were admitted to practice.

No. 31. R. H. Arnold, doing business as R. H. Arnold Company, et al., plaintiffs in error, *v.* The United States of America for the use of W. B. Guimarin & Company. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Sanford.

No. 107. Cudahy Packing Company of Nebraska, plaintiff in error, *v.* Mary Ann Parramore, as Widow and Guardian, etc., et al. In error to the Supreme Court of the State of Utah. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland. Dissenting: Mr. Justice McKenna, Mr. Justice McReynolds, and Mr. Justice Butler.

No. 295. Dora E. Rooker and William V. Rooker, appellants, *v.* Fidelity Trust Company et al. Appeal from the District Court of the United States for the District of Indiana. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 113. Domingo, Diaz A., et al., appellants, *v.* Guillermo Paterson. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Canal Zone. Opinion by Mr. Justice Holmes.

No. 353. National Association of Window Glass Manufacturers et al., appellants, *v.* The United States of America. Appeal from the District Court of the United States for the Northern District of Ohio. Decree reversed; and cause remanded with directions to dismiss the petition. Opinion by Mr. Justice Holmes.

No. 23, original. *Ex parte* In the matter of The United States of America, as Owner of Nineteen Barges, etc., petitioner. Rule discharged, and petition denied. Opinion by Mr. Justice McKenna.

No. 170. J. Harrod Lehmann, plaintiff in error, *v.* The State Board of Public Accountancy et al. In error to the Supreme Court of the State of Alabama. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 10, original. The State of North Dakota, complainant, *v.* The State of Minnesota. Bill of complaint dismissed, without prejudice. Opinion by Mr. Chief Justice Taft.

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

No. 456. The United States of America et al., appellants, *v.* Abilene & Southern Railway Company et al. Motion to advance granted; and cause assigned for argument on Monday, February 25 next, after the case heretofore assigned for that day.

No. 539. The Home Telephone & Telegraph Company of Spokane, appellant, *v.* E. V. Kuyendall, as Director of Public Works of Washington, et al., etc., et al.; and

No. 540. The Pacific Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al. Further consideration of the motion to advance postponed until the application for writs of certiorari on the merits is made.

No. 684. Industrial Accident Commission of the State of California et al., plaintiffs in error, *v.* James Rolph Company et al. Motion to advance granted; and cause assigned for hearing with No. 366 heretofore assigned for Monday, January 7 next.

No. 489. The Baltimore & Ohio Railroad Company et al., appellants, *v.* The United States of America et al. Motion to advance granted; and cause assigned for argument on Monday, January 21 next.

No. 551. Charles S. Bohler, Tax Collector of Richmond County, Georgia, et al., appellants, *v.* E. H. Callaway, as Executor, etc.; and

No. 552. E. H. Callaway, as Executor of the Estate of J. B. White, deceased, appellant, *v.* Charles S. Bohler, Tax Collector of Richmond County, Georgia, et al. Further consideration of the motion to dismiss, to affirm, or to reverse, postponed until the hearing of the cause on the merits. Motion to advance denied.

No. 62. The United States of America, appellant, *v.* California Midway Oil Company et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. *Per curiam*: Affirmed upon

the authority of *Washington Securities Co. v. The United States*, 234 U. S. 76, 78; *Baker v. Scholfield*, 243 U. S. 114, 118; *Southern Railway Co. v. Puckett*, 244 U. S. 571, 574; *Piedmont & Georges Creek Coal Co. v. Seaboard Fisheries*, 254 U. S. 1, 13.

No. 623. *Commonwealth of Australia et al., petitioners, v. John L. McLean, as Trustee in Bankruptcy of Patterson-MacDonald Ship-building Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 390. *Chicago, Milwaukee & St. Paul Railway Company, petitioner, v. Eva Chinn and Henry Chinn*. Petition for a writ of certiorari to the Appellate Court of the State of Indiana denied.

No. 629. *Robert Berryman, 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. 630. *Jake Tuckerman, 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. 631. *Joe Robilio et al., petitioners, v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 632. *Loftis Wilkes et al., petitioners, v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 649. *Wabash Railway Company, petitioner, v. Samuel T. Hoff*. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 664. *E. J. Finneran, petitioner, v. William J. Burton, Trustee, etc.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 504. *Continental & Commercial Trust & Savings Bank, plaintiff in error, v. Wilhelmina Werner et al.* Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 595. *Fata Salkovich, by Kosto Unkovich, Attorney in Fact, petitioner, v. Industrial Accident Commission of the State of California*. Petition for a writ of certiorari to the Supreme Court of the State of California denied for failure to file the same within the time prescribed by the statute.

No. 164. *Sperry Oil & Gas Company et al., appellants, v. Pearl Chisholm et al.* Motion for leave to file brief herein as *amicus curiae* submitted by Mr. Solicitor General Beck for the United States.

No. 203. Angel Figueroa, petitioner, *v.* The United States of America. Motion to dismiss petition for a writ of certiorari herein for failure to submit the same within the time prescribed by the rule submitted by Mr. Solicitor General Beck for the respondent.

No. 223. Grover E. Clemmings, plaintiff in error, *v.* The United States. Motion to transfer to the United States Circuit Court of Appeals for the Eighth Circuit, pursuant to the Act of Congress of September 14, 1922, submitted by Mr. Solicitor General Beck for the appellee.

No. 343. Peterson Oil Company, plaintiff in error, *v.* Guy G. Frary, State Inspector, etc. Motion to affirm or advance submitted by Mr. Clarence C. Caldwell for the defendant in error.

No. 638. George Remus et al., petitioners, *v.* The United States of America; and

No. 639. George Remus et al., petitioners, *v.* The United States of America. Motion for leave to file brief herein as *amicus curiæ* submitted by Mr. T. T. Ansberry in that behalf.

No. 690. James B. Dillingham, as President, et al., etc., et al., appellants, *v.* George V. McLaughlin, as Superintendent of Banks of the State of New York, et al. Motion to advance submitted by Mr. P. A. Lyon in that behalf.

No. 421. Louisiana Public Service Commission et al., appellants, *v.* Morgan's Louisiana & Texas Railroad & Steamship Company. Reassigned for argument on Monday, March 3d next, after the case heretofore assigned for that day, on motion of Mr. H. Garland Dupre in that behalf.

No. 451. Ziang Sung Wan, petitioner, *v.* The United States of America. Reassigned for argument on Monday, March 3d next, after the cases heretofore assigned for that day, on motion of Mr. Frederic D. McKenney in that behalf.

No. 467. The Chastleton Corporation et al., appellants, *v.* A. Leftwich Sinclair et al. Motion to advance submitted by Mr. W. Gwynn Gardiner for the appellants.

No. 662. The Oliver American Trading Company, Inc., plaintiff in error, *v.* The Government of the United States of Mexico et al. Motion to advance submitted by Mr. Alfred Hayes for the plaintiff in error; and statement in behalf of the defendant in error, The Government of Mexico, submitted by Mr. George F. Snyder in that behalf.

No. 121. Thomas N. Brady, appellant, *v.* Hubert Work, Secretary of the Interior. Motion for leave to file a supplemental brief submitted by Mr. S. M. Stockslager for the appellant; and motion denied.

No. —. In the matter of Stuart Kohn, petitioner. Petition for leave to change name of Stuart Kohn on the roll of attorneys and counsellors admitted to the bar of this court to read Stuart Kohn Brandon, granted, on motion of the petitioner.

No. 638. George Remus et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Elijah N. Zoline for the petitioners, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 639. George Remus et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Elijah N. Zoline for the petitioners, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 653. The Austin Western Road Machinery Company, petitioner, *v.* Disc Grader & Plow Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William B. Kerkman and Mr. Dwight B. Cheever for the petitioner, and by Mr. Amasa C. Paul for the respondent.

No. 659. Lawrence F. Connolly, Administrator, etc., et al., petitioners, *v.* Robert H. Elder, Administrator etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles W. Beale for the petitioners.

No. 637. Wesley M. Smith, appellant, *v.* W. P. McCullough et al. Motion to dismiss submitted by Mr. Paul A. Ewert, Mr. James S. Davenport, and Mr. Will R. King for the appellees in support of the motion, and by Mr. A. Scott Thompson for the appellant in opposition thereto.

No. 172. William Leather and Leon K. Lee, appellants, *v.* Mark J. White. Argued by Mr. Oliver J. Cook for the appellant, and by Mr. Assistant Attorney General Ottinger for the appellee.

No. 172. William Leather and Leon K. Lee, appellants, *v.* Mark J. White. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Illinois for further proceedings.

No. 341. B. I. Salinger, Jr., appellant, *v.* Victor Loisel, U. S. Marshal, etc.; and

No. 342. B. I. Salinger, Jr., appellant, *v.* Victor Loisel, U. S. Marshal, etc.

ORDER.

On consideration of the petition this day filed herein by the above named appellant, and after hearing counsel for the appellant and counsel for the appellees at the bar, It is ordered that the record and proceedings in that certain cause now depending in the United States Circuit Court of Appeals for the Fifth Circuit, numbered 4088, wherein B. I. Salinger, Jr., is appellant and The United States of America and Victor Loisel, as United States Marshal, are appellees, be certified to this court for its consideration, review, and determination; It is further ordered that all further proceedings by the said Circuit Court of Appeals in said cause, other than the announcement and delivery of an opinion by such court in such cause, are hereby stayed; And it is further ordered that the said appellant, B. I. Salinger, Jr., be admitted to bail pending the consideration and disposal of said cause by this court, upon condition that he give a bond in the penal sum of ten thousand dollars, with surety to be approved by the clerk of this court, and conditioned for his appearance and surrender pursuant to the ultimate order of this court in such cause, and for his obedience to that order and to any intervening order in the cause which this court may make; And it is further ordered that the bond so given shall be in addition to and independent of any other bond or bonds which the said B. I. Salinger, Jr., may have given in other proceedings, and that the rights and remedies of the United States on the bond given hereunder shall be in addition to the rights and remedies which the United States may have on any other bond given by the said Salinger.

No. 341. B. I. Salinger, appellant, *v.* Victor Loisel, U. S. Marshal, etc.; and

No. 342. B. I. Salinger, appellant, *v.* Victor Loisel, U. S. Marshal, etc.

ORDER.

These causes and the other cause between the same parties wherein a writ of certiorari has been this day granted are hereby specially assigned for hearing on January 14, 1923, at the head of the call for that day.

Adjourned until Wednesday, January 2 next, at 12 o'clock.

The day call for Wednesday, January 2, 1924, will be as follows: 148, 124, 126, 127 (and 480), 129, 130, 131, 132, 354, and 133.

SUPREME COURT OF THE UNITED STATES.

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

Joseph R. Gillard, of Grand Rapids, Mich.; Howard B. Henshey, of Los Angeles, Calif.; Emmet F. Byrne, of Chicago, Ill.; George F. Skinner, of Clinton, Iowa; Frank M. Ludwick, of Kansas City, Mo.; Harvey D. Taylor, of Kansas City, Mo.; T. D. Maness, of Concord, N. C.; George E. Fink, of Chicago, Ill.; Frank L. Fawcett, of Milwaukee, Wis.; J. Hampton Hoge, of San Francisco, Calif.; Stanley H. Schwartz, of Kansas City, Mo.; Felix C. Benvenga, of New York City; and Logan F. Hachman, of Sparta, Ill., were admitted to practice.

No. 23, original. *Ex parte* In the matter of the United States of America, as Owner of Nineteen Barges and Four Tow-boats, petitioner. Motion for leave to file motion to set aside order denying writ of prohibition; and petition for rehearing, submitted by Mr. Solicitor General Beck for the petitioner.

No. 546. William R. Rodman, United States Marshal, petitioner, *v.* Roland R. Pothier. Motion to advance submitted by Mr. Solicitor General Beck for the petitioner.

No. 686. Walter L. Marr, appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Beck for the appellee.

No. 711. The City of New York, plaintiff in error, *v.* James McEntee and the State Industrial Board. Motion to advance submitted by Mr. Edward G. Griffin for the plaintiff in error.

No. —. Flo Lachapelle, as Administratrix of the Estate of Peter Foumakis, deceased, plaintiff in error, *v.* Union Pacific Coal Company. Motion for leave to proceed in forma pauperis submitted by Mr. T. J. Walsh in that behalf.

No. 657. Horace Van Deventer, petitioner, *v.* Wholesale Merchants' Warehouse Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. Edward A. Harriman for the petitioner.

No. 524. The City of Opelika, appellant, *v.* Opelika Sewer Company. Motion to advance submitted by Mr. William M. Williams in behalf of counsel for the appellant.

No. 565. Charles D. Newton, as Attorney General of the State of New York et al., appellants, *v.* Consolidated Gas Company of New York. Motion to advance submitted by Mr. Harry Hertzoff for the appellants.

No. 710. The Brooklyn Heights Railroad Company, petitioner, *v.* Golde Ploxin, as administratrix, etc., of Louis Ploxin, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John L. Wells for the petitioner.

No. —, original. *Ex parte* In the matter of The Kansas City Southern Railway Company and Bethlehem Steel Products Company, petitioners. Motion for leave to file a petition for a writ of mandamus and/or a writ of prohibition submitted by Mr. Thomas P. Littlepage for the petitioners.

No. 367. Brooks-Scanlon Corporation, appellant, *v.* The United States; and

No. 385. The United States, appellant, *v.* Brooks-Scanlon Corporation. Leave granted to file brief herein as *amicus curiae*, on motion of Mr. George A. King in that behalf.

No. 165. Central National Bank of Tulsa, Oklahoma, 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. Preston C. West for the plaintiff in error.

No. 138. Puget Sound Power & Light Company et al., plaintiffs in error, *v.* The County of King et al. Motion to dismiss or affirm submitted by Mr. Howard A. Hanson and Mr. Malcolm Douglas for the defendants in error in support of the motion, and by Mr. James B. Howe, Mr. Frederic D. McKenney, Mr. Thomas J. L. Kennedy, Mr. Walter B. Beals, and Mr. Walter F. Meier for the plaintiffs in error in opposition thereto.

No. 681. Industrial Accident Commission of the State of California and Mrs. Jenny A. Denny, petitioners, *v.* Zurich General Accident & Liability Insurance Company (Limited). Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. William R. Harr in behalf of Mr. Warren H. Pillsbury for the petitioners, and by Mr. Hampton Hoge for the respondent.

No. 682. Industrial Accident Commission of the State of California and J. Hansen, petitioners, *v.* Alaska Packers' Association. Petition for writ of certiorari to the Supreme Court of the State of

California submitted by Mr. William R. Harr in behalf of Mr. Warren H. Pillsbury for the petitioners.

No. 367. Brooks-Scanlon Corporation, appellant, *v.* The United States. Leave granted to file brief herein as amicus curiae, on motion of Mr. Vernon E. West in that behalf.

No. 670. The Opalite Sign Company et al., petitioners, *v.* Flexlume Sign Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Russell Wiles, Mr. George A. Chritton, and Mr. William H. Dyrenforth for the petitioners, and by Mr. Edward Rector, Mr. William Nevarre Cromwell, and Mr. Comfort S. Butler for the respondent.

No. 469. The United States of America et al., appellants, *v.* The New York Central Railroad Company et al. Leave granted to file brief herein as amicus curiae, on motion of Mr. T. K. Bryant in behalf of Mr. Leon B. Lamfrom for the National Association of Men's Apparel Clubs.

No. 655. The United States ex rel. Pioneer Construction Company, petitioner, *v.* Madison County, Arkansas, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Claude Duty for the petitioner.

No. 671. Perkins Glue Company, petitioner, *v.* Gould Manufacturing Company et al.; and

No. 672. Perkins Glue Company, petitioner, *v.* Wisconsin Chair Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Thomas Ewing and Mr. Gorham Crosby for the petitioner, and by Mr. James A. Watson for the respondents.

No. 673. Wilen W. Easterday, otherwise known as W. Wilen Easterday, petitioner, *v.* The United States of America;

No. 674. Wilen W. Easterday, otherwise known as W. Wilen Easterday, petitioner, *v.* The United States of America; and

No. 675. Wilen W. Easterday, otherwise known as W. Wilen Easterday, petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harry S. Barger for the petitioner.

No. 694. Loftis Wilkes, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles M. Bryan for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 696. Primos Chemical Company, petitioner, *v.* Goldschmidt Thermit Company. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the Third Circuit submitted by Mr. George W. Wickersham and Mr. Paul Synnestvedt for the petitioner, and by Mr. Livingston Gifford for the respondent.

No. 700. Knights of the Ku Klux Klan (Inc.), petitioner, *v.* International Magazine 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. William A. DeFord for the respondent.

No. 364. G. S. Swanson and H. G. Swanson, plaintiffs in error, *v.* Jack Sarja. Motion to dismiss or affirm submitted by Mr. D. F. Lyons for the defendant in error in support of the motion, and by Mr. George Francis Williams, Mr. Henry C. Clark, Mr. G. S. Swanson, and Mr. H. G. Swanson for the plaintiffs in error in opposition thereto.

No. 246. Lucy Tom, nee Bigpond, Johnson Bigpond, and James J. Mars, plaintiffs in error, *v.* C. C. Mills. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, per stipulation.

No. 490. Louisiana Public Service Commission et al., appellants, *v.* Shreveport Railways Company. Appeal from the District Court of the United States for the Eastern District of Louisiana. Dismissed with costs, per stipulation.

No. 687. Hamilton F. Kean et al., petitioners, *v.* National City Bank. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Dismissed, on motion of counsel for the petitioner.

No. 148. The United States of America ex rel. Nicolai Menserovich, appellant, *v.* Robert E. Tod, Commissioner of Immigration at the Port of New York. Argument commenced by Mr. Walter Nelles for the appellant. The court declined to hear further argument.

No. 124. Wesley M. Smith, appellant, *v.* Walter T. Apple. Argued by Mr. John S. Dean for the appellant, and by Mr. Edward E. Sapp for the appellee.

No. 126. William Henry Packard, appellant, *v.* Joab H. Banton, District Attorney, etc. Argument commenced by Mr. A. B. Silverman for the appellant, continued by Mr. Carl Sherman for the attorney general of New York, and concluded by Mr. Felix C. Benvenga for Joab H. Banton, as district attorney, etc.

No. 127. Anthony Molinari, plaintiff in error, *v.* The State of Maryland; and

No. 480. Peter Weisengoff, plaintiff in error, *v.* The State of Maryland. Argument commenced by Mr. Clarence Lippel for the plaintiff in error in No. 127, and continued by Mr. Saul Praeger

for the plaintiff in error in No. 480. The court declined to hear further argument.

No. 129. Times Square Auto Supply Company (Inc.), appellant, *v.* Kansas City, Missouri, et al. Argued by Mr. John B. Pew and Mr. E. F. Halstead for the appellees, and submitted by Mr. Arthur Miller and Mr. Maurice H. Winger for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 3, will be as follows: Nos. 130, 131, 132, 354, 133, 83, 134, 135, 136, and 137.

×

SUPREME COURT OF THE UNITED STATES.

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

Jerome S. Hess, of New York City; C. Jackson Keblinger, of Washington, D. C.; and Howard M. Bingaman, of Harrisburg, Pa., were admitted to practice.

ORDER.

It is now here ordered by this court that the bond of the marshal, Frank K. Green, dated January 1, 1924, be, and the same is, this day approved and recorded.

No. 130. Stefana Sanguinetti, appellant, *v.* The United States. Argument commenced by Mr. Benjamin Carter for the appellant. The court declined to hear further argument.

No. 131. W. Fish Wilson, County Collector, etc., et al., appellants, *v.* Illinois Southern Railway Company et al. Argued by Mr. June C. Smith for the appellants and by Mr. George B. Gillespie for the appellees.

No. 132. The United States of America ex rel. Catoni Tisi, *alias* Lista Cortina, appellant, *v.* Robert E. Tod, Commissioner of Immigration, etc. Argument commenced by Mr. Walter Nelles for the appellant. The court declined to hear further argument.

No. 354. Thomas A. Delaney, petitioner, *v.* The United States. Argued by Mr. David V. Cahill for the petitioner and by Mr. A. A. Wheat for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 4, will be as follows: Nos. 133, 83, 134, 135, 136, 137, 139, 141, 144, and 147.

SUPREME COURT OF THE UNITED STATES.

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

Edward P. Sanborn, of St. Paul, Minn.; Josiah E. Brill, of Minneapolis, Minn.; and Samuel V. Stewart, of Helena, Mont., were admitted to practice.

No. 133. The Kansas Natural Gas Company, plaintiff in error. *v.* The State of Kansas on the relation of A. E. Helm, Attorney for the Public Utility Commission of the State of Kansas; and

No. 137. The State of Kansas on the relation of Fred S. Jackson, Attorney for the Public Utilities Commission of the State of Kansas, etc., appellant, *v.* The Central Trust Company of New York et al. Passed, to be heard with No. 155 when No. 155 is reached, on motion of Mr. J. E. Benton in that behalf.

No. 136. The State of Arkansas on the relation of Jefferson Black, appellant, *v.* Board of Directors of School District No. 16, of Montgomery County, Arkansas. Leave granted to file brief herein for the appellee, within 30 days, on motion of Mr. Stuart Lewis in that behalf.

No. 139. Margaret C. Lynch, Executrix of the Last Will and Testament of E. J. Lynch, Collector of Internal Revenue, deceased, petitioner, *v.* Tilden Produce Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. S. W. Williams in that behalf.

No. 144. Francis Wrenn, plaintiff in error, *v.* The State of Iowa. Submitted by Mr. T. M. Zink for the plaintiff in error, and by Mr. B. J. Flick for the defendant in error.

No. 147. Joab H. Banton, District Attorney of the County of New York, appellant, *v.* Samuel Ruskay et al., etc. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. H. M. Welch in that behalf.

No. 83. Steamship *Gul Djemal*, Her Engines, etc., appellant, *v.* Campbell & Stuart (Inc.). Argument commenced by Mr. William A. Purrington for the appellant, continued by Oscar R. Houston for the appellee, and concluded by Mr. John M. Woolsey, for the appellant.

No. 134. Hannah Canard Barnett et al., appellants, *v.* W. A. Kunkel et al. Argued by Mr. Lewis C. Lawson for the appellants, and by Mr. Preston C. West for the appellees.

No. 135. Eneas J. McCurdy, County Treasurer, etc., et al., appellants, *v.* The United States. Argued by Mr. S. W. Williams for the appellee and submitted by Mr. Elmer E. Grinstead for the appellants.

No. 136. The State of Arkansas on the relation of Jefferson Black, appellant, *v.* Board of Directors of School District No. 16, of Montgomery County, Arkansas. Submitted by Mr. R. G. Davies for the appellant with leave to file brief for the appellee within 30 days.

No. 141. The Texas Transport & Terminal Co. (Inc.), plaintiff in error, *v.* The City of New Orleans. Argument commenced by Mr. George H. Terribery for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 7, will be as follows: Nos. 141, 367 (and 385), 366 (and 684), 593 (and 103), ~~490~~, 553, 361, 469, 276 (and 249), 149.

SUPREME COURT OF THE UNITED STATES.

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

Harry H. Smith, of Mobile, Ala.; John H. Dunbar, of Olympia, Wash.; Sherman A. Murphy, of Albany, N. Y.; Charles Bunn, of St. Paul, Minn.; Paxton Blair, of New York City; Willis G. Sears, of Omaha, Nebr.; Erskine R. Myer, of Denver, Colo.; Everett Flint Damon, of Boston, Mass.; and Robert H. Dye, of Fayetteville, N. C., were admitted to practice.

No. 102. Federal Trade Commission, petitioner, *v.* Raymond Bros.-Clark 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 said Circuit Court of Appeals. Opinion by Mr. Justice Sanford.

No. 65. Paul V. Lacoste, Joseph E. Mares, Henry P. Mirandona, et al., plaintiffs in error, *v.* Department of Conservation of the State of Louisiana. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 59. C. B. Giles, John Jancs, I. Fiegel, et al., petitioners, *v.* Henry Vette, Peter M. Zuncker, Theodore Regensteiner, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice Butler.

No. 42. Corona Coal Company, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed. Opinion by Mr. Justice Sutherland.

No. 115. The Baltimore & Ohio Southwestern Railroad Company, petitioner, *v.* Lulu Burtch, Administratrix of Guerney O. Burtch, deceased. On writ of certiorari to the Supreme Court of the State of Indiana. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 40. The United States of America et al., appellants, *v.* Illinois Central Railroad Company et al. Appeal from the District Court of the United States for the Southern District of Mississippi. Decree reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 38. Wyoming Railway Company, appellant, *v.* The United States of America et al. Appeal from the District Court of the United States for the District of Wyoming. Decree affirmed. Opinion by Mr. Justice Brandeis.

No. 318. Peoria and Pekin Union Railway Company, appellant, *v.* The United States of America et al. Appeal from the District Court of the United States for the Southern District of Illinois. Decree reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 110. Southern Power Company, petitioner, *v.* North Carolina Public Service Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed. Opinion by Mr. Justice McReynolds.

No. 128. Sven Haavik, appellant, *v.* Alaska Packers' Association. Appeal from the District Court of the United States for the Northern District of California. Decree affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 37. Arthur W. Ide et al., appellants, *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 Wyoming. Opinion by Mr. Justice Van Devanter.

No. 116. The Queen Insurance Company of America, petitioner, *v.* Globe & Rutgers Fire Insurance Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes.

No. 352. The People of the State of New York, petitioner, *v.* Louis Jersawit, as Trustee in Bankruptcy of Ajax Dress Company (Inc.). On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Order reversed in part and affirmed in part; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 121. Thomas N. Brady, appellant, *v.* Hubert Work, Secretary of the Interior et al. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 167. McMillan Contracting Company et al., appellants, *v.* Walter L. Abernathy et al.; and

No. 168. McMillan Contracting Company et al., appellants, *v.* B. Haywood Hagerman. Appeals from the District Court of the United States for the Western District of Missouri, transferred from the United States Circuit Court of Appeals for the Eighth Circuit. Causes remanded to the Circuit Court of Appeals. Opinion by Mr. Chief Justice Taft.

No. 179. Tidal Oil Company et al., plaintiffs in error, *v.* J. P. Flanagan. In error to the Supreme Court of the State of Oklahoma. Dismissed for the want of jurisdiction. Opinion of Mr. Chief Justice Taft.

No. 330. Dayton-Goose Creek Railway Company, appellant, *v.* The United States of America et al. Appeal from the District Court of the United States for the Eastern District of Texas. Decree affirmed. Opinion by Mr. Chief Justice Taft.

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

No. 164. Sperry Oil & Gas Company et al., appellants, *v.* Pearl Chisholm et al. Motion for leave to file brief of the United States as amicus curiæ herein granted.

No. 223. Grover E. Clemmings, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Minnesota. Per curiam: Cause transferred to the United States Circuit Court of Appeals for the Eighth Circuit upon authority of act of September 14, 1922, c. 305, 42 Stat. 827; *Heitler v. United States*, 260 U. S. 438, 439.

No. 690. James B. Dillingham, as President, et al., etc., appellants, *v.* George V. McLaughlin, as Superintendent of Banks of the State of New York, et al.; and

No. 691. George V. McLaughlin, as Superintendent of Banks of the State of New York, et al., appellants, *v.* James B. Dillingham, as President, et al., etc. Motion to advance granted; and cases assigned for argument on Monday, March 10 next.

No. 467. The Chastleton Corporation et al., appellants, *v.* A. Leftwich Sinclair et al. Motion to advance granted; and cause assigned for argument on Monday, March 10 next, after the cases heretofore assigned for that day.

No. 662. The Oliver American Trading Company (Inc.), plaintiff in error, *v.* The Government of the United States of Mexico et al. Motion to advance granted; and cause assigned for argument on Monday, March 10 next, after the cases heretofore assigned for that day.

No. 203. Angel Figueroa, petitioner, *v.* The United States of America. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Motion to dismiss petition for a writ of certiorari herein under rule 37 granted; and petition dismissed.

No. 343. Peterson Oil Company, plaintiff in error, *v.* Guy G. Frary, State Inspector, etc. Ordered that this cause be advanced and assigned for argument on the summary docket on February 18 next, after the cases heretofore assigned for that day.

No. 637. Wesley M. Smith, appellant, *v.* W. P. McCullough et al. Further consideration of the motion to dismiss in this cause postponed until the hearing of the cause on the merits.

No. 256. E. E. Goodno, plaintiff in error, *v.* South Florida Farms Company. In error to the Supreme Court of the State of Florida. Per curiam: Dismissed for the want of jurisdiction upon the authority of Louisiana Navigation Co. *v.* Oyster Commission of Louisiana, 226 U. S. 99, 101; Coe *v.* Armour Fertilizer Works, 237 U. S. 413, 418, 419; Gray's Harbor Co. *v.* Coats-Fordney Co., 243 U. S. 251, 255; Bruce *v.* Tobin, 245 U. S. 18, 19.

No. —. Flo LaChapelle, as Administratrix, etc., plaintiff in error, *v.* Union Pacific Coal Company. Motion for leave to proceed in forma pauperis herein granted.

No. —. Henry Lewis, petitioner, *v.* David Roberts, jr., Trustee. Motion of Henry Lewis for an order allowing him to petition for a writ of certiorari in forma pauperis herein, without deposit for costs and without printed record, granted.

No. —, Original. Ex parte Kansas City Southern Railway Company et al., petitioners. Motion for leave to file petition for a writ of mandamus and/or a writ of prohibition herein denied.

No. 546. William R. Rodman, United States Marshal, petitioner, *v.* Roland R. Pothier. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, February 25 next, after the cases heretofore assigned for that day.

No. 686. Walter L. Marr, appellant, *v.* The United States. Motion to advance in this cause denied.

No. 711. The City of New York, plaintiff in error, *v.* James McEntee et al. Motion to advance granted; and cause placed on the

summary docket and assigned for hearing with Nos. 366 and 684, heretofore assigned for January 7.

No. 524. City of Opelika, appellant, *v.* Opelika Sewer Company. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, April 7 next.

No. 565. Charles D. Newton, as Attorney General of the State of New York, et al., *v.* Consolidated Gas Company of New York. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, February 25 next, after the cases heretofore assigned for that day.

No. 364. G. S. Swanson et al., plaintiffs in error, *v.* Jack Sarja. In error to the Supreme Court of the State of Minnesota. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Miller v. Cornwall R. R. Co.*, 168 U. S. 131, 134; *New York Central R. R. Co. v. New York*, 186 U. S. 269, 273; *Thomas v. Iowa*, 209 U. S. 258, 263; *Consolidated Turnpike v. Norfolk, etc., Ry. Co.*, 228 U. S. 326, 331.

No. 127. Anthony Molinari, plaintiff in error, *v.* The State of Maryland; and

No. 480. Peter Weisengoff, plaintiff in error, *v.* The State of Maryland. In error to the Court of Appeals of the State of Maryland. Per curiam: Affirmed with costs upon the authority of (1) *Vigliotti v. Pennsylvania*, 258 U. S. 403; (2) *Forsyth v. Hammond*, 166 U. S. 506, 518; *Commissioners v. Bancroft*, 203 U. S. 112, 118-119; *St. Louis Southwestern Ry. Co. v. Arkansas*, 235 U. S. 350, 362,

No. 129. Times Square Auto Supply Company (Inc.), appellant, *v.* Kansas City, Missouri, et al. Appeal from the District Court of the United States for the Western District of Missouri. Per curiam: Reversed with costs; and remanded with directions to dismiss for lack of jurisdiction in that the bill of complaint did not show that the amount involved was in excess of \$3,000. Section 24, Judicial Code, paragraph "First"; *Vance v. Vandercook Co.*, No. 2, 170 U. S. 468, 472; *El Paso Water Co. v. El Paso*, 152 U. S. 157, 159; *Colvin v. Jacksonville*, 158 U. S. 456, 459-460.

No. 495. James C. Davis, as Director General, etc., petitioner, *v.* A. E. Manry. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia granted.

No. 500. Southern Express Company, petitioner, *v.* Parke-Cramer Company. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 638. George Remus et al., petitioners, *v.* The United States of America; and

No. 639. George Remus et al., petitioners, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 653. The Austin Western Road Machinery Company, petitioner, *v.* Disc Grader & Plow Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 659. Lawrence F. Connolly, Administrator, etc., et al., petitioners, *v.* Robert H. Elder, Administrator, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 634. Board of Directors of Miller Levee District No. 2, appellants, *v.* Prairie Pipe Line Company. Petition for a writ of certiorari herein denied.

No. 655. United States ex rel, Pioneer Construction Company, petitioner, *v.* Madison County, Arkansas, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 670. The Opalite Sign Company et al., petitioners, *v.* Flexlume Sign Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 671. Perkins Glue Company, petitioner, *v.* Gould Manufacturing Company et al.; and

No. 672. Perkins Glue Company, petitioner, *v.* Wisconsin Chair Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

Nos. 673, 674, and 675. Wilen W. Easterday, etc., petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied.

No. 694. Loftis Wilkes, 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. 696. Primos Chemical Company, petitioner, *v.* Goldschmidt Thermit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 700. Knights of the Ku Klux Klan (Inc.), petitioner, *v.* International Magazine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 710. The Brooklyn Heights Railroad Company, petitioner, *v.* Golde Ploxin, Administratrix of Louis Ploxin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 646. Fort Smith Light & Traction Company, plaintiff in error, *v. Fagan Bourland et al.*, etc. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 660. Sallie Canard, plaintiff in error, *v. R. E. Snell, jr.*, et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 118. James C. Davis, as Agent, etc., petitioner, *v. E. M. Matthews, Administrator*, etc. On writ of certiorari to the Supreme Court of the State of South Carolina. Per curiam: Affirmed with costs upon the authority of (1) *Seaboard Air Line v. Padgett*, 236 U. S. 668, 673; *Central Vermont Ry. Co. v. White*, 238 U. S. 507, 509; (2) *Illinois Central R. R. Co. v. Skaggs*, 240 U. S. 66, 70; *Spokane & Inland Empire R. R. Co. v. Campbell*, 241 U. S. 497, 509; (3) *Southern Ry. Co. v. Bennett*, 233 U. S. 80, 86; *L. & N. R. R. Co. v. Holloway*, 246 U. S. 525, 529.

No. 172. William Leather et al., appellants, *v. Mark J. White*. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Per curiam: Decree reversed with costs; and cause remanded to the said Circuit Court of Appeals for further proceedings on the merits in consideration of the decree of the District Court of the United States for the Northern District of Illinois dated and entered July 7, 1921.

No. 326. James C. Davis, Agent, etc., petitioner, *v. John O'Hara*. Motion of respondent for (1) quashal and dismissal; (2) suggestion of diminution of record and motion for writ of certiorari, submitted by Mr. A. A. McLaughlin for the respondent.

No. 684. Industrial Accident Commission of the State of California et al., plaintiffs in error, *v. James Rolph Company et al.* Leave granted to file brief herein as amicus curiae, on motion of Mr. Warren H. Pillsbury in that behalf.

No. 684. Industrial Accident Commission of the State of California et al., plaintiffs in error, *v. James Rolph Company et al.* Leave granted to file brief herein as amicus curiae, on motion of Mr. Harvey D. Jacob in that behalf.

No. 366. The State of Washington, plaintiff in error, *v. W. C. Dawson & Company*. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Frank Davis, jr., in that behalf.

No. 307. Nyanza Steamship Company, appellant, *v. Jahncke Drydock No. 1 et al.* Motion to advance submitted by Mr. Forney Johnston in that behalf.

No. 697. Prince Tyner, plaintiff in error, *v.* Henry Buffington et al. Petition for a writ of certiorari herein submitted by Mr. Robert M. Rainey and Mr. Streeter B. Flynn for the plaintiffs in error in support of the petition.

No. 701. Leila A. Cawthon, Administratrix, etc., petitioner, *v.* Fred W. Fehr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Murray Seansongood for the petitioner, and by Mr. Sidney G. Stricker for the respondent.

No. 707. Molsie Bailey, petitioner, *v.* Claude Jones et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Guy H. Sigler for the petitioner.

No. 708. Sam Michaelson et al., petitioners, *v.* The United States ex rel. Chicago, St. Paul, Minneapolis & Omaha Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Donald R. Richberg, Mr. John A. Cadigan, and Mr. Jackson H. Ralston for the petitioners, and by Mr. Richard L. Kennedy for the respondent.

No. 709. Nicie Homer, petitioner, *v.* D. B. Lester et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Guy H. Sigler for the petitioner.

No. 715. Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* J. Fred Drayton. Petition for a writ of certiorari herein submitted by Mr. Alexander Britton and Mr. Gardiner Lathrop for the plaintiff in error in support of the petition.

No. 718. Yadkin Railroad Company et al., petitioners, *v.* Ada Sigmon, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. H. O'B. Cooper, Mr. S. R. Prince, Mr. B. S. Womble, and Mr. L. E. Jeffries, for the petitioners, and by Mr. T. D. Maness for the respondent.

No. 726. Seaboard Air Line Railway Company, plaintiff in error, *v.* O. T. Belshe. Petition for a writ of certiorari herein submitted by Mr. Murray Allen for the plaintiff in error in support of the petition, and by Mr. Clyde A. Douglass, Mr. William C. Douglass, and Mr. Robert N. Simms for the defendant in error in opposition thereto.

No. 727. Northwestern Mutual Life Insurance Company, petitioner, *v.* V. C. Pickering, Administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Sam P. Maddox for the petitioner and by Mr. John D. Little, Mr. Arthur Gray Powell, Mr. Marion Smith, and Mr. Max F. Goldstein for the respondent.

No. 149. James C. Davis, Director General of Railroads, etc., petitioner, *v.* Samuel Wechsler. On writ of certiorari to the Kansas City Court of Appeals of the State of Missouri. Reversed with costs, and cause remanded for further proceedings, per stipulation.

No. 337. United States Fidelity & Guaranty Company, plaintiff in error, *v.* Mary L. Morrell. Motion to dismiss or affirm submitted by Mr. Theodore Francis Green and Mr. Patrick P. Curran for the defendant in error in support of the motion, and by Mr. George H. Huddy, jr., Mr. E. Butler Moulton, and by Mr. Frank F. Mason for the plaintiffs in error in opposition thereto.

No. 558. Chicago, Rock Island & Pacific Railway Company et al., plaintiffs in error, *v.* Gwenden Shaffer, by her Guardian, etc. Motion to dismiss or affirm submitted by Mr. Platt Hubbell for the defendant in error in support of the motion, and by Mr. John E. Dolman, Mr. M. L. Bell, Mr. W. F. Dickinson, Mr. Bruce Scott, Mr. H. J. Nelson, and Mr. J. G. Trimble for the plaintiffs in error in opposition thereto.

No. 669. Hon. Edward E. Cushman, United States District Judge, etc., petitioner, *v.* The Pacific Telephone & Telegraph Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Petition dismissed, on motion of counsel for the petitioner.

No. 150. Railroad and Warehouse Commission of the State of Minnesota et al., appellants, *v.* The Duluth Street Railway Company. Continued, per stipulation.

No. 141. The Texas Transport & Terminal Company (Inc.), plaintiff in error, *v.* The City of New Orleans. Argument continued by Mr. George H. Terribery for the plaintiff in error, by Mr. W. Catesby Jones for the defendant in error, and concluded by Mr. George H. Terribery for the plaintiff in error.

No. 26, original. *Ex parte* In the matter of Transportes Maritimos do Estado, etc., petitioner. Argument on the return to the rule to show cause commenced by Mr. F. Dudley Kohler for the petitioner, and continued by Mr. E. Curtis Rouse for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 8, will be as follows: Nos. 367 (and 385), 366 (and 684 and 711), 593 (and 103), 553, 361, 469, 276 (and 249), 151, 152, and 153.

SUPREME COURT OF THE UNITED STATES.

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

Francis Price, of Santa Barbara, Calif.; Edward L. Pease, of Columbus, Ohio; Dean S. Edmonds, of New York City; Julius D. Cronin, of O'Neill, Nebr.; Seymour J. Frank, of Detroit, Mich.; Gifford N. Hale, of Grand Island, Nebr.; Clayton A. McCleary, of Columbus, Ohio; Millard T. Hartson, of Seattle, Wash.; and J. M. Lampert, of Boise, Idaho, were admitted to practice.

No. 26, original. *Ex parte* In the matter of *Transportes Maritimos do Estado, etc.*, petitioner. Argument on return to rule to show cause continued by Mr. E. Curtis Rouse for the respondent, and concluded by Mr. F. Dudley Kohler for the petitioner. Leave granted counsel for the petitioner to file exceptions to return within one week.

No. 367. *Brooks-Scanlon Corporation, appellant, v. The United States*; and

No. 385. *The United States, appellant, v. Brooks-Scanlon Corporation*. Argued by Mr. John Junell for the *Brooks-Scanlon Corporation*, and by Mr. Henry M. Ward for the *United States*.

No. 366. *The State of Washington, plaintiff in error, v. W. C. Dawson & Company*;

No. 684. *Industrial Accident Commission of the State of California et al., plaintiffs in error, v. James Rolph Company et al.*; and

No. 711. *The City of New York, plaintiff in error, v. James M. McEntee et al.* Argument commenced by Mr. John H. Dunbar for the *State of Washington*, continued by Mr. Warren H. Pillsbury for the *Industrial Accident Commission of the State of California et al.*, and by Mr. E. Clarence Aiken for *James McEntee et al.*

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 9, will be as follows: Nos. 366 (and 684 and 711), 593 (and 103), 553, 361, 469, 276 (and 249), 151, 152, 153, and 158.

SUPREME COURT OF THE UNITED STATES.

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

W. E. Stanley, of Wichita, Kans.; Jay Arthur Gilman, of New York City; Hugh W. McCulloch, of Chicago, Ill.; Julian D. Dusenbury, of Greenville, S. C.; Samuel G. Newton, of San Antonio, Tex.; Harry M. Wurzbach, of Seguin, Tex.; and Harry Frease, of Canton, Ohio, were admitted to practice.

No. 469. The United States of America et al., appellants, *v.* The New York Central Railroad Company et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Robert E. Quirk for the International Federation of Commercial Travelers Organizations.

No. 185. The John E. Thropp's Sons Company, petitioner, *v.* Frank A. Seiberling. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Harry Freas in his own behalf.

No. 709. Nicie Homer, petitioner, *v.* D. B. Lester et al. Leave granted to file brief for the respondent on or before Monday next, on motion of Mr. Alex. Britton in behalf of counsel.

No. 366. The State of Washington, plaintiff in error, *v.* W. C. Dawson & Company;

No. 684. Industrial Accident Commission of the State of California et al., plaintiffs in error, *v.* James Rolph Company et al.; and

No. 711. The City of New York, plaintiff in error, *v.* James McEntee et al. Argument concluded by Mr. E. Clarence Aiken for McEntee et al.; and cases submitted by Mr. R. S. Terhune and Mr. H. G. Cosgrove for the defendant in error in No. 366, by Mr. G. Bowdoin Craighill, Mr. L. A. Redman, and Mr. Charles B. Tebbs for the defendants in error in No. 684, and by Mr. George P. Nicholson and Mr. John F. O'Brien for the plaintiff in error in No. 711.

No. 593. R. E. Sheehan Company et al., plaintiffs in error, *v.* George K. Shuler, as State Treasurer of the State of New York, et al.; and

No. 103. New York State Railways, plaintiff in error, *v.* George K. Shuler, as Treasurer, etc., et al. Argued by Mr. S. A. Murphy for the plaintiff in error in No. 103, and by Mr. E. C. Aiken for the defendants in error.

No. 361. The Banco Mexicana de Comercio e Industria et al., appellants, *v.* Deutsche Bank et al. Argued by Mr. Henry W. Taft for the appellants, and by Mr. Assistant to the Attorney General Seymour for the appellees.

No. 553. Federal Reserve Bank of Richmond, plaintiff in error, *v.* D. J. Malloy and J. H. Malloy, trading as Malloy Brothers. Argued by Mr. M. G. Wallace for the plaintiff in error, and by Mr. Robert H. Dye for the defendants in error.

No. 469. The United States of America et al., appellants, *v.* The New York Central Railroad Company et al. Argument commenced by Mr. Blackburn Esterline for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 10, will be as follows: Nos. 469, 276 (and 249), 151, 152, 153, 158, 159, 160, 163, and 164.

SUPREME COURT OF THE UNITED STATES.

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

Samuel B. Scott, of Philadelphia, Pa.; Walter T. Hofheins, of Buffalo, N. Y.; Bert M. Kent, of Cleveland, Ohio; Louis L. Korn, of Washington, D. C.; Phil H. Callery, of Pittsburgh, Pa.; James D. Buster, of Sherman, Texas.; Charles Roach, of Denver, Colo.; and William R. Kelly, of Greeley, Colo., were admitted to practice.

No. 276. William H. Edwards, formerly Collector of Internal Revenue for the Second District of New York, petitioner, *v.* Joseph Jermain Slocum et al. Leave granted to file brief herein as amici curiæ, on motion of Mr. Robert Thorne in behalf of executors of the estate of Joseph R. DeLamar, deceased.

No. 469. The United States of America et al., appellants, *v.* The New York Central Railroad Company et al. Argument continued by Mr. Blackburn Esterline for the United States, by Mr. P. J. Farrell for the Interstate Commerce Commission, by Mr. Charles F. Choate, jr., for the New York Central Railroad Company, and concluded by Mr. Hoke Smith for the National Council of Travelling Salesmen's Associations.

No. 276. William H. Edwards, formerly Collector, etc., petitioner, *v.* Joseph Jermain Slocum et al. Argued by Mr. Alfred A. Wheat for the petitioner, and by Mr. Robert Thorne for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 11, will be as follows: Nos. 249, 151, 152, 153, 158, 159, 160, 163, 164, and 166.

SUPREME COURT OF THE UNITED STATES.

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

Leslie E. Salter, of Carmen, Okla., and O. Benj. Jefferson, of Muskogee, Okla., were admitted to practice.

No. 249. The Young Men's Christian Association of Columbus, Ohio, et al., petitioners, *v.* Ora Davis et al. Argued by Mr. J. I. Boulger for the petitioners, and by Mr. Arthur I. Vorys for the respondents.

No. 151. Pierce Oil Corporation, appellant, *v.* Luther Hopkins, County Clerk, et al., etc. Argued by Mr. Sam T. Poe for the appellant, and by Mr. William T. Hammock for the appellees.

No. 152. J. E. Raley & Brothers et al., plaintiffs in error, *v.* W. S. Richardson, Tax Collector, etc., et al. Submitted by Mr. John P. Ross and Mr. E. B. Weatherly for the plaintiffs in error, and by Mr. George M. Napier, Mr. T. R. Gress, and Mr. Frank Carter for the defendants in error.

No. 153. Jose E. Benedicto, as Treasurer of Porto Rico, appellant, *v.* Porto Rican American Tobacco Company of Porto Rico. Motion to substitute J. W. Bonner, present treasurer of Porto Rico, as the party appellant herein, submitted by Mr. Grant T. Trent for the appellant. Argued by Mr. Grant T. Trent for the appellant, and by Mr. A. Lewis Brown for the appellee.

No. 158. Warren Myers et al., plaintiffs in error, *v.* The United States. Submitted by Mr. Allyn Smith for the plaintiffs in error, and by Mr. Solicitor General Beck and Mr. George Ross Hull for the defendant in error.

No. 159. Electric Boat Company, appellant, *v.* The United States. Argument commenced by Mr. Dean S. Edmonds for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 14, will be as follows: Nos. 159, 341 (and 342 and 705), 160, 163, 164, 166, 169, 171, 173, and 174.

SUPREME COURT OF THE UNITED STATES.

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

Walter E. Barton, of Washington, D. C.; William L. Barnum, of Phoenix, Ariz.; George H. Wilson, of Quincy, Ill.; Jacob A. Overlander, of New York City; David A. Stovall, of Hugo, Okla.; Charles D. Driscoll, of Boston, Mass.; Joseph A. Burdeau, of New York City; Vicente Villamin, of Lemery, Batangas, P. I.; Goldthwaite H. Dorr, of New York City; Rivers Buford, of Tallahassee, Fla.; Marvin Crosby McIntosh, of Tallahassee, Fla.; L. A. Justus, jr., of Pawhuska, Okla.; Maurice F. Lord, of Aurora, Ill.; Albert W. Putnam, of New York City; Edmund A. Hayes, of New Brunswick, N. J.; and William H. Davis, of New York City, were admitted to practice.

No. 53. *W. Trinidad, as Insular Collector, etc., petitioner, v. Sagrada Orden de Predicadores de la Provincia del Santissimo Rosario de Filipinas.* On writ of certiorari to the Supreme Court of the Philippine Islands. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 131. *W. Fish Wilson, County Collector, etc., et al., appellants, v. Illinois Southern Railway Company et al.* Appeal from the District Court of the United States for the Eastern District of Illinois. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 326. *James C. Davis, Agent, etc., petitioner, v. John O'Hara.* The motion to quash and dismiss is denied. The motion for certiorari for diminution of the record is also denied, but leave is given the respondent at his own expense to present such certified parts of the record of the first trial as he deems necessary to show the waiver of the venue, costs for the same to be adjudged in the final judgment of this court.

No. 307. *Nyanza Steamship Company, appellant, v. Jahncke Drydock No. 1 et al.* Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, March 3 next, after the cases heretofore assigned for that day.

No. 337. United States Fidelity & Guaranty Company, plaintiff in error, *v. Mary L. Morrell*. Further consideration of the motion to dismiss or affirm in this cause postponed until the hearing of the cause on the merits; and cause placed on the summary docket and assigned for argument on Monday, March 3 next, after the cases heretofore assigned for that day.

No. 558. Chicago, Rock Island & Pacific Railway Company et al., plaintiffs in error, *v. Gwenden Shaffer*, by Her Guardian, etc. In error to the Supreme Court of the State of Missouri. Per curiam: Affirmed upon the authority of *Minneapolis & St. Louis Ry. Co. v. Beckwith*, 129 U. S. 26; *M., K. & T. Ry. Co. v. May*, 194 U. S. 267; *L. & N. R. R. Co. v. Melton*, 218 U. S. 36, 52-53; *Jeffrey Mfg. Co. v. Blagg*, 235 U. S. 571, 576-577; *Rast v. Van Deman & Lewis*, 240 U. S. 342, 357-358; *New York Central R. R. Co. v. White*, 243 U. S. 188, 208.

No. 711. The City of New York, plaintiff in error, *v. James McEntee et al.* In error to the Supreme Court of the State of New York. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Hunter v. Pittsburgh*, 207 U. S. 161, 178; *Pawhuska v. Pawhuska Oil Co.*, 250 U. S. 394; *Trenton v. New Jersey*, 262 U. S. 182; *Newark v. New Jersey*, 262 U. S. 192, 196.

No. 144. Francis Wrenn, plaintiff in error, *v. The State of Iowa*. In error to the Supreme Court of the State of Iowa. Per curiam: Affirmed. *State v. Wrenn*, 194 Iowa 552, 557; *New York ex rel. Hatch v. Reardon*, 204 U. S. 152, 160; *Hendricks v. Maryland*, 235 U. S. 610, 621; *Dahnke-Walker Milling Co. v. Bondurant*, 257 U. S. 282, 289.

No. 153. Jose E. Benedicto, as Treasurer of Porto Rico, appellant, *v. Porto Rican American Tobacco Company of Porto Rico*. Appeal from the District Court of the United States for Porto Rico. Per curiam: Reversed with the direction to dismiss upon the authority of (1) *Irwin v. Wright*, 258 U. S. 219, 222; *Gorham Mfg. Co. v. Wendell*, 261 U. S. 1, 5; (2) *United States v. Hamburgh-American Co.*, 239 U. S. 466, 475; *Board of Public Utility Commissioners v. Campania General*, 249 U. S. 425, 426-427; *Brownlow v. Schwartz*, 261 U. S. 216, 217-218.

No. 708. Sam Michaelson et al., petitioners, *v. The United States ex rel. Chicago, St. Paul, Minneapolis & Omaha Railway Company*. The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 534. Walter Davis, petitioner, *v. John Barton Payne, Agent, etc.* Petition for a writ of certiorari to the Supreme Court of the State of Oregon denied.

No. 701. Leila A. Cawthon, Administratrix of the Estate of Kit Cawthon, deceased, petitioner, *v.* Fred W. Fehr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 715. Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* J. Fred Drayton. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 726. Seaboard Air Line Railway Company, plaintiff in error, *v.* O. T. Belshe. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 727. Northwestern Mutual Life Insurance Company, petitioner, *v.* V. C. Pickering, Administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 174. Walter D. Sweeney, Claimant and Owner of the Schooner *Grace and Ruby*, appellant, *v.* The United States. Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General Beck in that behalf.

No. 206. Federal Trade Commission, plaintiff in error, *v.* American Tobacco Company; and

No. 207. Federal Trade Commission, plaintiff in error, *v.* P. Lorillard Company, (Inc.) Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General Beck in that behalf.

No. 24, original. The United States, complainant, *v.* The State of Minnesota. Leave granted to file reply brief to defendant's claims of offset, on motion of Mr. Solicitor General Beck for the Complainant.

No. —, Orig'l Ex Parte. In the matter of Clarence H. Venner, Petitioner. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. Otto Schlobohm in behalf of Mr. Elijah N. Zoline for the petitioner, with leave to counsel for the respondent to file brief in opposition.

No. 376. The State of Missouri ex rel. The St. Louis, Brownsville & Mexico Railway Company, plaintiff in error, *v.* Wilson A. Taylor, Judge, etc. Motion to advance submitted by Mr. A. E. Harriman in that behalf.

No. 192. Chicago Great Western Railroad Company, appellant, *v.* Nathan E. Kendall, Governor, etc., et al.; and

No. 193. Chicago, Rock Island & Pacific Railway Company, appellant *v.* Nathan E. Kendall, Governor, etc., et al. Continued, per stipulation.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al.;

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al.; and

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al. Motion to advance submitted by Mr. Harry Keller in that behalf.

No. 217. The United States, appellant, *v.* Charles J. Ferris. Leave granted to file brief herein as amicus curiae, on motion of Mr. George A. King in behalf of Mr. Morrison Shafroth.

No. 21, original. The State of Georgia, complainant, *v.* The City of Chattanooga. Leave granted defendant to file a supplemental brief herein, on motion of Mr. Fitzgerald Hall in that behalf.

No. 459. The City of Jackson, plaintiff in error, *v.* Lamar Life Insurance Company et al.; and

No. 460. The City of Jackson, plaintiff in error, *v.* Mississippi Fire Insurance Company et al. In error to the Supreme Court of the State of Nebraska. Dismissed with costs, on motion of Mr. Garner W. Green for the plaintiffs in error.

No. 712. John C. Walton, petitioner, *v.* The State of Oklahoma, by the Board of Managers of the House of Representatives of the State of Oklahoma, et al. Petition for a writ of certiorari to the Court of Impeachment of the State of Oklahoma, submitted by Mr. Finis E. Riddle and Mr. Henry B. Martin for the petitioner, and by Mr. George F. Short and Mr. J. D. Lydick for the respondent.

No. 258. Joseph Rini et al., plaintiffs in error, *v.* The State of Louisiana. Motion to dismiss or affirm submitted by Mr. A. V. Coco and Mr. Paul A. Sompayrac for the defendant in error in support of the motion, and by Mr. A. D. Henriques and Mr. George J. Gullota for the plaintiffs in error in opposition thereto.

No. 706. Drusilla Carr et al., petitioners, *v.* Charles H. Stebbins et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. E. G. Ballard, Mr. Henry Warrum, Mr. Edward W. Felt, and Mr. Frank P. Walsh for the petitioners.

No. 741. Henry F. Mueller et al., appellants, *v.* Samuel W. Adler et al. Petition for a writ of certiorari herein submitted by Mr. Ephrim Caplan for the appellants in support of the petition.

No. 171. Joab H. Banton, District Attorney, etc., appellant, *v.* Edward M. Fuller and William F. McGee, etc., et al. Submitted by Mr. John Caldwell Myers for the appellant. No brief filed for the appellees.

No. 159. Electric Boat Company, appellant, *v.* The United States. Argument continued by Mr. Dean S. Edmonds for the appellant, by Mr. Harry E. Knight for the appellee, and concluded by Mr. Frederick P. Fish for the appellant.

No. 341. B. I. Salinger, jr., appellant, *v.* Victor Loisel, United States Marshall, etc.;

No. 342. B. I. Salinger, jr., appellant, *v.* Victor Loisel, United States Marshall, etc.; and

No. 705. B. I. Salinger, jr., petitioner, *v.* The United States of America et al. Leave granted appellant and petitioner to file additional brief herein on motion of Mr. B. I. Salinger for the appellant and petitioner. Argument commenced by Mr. B. I. Salinger for the appellant and petitioner, and continued by Mr. Alfred A. Wheat for the appellee and respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 15, will be as follows: Nos. 341 (and 342 and 705), 160, 163, 164, 166, 169, 173, 175, 176, and 177.

SUPREME COURT OF THE UNITED STATES.

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

William Neff, of Muskogee, Okla.; John F. Hughes, of New York City; Henry A. Jones, of Tuscaloosa, Ala.; Walter Lee Johnson, of Apex, N. C.; Henry G. Wills, of Dallas, Tex.; Lawrence R. Temple, of Fort Collins, Colo.; Albert T. Rogers, jr., of East Las Vegas, N. Mex.; George K. Staples, of Buffalo, N. Y.; Palmer Canfield, of Kingston, N. Y.; and Kemper K. Knapp, of Chicago, Ill., were admitted to practice.

No. 184. Herbert Mahler et al., appellants, *v.* Howard Eby, Inspector in Charge, etc. Passed until Monday, January 21, after the cases heretofore assigned for that day, on motion of Mr. Walter Nelles in that behalf.

No. 341. B. I. Salinger, jr., appellant, *v.* Victor Loisel, United States Marshal, etc.;

No. 342. B. I. Salinger, jr., appellant, *v.* Victor Loisel, United States Marshal, etc.; and

No. 705. B. I. Salinger, jr., appellant, *v.* The United States et al. Argument continued by Mr. Alfred A. Wheat for the appellee and respondents, and concluded by Mr. B. I. Salinger for the appellant and petitioner.

No. 160. The Standard Parts Company, petitioner, *v.* William J. Beck. Argument commenced by Mr. Bert M. Kent for the petitioner, continued by Mr. George L. Wilkinson for the respondent, and concluded by Mr. A. V. Cannon for the petitioner.

No. 163. August Dorchy, plaintiff in error, *v.* The State of Kansas. Argument commenced by Mr. John F. McCarron for the plaintiff in error, and continued by Mr. John G. Egan for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 16, will be as follows: Nos. 163, 164, 166, 169, 173, 175, 176, 177 (and 178), 147, and 180.

SUPREME COURT OF THE UNITED STATES.

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

Scott Sanders, of Washington, D. C., and Randolph Bias, of Williamson, W. Va., were admitted to practice.

No. 147. Joab H. Banton, District Attorney, etc., appellant, *v.* Samuel Ruskay et al., etc. Submitted by Mr. John Caldwell Myers for the appellant and by Mr. Harry I. Garrity for the appellee.

No. 163. August Dorchy, plaintiff in error, *v.* The State of Kansas. Argument continued by Mr. John G. Egan and Mr. Chester I. Long for the defendant in error and concluded by Mr. Phil H. Callery for the plaintiff in error.

No. 164. Sperry Oil & Gas Company et al., appellants, *v.* Pearl Chisholm et al. Argument commenced by Mr. Preston C. West for the appellants, continued by Mr. H. L. Underwood for the United States (by special leave), and concluded by Mr. J. H. Langley for the appellee.

No. 166. Albert B. Fall, Secretary of the Interior, appellant, *v.* The United States of America ex rel. W. G. Lynn, Guardian, etc. Hubert Work, present Secretary of the Interior, substituted as the party appellant herein on motion of Mr. C. Edward Wright in that behalf. Argument commenced by Mr. C. Edward Wright for the appellant and continued by Mr. Conrad H. Syme for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 17, will be as follows: Nos. 166, 169, 173, 175, 176, 177 (and 178), 180, 181, 183, and 185.

SUPREME COURT OF THE UNITED STATES.

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

Elmer C. Wesner, of Robinson, Ill.; Charles B. McCrory, of Okmulgee, Okla.; Henry S. Richmond, of Los Angeles, Calif.; Robert Cushman, of Boston, Mass.; and John W. Townsend, of Washington, D. C., were admitted to practice.

No. 166. Hubert Work, Secretary of the Interior, appellant, *v.* The United States of America ex rel. W. G. Lynn, Guardian, etc. Argument concluded by Mr. Conrad H. Syme for the appellee.

No. 169. The New York Central Railroad Company *v.* The United States. Argued by Mr. S. H. West for the New York Central Railroad Company and by Mr. Blackburn Esterline for the United States.

No. 173. The United States ex rel. Nelida A. Durnford, plaintiff in error, *v.* Hubert Work, Secretary of the Interior. Argued by Mr. Samuel Herrick for the plaintiff in error and by Mr. H. L. Underwood for the defendant in error.

No. 175. Robert J. Fleming et al., plaintiffs in error, *v.* Anna B. Fleming. Argued by Mr. B. I. Salinger for the plaintiffs in error and by Mr. J. M. Parsons for the defendant in error, with leave to Mr. B. I. Salinger to file a supplemental brief for the plaintiffs in error.

No. 176. Joseph Radice, plaintiff in error, *v.* The People of the State of New York. Argument commenced by Mr. Henry W. Hill for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 18, will be as follows: Nos. 176, 177 (and 178), 180, 181, 183, 185, 187, 188, 189, and 190.

SUPREME COURT OF THE UNITED STATES.

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

Alfred Burger, of Washington, D. C.; Herman B. Forman, of Brooklyn, N. Y.; Eugene L. Greenwald, of Washington, D. C.; Edward C. Taylor, of Longmeadow, Mass.; Franklin G. Neal, of Springfield, Mass.; Luther E. Morrison, of New York City; Loy J. Molumby, of Great Falls, Mont.; Max P. Kuhr, of Havre, Mont.; Alvan B. Rowe, of Savannah, Ga.; Samuel Tullman, of New York City, Elkan Turk, of New York City; and Terence D. Stewart, of Morgantown, W. Va., were admitted to practice.

No. 189. Northern Pacific Railway Company, appellant, *v.* The United States. Passed, to be restored to the call pursuant to section 9, Rule 26, on motion of Mr. F. W. Clements in that behalf.

No. 121. Thomas N. Brady, appellant, *v.* Albert B. Fall, Secretary of the Interior. Death of Thomas N. Brady suggested; and Bertha Marie Brady, widow of Thomas N. Brady, deceased, ordered substituted, nunc pro tunc as of January 7, 1924, as the party appellant herein, on motion of Mr. S. M. Stockslager for the appellant.

No. 176. Joseph Racide, plaintiff in error, *v.* People of the State of New York. Argument continued by Mr. Henry W. Hill for the plaintiff in error, by Mr. Walter I. Hofheins and Mr. Irving I. Goldsmith for the defendant in error, and concluded by Mr. Henry W. Hill for the plaintiff in error.

No. 177. The United States of America, appellant, *v.* E. W. Gray et al; and

No. 178. The United States, plaintiff in error, *v.* J. P. Ransom. Argued by Mr. S. W. Williams for the appellant and plaintiff in error, and by Mr. C. W. King for the appellee and defendant in error.

No. 180. First National Bank of Greeley, plaintiff in error, *v.* The Board of County Commissioners of the County of Weld. Argument commenced by Mr. Harry N. Haynes for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 21, will be as follows: Nos. 180, 181, 183, 185, 187, 188, 190, 398, 489, and 184.

SUPREME COURT OF THE UNITED STATES.

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

Harry G. Liese, of New York City; Hawley O. Burke, of Elkhart, Ind.; Ralph Merriam, of Chicago, Ill.; Nuel D. Belnap, of Chicago, Ill.; Henry S. MacKay, jr., of Los Angeles, Calif.; Edward C. Seward, of New York City; A. H. KisKaddon, of St. Louis, Mo.; Burnita Shelton Matthews, of Washington, D. C.; Alfred C. J. Farrel, of New York City; Barney Reed, of Linn Creek, Mo.; and Oscar A. Featherston, of Murfreesboro, Ark.; were admitted to practice.

No. 469. The United States of America et al., appellants, *v.* The New York Central Railroad Company et al. Appeal from the District Court of the United States for the District of Massachusetts. Decree affirmed; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 354. Thomas A. Delaney, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 361. The Banco Mexicana de Comercio e Industria et. al., appellants, *v.* Deutsche Bank et al. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice McKenna. Mr. Chief Justice Taft took no part in the consideration or decision of this case.

No. 10, original. The State of North Dakota, complainant, *v.* The State of Minnesota. Costs taxed against the complainant. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:
No.—, original. *Ex parte* In the matter of Clarence H. Venner, petitioner. Motion for leave to file a petition for a writ of mandamus herein denied.

No. 555. Walter Carr, appellant, *v.* A. Alexsen, Master, et al. Motion to advance denied.

No. 376. The State of Missouri *ex rel.* The St. Louis, Brownsville & Mexico Railway Company, plaintiff in error, *v.* Wilson A. Taylor, Judge, etc. Motion to advance denied.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al., etc.;

No. 591. Florence F, Dale, petitioner, *v.* Centre County Banking Company et al.; and

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al., etc. Motion to advance granted; and cases placed on the summary docket and assigned for argument as one case on Monday, March 10 next, after the cases heretofore assigned for that day.

No. 613. Hans Heidner and the National Surety Company, petitioner, *v.* St. Paul & Tacoma Lumber Company. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied.

No. 706. Drusilla Carr et al., petitioners, *v.* Charles H. Stebbins et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 712. John C. Walton, petitioner, *v.* The State of Oklahoma by the Board of Managers of the House of Representatives of the State of Oklahoma et al. Petition for a writ of certiorari to the Court of Impeachment of the State of Oklahoma denied.

No. 741. Henry F. Mueller et al., appellants, *v.* Samuel W. Adler et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 258. Joseph Rini et al., plaintiffs in error, *v.* The State of Louisiana. In error to the Supreme Court of the State of Louisiana. *Per curiam*: Dismissed for lack of a federal question. *Spencer v. Duplan Silk Company*, 191 U. S. 526, 530; *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 177. The United States of America, appellant, *v.* E. W. Gray et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Dismissed for lack of jurisdictional amount required by section 241, Judicial Code.

No. 171. Joab H. Banton, District Attorney, etc., appellant, *v.* Edward M. Fuller et al. Appeal from the District Court of the United States for the Southern District of New York. Per curiam: Judgment reversed with costs; and cause remanded to the said District Court to be dealt with in the legal discretion of the Court. *Dyer v. Banton*, 262 U. S. 147, 151; *Ex parte Fuller*, 262 U. S. 91.

No. 147. Joab H. Banton, District Attorney, etc., appellant, *v.* Samuel Ruskay et al., etc. Appeal from the District Court of the United States for the Southern District of New York. Per Curiam: Decree reversed; and cause remanded to the said District Court to be dealt with in the legal discretion of the Court. *Dyer v. Banton*, 262 U. S. 147, 151; *Ex parte Fuller*, 262 U. S. 91.

No. 173. The United States ex rel. Nelida A. Durnford, plaintiff in error, *v.* Hubert Work, Secretary of the Interior. In error to the Court of Appeals of the District of Columbia. Per curiam: Judgment affirmed upon the authority of *Riverside Oil Co. v. Hitchcock*, 190 U. S. 316; *Ness v. Fisher*, 223 U. S. 683; *Alaska Smokeless Coal Co. v. Lane*, 250 U. S. 549; *Hall v. Payne*, 254 U. S. 343; *Brown v. Hitchcock*, 173 U. S. 473, 479.

No. 178. The United States of America, plaintiff in error, *v.* J. P. Ransom. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Judgment affirmed upon the authority of *McCurdy v. The United States*, 246 U. S. 263, 273.

ORDER.—The court will take a recess from Monday, January 28 to Monday February 18 next.

No. 27, original. The State of New Jersey, complainant, *v.* Harry M. Daugherty, Attorney General, et al. Motion to dismiss submitted by Mr. Solicitor General Beck for the defendants; with leave to counsel for the complainant to file a reply on or before February 18 next.

No. 245. Edward and John Burke (Ltd.), appellant, *v.* David H. Blair, Commissioner of Internal Revenue. Consolidated, to be heard with Nos. 200 and 95, on motion of Mr. Solicitor General Beck for the appellee.

No. —, original. *Ex parte* In the matter of the Skinner & Eddy Corporation, petitioner. Motion for leave to file a petition for a writ of mandamus and/or prohibition herein submitted by Mr. Livingston B. Stedman and Mr. Louis Titus for the petitioner, with leave to Mr. Henry M. Ward to file brief on behalf of the United States Shipping Board Emergency Fleet Corporation, in opposition thereto, on or before Thursday next.

No. 717. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Sloss-Sheffield Steel & Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. Perry Thomas and Mr. Charles J. Rixey for the plaintiff in error in support of the petition.

No. 245. Edward and John Burke (Ltd.), appellant, *v.* David H. Blair, Commissioner of Internal Revenue, et al. Motion to substitute Palmer Canfield, Federal prohibition director for the State of New York, successor to E. C. Yellowley, as a party appellee in this cause, submitted by Mr. S. F. Taliaferro, Mr. Samuel W. Moore, and Mr. Marcus L. Bell for the appellant.

No. 25, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion and stipulation to extend time for defendant to answer until March 1 next submitted by Mr. Herman L. Ekern in that behalf.

No. 517. E. I. Dupont de Nemours & Company, petitioner, *v.* James C. Davis, Director General, etc. Motion to advance submitted by Mr. George T. Farrell in that behalf.

No. 702. Western Union Telegraph Company, plaintiff in error, *v.* The State of Georgia, as Owner of the Western & Atlantic Railroad, et al., etc. Petition for a writ of certiorari herein submitted by Mr. Francis Raymond Stark, Mr. Arthur Heyman, and Mr. William L. Clay for the plaintiff in error in support of the petition, and by Mr. Fitzgerald Hall, Mr. Henry C. Peeples, and Mr. Hooper Alexander for the defendant in error in opposition thereto.

No. 713. Westmoreland Brewing Company (Inc.) et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. B. B. McGinnis and Mr. John Duggan, jr., for the petitioners; with leave to counsel for the respondent to file a brief in opposition thereto on or before Thursday next.

No. 719. M. M. Hopkins, Trustee, etc., petitioner, *v.* Equitable Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick T. Saussy for the petitioner, and by Mr. Max Isaac for the respondent.

No. 720. Matthew M. Hopkins, Trustee, etc., petitioner, *v.* National Shawmut Bank of Boston et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick T. Saussy for the petitioner, and by Mr. William L. Clay for the respondents.

No. 723. Pyrene Manufacturing Company, petitioner, *v.* Harrison H. Boyce et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by F. P. Warfield for the petitioner, and by Mr. Charles Neave, Mr. Joseph H. Milans, and Mr. Edmund Quincy Moses for the respondents.

No. 724. Chicago, Rock Island & Pacific Company, petitioner *v.* James B. Frye. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Thomas D. O'Brien, Mr. Thomas P. Littlepage, Mr. Alexander E. Horn, and Mr. Edward S. Stringer for the petitioner, and by Mr. Frederick M. Miner for respondent.

No. 725. Jay A. Heidbrink et al., petitioners, *v.* Elmer I. McKesson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. F. A. Whiteley for the petitioners, and by Mr. George E. Kirk for the respondent.

No. 729. Joseley Tiger, plaintiff in error, *v.* Aaron Drumright et al. Petition for a writ of certiorari submitted by Mr. Lewis C. Lawson for the plaintiff in error in support of the petition.

No. 180. The First National Bank of Greeley, plaintiff in error, *v.* The Board and County Commissioners of the County of Weld. Argument continued by Mr. Harry N. Haynes for the plaintiff in error, by Mr. William R. Kelly for the defendant in error, and concluded by Mr. Charles Roach for the defendant in error.

No. 181. Manufacturers' Land & Improvement Company, plaintiff in error, *v.* United States Shipping Board Emergency Fleet Corporation et al. Argued by Mr. Francis D. Weaver for the plaintiff in error, and by Mr. Alfred A. Wheat for the defendant in error.

No. 183. The Perkins-Campbell Company, appellant, *v.* The United States. Argued by Mr. George Ross Hull for the appellee, and submitted by Mr. Henry T. Hunt and Mr. Allen G. Swiger for the appellant.

No. 185. The John E. Thropp's Sons Company, petitioner, *v.* Frank A. Seiberling. Three hours allowed for the argument of this cause. Argument commenced by Mr. Livingston Gifford for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 22, will be as follows: Nos. 185, 187, 188, 190, 398, 489, 184, 139, 194, and 195.

SUPREME COURT OF THE UNITED STATES.

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

Morey Dunn, of West Palm Beach, Fla.; Charles V. King, of Crestline, Ohio; Barton B. Hutchinson, of Trenton, N. J.; Albert L. Ely, of Akron, Ohio; Lucian H. Cocke, jr., of Roanoke, Va.; John C. Worsham, of Henderson, Ky.; and Henry C. Hart of Providence, R. I., were admitted to practice.

No. 185. John E. Thropp's Sons Company, petitioner, *v.* Frank A. Seiberling. Argument continued by Mr. Livingston Gifford for the petitioner, and concluded by Mr. Melville Church for the respondent.

No. 187. Norfolk & Western Railway Company, plaintiff in error, *v.* The Public Service Commission of West Virginia et al. Argued by Mr. John H. Holt for the plaintiff in error and submitted by Mr. Randolph Bias for the defendant in error John Followay.

No. 188. Taubel-Scott-Kitzmiller Company (Inc.), petitioner, *v.* David J. Fox et al., Trustees, etc. Argument commenced by Mr. Elkan Turk for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 23, will be as follows: Nos. 188, 190, 398, 489, 184, 139, 194, 195, 197, and 198.

SUPREME COURT OF THE UNITED STATES.

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

Daniel Alexander, of Salt Lake City, Utah, was admitted to practice.

No. 197. Prestonettes (Inc.), petitioner, *v.* Francois Joseph de Spoturno Coty. Leave granted to file brief herein as amici curiae, on motion of Mr. Frederic D. McKenney in that behalf.

No. 375. Charlotte Anita Whitney, plaintiff in error, *v.* The People of the State of California. Continued, per stipulation, on motion of Mr. Walter Nelles in that behalf.

No. 188. Taubel-Scott-Kitzmiller Company (Inc.), petitioner, *v.* David J. Fox et al., Trustees, etc. Argument continued by Mr. Elkan Turk for the petitioner, by Mr. David W. Kahn for the respondents, and concluded by Mr. Elkan Turk for the petitioner.

No. 190. W. H. Hoffman et al., appellants, *v.* Peter McClelland, jr., et al. Argued by Mr. Tom Connolly for the appellants, and by Mr. Joseph Manson McCormick for the appellees.

No. 398. The United States of America ex rel. St. Louis Southwestern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission et al. Argument commenced by Mr. J. R. Turney for the plaintiff in error. Continued by Mr. P. J. Farrell for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 24, will be as follows: Nos. 398, 489, 184, 139, 194, 195, 197, 198, 200 (and 95 and 245), and 201.

SUPREME COURT OF THE UNITED STATES.

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

M. Pearl McCall, of Washington, D. C.; Earle B. Mayfield, of Austin, Tex.; Jose Tous Soto, of Ponce, P. R.; Enrique Gonzalez Mena, of Aguadilla, P. R.; J. K. Mahony, of El Dorado, Ark.; and William I. Swoope, of Clearfield, Pa., were admitted to practice.

No. 201. Southeastern Express Company, plaintiff in error *v.* Stokes V. Robertson, State Revenue Agent, etc. Retirement of Stokes V. Robertson as State revenue agent of the State of Mississippi, suggested; and the appearance of W. J. Miller, successor as State revenue agent of the State of Mississippi, as the party defendant in error herein, filed and entered, on motion of Mr. Sanders McDaniel in behalf of counsel.

No. 398. The United States of America *ex rel.* St. Louis Southwestern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission *et al.* Argument continued by Mr. P. J. Farrell for the defendants in error, and concluded by Mr. J. R. Turney for the plaintiff in error.

No. 489. The Baltimore & Ohio Railroad Company *et al.*, appellants, *v.* The United States *et al.* Argument commenced by Mr. Luther M. Walter for the appellants, continued by Mr. Blackburn Esterline for the United States, by Mr. P. J. Ferrell for the Interstate Commerce Commission, by Mr. Ralph M. Shaw for the Chicago Junction Railway Company *et al.*, and concluded by Mr. Luther H. Walter for the appellants.

No. 184. Herbert Mahler *et al.*, appellants, *v.* Howard Eby, Inspector in Charge, etc. Argument commenced by Mr. Walter Nelles for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 25, will be as follows: Nos. 184, 139, 194, 195, 197, and 198.

SUPREME COURT OF THE UNITED STATES.

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

Allan Trumbull, of Port Townsend, Wash., and William Gilmore Feely, of Washington, D. C., were admitted to practice.

No. 184. Herbert Mahler et al., appellants, *v.* Howard Eby, Inspector in Charge, etc. Argument continued by Mr. Walter Nelles for the appellants, and concluded by Mr. George Ross Hull for the appellee.

No. 139. Margaret C. Lynch, Executrix, etc., petitioner, *v.* Tilden Produce Company. Argued by (Mrs.) Assistant Attorney General Willebrandt for the petitioner, and by Mr. George W. Peterson for the respondent.

No. 194. C. E. Bulloch et al., plaintiffs in error, *v.* Dermott-Collins Road Improvement District et al. Submitted by Mr. Joe S. Harris for the plaintiff in error. No appearance for the defendants in error.

No. 195. The United States, appellant, *v.* State Investment Company et al. Argued by Mr. S. W. Williams for the appellant, and by Mr. A. T. Rogers, jr., for the appellees.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

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

Maco Stewart, jr., of Dallas, Tex.; Bert V. Nunneley, of Mount Clemens, Mich.; Orlin H. Graves, of Muskogee, Okla.; Dennis F. Donovan, of Duluth, Minn.; Alexander A. McDonald, of Hugo, Okla.; James M. Humphreys, of Pawhuska, Okla.; Miguel Guerra-Mondragon, of San Juan, P. R.; Antonio R. Barcelo, of San Juan, P. R.; Eugene W. Reed, of Lincoln, Nebr.; Frank E. Mullen, of New York City; Frederick M. Dolan, of Washington, D. C.; and Emile Godchaux, New Orleans, La., were admitted to practice.

No. 252. First National Bank in St. Louis, plaintiff in error, *v.* The State of Missouri, at the information of Jesse W. Barrett, attorney general. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland. Dissenting: Mr. Justice Van Devanter, Mr. Chief Justice Taft, and Mr. Justice Butler.

No. 108. Washington-Southern Navigation Company *v.* Baltimore & Philadelphia Steamboat Company. On a certificate from the United States Circuit Court of Appeals for the Third Circuit. Question certified answered in the negative. Opinion by Mr. Justice Brandeis.

No. 159. Electric Boat Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 331. The United States of America, appellant, *v.* New York Coffee & Sugar Exchange, Inc., et al. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Chief Justice Taft.

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

No. —, original. Ex parte In the matter of Skinner & Eddy Corporation, petitioner. Motion for leave to file petition for a writ of

mandamus and/or a writ of prohibition herein granted, and rule to show cause ordered to issue returnable on **Monday, April 7, next.**

No. **245.** Edward and John Burke, Limited, appellant, *v.* David H. Blair, Commissioner of Internal Revenue. Motion to substitute Palmer Canfield, Federal prohibition director for the State of New York, successor to E. C. Yellowley, retired, as the party appellee herein, granted.

No. **25,** original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion to extend the time to file answer herein granted.

No. **517.** E. I. Dupont de Nemours & Company, petitioner, *v.* James C. Davis, Director General, etc. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, March 10, next, after the cases heretofore assigned for that day.

No. **702.** Western Union Telegraph Company, plaintiff in error, *v.* The State of Georgia, as owner of the Western & Atlantic Railroad Company. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. **682.** Industrial Accident Commission of the State of California et al., petitioners, *v.* Alaska Packers' Association. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. **681.** Industrial Accident Commission of the State of California et. al., petitioners, *v.* Zurich General Accident and Liability Insurance Company, Limited. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. **713.** Westmoreland Brewing Company, Inc., et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. **719.** M. M. Hopkins, Trustee, etc., petitioner, *v.* Equitable Trust Company of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. **720.** Matthew M. Hopkins, Trustee, etc., petitioner, *v.* National Shawmut Bank of Boston et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. **723.** Pyrene Manufacturing Company, petitioner, *v.* Harrison H. Boyce et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 724. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* James B. Frye. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 725. Jay A. Heidbrink et al., petitioners, *v.* Elmer I. McKesson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 194. C. E. Bulloch et al., plaintiffs in error, *v.* Dermott-Collins Road Improvement District et al. Rule ordered to issue on plaintiffs in error to show cause why, on the statement of the plaintiffs in error in their brief, the case is not moot.

No. 117. George Carroll et al., plaintiffs in error, *v.* The United States. Ordered that this cause be restored to the docket for reargument. and assigned for argument on Monday, March 10 next, after the cases heretofore assigned for that day.

No. 33. Eli Bunch, plaintiff in error, *v.* J. B. Cole et al. In error to the Supreme Court of the State of Oklahoma. Judgment of reversal rendered herein on November 19, 1923, amended so as to show that the reversal is on the writ of error, and that the writ of certiorari granted November 13, 1922, is dismissed.

No. 447. The United States, appellant, *v.* The Supplee-Biddle Hardware Company. Motion to advance submitted by Mr. Solicitor General Beck for the appellant.

No. 546. William R. Rodman, U. S. Marshal, petitioner, *v.* Roland R. Pothier. Reassigned for argument on Monday, March 10, next, on motion of Mr. Solicitor General Beck for the petitioner.

No. 776. Piedmont Coal Company et al., petitioners, *v.* James Edgar Husted et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. David A. Reed for the petitioner, with leave to file printed records hereafter.

No. 708. Sam Michaelson et al., petitioners, *v.* The United States ex rel. Chicago, St. Paul, Minneapolis & Omaha Railway Company. Motion to advance submitted by Mr. Jackson H. Ralston for the petitioners.

No. 732. George Robinson, 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. Abner H. Ferguson and Mr. John F. Dore for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. —, original. Ex parte In the matter of the Rotex Company, Inc., petitioner. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. Robert Ash in behalf of counsel for the petitioner.

No. 59. C. B. Giles et al., petitioners, *v.* Henry Vette et al. Mandate granted, on motion of Mr. Spencer Gordon in that behalf.

Nos. 766 and 767. Whitney-Central National Bank, petitioner, *v.* The Bank of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Emile Godchaux, Mr. J. Blanc Monroe, and Mr. Roberts C. Milling for the petitioners, and by Mr. H. Generes Dufour and Mr. Henry Root Stern for the respondent.

No. 722. First National Bank of Guthrie Center, Iowa, plaintiff in error, *v.* L. B. Anderson, County Auditor of Guthrie County, Iowa, et al. Petition for a writ of certiorari herein submitted by Mr. J. G. Gamble for the plaintiff in error in support of the petition, and by Mr. Ben. J. Gibson and Mr. Maxwell J. O'Brien for the respondents.

No. 728. Clifford E. Black, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. W. Morrow for the petitioner.

No. 733. Pennsylvania Railroad Company, petitioner, *v.* Clark T. McDonald. Petition for a writ of certiorari to the Court of Appeals, Third Appellate District, of the State of Ohio submitted by Mr. J. H. Goeke for the petitioner, with leave to respondent to file brief within five days.

No. 734. Pluto Oil & Gas Company et al., plaintiffs in error, *v.* H. C. Miller. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Henry B. Martin and Mr. B. B. Blakeney for the plaintiffs in error in support of the petition and by Mr. D. A. McDougal, Mr. L. O. Lytle, and Mr. W. V. Pryor for the defendant in error in opposition thereto.

No. 736. Wong Doo, petitioner, 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. Jackson H. Ralston, Mr. George W. Hott, and Mr. William J. Dawley for the petitioner.

No. 737. Bank of Italy, petitioner, *v.* Merchants' National Bank. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. M. C. Elliott for the petitioner and by Mr. Marion H. Fisher for the respondent.

No. 742. A. Schrader's Son, Inc., petitioner, *v.* James Martin Corporation et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William A. Redding, Mr. Arthur C. Fraser, and Mr. Eugene V. Myers for the petitioner and by Mr. Hugh C. Lord and Mr. William S. Pritchard for the respondents.

No. 743. The United States of America ex rel. Adolph Paleas, petitioner, *v.* Jesse D. Moore, U. S. marshal, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph G. M. Browne and Mr. Barnett E. Kopelman for the petitioner.

No. 744. John L. McLean, as Trustee in Bankruptcy of Patterson-McDonald Shipbuilding Company, petitioner, *v.* Commonwealth of Australia et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Ira Bronson and Mr. H. B. Jones for the petitioner, and by Mr. Corwin S. Shank for the respondents.

No. 751. J. E. Williams et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George E. Wallace for the petitioners, and by Mr. Solicitor General Beck and Mr. Assistant to the Attorney General Seymour for the respondent.

No. 757. James C. Davis, Director General of Railroads, as Agent, etc., petitioner, *v.* Timothy Donovan, as Owner of the Deck Scout "Mary Ethel," et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Evan Shelby, Mr. A. A. McLaughlin, and Mr. John E. Walker for the petitioner, and by Mr. George V. A. McClosky for the respondents.

No. 771. John T. Smith, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway Company. Petition for a writ of certiorari to the District Court of Renville County, State of Minnesota, submitted by Mr. Tom Davis, Mr. Ernest A. Michel, and Mr. Robert M. Haines for the petitioner, and by Mr. F. W. Root and Mr. O. W. Dynes for the respondent.

No. 210. Thomas M. Blake, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed, on motion of counsel for the appellant.

Adjourned until Monday, February 18, next.

The day call for Monday, February 18, 1924, will be as follows: 197, 198, 34 (and 35 and 36), 114 (and 122, 123, and 209), 125, 138, 142, 143, 161, and 162.

SUPREME COURT OF THE UNITED STATES.

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

Harry Unger, of Newark, N. J.; Giles J. Patterson, of Jacksonville, Fla.; Hollis L. Mason, of Oklahoma City, Okla.; Jerome C. Lewis of New York City; Edwin C. Ewing, of Seattle, Wash.; William Humphrey Biddle, of Leavenworth, Kans.; Thomas F. Cullen, of Washington, D. C.; William A. Loftus, of San Francisco, Calif.; Frances Edgerton Spooner, of Chicago, Ill.; Albert G. McCaleb, of Chicago, Ill.; Earl F. Pierce, of Chicago, Ill.; James C. Nicholson, of Columbus, Ohio; Paul J. Otto, of Los Angeles, Calif.; Louis G. Taylor, of Washington, D. C.; E. L. Matlock, of Van Buren, Ark.; J. Guthrie Sain, of Nashville, Ark.; Adolph E. L. Johnson, of Minneapolis, Minn.; Nelson C. Pratt, of Omaha, Nebr.; Thatcher J. Kemp, of Los Angeles, Calif.; Roland R. Riggs, of Washington, D. C.; Munson H. Lane, of Falls Church, Va.; William N. Rogers, of Sanbornville, N. H.; Jasper N. Johnson, of Boston, Mass.; H. Ashley Bowen, of Lynn, Mass.; and Lawrence C. Spieth, of Cleveland, Ohio, were admitted to practice.

No. 195. The United States of America, appellant, *v.* State Investment Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed; and cause remanded to the District Court of the United States for the District of New Mexico. Opinion by Mr. Justice Sanford.

No. 183. The Perkins Campbell Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sanford.

No. 73. Richard M. Jones, plaintiff in error, *v.* Union Guano Company, Incorporated. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 74. The Salem Trust Company, petitioner, *v.* Manufacturers' Finance Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the District of Massachusetts for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler. Mr. Justice Holmes and Mr. Justice Brandeis concur on the ground that the rights of the parties are governed by the law of Massachusetts.

No. 109. Guaranty Title & Trust Corporation, Receiver of Vue de L'Eau Company, intervenor, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed, with interest to be paid by the appellant to the Norfolk-Hampton Roads Company on \$33,000 since September 22, 1922, until funds are available for payment by the United States of the balance of the judgment. Opinion by Mr. Justice Butler.

No. 126. William Henry Packard, appellant, *v.* Joab H. Banton, as District Attorney in and for the County of New York, and Charles D. Newton, as Attorney General for the State 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 Sutherland.

No. 130. Stefano Sanguinetti, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 141. The Texas Transport & Terminal Company (Inc.), plaintiff in error, *v.* The City of New Orleans. 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 Sutherland. Dissenting: Mr. Justice Brandeis and Mr. Justice Holmes.

No. 152. J. E. Raley & Brothers et al., plaintiffs in error, *v.* W. S. Richardson, Tax Collector of Fulton County, et al. In error to the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 553. Federal Reserve Bank of Richmond, plaintiff in error, *v.* D. J. Malloy et al., trading as Malloy Brothers. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of North Carolina. Opinion by Mr. Justice Sutherland.

No. 112. Red Cross Line, petitioner, *v.* Atlantic Fruit Company. On writ of certiorari to the Supreme Court of the State of

New York. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds.

No. 132. The United States of America ex rel. Catoni Tisi, alias Lista Cortina, appellant, *v.* Robert E. Tod, Commissioner of Immigration at the Port of New York. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 148 The United States of America ex rel. Nicolai Mensevich, appellant, *v.* Robert E. Tod, Commissioner of Immigration at the Port of New York. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 151. Pierce Oil Corporation, appellant, *v.* Luther Hopkins, County Clerk of Sebastian County, Arkansas, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Western District of Arkansas. Opinion by Mr. Justice Brandeis.

No. 83. Steamship "Gul Djemal," Her Engines, Boilers, etc.; Hussein Lutfi Bey, Master, appellant, *v.* Campbell & Stuart, Inc. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice McReynolds. Concurring: Mr. Justice Holmes.

No. 158. Warren Myers and Bill Summers, plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of Missouri. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 26, original. Ex parte In the matter of Transportes Maritimos do Estado, petitioner. Rule to show cause dismissed; and petition denied. Opinion by Mr. Justice McReynolds.

No. 145. The State of Texas, plaintiff in error, *v.* Eastern Texas Railroad Company et al. In error to the District Court of the United States for the Western District of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 146. The State of Texas, appellant, *v.* Eastern Texas Railroad Company et al. Appeal from the District Court of the United States for the Western District of Texas. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 276. Williams H. Edwards, formerly Collector of Internal Revenue for the Second District of New York, petitioner, *v.* Joseph Jermain Slocum et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment af-

firmed 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. 398. The United States of America at the relation of the St. Louis Southwestern Railway Company, plaintiff in error, *v.* Interstate Commerce Commission of the United States et al. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Mr. Justice Butler took no part in the consideration or decision of this cause.

No. 160. The Standard Parts Company, petitioner, *v.* William J. Peck. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Ohio for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 90. Board of Trade of the City of Chicago et al., petitioners, *v.* E. H. Johnson, Trustee in Bankruptcy of Wilson F. Henderson. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Ohio for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 134. Hannah Canard Barnett et al., appellants. *v.* W. A. Kunkel et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Taft.

No. 138. Puget Sound Power & Light Company et al., plaintiffs in error, *v.* The County of King et al. In error to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 175. Robert J. Fleming et al., plaintiffs in error, *v.* Anna B. Fleming. In error to the Supreme Court of the State of Iowa. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Taft.

No. 184. Herbert Mahler et al., appellants. *v.* Howard Eby. Inspector in Charge, Immigration Service, U. S. Department of Labor, at Chicago, Illinois. Appeal from the District Court of the United States for the Northern District of Illinois. Judgment reversed with costs; and cause remanded with directions not to discharge the petitioners until the Secretary of Labor shall have reasonable time in which to correct and perfect his finding on the evidence produced at the original hearing, if he finds it adequate, or to initiate another proceeding against them. Opinion by Mr. Chief Justice Taft.

No. 249. The Young Men's Christian Association of Columbus, Ohio et al., petitioners, *v.* Ora Davis et al. On writ of certiorari to the Supreme Court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft.

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

No.—, original. *Ex parte* In the matter of the Rotex Company, petitioner. Motion for leave to file petition for a writ of mandamus herein denied.

No. 447. The United States, appellant, *v.* The Supplee-Biddle Hardward Company. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 708. Sam Michaelson et al., petitioners. *v.* The United States ex rel. Chicago, St. Paul, Minneapolis & Omaha Railway Company. Motion to advance granted; and cause assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 718. Yadkin Railroad Company et al., petitioners, *v.* Ada Sigmon, Administratrix etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 709. Nicie Homer, petitioner, *v.* D. B. Lester et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 728. Clifford E. Black, 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. 732. George Robinson, 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. 733. Pennsylvania Railroad Company, petitioner, *v.* Clark T. McDonald. Petition for a writ of certiorari to the Court of Appeals, Third Appellate District, of the State of Ohio, denied.

No. 737. Bank of Italy, petitioner, *v.* Merchants National Bank. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 742. A. Schrader's Sons (Inc.), petitioner, *v.* James Martin Corporation et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 743. The United States of America ex rel. Adolph Paleais, petitioner, *v.* Jesse D. Moore, U. S. Marshal, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 744. John L. McLean, as Trustee in Bankruptcy of Patterson-McDonald Shipbuilding Company, petitioner, *v.* Commonwealth of Australia et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth circuit denied.

No. 771. John T. Smith, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway Company. Petition for a writ of certiorari to the District Court of Renville County, State of Minnesota, denied.

No. 776. Piedmont Coal Company et al., petitioners, *v.* James Edgar Hustead et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 717. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Sloss-Sheffield Steel & Iron Company. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the case on the writ of error.

No. 722. First National Bank of Guthrie Center, Iowa, plaintiff in error, *v.* L. B. Anderson, County Auditor of Guthrie County, Iowa, et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the case on the writ of error.

No. 734. Pluto Oil & Gas Company et al., plaintiffs in error, *v.* H. C. Miller. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the case on the writ of error.

No. 736. Wong Doo, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted; and cause placed on the summary docket and assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 757. James C. Davis, Director General of Railroads, as Agent, etc., petitioner, *v.* Timothy Donovan, as Owner of the Deck Scout "Mary Ethel," et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted; and cause placed on the summary docket and assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 136. The State of Arkansas on the relation of Jefferson Black, plaintiff in error, *v.* Board of Directors of School District No. 16, of Montgomery County, Arkansas. In error to the Supreme Court of the State of Arkansas. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of *Waters-Pierce Oil Company v. Texas Company*, 212 U. S. 112, 115-116; *Appleby v. Buffalo*, 221 U. S. 524, 529; *Cleveland & Pittsburgh R. R. Co. v. Cleveland*, 235 U. S. 50, 53; *Hiawasse Power Co. v. Carolina-Tennessee Co.*, 252 U. S. 341, 344.

No. 666. The United States of America et al., appellants, *v.* American Railway Express Company et al.;

No. 667. Southeastern Express Company, appellant, *v.* American Railway Express Company et al.; and

No. 668. Southern Traffic League et al., appellants, *v.* American Railway Express Company et al. Motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. 762. The State of Missouri ex rel. The Burnes National Bank of St. Joseph, plaintiff in error, *v.* A. B. Duncan, Judge of the Probate Court of Buchanan County, Missouri. Motion to advance submitted by Mr. Solicitor General Beck in behalf of counsel. Motion for leave to file a brief herein as amicus curiae submitted by Mr. Solicitor General Beck for the United States.

No. 463. I. Goto et al., appellants, *v.* John C. Lane, High Sheriff, etc. Motion for leave to file a brief herein as amicus curiae submitted by Mr. Solicitor General Beck for the United States.

No. 784. Margaret C. Lynch, Executrix of the Last Will and Testament of E. J. Lynch, deceased, petitioner, *v.* Alworth-Stephens Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Beck for the petitioner.

No. 787. The United States Shipping Board Emergency Fleet Corporation, petitioner, *v.* The Chase National Bank of the City 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. Solicitor General Beck, Mr. Harlan F. Stone, Mr. Chauncey G. Parker, and Mr. Henry M. Ward for the petitioner.

No. 403. Hygrade Provision Company (Inc.), et al., appellants, *v.* Carl Sherman, Attorney General, etc., et al.;

No. 404. Lewis & Fox Company, appellant, *v.* Carl Sherman, Attorney General, etc., et al.; and

No. 405. Harry Satz, appellant, *v.* Carl Sherman, Attorney General, etc., et al. Motion to advance submitted by Mr. Louis Ottenberg in that behalf.

No. 264. L. Santiago Carmona et al., composing the Workmen's Relief Commission of Porto Rico, et al., appellants, *v.* American Railroad Company of Porto Rico. Motion to transfer cause to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. L. G. Munson for the appellants.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Motion that certain lands and funds be returned by the receiver submitted by Mr. F. G. Lanham in behalf of counsel for Mrs. Lillis Morgan et

al.; with leave to the United States to file brief in opposition on or before Friday next.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. Motion for leave to file a brief herein as *amicus curiæ* submitted by Mr. S. R. Prince in behalf of counsel, and in opposition thereto by Mr. Frank W. Clancy for the State of New Mexico and Mr. W. A. Keeling and Mr. W. W. Turney for the State of Texas.

No. 122. The San Francisco and Portland Steamship Company, plaintiff in error, *v.* A. J. Parrington; and

No. 123. James C. Davis, as Agent, etc., plaintiff in error, *v.* A. J. Parrington. Leave granted to file a brief herein as *amicus curiæ*, on motion of Mr. Simon Lyon in that behalf.

No. 789. The Pacific Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al.; and

No. 540. The Pacific Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al. Motion to advance submitted by Mr. Frank T. Post for the appellant.

No. 790. The Home Telephone & Telegraph Company of Spokane, appellant, *v.* E. V. Kuykendall, as director of Public Works of Washington, et al., etc., et al.; and

No. 539. The Home Telephone & Telegraph Company of Spokane, appellant, *v.* E. V. Kuykendall, as director of Public Works of Washington, et al., etc., et al. Motion to advance submitted by Mr. Frank T. Post for the appellant.

No. 679. S. C. Sandefur *v.* Canoe Creek Coal Company. Motion to advance submitted by Mr. Jackson H. Ralston for S. C. Sandefur.

No. —, original. *Ex parte* In the matter of DeForest Radio Telephone & Telegraph Company, petitioner. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. A. Leo Everett and Mr. Samuel E. Darby, jr., for the petitioner.

No. 689. J. C. Walton, appellant, *v.* The House of Representatives of the State of Oklahoma et al. Motion to advance submitted by Mr. A. R. Serven in that behalf.

No. 735. Flo LaChapelle, as Administratrix of the Estate of Peter Foumakis, deceased, plaintiff in error, *v.* Union Pacific Coal Company. Motion to place cause on the summary docket submitted by Mr. A. R. Serven in that behalf.

No. 735. Flo LaChapelle, as Administratrix of the Estate of Peter Foumakis, deceased, plaintiff in error, *v.* Union Pacific Coal Company. Petition for a writ of certiorari herein submitted by

Mr. A. R. Serven in behalf of Mr. John A. Shelton for the plaintiff in error in support of the petition, and by Mr. N. H. Loomis and Mr. John W. Lacey for the defendant in error in opposition thereto.

No. 760. David J. Sheehan, petitioner, *v.* Braddock Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Frederick E. Shaw for the petitioner and by Mr. Jasper N. Johnson for the respondent.

No. 746. Patrick J. Donovan, petitioner, *v.* Cunard Steamship Company, Limited. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Otto A. Schlobohm in behalf of Mr. Joseph A. Burdeau for the petitioner, and by Mr. Lucius H. Beers for the respondent.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels, more or less, alleged Apple Cider Vinegar, et al. Motion to take case from the summary docket and to reassign for hearing submitted by Mr. John G. White and Mr. Austin V. Cannon for the appellees; with consent thereto by Mr. Solicitor General Beck for the petitioner.

No. 731. Mountain States Power Company, petitioner, *v.* A. L. Jordon Lumber Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. B. S. Grosscup, Mr. John H. Roemer, and Mr. R. M. Campbell for the petitioner, and Mr. C. H. Foot for the respondent.

No. 739. Wilson Clinton, an incompetent, by Edmond Hill, his next friend and guardian, et al., plaintiffs in error, *v.* Gypsy Oil Company. Petition for writ of certiorari herein submitted by Mr. Horace H. Hagan for the plaintiffs in error in support of the petition.

No. 748. Steamer "Spokane," her engines, etc., Spokane Steamship Company, petitioner, *v.* Charles Steiner et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Ray M. Stanley for the petitioner, and by Mr. Joseph A. Wechter for the respondents.

No. 749. Will Avery, 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 R. Cooper for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 750. Fulton National Bank of Atlanta, petitioner, *v.* I. S. Hoosier et al., Receivers of Imbrie Company. Petition for a writ

of certiorari to the United States Circuit of Appeals for the Fifth Circuit submitted by Mr. John D. Little, Mr. Arthur G. Powell, Mr. Marion Smith, and Max F. Goldstein for the petitioner.

No. 754. William Gillespie et al., doing business as Gillespie Bros. & Co., petitioners *v.* J. Aron & Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George F. Canfield and Mr. Randolph Hicks for the petitioners, and by Mr. Cletus Keating, Mr. John M. Woolsey, and Mr. T. M. Hegembourg for the respondent.

No. 755. Rollin Abell, petitioner, *v.* General Motors Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. John L. Hall and Mr. Charles P. Curtis, jr., for the petitioner, and by Mr. John Thomas Smith for the respondent.

No. 756. Arthur A. Kemp, Administrator, etc., petitioner, *v.* Delaware, Lackawanna & Western Railroad Company. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. William Newcorn for the petitioner.

No. 758. Thomas R. Wheeler, 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. Niel P. Sterne for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 759. Wilbur L. Ball, Receiver of Haytian American Corporation, petitioner, *v.* Breed, Elliott & Harrison. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. J. Markham Marshall and Mr. Louis B. Wehle for the petitioner and by Mr. Henry A. Wise and Mr. Cola G. Parker for the respondent.

No. 769. Claude W. Johnson, Trustee in Bankruptcy of the Kentucky Iron & Steel Company, Bankrupt, petitioner, *v.* Louisville Trust Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. David R. Castleman and Mr. Emile Steinfeld for the petitioner and by Mr. Eugene R. Attkisson and Mr. Elliott K. Pennebaker for the respondent.

No. 770. John E. Mathewson, as Administrator of Rufus Overlander, deceased, petitioner, *v.* Elizabeth Jane Richards. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Jacob A. Overlander and Mr. Roger Foster for the petitioner.

No. 773. George D. Proctor, petitioner, *v.* M. William Rossi et al. Petition for a writ of certiorari to the United States Circuit Court

of Appeals for the Second Circuit submitted by Mr. Joseph A. Seidman for the petitioner, and by Mr. Moses Cohen for the respondents.

No. 777. Reading Company, Successor to Philadelphia & Reading Railway Company, petitioner, *v.* Esther H. Fessler, as Administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William Clarke Mason for the petitioner, and by Mr. Frank F. Davis for the respondent.

No. 778. American Railway Express Company, petitioner, *v.* The Commonwealth of Kentucky. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky submitted by Mr. Charles W. Stockton for the petitioner.

No. 779. Delia Holt, by her next friend Delia Holt, petitioner, *v.* Missouri Pacific Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William H. Arnold for the petitioner.

No. 791. The Safe-Cabinet Company, petitioner, *v.* The Globe-Wernicke Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James L. Stewart for the petitioner, and by Mr. Robert H. Parkinson and Mr. Wallace R. Lane for the respondent.

No. 801. Louis Cohen, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Edward F. Colladay and Mr. Michael J. Heintz for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 807. Henry Lewis, petitioner, *v.* Davis Roberts, Jr., as Trustee in Bankruptcy of Montevallo Mining Company, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Claude D. Ritter for the petitioner.

No. 814. Anglo-American Oil Company, Limited, petitioner, *v.* R. J. Green, Claimant of the Steamship "G. R. Crowe," her engines, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. W. H. McGrann and Mr. John M. Woolsey for the petitioner and by Mr. Roscoe H. Hupper and Mr. Charles C. Burlingham for the respondents.

No. 818. L. H. Myers, Sr., et al., petitioners, *v.* Charles H. Anderson et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr.

John C. Bedell for the petitioners and by Mr. Giles J. Patterson for the respondents.

No. 504. Continental & Commercial Trust & Savings Bank, plaintiff in error, *v.* Wilhelmina Werner et al. Motion to dismiss writ of error and to deny petition for a writ of certiorari herein submitted by Mr. William W. Ray and Mr. M. F. Ryan for the defendants in error in support of the motion, and by Mr. Oliver O. Haga for the plaintiff in error in opposition thereto.

No. 693. Tacoma Grain Company, plaintiff in error, *v.* Northern Pacific Railway Company. Motion to dismiss or affirm submitted by Mr. Charles W. Bunn for the defendant in error in support of the motion, and by Mr. John E. Belcher and Mr. Merritt J. Gordon for the plaintiff in error in opposition thereto.

No. 457. Henry E. DeKay, appellant, *v.* William R. Rodman, U. S. Marshal. Appeal from the District Court of the United States for the District of Rhode Island. Dismissed with costs, on motion of counsel for the appellant.

Nos. 766 and 767. Whitney-Central National Bank, petitioner, *v.* The Bank of America. On petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Petition dismissed, on motion of counsel for the petitioner.

No. 715. Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* J. Fred Drayton. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 186. Samuel D. White, as Trustee of the Estate of Pete Stump, Bankrupt, petitioner, *v.* Veta Stump. Submitted by Mr. James E. Babb for the petitioner, and by Mr. Harve H. Phipps for the respondent.

No. 197. Prestonettes, Inc., petitioner, *v.* Francois Joseph Spornino Coty. Argument commenced by Mr. Charles H. Tuttle for the petitioner, continued by Mr. Asher Blum and Mr. Lindley M. Garrison for the respondent, and by Mr. Louis Marshall for the petitioner. Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 19, will be as follows: Nos. 197, 198, 34 (and 35 and 36), 114, 122, 123, and 209), 125, 142, 143, 161, 162, and 199.

SUPREME COURT OF THE UNITED STATES.

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

Ronald Higgins, of Missoula, Mont.; W. Bissell Thomas, of Washington, D. C.; Daniel E. Farr, of Sioux City, Iowa; James A. Williams, of Spokane, Wash.; Charles T. Donworth, of Seattle, Wash.; Jesse E. Higbee, of La Crosse, Wis.; George Ransom Wickham, of Los Angeles, Calif.; Andrew Markhus, of Washington, D. C.; Lawrence H. Brown, of Spokane, Wash.; Edward L. Bush, of Washington Court House, Ohio; Frank A. Gaynor, of New York City; Jess E. Stephens, of Los Angeles, Calif.; Lucius P. Green, of Los Angeles, Calif.; James Hart Willis, of Dallas, Tex.; Richard Wayne Ely, of St. Louis, Mo.; and William Boyd Spencer, of Philadelphia, Pa., were admitted to practice.

No. 197. Prestonettes (Inc.), petitioner, *v.* Francois Joseph de Spoturno Coty. Arguments concluded by Mr. Louis Marshall for the petitioner.

No. 198. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Central Iron & Coal Company. Argued by Mr. Homer W. Davis for the plaintiff in error, and by Mr. Henry A. Jones for the defendant in error.

No. 34. Pacific Gas & Electric Company, appellant, *v.* City and County of San Francisco;

No. 35. Pacific Gas & Electric Company, appellant, *v.* City and County of San Francisco et al.; and

No. 36. Pacific Gas & Electric Company, appellant, *v.* City and County of San Francisco et al. Reargued by Mr. Louis Titus for the appellant, and by Robert M. Searls for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 20, will be as follows: Nos. 114 (and 122, 123, and 209), 125, 142, 143, 161, 162, 199, 211, 240, and 253.

SUPREME COURT OF THE UNITED STATES.

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

Edward J. McCullen, of St. Louis, Mo.; John Ballantyne, of Boston, Mass.; Joseph F. Brandenburg, of Washington, D. C.; and E. H. Moore, of Okmulgee, Okla., were admitted to practice.

No. 114. James C. Davis, as Agent, etc., petitioner, *v.* The Portland Seed Company;

No. 122. The San Francisco & Portland Steamship Company, plaintiff in error, *v.* A. J. Parrington;

No. 123. James C. Davis, as Agent, etc., plaintiff in error, *v.* A. J. Parrington; and

No. 209. Great Northern Railway Company, petitioner, *v.* McCaull-Dinsmore Company. Three hours allowed for the argument of these cases, on motion of Mr. John F. Finerty in that behalf. Argument commenced by Mr. John F. Finerty for James C. Davis, agent, etc., continued by Mr. Arthur C. Spencer for the petitioner in No. 114 and the plaintiffs in error in Nos. 122 and 123; by Mr. F. G. Dorety for the petitioner in No. 209; and by Mr. James G. Wilson for the respondent in No. 114 and the defendant in error in Nos. 122 and 123; and concluded by Mr. John F. Finerty for James C. Davis, agent, etc.

No. 125. C. J. Erickson et al., plaintiffs in error, *v.* The United States et al. Argument commenced by Mr. Corwin S. Shank for the plaintiff in error, C. J. Erickson, continued by Mr. Alfred A. Wheat for the defendants in error, and concluded by Mr. Corwin S. Shank for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 21, will be as follows: Nos. 142, 143, 161, 162, 199, 211, 240, 253, 261 and 268.

SUPREME COURT OF THE UNITED STATES.

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

George H. Rankin, of Pittsburgh, Pa.; Monroe Curtis, of Cleveland, Ohio; Milton K. Young, of Los Angeles, Calif.; Samuel Theodore Holmgren, of Concord, N. H.; James R. Bothwell, of Twin Falls, Idaho; and William H. Bonneville, of Coeur d'Alene, Idaho, were admitted to practice.

ORDER.—The court will adjourn to-day until Monday next.

No. 142. John Swendig et al., appellants, *v.* The Washington Water Power Company. Argued by Mr. James F. Ailshie for the appellants, and by Mr. Frank T. Post for the appellee.

No. 143. Fred P. Violette, appellant, *v.* James A. Walsh, Collector, etc. Resignation of James A. Walsh as collector of internal revenue for the district of Montana, suggested; and Charles A. Rasmusson, his successor as collector of internal revenue for the district of Montana, ordered substituted as the party appellee herein, on motion of Mr. Joseph W. Cox in that behalf. Submitted by Mr. Joseph W. Cox and Mr. C. A. Russell for the appellant, and by Assistant Attorney General Willebrandt and Mr. Solicitor General Beck for the appellee.

No. 161. Ann S. O'Donnell, appellant, *v.* Ned T. Powell, as Treasurer, etc., et al. Argument commenced by Mr. Delphin M. Delmas for the appellant. The court declined to hear further argument.

No. 162. Willard H. Stimson et al., appellants, *v.* The City of Los Angeles et al. Argument commenced by Mr. Delphin M. Delmas for the appellants, and continued by Mr. Jess E. Stephens for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, February 25, will be as follows: Nos. 162, 199, 211, 240, 253, 261, 268, 297, 299, and 300.

SUPREME COURT OF THE UNITED STATES.

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

Abraham Glovsky, of Beverly, Mass.; Thomas C. Coffin, of Pocatello, Idaho; William W. Nottingham, of Washington, D. C.; A. Hollingsworth, of Keokuk, Iowa; Harold A. Ritz, of Charleston, W. Va.; Arthur W. Blackman, of Boston, Mass.; F. J. Sullivan, of Salt Lake City, Utah; A. N. Whitlock, of Missoula, Mont.; Llewellyn L. Callaway, of Helena, Mont.; Elwyn Thomas, of Fort Pierce, Fla.; Henry W. Killeen, of Buffalo, N. Y.; John M. Murphy, of Washington, D. C.; Frank S. Weston, of Kalamazoo, Mich.; Blaine Simons, of Sioux Falls, S. Dak.; Leland S. Forrest, of Des Moines, Iowa; Edward Allan Boyd, of Wichita, Kans.; Gus Ottenheimer, of Little Rock, Ark.; Walter K. Tuller, of Los Angeles, Calif.; Edouard F. Henriques, of New Orleans, La.; L. Wethered Barroll, of Baltimore, Md.; William R. Layne, of Washington, D. C.; and Thomas H. Malone, of Nashville, Tenn., were admitted to practice.

No. 366. The State of Washington, plaintiff in error, *v.* W. C. Dawson & Company. In error to the Supreme Court of the State of Washington; and

No. 684. Industrial Accident Commission of the State of California et al., plaintiffs in error, *v.* James Rolph Company et al. In error to the Supreme Court of the State of California. Judgments affirmed with costs. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis.

No. 84. The Matthew Addy Company, petitioner, *v.* The United States of America; and

No. 85. Benjamin N. Ford, petitioner, *v.* The United States of America. On writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgments reversed; and causes remanded to the District Court of the United States for the Southern District of Ohio for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 830. Harry B. Stilz, appellant, *v.* The United States. Motion for leave to proceed in forma pauperis in this cause granted; and the record ordered to be printed under the rules provided therefor.

No. 264. L. Santiago Carmona et al., composing the Workmen's Relief Commission of Porto Rico et al., appellants, *v.* American Railroad Company of Porto Rico. Motion to transfer this cause to the United States Circuit Court of Appeals for the First Circuit granted, pursuant to the act of Congress of September 14, 1922 (42 Stat. 837).

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. Motion of L. M. Crawford for leave to file brief herein as amicus curiæ granted. Motion for leave to take part in the oral argument denied.

No. —, original. Ex parte In the matter of DeForest Radio Telephone & Telegraph Company, petitioner. Motion for leave to file petition for writ of mandamus herein denied.

No. 735. Flo LaChapelle, as Administratrix of the Estate of Peter Fomakis, deceased, plaintiff in error, *v.* Union Pacific Coal Company. Motion to place on summary docket granted, and cause assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels, more or less, Alleged Apple Cider Vinegar, et al. Motion to take this cause from the summary docket denied. Motion to reassign granted, and cause reassigned for argument on the summary docket on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 666. The United States of America et al., appellants, *v.* American Railway Express Company et al.;

No. 667. Southeastern Express Company, appellant, *v.* American Railway Express Company et al.; and

No. 668. Southern Traffic League et al., appellants, *v.* American Railway Express Company et al. Motion to advance granted; and cases assigned for argument on Monday, April 14 next.

No. 762. The State of Missouri ex rel. The Burnes National Bank of St. Joseph, plaintiff in error, *v.* A. B. Duncan, Judge of the Probate Court of Buchanan County, Missouri. Motion to advance granted, and cause assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 762. The State of Missouri ex rel. The Burnes National Bank of St. Joseph, plaintiff in error, *v.* A. B. Duncan, Judge of the Probate Court of Buchanan County, Missouri. Motion of The United States for leave to file a brief here as amicus curiæ and to participate in the oral argument granted.

No. 403. Hygrade Provision Company (Inc.), et al., appellants, *v.* Carl Sherman, Attorney General, etc., et al.;

No. 404. Lewis & Fox Company, appellant, *v.* Carl Sherman, Attorney General, etc., et al.; and

No. 405. Harry Satz, appellant, *v.* Carl Sherman, Attorney General, etc., et al. Motion to advance granted, and cases placed on the summary docket and assigned for argument, as one case, on Monday, April 7 next, after the cases heretofore assigned for that day.

Nos. 789 and 540. The Pacific Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al.; and

Nos. 790 and 539. The Home Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al. Motion to advance granted, and the cases assigned for argument, together, on Monday, April 14 next, after the cases heretofore assigned for that day.

No. 679. S. C. Sandefur *v.* Canoe Creek Coal Company. Motion to advance granted, and cause assigned for argument with No. 708 heretofore assigned for Monday, April 7 next.

No. 689. J. C. Walton, appellant, *v.* The House of Representatives of the State of Oklahoma et al. Motion to advance granted and cause placed on the summary docket and assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 735. Flo LaChapelle, as Administratrix of the Estate of Peter Fomakis, deceased, plaintiff in error, *v.* Union Pacific Coal Company. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error heretofore assigned for Monday, April 7.

No. 731. Mountain States Power Company, petitioner, *v.* A. L. Jordan Lumber Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 746. Patrick J. Donovan, petitioner, *v.* Cunard Steamship Company, Limited. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 748. Steamer *Spokane*, Her Engines, etc., petitioner, *v.* Charles Steiner et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 749. Will Avery, 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. 754. William Gillespie et al., doing business as Gillespie Brothers & Company, petitioners, *v.* J. Aron & Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 755. Rollin Abell, petitioner, *v.* General Motors Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 756. Arthur A. Kemp, Administrator of Michael John Kemp, etc., petitioner, *v.* Delaware, Lackawanna & Western Railroad Company. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 758. Thomas R. Wheeler, 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. 759. Wilbur L. Ball, Receiver of Haytian American Corporation, petitioner, *v.* Breed, Elliott & Harrison. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 779. Delia Holt, by her next friend Delia Holt, petitioner, *v.* Missouri Pacific Railroad Improvement District. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 801. Louis Cohen, 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. 143. Fred P. Violette, appellant, *v.* James A. Walsh, Collector, etc. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. *Per curiam*: Decree reversed with costs; and cause remanded to the District Court of the United States for the District of Montana for further proceedings. *Lipke v. Lederer*, 259 U. S. 557.

No. 161. Ann S. O'Donnell, appellant, *v.* Ned T. Powell, as Treasurer, etc., et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of *Miller v. Cornwall R. R. Co.*, 168 U. S. 131, 134; *New York Central R. R. Co. v. New York*, 186 U. S. 269, 273; *Thomas v. Iowa*, 209 U. S. 258, 263; *Consolidated Turnpike v. Norfolk, etc., Ry. Co.*, 228 U. S. 326, 331.

No. 529. The Sanitary District of Chicago, appellant, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Beck for the appelle.

No. 803. Erie Railroad Company, petitioner, *v.* John Straker. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Bertha J. Strootman and Mr. John W. Ryan for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 109. Guaranty Title & Trust Company, Receiver of Vue de L'Eau Company, appellant, *v.* The United States. Mandate granted, on motion of Mr. H. H. Rumble in that behalf.

No. 821. Kansas City Terminal Railway Company et al., petitioners, *v.* Central Union Trust Company of New York, Trustee, etc., et al. Leave granted to file a brief as amicus curiae herein, on motion of Mr. Joseph M. Bryson for Missouri-Kansas-Texas Railroad Company.

No. 122. The San Francisco and Portland Steamship Company, plaintiff in error, *v.* A. J. Parrington; and

No. 123. James C. Davis, as Agent, etc., plaintiff in error, *v.* A. J. Parrington. Motion to reconsider rule announced in Kansas City Southern Railway Company *v.* Wolfe, submitted by Mr. H. Prescott Gatley in behalf of counsel.

No. 768. M. E. Montgomery et al., petitioners, *v.* Pacific Electric Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Albert E. Sherman for the petitioners, and by Mr. Frank Karr and Mr. Oscar Lawler for the respondents.

No. 785. James C. Davis, Agent provided by the Transportation Act of 1920, petitioner, *v.* L. D. Alexander and Frank Griffith. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. C. O. Blake and Mr. W. R. Bleakmore for the petitioner.

No. 798. C. A. Leeper et al., petitioners, *v.* The Lemon G. Neely Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. V. B. Archer for the petitioners.

No. 808. The United States ex rel. The Greylock Mills, petitioner, *v.* David H. Blair, Commissioner of Internal Revenue. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. James Craig Peacock and Mr. John W. Townsend for the petitioner and by Mr. Solicitor General Beck, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the respondent.

No. 809. James C. Davis, Director General and Agent, petitioner, *v.* John P. Barbee. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. H. O'B. Cooper, Mr. W. M. Hendren, and Mr. A. A. McLaughlin for the petitioner, and by Mr. R. C. Strudwick for the respondent.

No. 812. Royal Italian Government, petitioner, *v.* National Brass & Copper Tube Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel F. Frank for the petitioner, and by Mr. Harlan F. Stone for the respondent.

No. 821. Kansas City Terminal Railway Company et al., petitioners, *v.* Central Union Trust Company of New York, Trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Edward J. White, Mr. N. H. Loomis, Mr. Bruce Scott, Mr. Gardiner Lathrop, Mr. Samuel W. Sawyer, Mr. H. H. Field, Mr. W. F. Dickinson, Mr. N. S. Brown, and Mr. F. H. Moore for the petitioners, and by Mr. Edward Cornell, Mr. Edward C. Eliot, and Mr. Leonard D. Adkins for the respondents.

No. 828. Farmers & Mechanics National Bank, petitioner, *v.* W. W. Wilkinson, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edwin C. Brandenburg and Mr. Charles A. Boynton for the petitioner, and by Mr. Mark McMahon for the respondent.

No. 833. The Pittsburgh & Lake Erie Railroad Company, petitioner, *v.* Jacob McDonald. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. William A. Seifert for the petitioner and by Mr. Cornelius D. Scully for the respondent.

No. 162. Willard H. Stimson et al., appellants, *v.* The City of Los Angeles et al. Argument continued by Mr. Jess E. Stephens and Mr. Lucius P. Green for the appellee, and concluded by Mr. D. M. Delmas for the appellants.

No. 199. C. Henry Smith, plaintiff in error, *v.* Alfred Greenebaum. In error to the District Court of Appeal, First Appellate District, of the State of California. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 211. R. Asakura, plaintiff in error, *v.* The City of Seattle et al. Argued by Mr. C. T. Donworth for the defendants in error, and submitted by Mr. D. V. Halverstadt for the plaintiff in error.

No. 240. The United States of America, appellant, *v.* Tommy Payne. Argued by Mr. H. L. Underwood for the appellant, and by Mr. Arthur E. Griffin for the appellee.

No. 253. Raymond Moore, plaintiff in error, *v.* The State of Idaho. Submitted by Mr. Karl Paine and Mr. Edwin A. Snow for the plaintiff in error, and by Mr. A. H. Conner for the defendant in error.

No. 261. Citizens Savings Bank & Trust Company, appellant, *v.* Joseph F. Sexton, as Executor of the Estate of Quincy D. Chapman, deceased, et al. Argued by Mr. Lawrence H. Brown for the appellant, and by Mr. James A. Williams for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 26, will be as follows: Nos. 268, 297, 299, 300, 309, 310, 312, 315, 324 (and 336), and 358.

SUPREME COURT OF THE UNITED STATES.

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

Francis V. Hertzig, of Washington, D. C.; E. L. Foulke, of Wichita, Kans.; Randolph Laughlin, of St. Louis, Mo.; John Wesley McWilliams, of Philadelphia, Pa.; Walter F. Henieman, of Chicago, Ill.; Douglass C. Lawrence, of Freeport, N. Y.; Benjamin F. Evarts, of Holyoke, Mass.; Samuel Barnet, of New Bedford, Mass.; George E. Gordon, of Boston, Mass.; Louis Swig, of Taunton, Mass.; Albert Hurwitz, of Boston, Mass.; Elihu A. Hershenson, of Peabody, Mass.; Joseph Talamo, of Worcester, Mass.; Benjamin J. Shoolman, of Brookline, Mass.; Morris Katzeff, of Boston, Mass.; and Bennett Silverblatt, of Lowell, Mass., were admitted to practice.

The Chief Justice announced that the court will not convene until 2 o'clock to-morrow, to enable the members of the court to attend the memorial services for the late President Harding in the Hall of the House of Representatives, at 12 o'clock noon.

No. 268. Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* O. J. Nichols. Argued by Mr. R. O. Brennan for the petitioner, and by Mr. M. K. Young for the respondent.

No. 297. James C. Davis, as Agent, etc., petitioner, *v.* R. L. Cornwell. Argued by Mr. I. Parker Veazey, jr., for the petitioner, and by Mr. George E. Hurd for the respondent.

No. 299. Chung Fook, petitioner, *v.* Edward White, Commissioner of Immigration, etc. Argument commenced by Mr. Jackson H. Ralston for the petitioner, and concluded by Mr. Assistant Attorney General Ottinger for the respondent.

No. 300. Western Union Telegraph Company, petitioner, *v.* J. A. Czizek. Argument commenced by Mr. Francis Raymond Stark for the petitioner.

Adjourned until to-morrow at 2 o'clock.

The day call for Wednesday, February 27, will be as follows: Nos. 300, 309, 310, 312, 315, 324 and 336, 358, 463, 656, and 343.

SUPREME COURT OF THE UNITED STATES.

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

Harry Traverse, of Boston, Mass., and Edwin Haines Burgess, of New York City, were admitted to practice.

No. 324. The Idaho Irrigation Company (Ltd.) et al., appellants, *v.* Fred W. Gooding et al.; and

No. 336. Fred W. Gooding et al., appellants, *v.* The Idaho Irrigation Company et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. O. O. Haga in that behalf.

No. 300. Western Union Telegraph Company, petitioner, *v.* J. A. Czizek. Argument continued by Mr. Francis Raymond Stark for the petitioner, continued by Mr. R. H. Johnson for the respondent, and concluded by Mr. Beverly L. Hodghead for the respondent.

No. 309. Frederick Hollister, plaintiff in error, *v.* Edwin Reed, Administrator, etc. In error to the Supreme Court of the State of Oregon. Dismissed with costs on authority of the plaintiff in error.

No. 310. Charles J. Webb & Company, plaintiff in error, *v.* Pingree Cattle Loan Company. Argument commenced by Mr. S. L. Hodgkin for the plaintiff in error. The court declined to hear further argument.

No. 312. Great Northern Railway Company, petitioner, *v.* Galbreath Cattle Company et al. Argument commenced by Mr. I. Parker Veazey, jr., for the petitioner. The court declined to hear further argument.

No. 315. Clarence D. Keller et al., etc., petitioners, *v.* Adams-Campbell Company (Inc.) et al. Argument commenced by Mr. W. A. Loftus for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 28, will be as follows: Nos. 315, 358, 463, 656, 343, 18, 19, 425, 456, and 565.

SUPREME COURT OF THE UNITED STATES.

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

W. W. Brown, of Parsons, Kans.; Theodore Joseph Drees, of Carroll, Iowa.; A. G. Maul, of New York City; Wilfred E. Rumble, of St. Paul, Minn.; Victor E. Anderson, of St. Paul, Minn.; William B. Ritchie, of Port Angeles, Wash.; and Samuel Hershenstein, of New York City, were admitted to practice.

No. —, original. *Ex parte* In the matter of David S. Seaman et al., Co-Executors under the Last Will of John W. Seaman, deceased, petitioners. Motion for leave to file a petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. Randolph Laughlin for the petitioner.

No. 425. Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States et al. Leave granted to file brief herein as amici curiae, on motion of Mr. T. M. Pierce for John F. Lee and George M. Block.

No. 842. Sol N. Snitow, petitioner, *v.* Harry L. Wissing, Trustee. Motion for a stay submitted by Mr. S. Hershenstein in that behalf.

No. 315. Clarence D. Keller et al., etc., petitioners, *v.* Adams-Campbell Company (Inc.) et al. Argument concluded by Mr. William A. Loftus for the petitioners, and cause submitted by Mr. Ford W. Harris for the respondents.

No. 358. The United States, appellant, *v.* Title Insurance & Trust Company et al. Argued by Mr. George A. H. Fraser for the appellant, and by Mr. Walter K. Tuller for the appellees.

No. 463. I. Goto et al., appellants, *v.* John C. Lane, High Sheriff, etc. Motion for leave to file brief of The United States as amicus curiae in this cause is granted. Argument commenced by Mr. Thomas W. Gregory for the appellants, and continued by Mr. Frederick Milverton for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 29, will be as follows: Nos. 463, 656, 343, 18, 19, 425, 456, 565, 200 (and 95 and 245), and 201.

SUPREME COURT OF THE UNITED STATES.

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

Leslie E. Greene, of Denver, Colo., and Claude H. Rosenstein, of Tulsa, Okla., were admitted to practice.

No. 463. I. Goto et al., appellants, *v.* John C. Lane, High Sheriff, etc. Argument continued by Mr. Frederick Melverton for the appellee, and concluded by Mr. T. W. Gregory for the appellants.

No. 656. United States Fidelity and Guaranty Company, appellant, *v.* Joe H. Strain, Bank Commissioner of the State of Oklahoma, et al. Argued by Mr. C. B. Ames for the appellant, and by Mr. George F. Short for the appellees.

No. 343. Peterson Oil Company, plaintiff in error, *v.* Guy G. Frary, State Inspector, etc. Argued by Mr. Blaine Simons for the plaintiff in error, and submitted by Mr. Clarence C. Caldwell for the defendant in error.

No. 18. Commonwealth Trust Company of Pittsburgh, appellant, *v.* Max Smith et al. Argued by Mr. O. O. Haga for the appellant, and submitted by Mr. Turner K. Hackman for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 3, will be as follows: Nos. 19, 425, 456, 565, 200 (and 95 and 245), 201, 451, 421, 307, and 337.

SUPREME COURT OF THE UNITED STATES.

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

Clyde A. Sweeton, of Houston, Tex.; Nathan Ballin, of New York City; Hoyt Webb Lark, of Providence, R. I.; Neile F. Towner, of Albany, N. Y.; James J. Regan, jr., of Philadelphia, Pa.; Clarence J. Hoyt, of Youngstown, Ohio; Philip C. Joslin, of Providence, R. I.; Louis Goldman, of New Orleans, La.; William H. Dougherty, of Janesville, Wis.; Edwin N. Cherrington, of Gallipolis, Ohio; Joseph Davis, of Chicago, Ill.; and Harry E. McKannay, of San Francisco, Calif.; were admitted to practice.

No. 124. Wesley M. Smith, appellant, *v.* Walter T. Apple. Appeal from the District Court of the United States for the District of Kansas. Transferred to the United States Circuit Court of Appeals for the Eighth Circuit, pursuant to the act of Congress of September 14, 1922. Opinion by Mr. Justice Sanford.

No. 489. The Baltimore & Ohio Railroad Company et al., appellants, *v.* The United States of America et al. Appeal from the District Court of the United States for the Eastern District of Illinois. Decree reversed; and cause remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice Sutherland, Mr. Justice McReynolds, and Mr. Justice Sanford.

No. 181. Manufacturers' Land & Improvement Company, plaintiff in error, *v.* United States Shipping Board Emergency Fleet Corporation et al. In error 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 District of New Jersey. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice McKenna.

No. 125. C. J. Erickson et al., plaintiffs in error, *v.* The United States of America et al. In error to the District Court of the United States for the Western District of Washington. Judgment affirmed. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas et al. Consideration of the motion that receiver return certain lands and funds postponed until the receipt of the commissioner's report.

No. 529. The Sanitary District of Chicago, appellant, *v.* The United States of America. Motion to advance granted; and cause assigned for argument on Monday, November 10, next.

No. —, original. Ex parte In the matter of David S. Seaman et al., Coexecutors, etc., petitioners. Motion for leave to file a petition for a writ of probation and/or a writ of mandamus herein denied.

No. 784. Margaret C. Lynch, Executrix of the Last Will and Testament of E. J. Lynch, deceased, petitioner, *v.* Alworth-Stephens Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 807. Henry Lewis, petitioner, *v.* Davis Roberts, jr., as Trustee in Bankruptcy of Montevallo Mining Company, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 818. L. H. Myers et al., petitioners, *v.* Charles H. Anderson et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 760. David J. Sheehan, petitioner, *v.* Braddock Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 769. Claude W. Johnson, Trustee in Bankruptcy of the Kentucky Iron & Steel Company, Bankrupt, petitioner, *v.* Louisville Trust Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 770. John E. Mathewson, as Administrator of Rufus Overlander, deceased, petitioner, *v.* Elizabeth Jane Richards. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 773. George D. Proctor, petitioner, *v.* M. William Rossi et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 777. Reading Company, Successor to Philadelphia & Reading Company, petitioner, *v.* Esther H. Fessler, as Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 787. United States Shipping Board Emergency Fleet Corporation, petitioner, *v.* The Chase National Bank of the City of New York et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 791. The Safe-Cabinet Company, petitioner, *v.* The Globe-Wernicke Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 814. Anglo-American Oil Company, Limited, petitioner, *v.* R. J. Green, Claimant of the Steamship *G. R. Crowe*, Her Engines, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 768. M. E. Montgomery et al., petitioners, *v.* Pacific Electric Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 798. C. A. Leeper Company et al., petitioners, *v.* The Lemon G. Neely Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 803. Erie Railroad Company, petitioner, *v.* John Straker. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 808. The United States ex relatione The Greylock Mills, petitioner, *v.* David H. Blair, Commissioner of Internal Revenue. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 162. Willard H. Stimson et al., appellants, *v.* The City of Los Angeles et al. Appeal from the District Court of the United States for the Southern District of California. Per curiam: Reversed with costs; and cause remanded with directions to dismiss for lack of a substantial Federal question (*Pacific Electric Ry. Co. v. Los Angeles*, 194 U. S. 112, 118; *South Covington Ry. Co. v. Newport*, 259 U. S. 97, 99; *Blumestock Bros. v. Curtis Publishing Co.*, 252 U. S. 436, 441).

No. 253. Raymond Moore, plaintiff in error, *v.* The State of Idaho. In error to the Supreme Court¹ of the State of Idaho. Per curiam: Judgment affirmed with costs upon the authority of (1) *Crane v. Campbell*, 245 U. S. 304; (2) *Vigliotti v. Pennsylvania*, 258 U. S. 403; *United States v. Lanza*, 260 U. S. 377.

No. 343. Peterson Oil Company, plaintiff in error, *v.* Guy G. Frary, State Inspector, etc. In error to the Supreme Court of the State of South Dakota. Per curiam: Affirmed with costs upon the authority of *Texas Company v. Brown*, 258 U. S. 466.

No. 656. United States Fidelity & Guaranty Company, appellant, *v. Joe H. Strain*, Bank Commissioner of the State of Oklahoma, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Decree affirmed with costs upon authority of United States *v. Oklahoma*, 261 U. S. 253.

No. 310. Charles J. Webb & Company, plaintiff in error, *v. Pingree Cattle Loan Company*. In error to the Supreme Court of the State of Idaho. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the judicial Code, as amended by the act of September 6, 1917, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S. 1, 5-6.

No. 312. Great Northern Railway Company, petitioner, *v. Galbreath Cattle Company et al.* On writ of certiorari to the Supreme Court of the State of Montana. Per curiam: Dismissed for want of jurisdiction upon the authority of *Louisiana Navigation Co. v. Oyster Commission of Louisiana*, 226 U. S. 99, 101; *Coe v. Armour Fertilizer Works*, 237 U. S. 413, 418, 419; *Gray's Harbor Co. v. Coats-Fordney Co.*, 243 U. S. 251, 255; *Bruce v. Tobin*, 245 U. S. 18, 19.

No. 762. The State of Missouri ex rel. The Burnes National Bank of St. Joseph, plaintiff in error, *v. A. B. Duncan*, Judge of the Probate Court of Buchanan County, Missouri. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Solicitor General Beck, Mr. Justin D. Bowersock, and Mr. William T. Jones for the petitioner.

No. 451. Ziang Sung Wan, petitioner, *v. The United States of America*. Reassigned for argument on Monday, March 10, on motion of Mr. Solicitor General Beck in that behalf.

No. 93. Webster Electric Company, petitioner, *v. Splitdorf Electrical Company*. Leave granted to file a brief herein as amicus curiæ, on motion of Mr. E. J. Prindle, pro se.

No. 752. Thomas S. Medhurst, petitioner, *v. S. S. South American et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Challen B. Ellis and Mr. Silas B. Axtell for the petitioner, and by Mr. Bertrand L. Pettigrew for the respondents.

No. 216. Southeastern Express Company, appellant, *v. Stokes V. Robertson*, State Revenue Agent, et al. Resignation of Stokes V. Robertson, as State revenue agent of the State of Mississippi, and W. J. Miller, as State auditor of the State of Mississippi, suggested; and W. J. Miller, present State revenue agent of the State of Mississippi, and George D. Riley, present State auditor of the State of Mississippi, ordered substituted as the parties appellees in this cause.

No. 848. James Seward, plaintiff in error, *v.* Raymond H. Brady, Sheriff of Jefferson County, Missouri. In error to the Supreme Court of the State of Missouri. Dismissed with costs, on motion of Mr. Frans E. Lindquist for the plaintiff in error.

No. —, original. *Ex parte* In the Matter of Raymond McGonigle, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein submitted by Mr. Frans E. Linquist for the petitioner.

No. 546. William R. Rodman, U. S. Marshal, petitioner, *v.* Roland R. Pothier. Motion for leave to file a brief herein as *amicus curiæ* and to participate in oral argument submitted by Mr. Jesse C. Adkins in that behalf.

No. 822. George F. Rockhold, Trustee, petitioner, *v.* Isaac Daniel Buie, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. F. M. Etheridge and Mr. J. M. McCormick for the petitioner.

No. 829. Hughes Electric Company, petitioner, *v.* Lena Greyerbiehl. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Aubrey Lawrence and Mr. Matthew W. Murphy for the petitioner, and by Mr. A. L. Knauf for the respondent.

No. 847. T. Hogan & Sons (Inc.), petitioner, *v.* Joseph Miller and L. Boyer's Sons Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Eli J. Blair for the petitioner and by Mr. Harold R. Medina for the respondents.

No. 504. Continental & Commercial Trust & Savings Bank, plaintiff in error, *v.* Wilhelmina Werner et al. Motion to dismiss writ of error and deny petition for a writ of certiorari, in this cause, submitted by Mr. William W. Ray and Mr. M. F. Ryan for the defendants in error and respondents in support of the motion, and by Mr. Oliver O. Haga for the plaintiff in error and petitioner in opposition thereto.

No. 19. Twin Falls Salmon River Land & Water et al., appellants *v.* A. E. Caldwell et al. Argued by Mr. Oliver O. Haga for the appellants, and by Mr. James R. Bothwell for the appellees.

No. 425. Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States of America. Argument commenced by Mr. R. V. Fletcher for the appellants, and continued by Mr. T. M. Pierce for the appellants and by Mr. J. M. Bryson for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 4, will be as follows: Nos. 425, 456, 565, 200 (and 95 and 245), 201, 421, 307, 337, 93, and 165.

SUPREME COURT OF THE UNITED STATES.

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

Nathan Moran, of San Francisco, Calif.; Walter Carroll, of New Orleans, La.; Lynn A. Williams, of Chicago, Ill.; Joseph T. Bethel, of Richmond, Va.; Minitree J. Fulton, of Richmond, Va.; and Clifford C. Bradbury, of Chicago, Ill., were admitted to practice.

No. 425. Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States et al. Argument continued by Mr. J. M. Bryson and Mr. Edward J. White for the appellees, and concluded by Mr. T. M. Pierce for the appellant.

No. 456. The United States of America et al., appellants, *v.* Abilene & Southern Railway Company et al. Argument commenced by Mr. Clifford Histed for William T. Kemper, receiver of Kansas City, Mexico & Orient Railroad Company et al., interveners, continued by Mr. T. J. Norton and Mr. M. G. Roberts for the appellees, and concluded by Mr. J. Carter Fort for the Interstate Commerce Commission.

No. 565. Charles D. Newton, as Attorney General, etc., et al., appellants, *v.* Consolidated Gas Company of New York. Argued by Mr. Harry Hertzoff for the appellant, and submitted by Mr. John A. Garver for the appellee.

No. 95. Piel Brothers, appellant, *v.* Ralph A. Day, Federal Prohibition Director, etc. Appeal from the United States Circuit Court of Appeals for the Second District. Dismissed with costs, on motion of counsel for the appellant.

No. 200. James Everard's Breweries, appellant, *v.* Ralph A. Day, Prohibition Director, etc., et al.; and

No. 245. Edward & John Burke, Limited, appellant, *v.* David H. Blair, Commissioner of Internal Revenue. Three hours allowed for the argument of this cause. Argument commenced by Mr. S. W. Moore for the appellant in No. 245.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 5, will be as follows: Nos. 200 (and 245), 201, 421, 307, 337, 93, 165, 206, 207, and 79.

SUPREME COURT OF THE UNITED STATES.

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

Samuel Topliff, of Chicago, Ill.; H. H. Griswold, of Columbus, Ohio; and Arthur G. Shoup, of Juneau, Alaska, were admitted to practice.

No. 165. Central National Bank of Tulsa, Oklahoma, plaintiff in error, *v.* The United States. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, on motion of Mr. James W. Beller for the plaintiff in error.

No. 200. James Everard's Breweries, appellant, *v.* Ralph A. Day, Prohibition Director, etc., et al.; and

No. 245. Edward and John Burke, Limited, appellant, *v.* David H. Blair, Commissioner of Internal Revenue. Leave granted to file brief of the attorneys general of Alabama, Arkansas, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, West Virginia, and Wyoming, herein, as amici curiæ.

No. 200. James Everard's Breweries, appellant, *v.* Ralph A. Day, Prohibition Director, etc., et al.; and

No. 245. Edward and John Burke, Limited, appellant, *v.* David H. Blair, Commissioner of Internal Revenue. Leave granted counsel for the appellees to file a supplemental brief herein, with leave to counsel for the appellants to file reply thereto. Argument continued by Mr. S. W. Moore for the appellant in No. 245, by Mr. Nathan Ballin for the appellant in No. 200, by Mr. Joseph S. Auerbach for Samuel W. Lambert as amicus curiæ in No. 200, by Mr. Solicitor General Beck for the appellees, by Mr. H. H. Griswold for the attorneys general of twenty-five States as amici curiæ in Nos. 200 and 245, and concluded by Mr. S. W. Moore for the appellant.

No. 201. Southeastern Express Company, plaintiff in error, *v.* W. J. Miller, State Revenue Agent, etc. Argued by Mr. Sanders McDaniel for the plaintiff in error, and submitted by Mr. R. A. Collins for the defendant in error.

No. 421. Louisiana Public Service Commission et al., appellants, *v.* Morgan's Louisiana & Texas Railway & Steamship Company. Argument commenced by Mr. W. M. Barrow for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 6, will be as follows: Nos. 421, 307, 337, 93, 206 (and 207), 79, 204, 205, 208, and 212.

SUPREME COURT OF THE UNITED STATES.

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

Lawrence D. Donnelly, of New York City; Jay Irving Moskow, of Boston, Mass.; George H. Stover, of New York City; Charles McG. Roberts, of New York City; G. Fullen, of New York City; Guy L. Smith, of Pana, Ill.; J. Earl Major, of Hillsboro, Ill.; Homer T. Amis, of Springfield, Tenn.; Albert F. Nathan, of New York City; Selden S. Dickinson, of Detroit, Mich.; and Charles A. Wagner, of Detroit, Mich., were admitted to practice.

No. **93**. Webster Electric Company, petitioner, *v.* Splitdorf Electrical Company. Motion of Mr. Albert F. Nathan for leave to file a brief herein as amicus curiae denied.

No. **421**. Louisiana Public Service Commission et al., appellants, *v.* Morgan's Louisiana & Texas Railroad & Steamship Company. Argument continued by Mr. W. M. Barrow for the appellants, by Mr. Henry H. Chaffe for the appellee, and concluded by Mr. W. M. Barrow for the appellant.

No. **307**. Nyanza Steamship Company, appellant, *v.* Jahncke Drydock No. 1 et al. Argued by Mr. Richard B. Montgomery for the appellant, and by Mr. Walter Carroll for the appellees.

No. **337**. United States Fidelity & Guaranty Company et al., plaintiffs in error, *v.* Mary L. Morrell. Argued by Mr. E. B. Moulton for the plaintiffs in error, and by Mr. Henry C. Hart for the defendants in error.

No. **93**. Webster Electric Company, petitioner, *v.* Splitdorf Electrical Company. Argument commenced by Mr. Albert G. McCaleb for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 7, will be as follows: Nos. **93**, **206** (and **207**), **79**, **204**, **205**, **208**, **212**, **213**, **214**, and **215**.

SUPREME COURT OF THE UNITED STATES.

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

George F. Holland, of Dayton, Ohio; Horace B. Stout, of Clarksville, Tenn.; William C. Breed, of New York City; Clarence M. Eubanks, of New York City; and Nicholas D. DiSesa, of New York City, were admitted to practice.

No. 93. Webster Electric Company, petitioner, *v.* Splitdorf Electrical Company. Argument continued by Mr. Albert G. McCaleb for the petitioner, continued by Mr. Charles L. Sturtevant for the respondent, and concluded by Mr. Lynn A. Williams for the petitioner.

No. 206. Federal Trade Commission, plaintiff in error, *v.* American Tobacco Company.

No. 207. Federal Trade Commission, plaintiff in error, *v.* P. Lorillard Company (Inc.). Argument commenced by Mr. James A. Fowler for the plaintiff in error, continued by Mr. William D. Guthrie for the defendant in error in No. 207, by Mr. Junius Parker for the plaintiff in error in No. 206, and concluded by Mr. James A. Fowler for the plaintiff in error.

Adjourned until Monday at 12 o'clock.

The day call for Monday, March 10, will be as follows: Nos. 79, 204, 205, 208, 212, 213, 214 (and 215), 690 (and 691), 467, 662, 590 (and 591, and 592), 517, 117, 546, and 451.

SUPREME COURT OF THE UNITED STATES.

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

L. D. Miller, of Chattanooga, Tenn.; Welburn Mayoock, of San Jose, Calif.; Clarence M. Gordon, of Boston, Mass.; Daniel W. Livingston, of Nebraska City, Nebr.; C. A. Cunningham, of Blytheville, Ark.; Louis Goldberg, of Boston, Mass.; John C. Jones, jr., of Boston, Mass.; John H. Devine, of Boston, Mass.; Ellis L. Orvis, of Bellefonte, Pa.; John C. Spaulding, of Detroit, Mich.; Alfred H. Beach, of Casper, Wyo.; Howell Van Auken, of Detroit, Mich.; Harold J. Clark, of Chicago, Ill.; Francis P. Moats, of Parkersburg, W. Va.; Robert B. McDougle, of Parkersburg, W. Va.; Oliver D. Burden, of Syracuse, N. Y.; and Henry S. Sweeny, of Petoskey, Mich., were admitted to practice.

No. 176. Joseph Radice, plaintiff in error, *v.* The People of the State of New York. In error to the City Court of Buffalo, State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 163. August Dorchy, plaintiff in error, *v.* The State of Kansas. In error to the Supreme Court of the State of Kansas. Judgment reversed without costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 300. Western Union Telegraph Company, petitioner, *v.* J. A. Czizek. 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 District of Idaho for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the Court:

No. 693. Tacoma Grain Company, plaintiff in error, *v.* Northern Pacific Railway Company. In error to the Supreme Court of the State of Washington. Dismissed for the want of jurisdiction upon

the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195.

No. 842. Sol D. Snitow, petitioner, *v. Harry L. Wissing, Trustee*. Motion for a stay in this cause denied.

No. —, original. *Ex parte* in the matter of Raymond McGonigle, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein denied.

No. 546. William R. Rodman, U. S. Marshal, petitioner, *v. Roland R. Pothier*. Motion for leave to file brief on behalf of General Adelbert Cronkhite as *amicus curiæ* herein granted. Motion for leave to participate in the oral argument herein denied.

No. 504. Continental & Commercial Trust & Savings Bank, plaintiff in error, *v. Wilhelmina Werner et al.* Further consideration of the motion to dismiss the writ of error and deny petition for a writ of certiorari postponed until the hearing of the cause on the merits; the cause placed on the summary docket and assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 762. The State of Missouri *ex rel. The Burnes National Bank of St. Joseph*, plaintiff in error, *v. A. B. Duncan*, Judge of the Probate Court of Buchanan County, Missouri. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 812. Royal Italian Government, petitioner, *v. National Brass & Copper Tube Company, Inc.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied, for failure to file within the time prescribed by the statute.

No. 752. Thomas S. Medhurst, petitioner, *v. S. S. "South American" et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied, for failure to file within the time prescribed by the statute.

No. 809. James C. Davis, Director General and Agent, petitioner, *v. John P. Barbee*. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 821. Kansas City Terminal Railway Company et al., petitioners *v. Central Union Trust Company of New York, Trustee, etc., et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 833. The Pittsburgh & Lake Erie Railroad Company, petitioner, *v. Jacob McDonald*. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 822. George F. Rockhold, Trustee, petitioner, *v.* Isaac Daniel Buie, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 828. Farmers & Mechanics National Bank, petitioner, *v.* W. W. Wilkinson, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 829. Hughes Electric Company, petitioner, *v.* Lena Greyerbiehl. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 847. T. Hogan & Sons, Inc., petitioner, *v.* Joseph Miller and L. Boyer's Sons Company. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 565. Charles D. Newton, as Attorney General of the State of New York, et al., appellants, *v.* Consolidated Gas Company of New York. Appeal from the District Court of the United States for the Southern District of New York. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Masterson v. Herndon*, 10 Wall. 416; *Hardee v. Wilson*, 146 U. S. 179, 180; *Sipperly v. Smith*, 155 U. S. 86, 89; *Maytin v. Vela*. 216 U. S. 598, 601.

No. 337. United States Fidelity & Guaranty Company et al., plaintiffs in error, *v.* Mary L. Morrell. In error to the Superior Court of the State of Rhode Island. Dismissed for the want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195.

No. 627. The United States of America et al., appellants, *v.* The New River Company et al.; and

No. 628. Slab Fork Coal Company et al., appellants, *v.* New River Company et al. Motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. 633. The Delaware & Hudson Company et al., appellants, *v.* The United States of America et al. Motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. 467. The Chastleton Corporation et al., appellants, *v.* A. Leftwich Sinclair et al. Motion for leave to file a brief herein as amicus curiae submitted by Mr. E. G. Griffin for The State of New York; and motion denied.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al., etc.;

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al., etc.; and

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al., etc. Suggestion of death of John M. Shugert, and motion to dismiss, submitted by Mr. M. C. Rhone for the petitioners in support of the motion, and by Mr. Samuel D. Gettig and Mr. Newton B. Spangler for the respondents in opposition thereto.

No. 690. James B. Dillingham, as President, et al., etc., appellants, *v.* George V. McLaughlin, as Superintendent of Banks of the State of New York, et al.; and

No. 691. George V. McLaughlin, as Superintendent of Banks of the State of New York, et al., appellants, *v.* James B. Dillingham, as President, et al., etc. Motion to reassign denied. Leave granted to file a supplemental brief herein granted, on motion of Mr. Oliver D. Burden for the appellees and cross-appellants.

No. 686. Walter L. Marr, appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. 810. Southern Pacific Company, appellant, *v.* The United States. Motion to advance submitted by Mr. William R. Harr for the appellant.

No. 819. James C. Davis, Director General, etc., petitioner, *v.* Corona Coal Company. Petition for a writ of certiorari to the Court of Appeal, Parish of Orleans, State of Louisiana, submitted by Mr. George Denegre, Mr. Victor Leovy, and Mr. Henry H. Chaffe for the petitioner.

No. 826. Herschell Norman, petitioner, *v.* The State of Ohio. Petition for a writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Frank Davis, jr., Mr. Hollis C. Johnston, and Mr. James C. Nicholson for the petitioner. Leave granted to file brief of respondent herein within ten days, on motion of Mr. Otto Schlobohm in behalf of counsel for the respondent.

No. 546. William R. Rodman, U. S. Marshal, petitioner, *v.* Roland R. Pothier. Leave granted to file brief herein as amicus curiae, on motion of Mr. Fulton Brylawski for Mr. Louis Marshall; and motion for leave to participate in the oral argument herein denied.

No. 852. The Baltimore & Ohio Railroad Company, appellant, *v.* The City of Parkersburg. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. W. Vandervort for the petitioner and by Mr. Francis P. Moats and Mr. Robert P. McDougale for the respondent.

No. 797. Welch, Fairchild & Company, Inc., petitioner, *v.* Philippine National Bank. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. James Ross and Mr. Timothy T. Ansberry for the petitioner, with leave to counsel for the respondent to file brief in opposition to the petition.

No. 2, original. The State of Arkansas, complainant, *v.* The State of Tennessee. Hearing on defendant's exceptions postponed, per stipulation, until the filing of a supplemental report of the commissioners, on motion of Mr. Hugh H. Obear in that behalf.

No. 212. William Lucking, appellant, *v.* Detroit & Cleveland Navigation Company. Motion for leave to file a brief of the Attorney General of Michigan herein, as amicus curiae, denied.

No. 792. Gulf & Ship Island Railroad Company et al., petitioners, *v.* W. E. Powell. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. L. L. Mayes, Mr. B. E. Eaton, Mr. T. J. Wills, Mr. Francis Raymond Stark, and Mr. Joseph L. Egan for the petitioners, and by Mr. R. L. McLaurin for the respondent.

No. 802. Salt Lake County, petitioner, *v.* Utah Copper Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles C. Richards for the petitioner, and by Mr. A. C. Ellis, jr., for the respondent.

No. 832. John Douglas, Jr., 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. George H. Rankin for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 837. The Savannah Chemical Company, petitioner, *v.* W. R. Grace & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. A. Lawrence for the petitioner, and by Mr. Paul E. Seabrook for the respondent.

No. 840. Samuel Freshman, petitioner. *v.* W. S. Atkins. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph Manson McCormick and Mr. Francis Marion Etheridge for the petitioner.

No. 843. Conron Bros. Company, petitioners, *v.* The Farmers Loan & Trust Company, Trustee, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Mark Ash and Mr. Edward Ash for the petitioner, and by Mr. Mansfield Ferry, Mr. George S. Graham, and Mr. George H. Richards for the respondents.

No. 857. Commonwealth Steamship Company, Limited, Claimant of the Steamship *Turret Crown*, etc., petitioner, *v.* Patent Vulcanite Roofing Company, Inc.;

No. 858. Commonwealth Steamship Company, Limited, Claimant of the Steamship *Turret Crown*, etc., petitioner, *v.* Carlo Repetto;

No. 859. Commonwealth Steamship Company, Limited, Claimant of the Steamship *Turret Crown*, etc., petitioner, *v.* Sacco & Palmiero; and

No. 860. Commonwealth Steamship Company, Limited, Claimant of the Steamship *Turret Crown*, etc., petitioner, *v.* J. Aron & Company, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John M. Woolsey, Mr. Clarence R. Hickox, and Mr. Theodore M. Hequembourg for the petitioner, and by Mr. D. Roger Englar for the respondents.

No. 468. Gulf Refining Company of Louisiana, plaintiff in error, *v.* W. N. McFarland, Supervisor of Public Accounts. Motion to dismiss or affirm submitted by Mr. A. V. Coco, Mr. Harry P. Sneed, and Mr. S. L. Herold for the defendant in error in support of the motion, and by Mr. D. Edward Greer for the plaintiff in error in opposition thereto.

No. 79. Waldemar Gnerich & Jeremiah T. Regan, Copartners doing business under the firm name and style of B. & S. Drug Company, appellants, *v.* S. F. Rutter, as Prohibition Director, etc. Argued by Mr. H. G. McKannay for the appellants, and by Assistant Attorney General Willebrandt for the appellee.

No. 204. The United States of America, plaintiff in error, *v.* River Rouge Improvement Company et al. Argument commenced by Mr. Solicitor General Beck for the plaintiff in error, and continued by Mr. Selden S. Dickinson and Mr. Charles A. Wagner for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 11, will be as follows: Nos. 204, 205, 208, 212, 213, 214 (and 215), 690, (and 691), 467, 662, 590 (and 591 and 592), 517, 117, 546, and 451.

SUPREME COURT OF THE UNITED STATES.

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

No. 420. Merlin W. Hixson, plaintiff in error, *v.* Louis D. Oakes. Motion to advance submitted by Mrs. Mabel Walker Willebrandt in behalf of counsel.

No. 690. James B. Dillingham, as President, et al., etc., appellants, *v.* George V. McLaughlin, as Superintendent of Banks, etc., et al.; and

No. 691. George V. McLaughlin, as Superintendent of Banks, etc., et al., appellants, *v.* James B. Dillingham, as President, et al., etc. Reassigned for Monday, March 17, on the summary docket.

No. 204. The United States, plaintiff in error, *v.* River Rouge Improvement Company et al. Argument continued by Mr. Charles A. Wagner for the defendants in error, and concluded by Mr. Alfred Lucking for the plaintiff in error.

No. 205. The United States, appellant, *v.* Alphonse Gay. Argued by Mr. Assistant Attorney General Lovett for the appellant, and by Mr. George A. King for the appellee.

No. 208. George L. Mesker et al., Trustees, etc., appellants, *v.* Ohio River Sand Company et al. Argued by Mr. Helm Bruce for the appellants, and by Mr. John B. Baskin for the appellees.

No. 212. William Lucking, appellant, *v.* Detroit & Cleveland Navigation Company. Argument commenced by Mr. William Lucking for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 12, will be as follows: Nos. 212, 213, 214 (and 215), 467, 662, 590 (and 591 and 592), 517, 117, 546, and 451.

SUPREME COURT OF THE UNITED STATES.

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

Harry G. Seligman, of Boston, Mass., and George W. Ayres, of Lincoln, Nebr., were admitted to practice.

No. **212**. William Lucking, appellant, *v.* Detroit & Cleveland Navigation Company. Argument continued by Mr. William Lucking for the appellant, by Mr. Alexis C. Angell for the appellee, and concluded by Mr. William Lucking for the appellant.

No. **213**. Edward A. Thurston, Sole Surviving Trustee, etc., petitioner, *v.* Benjamin Brown et al. Argument commenced by Mr. Edward F. McClennen for the petitioner, continued by Mr. John H. Devine for the respondents Crockford and Murphy and Holbrook, by Mr. Louis Goldberg for the respondent Brown, and concluded by Mr. Edward F. McClennen for the petitioner.

No. **214**. Supreme Lodge, Knights of Pythias, plaintiff in error, *v.* George O. Meyer; and

No. **215**. Supreme Lodge, Knights of Pythias, plaintiff in error, *v.* Lena Eiser. Argument commenced by Mr. W. J. Connell for the plaintiff in error, continued by Mr. D. W. Livingston for the defendants in error, and concluded by Mr. Sol H. Esary for the plaintiff in error.

No. **467**. The Chastleton Corporation et al., appellants, *v.* A. Leftwich Sinclair et al. Argument commenced by Mr. W. Gwynn Gardner for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 13, will be as follows: Nos. **467**, **662**, **590** (and **591** and **592**), **517**, **117**, **546**, **451**, **216**, **217**, and **218**.

SUPREME COURT OF THE UNITED STATES.

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

Rose Rothenberg, of New York City; Lewis E. Hoffman, of Washington, D. C., and Harry M. Seidenberg, of Philadelphia, Pa., were admitted to practice.

No. **467**. The Chastleton Corporation et al., appellants, *v.* A. Leftwich Sinclair et al. Argument continued by Mr. Gwynn Gardiner for the appellants, by Mr. Chapin Brown for the appellees, and concluded by Mr. R. H. McNeill for the appellees.

No. **662**. The Oliver American Trading Company (Inc.), plaintiff in error, *v.* The Government of the United States of Mexico et al. Argued by Mr. Alfred Hayes for the plaintiff in error, and by Mr. Jerome S. Hess for the defendants in error.

No. **590**. George R. Meek, petitioner, *v.* Centre County Banking Company et al.; and

No. **591**. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al.; and

No. **592**. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al. Argument commenced by Mr. Mortimer C. Rhone for the petitioners, continued by Mr. S. D. Gettig and Mr. N. B. Spangler for the respondents, and concluded by Mr. Ellis L. Orvis for the petitioners.

Adjourned until To-morrow at 12 o'clock.

The day call for Friday, March 14, will be as follows: Nos. **517**, **117**, **546**, **451**, **216**, **217**, and **218**.

SUPREME COURT OF THE UNITED STATES.

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

John Robert Jones, of Philadelphia, Pa.; Warren McLaine, of Washington, D. C.; Thomas Moore Simonton, of New York City; William E. Fisher, of Stevens Point, Wis.; and Raymond Kelner, of Chicago, Ill., were admitted to practice.

No. 517. E. I. du Pont de Nemours & Company, petitioner, *v.* James C. Davis, Director General of Railroads, Agent. Argument commenced by Mr. C. H. Browder for the petitioner, continued by Mr. George B. Pugh and Mr. A. A. McLaughlin for the respondent, and concluded by Mr. C. A. Cunningham for the petitioner.

No. 117. George Carroll et al., plaintiffs in error, *v.* The United States. Reargued by Mr. Solicitor General Beck for the defendant in error, and submitted by Mr. Thomas E. Atkinson and Mr. Clare J. Hall for the plaintiffs in error, with leave to counsel for the plaintiffs in error to file an additional brief within one week.

No. 546. William R. Rodman, United States Marshal, petitioner, *v.* Roland R. Pothier. Argued by Mr. Solicitor General Beck for the petitioner, and by Mr. Louis Marshall for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 17, will be as follows: Nos. 690 (and 691).

SUPREME COURT OF THE UNITED STATES.

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

Frank A. McDonnell, of Chicago, Ill.; Francis Borrelli, of Chicago, Ill.; Stephen A. Malato, of Chicago, Ill.; Michael L. Rosinia, of Chicago, Ill.; Homer Sullivan, of Chicago, Ill.; Clarence S. Ferris, of Saratoga Springs, N. Y.; Samuel H. Wandell, of New York City; Charles Sumner Miller, of New York City; Francis Colgate Dale, of New York City; LeRoy Brown, of Minneapolis, Minn.; John Webster Rice, of Norfolk, Nebr.; Charles Boyd, of Wellsville, Ohio; George D. Ingram, of Wellsville, Ohio; Harry Brokaw, of East Liverpool, Ohio; Halbert P. Brown, of Washington, D. C.; and John F. Cronan, of Boston, Mass., were admitted to practice.

No. 261. Citizens Savings Bank and Trust Company, appellant, *v.* Joseph F. Sexton, as Executor of the Estate of Quincy D. Chapman, deceased, et al. Appeal from the District Court of the United States for the Eastern District of Washington. Decree affirmed with costs. Opinion by Mr. Justice Sanford.

No. 509. First National Bank of Columbus, Ohio, appellant, *v.* Louisiana Highway Commission et al., etc. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice Butler.

No. 206. Federal Trade Commission, plaintiff in error, *v.* American Tobacco Company; and

No. 207. Federal Trade Commission, plaintiff in error, *v.* Lorillard Company, Inc. In error to the District Court of the United States for the Southern District of New York. Judgments affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 208. George L. Mesker and George Heilman, the latter as Trustee, etc., appellants, *v.* Ohio River Sand Company et al. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Rouse v. Letcher*, 166 U. S. 47, 49; *Gregory v. Van Ee*, 160 U. S. 643, 645; *Ohio R. R. Comm'n v. Worthington*, 225 U. S. 101, 103-104; *Begg v. New York City*, 262 U. S. 196, 198-199.

No. 468. Gulf Refining Company of Louisiana, plaintiff in error, *v.* W. N. McFarland, Supervisor of Public Accounts. In error to the Supreme Court of the State of Louisiana. *Per curiam*: Affirmed upon authority of (1) Choctaw & Gulf R. R. Co. *v.* Harrison, 235 U. S. 292; *La Coste v.* Department of Conservation of Louisiana, decided January 7, 1924; (2) Louisville & Nashville R. R. Co. *v.* Mottley, 219 U. S. 467, 482; Chicago & Alton R. R. Co. *v.* Tranbarger, 238 U. S. 67, 76-77; Union Dry Goods Co. *v.* Georgia Public Service Corporation, 248 U. S. 372, 375; Levy Leasing Co. *v.* Siegel, 258 U. S. 242, 247.

No. 134. Hannah Canard Barnett et al., appellants, *v.* W. A. Kunkel et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

ORDER.—It is ordered by the court that there be added to the opinion already filed herein the following: "The third section of the act of Congress approved May 25, 1910, ch. 408, 36 St. 836, was repealed by the last paragraph of section 297 of the Judicial Code approved March 3, 1911, ch. 231, 36 St. 1087, 1169." The petition for rehearing is denied.

No. 627. The United States of America et al., appellants, *v.* The New River Company et al.; and

No. 628. Slab Fork Coal Company et al., appellants, *v.* New River Company et al. Motion to advance granted; and cases assigned for argument on Monday, April 21 next.

No. 633. The Delaware & Hudson Company et al., appellants *v.* The United States of America et al. Motion to advance granted; and cause assigned for argument on Monday, November 10 next, after the case heretofore assigned for that day.

No. 686. Walter L. Marr, appellant, *v.* The United States. Motion to advance granted; and cause assigned for argument on Monday, November 10 next, after the case heretofore assigned for that day.

No. 810. Southern Pacific Company, appellant, *v.* The United States. Motion to advance granted; and cause assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 420. Merlin W. Hixson, plaintiff in error, *v.* Louis D. Oakes. Motion to advance granted; and cause assigned for argument on Monday, April 21, after the case heretofore assigned for that day.

No. 819. James C. Davis, Director General, etc., petitioner, *v.* Corona Coal Company. Petition for a writ of certiorari to the Court of Appeal, Parish of Orleans, State of Louisiana, granted.

No. 852. The Baltimore & Ohio Railroad Company, appellant. *v.* The City of Parkersburg. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the appeal.

No. 657. Horace Van Deventer, petitioner, *v.* Wholesale Merchants Warehouse Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 792. Gulf & Ship Island Railroad Company et al., petitioners, *v.* W. E. Powell. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 797. Welch, Fairchild & Company, Inc., petitioner, *v.* Philippine National Bank. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 802. Salt Lake County, petitioner, *v.* Utah Copper Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 832. John Douglas, Jr., 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. 837. The Savannah Chemical Company, petitioner, *v.* W. R. Grace & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 843. Conron Bros. & Company, petitioner, *v.* The Farmers Loan & Trust Company, Trustee, etc., et al. Petition for a writ of certiorari to the United Circuit Court of Appeals for the Second Circuit denied.

No. 857. Commonwealth Steamship Company, Limited, Claimant of the steamship *Turret Crown*, etc., petitioner, *v.* Patent Vulcanite Roofing Company, Inc. :

No. 858. Commonwealth Steamship Company, Limited, Claimant of the steamship *Turret Crown*, etc., petitioner, *v.* Carlo Repetto :

No. 859. Commonwealth Steamship Company, Limited, Claimant of the steamship *Turret Crown*, etc., petitioner, *v.* Sacco & Palmieri :
and

No. 860. Commonwealth Steamship Company, Limited, Claimant of the steamship *Turret Crown*, etc., petitioner, *v.* J. Aron & Company, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. —, original. Ex parte In the matter of the Modern Workmen of the World and the Modern Workmen of the World Society, petitioners. Motion for leave to file petition for a writ of mandamus herein submitted by Mr. W. Bissell Thomas for the petitioners.

No. 570. W. F. Gravins, petitioner, *v.* Walker D. Hines, Director General, etc. Motion to dismiss submitted by Mr. David H. Leake and Mr. Walter Leake for the respondent in support of the petition, and by Mr. Robert H. Talley and Mr. Joseph W. Cox for the petitioner in opposition thereto.

No. 603. W. F. Richardson, Jr., Company, Inc., plaintiff in error, *v.* Walker D. Hines, Director General, etc.;

No. 604. Mayo Milling Company, Inc., plaintiff in error, *v.* Walker D. Hines, Director General, etc.;

No. 605. Adams Grain & Provision Company, plaintiff in error, *v.* Walker D. Hines, Director General, etc.; and

No. 606. Adams Grain & Provision Company, plaintiff in error, *v.* John Barton Payne, Director General, etc. Motion to dismiss submitted by Mr. David H. Leake and Mr. Walter Leake for the defendants in error in support of the motion, and by Mr. Robert H. Talley for the plaintiffs in error in opposition thereto.

No. 804. Nevada State Journal Publishing Company et al., petitioners, *v.* Charles B. Henderson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James Glynn, Mr. E. E. Roberts, and Mr. Richard A. Ford for the petitioners.

No. 745. Luckenbach Steamship Company et al., *v.* Norwegian Barque *Thekla*, her tackle, etc. Motion to advance submitted by Mr. L. R. Alden in that behalf.

Nos. 622 and 839. The Charles Wolff Packing Company, plaintiff in error, *v.* The Court of Industrial Relations of the State of Kansas. Motion to advance submitted by Mr. E. E. Gann in that behalf.

No. 825. Vernon Hall, Trustee, petitioner, *v.* Lynn Reagor, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. J. Rutledge, jr., and Mr. J. E. Gilbert for the petitioner, and by Mr. Francis Marion Etheridge and Mr. Joseph Manson McCormick for the respondent.

No. 850. Adolph Paleais, petitioner, *v.* Lewis H. Saper. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph G. M. Browne and Mr. Barnett E. Kopelman for the petitioner, and by Mr. Archibald Palmer for the respondent.

No. 851. David A. Manville & Company, Inc., petitioner, *v.* Francis Oil & Refining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph G. M. Browne for the petitioner.

No. 856. Concrete Appliances Company et al., petitioners. *v.* John E. Gomery et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Stephen J. Cox, Mr. Arthur M. Hood, and Mr. Cyrus M. Anderson for the petitioners, and by Mr. George Bayard Jones, Mr. Thomas F. Sheridan, and Mr. William Steele Jackson for the respondents.

No. 864. Clay Cooke, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. A. Templeton, Mr. E. C. Brandenburg, Mr. Charles A. Boynton, and Mr. E. Howard McCaleb for the petitioner.

No. 879. North Carolina Railroad Company, petitioner, *v.* C. D. Story, Sheriff of Alamance County, North Carolina, et al. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. S. R. Prince, Mr. H. O'B. Cooper, Mr. W. M. Hendren, and Mr. L. E. Jeffries for the petitioner, and by Mr. W. P. Bynum and Mr. R. C. Strudwick for the respondent.

No. 876. M. Massei, jr., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Robert H. Talley for the petitioner.

No. 836. Arturo F. Lapham, appellant, *v.* The United States ex rel. Antonio Escudero et al. Appeal from the District Court of the United States for the Eastern District of Louisiana. Dismissed, on motion of counsel for the appellant.

No. 507. Central Lumber Company et al., plaintiffs in error, *v.* Charles Carlisle. In error to the Supreme Court of the State of Mississippi. Dismissed with costs, per stipulation.

No. 690. James B. Dillingham, as President, et al., etc., appellants, *v.* George V. McLaughlin, as Superintendent of Banks of the State of New York, et al.; and

No. 691. George V. McLaughlin, as Superintendent of Banks of the State of New York, et al., appellants, *v.* James B. Dillingham, as President, et al., etc. Argued by Mr. O. D. Burden for the appellants and cross-appellees, and by Mr. Edward G. Griffin for the appellees and cross-appellants.

Adjourned until Monday, April 7 next, at 12 o'clock.

The day call for Monday, April 7, will be as follows: Nos. 451, 216, 217, 218, 524, 447, 708 (and 679), 736, 757, 735, 559, 762, 403 (and 404 and 405), 689, and 504.

SUPREME COURT OF THE UNITED STATES

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

Frederic L. Clark, of Philadelphia, Pa.; Henry Necarsulmer, of New York City; Pat McNalley, of El Dorado, Ark.; Morgan J. Doyle, of Casper, Wyo.; Walcott H. Pitkin, of New York City; Robert A. Littleton, of Chattanooga, Tenn.; William J. Dawley, of Cleveland, Ohio; G. G. Pope, of Texarkana, Ark.; Edward A. Walters, of Twin Falls, Idaho; Charles A. Leach, of Columbus, Ohio; Philip G. Sheehy, of San Jose, Calif.; Brison Howie, of New Rochelle, N. Y.; Jacob Halper, of Washington, D. C.; Aylmer Fleniken, of El Dorado, Ark.; Lawrence N. Martin, of New York City; Benjamin Winograd, of New York City; Bronte Greenwood, of Philadelphia, Pa.; George Augustus Wilson, of New York City; Nimrod Davis Denson, jr., of Opelika, Ala.; Robert M. Rieser, of Madison, Wis.; Will Steel, of Texarkana, Ark.; Henry K. Dickinson, of Opelika, Ala.; Lincoln H. Titus, of Kalamazoo, Mich.; Ralph G. Barclay, of Brooklyn, N. Y.; Judson M. Grimmet, of Shreveport, La.; Robert Palmer Ingram, of Norfolk, Va.; George Reily DeBruler, of Evansville, Ind.; J. H. Bilbrey, of Washington, D. C.; Paul Y. Davis, of Indianapolis, Ind.; Taylor E. Groninger, of Indianapolis, Ind.; George Howard Foster, of Washington, D. C.; John S. Spowls, of Superior, Wis.; and Lyman T. Powell, of Superior, Wis., were admitted to practice.

No. 164. Sperry Oil & Gas Company et al., appellants, *v.* Pearl Chisholm and Webster Chisholm. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed as to so much of the extension lease as covers the fifty acres of the "surplus" allotment, and reversed as to so much of said lease as covers the thirty acres of the "homestead" allotment; and cause remanded to the District Court of the United States for the Eastern

District of Oklahoma for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al.;

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al.; and

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al. On writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Motion to dismiss denied, with leave to any persons claiming to be the proper representatives of the interest of John M. Shugert, deceased, to appear in this court within 30 days from this date, setting forth the capacity in which they so claim, and applying for leave to be admitted as parties for the purpose of continuing the proceeding. Opinion by Mr. Justice Sanford.

No. 21, original. The State of Georgia, complainant, *v.* The City of Chattanooga. Bill of complaint dismissed, without prejudice. Opinion by Mr. Justice Butler.

No. 135. Eneas J. McCurdy, County Treasurer, Osage County, Oklahoma, et al., appellants, *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 Western District of Oklahoma. Opinion by Mr. Justice Butler.

No. 299. Chung Fook, 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. Final order affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Justice Sutherland.

No. 240. The United States of America, appellant, *v.* Tommy Payne. 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 Western District of Washington. Opinion by Mr. Justice Sutherland.

No. 180. The First National Bank of Greeley, plaintiff in error, *v.* The Board of County Commissioners of the County of Weld. In error to the District Court of the United States for the District of Colorado. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 517. E. I. DuPont de Nemours & Company, petitioner, *v.* James C. Davis, Director General of Railroads, Agent. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed with costs; and cause re-

manded to the District Court of the United States for the Eastern District of Arkansas. Opinion by Mr. Justice Sutherland.

No. 93. Webster Electric Company, petitioner, *v.* Splittorf Electrical Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice Sutherland.

No. 188. Taubel-Scott-Kitzmiller Company (Inc.), petitioner, *v.* David J. Fox et al., Trustees in Bankruptcy, etc. 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 Brandeis.

No. 307. Nyanza Steamship Company (Limited), appellant, *v.* Jahnke Dry Dock No. 1, Jahncke Dry Docks (Inc.), et al. Appeal from the District Court of the United States for the Eastern District of Louisiana. Dismissed. Opinion by Mr. Justice Brandeis.

No. 662. The Oliver American Trading Company (Inc.), plaintiff in error, *v.* The Government of the United States of Mexico, et al. In error to the District Court of the United States for the Southern District of New York. Transferred to the United States Circuit Court of Appeals for the Second Circuit. Opinion by Mr. Justice Brandeis.

No. 421. Louisiana Public Service Commission et al., appellants, *v.* Morgan's Louisiana & Texas Railroad & Steamship Company. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree affirmed with costs. Opinion by Mr. McReynolds.

No. 546. William R. Rodman, United States Marshal, petitioner, *v.* Roland R. Pothier. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the District of Rhode Island for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 114. James C. Davis, as Agent, etc., petitioner, *v.* The Portland Seed Company. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

No. 122. The San Francisco and Portland Steamship Company, plaintiff in error, *v.* A. J. Parrington. In error to the United States Circuit Court of Appeals for the Ninth Circuit; and

No. 123. James C. Davis, Agent. etc., plaintiff in error, *v.* A. J. Parrington. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgments reversed with costs; and causes remanded to the District of Oregon for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis.

No. 209. Great Northern Railway Company, petitioner, *v.* McCaull-Dinsmore Company. On writ of certiorari to the Supreme Court of the State of Minnesota. 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.

No. 369. Panama Railroad Company, plaintiff in error, *v.* Andrew Johnson. In error to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of New York. Opinion by Mr. Justice Van Devanter. Mr. Justice Sutherland took no part in the consideration or decision of this cause.

No. 197. Prestonettes (Inc.), petitioner, *v.* Francois Joseph de Spoturno Coty. On writ of certiorari to the United States Circuit Court of Appeals for the Second 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 Southern District of New York affirmed; and cause remanded to the said District Court. Opinion by Mr. Justice Holmes.

No. 690. James B. Dillingham, as President, et al., appellants, *v.* George V. McLaughlin, as Superintendent of Banks of the State of New York, et al.; and

No. 691. George V. McLaughlin, as Superintendent of Banks of the State of New York, et al., appellants, *v.* James B. Dillingham, as President, et al. Appeals from the District Court of the United States for the Northern District of New York. Decree reversed with costs; and preliminary injunction denied; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 268. Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* O. J. Nichols. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of California. Opinion by Mr. Justice McKenna. Mr. Justice McReynolds concurs in the result.

No. 205. The United States, appellant, *v.* Alphonse Gay. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 315. Clarence D. Keller et al., etc., petitioners, *v.* Adams-Campbell Company (Inc.), et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Writ of certiorari dismissed with costs. Opinion by Mr. Chief Justice Taft.

No. 185. The John E. Thropp's Sons Company, petitioner, *v.* Frank A. Seiberling. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the District of New Jersey with directions to dismiss the bill. Opinion by Mr. Chief Justice Taft.

No. 283. Railroad Commission of the State of California, petitioner, *v.* Southern Pacific Company et al.;

No. 284. Railroad Commission of the State of California, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company; and

No. 285. Railroad Commission of the State of California, petitioner, *v.* Los Angeles & Salt Lake Railroad Company. On writs of certiorari to the Supreme Court of the State of California. Judgments affirmed with costs. Opinion by Mr. Chief Justice Taft.

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

No.—, original. *Ex parte* In the matter of Modern Workmen of the World, petitioner. Motion for leave to file a petition for a writ of mandamus herein denied.

No. 745. Luckenbach Steamship Company et al. *v.* Norwegian Barque *Thekla*, Her Tackle, etc. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

Nos. 622 and 839. The Charles Wolff Packing Company, plaintiff in error, *v.* The Court of Industrial Relations of the State of Kansas. Motion to advance granted; and cases placed on the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 570. W. F. Gravins, petitioner, *v.* Walker D. Hines, Director General, etc. Motion to dismiss the petition for a writ of certiorari herein denied; and petitioner granted leave to print the record within two weeks.

No. 603. W. F. Richardson, jr., Company (Inc.), plaintiff in error, *v.* Walker D. Hines, Director General, etc.;

No. 604. Mayo Milling Company (Inc.), plaintiff in error, *v.* D. Hines, Director General, etc.;

No. 605. Adams Grain & Provision Company, plaintiff in error, *v.* Walker D. Hines, Director General, etc.;

No. 606. Adams Grain & Provision Company, plaintiff in error, *v.* John Barton Payne, Director General, etc. 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 United States *v.* Krall, 174 U. S. 385, 389-391; German National Bank *v.* Speckert, 181 U. S. 405, 409; United States *v.* Beatty, 232 U. S. 463, 466; Arnold *v.* U. S. ex rel. Guimarian & Co., decided December 10, 1923. And see decision this day announced in Du Pont de Nemours Co. *v.* Davis, No. 517.

No. 840. Samuel Freshman, petitioner, *v.* W. S. Atkins. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 856. Concrete Appliances Company et al., petitioners. *v.* John E. Gomery et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 864. Clay Cooke, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 879. North Carolina Railroad Company, petitioner, *v.* C. D. Story, Sheriff of Alamance County, North Carolina, et al. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 804. Nevada State Journal Publishing Company, petitioner, *v.* Charles B. Henderson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 825. Vernor Hall, Trustee, petitioner, *v.* Lynn Reagor, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 850. Adolph Paleais, petitioner, *v.* Lewis H. Saper. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 851. David A. Manville & Company (Inc.), petitioner, *v.* Francis Oil & Refining Company. Petition for a writ of certiorari

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

No. 876. M. Massei, jr., 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. 830. Harry B. Stilz, appellant, *v.* The United States. Motion of appellant for an order printing his brief in this cause, in which he has already been allowed to proceed in forma pauperis, denied, on the ground that the statute does not authorize it.

No. 498, October term, 1922. James K. Cochran and Harris Kobey, plaintiffs in error, *v.* Coulton M. Becker. Motion of plaintiffs in error to revoke mandate denied.

No. 877. National Paper & Type Company, plaintiff in error, *v.* Frank K. Bowers, Collector, etc. Motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. 883. Roscoe Irwin, Former Collector, etc., petitioner, *v.* E. Palmer Gavit. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the petitioner, and by Mr. Neile F. Towner for the respondent.

No. 546. William R. Rodman, United States Marshal, petitioner, *v.* Roland R. Pothier. Mandate granted, on motion of Mr. Solicitor General Beck for the petitioner.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels, more or less, Alleged Apple Cider Vinegar, et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Judson Harmon in that behalf.

No. 333. The United States of America et al., appellants, *v.* Pennsylvania Railroad Company. Leave granted to file a brief herein as amicus curiae, on motion of Mr. C. R. Hillyer in that behalf.

No. 214. Supreme Lodge, Knights of Pythias, plaintiff in error, *v.* George O. Meyer. Leave granted to file additional brief for the plaintiff in error, on motion of Mr. Thomas P. Littlepage in that behalf.

No. 913. James C. Davis, Director General of Railroads, petitioner, *v.* William Radford Coyle, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Evan Shelby for the petitioner, and by Mr. Emory R. Buckner for the respondent.

No. —, original. Ex parte In the matter of William A. Higgins et al., petitioners. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. Mark Stearman and Mr. Emanuel J. Myers for the petitioners.

No. 793. John H. Ford *v.* Guy Sturgis, Administrator, etc.;

No. 794. Union Iron Works Company *v.* Guy Sturgis, Administrator, etc.; and

No. 795. Reginald W. Geare *v.* Guy Sturgis, Administrator, etc. Motion to advance submitted by Mr. Joe V. Morgan in that behalf.

No. 805. The Michigan Public Utilities Commission et al., appellants, *v.* Coral W. Duke, doing business as Duke Cartage Company. Motion to advance submitted by Mr. W. C. Sullivan in that behalf.

No. 735. Flo La Chapelle, as Administratrix, etc., plaintiff in error *v.* Union Pacific Coal Company. Motion to dismiss submitted by Mr. Charles H. Bates in behalf of Mr. N. H. Loomis and Mr. John W. Lacey for the defendant in error in support of the motion and by Mr. John A. Shelton for the plaintiff in error in opposition thereto.

No. 921. Behn, Meyer & Company (Limited)), appellant, *v.* Thomas W. Miller, as Alien Property Custodian of the United States, et al. Motion to advance submitted by Mr. Charles H. Bradley in that behalf.

No. 894. Greensboro Warehouse & Storage Company, petitioner, *v.* James C. Davis, Director General, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. Frank P. Hobgood, jr., Mr. William P. Bynum, and Mr. Sidney S. Alderman for the petitioner.

No. 640. James C. Davis, Agent, etc., *v.* Dexter & Carpenter (Inc.). Motion to dismiss or affirm submitted by Mr. Otto Schlobohm and Mr. William B. Symmes, jr., for Dexter & Carpenter (Inc.), in support of the motion, and by Mr. Duncan K. Brent in opposition thereto.

No. 403. Hygrade Provision Company (Inc.), et al., appellants, *v.* Carl Sherman, Attorney General, etc., et al.;

No. 404. Lewis & Fox Company, appellant, *v.* Carl Sherman, Attorney General, etc., et al.; and

No. 405. Harry Satz, appellant, *v.* Carl Sherman, Attorney General, etc., et al. Reassigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day, on motion of Mr. D. L. Podell in that behalf.

No. 447. The United States, appellant, *v.* The Supplee-Biddle Hardware Company. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Henry Necarsulmer in that behalf.

Nos. 402 and 888. Alpha Portland Cement Company, plaintiff in error, *v.* Commonwealth of Massachusetts. Motion to consolidate and to advance submitted by Mr. F. C. Taylor in that behalf.

No. —, original. *Ex parte* In the matter of A. A. Sander, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein submitted by Mr. Robert Ash for the petitioner.

No. 531. Herman A. Wagner, plaintiff in error, *v.* The City of Milwaukee et al. Joint motion to advance submitted by Mr. Leon B. Lamfrom for the plaintiff in error, and by Mr. John M. Niven and Mr. Charles W. Babcock for the defendants in error.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. Motion for leave to take additional testimony submitted by Mr. S. R. Prince in behalf of the Attorney General of New Mexico.

No. —, original. *Ex parte* In the matter of the Government of the Republic of Portugal et al., petitioners. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. F. Dudley Kohler for the petitioners.

No. 831. Thomas Joyce, 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. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 838. William F. Quesse et al., petitioners, *v.* The People of the State of Illinois. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Willard M. McEwen for the petitioners.

No. 853. Charles E. Schaff, as Receiver of the Properties of the Missouri, Kansas & Texas Railway Company, petitioner, *v.* S. H. Hudgins et al., Copartners, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Alexander Britton, Mr. Joseph M. Bryson, Mr. Maurice D. Green, and Mr. Charles S. Burg for the petitioner, and by Mr. Bird McGuire for the respondent.

No. 854. J. W. Ward Farming Company et al., petitioners, *v.* W. E. Lowry et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. B. Lewright for the petitioners, and by Mr. A. J. Brooks for the respondents.

No. 861. Modern Woodmen of America, petitioner, *v.* Jennie Vida Mixer. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. Nelson C. Pratt for the petitioner.

No. 870. Robins Dry Dock & Repair Company, plaintiff in error, *v.* Lars Dahl. Petition for a writ of certiorari herein submitted by Mr. A. G. Maul for the plaintiff in error in support of the petition, and by Mr. Ralph G. Barclay in opposition thereto.

No. 874. E. W. Clark & Company, petitioner, *v.* Augusta M. Slaymaker et al. Petition for a writ of certiorari to the Court of Appeals, Franklin County, State of Ohio, submitted by Mr. Joseph S. Clark, Mr. T. R. White, and Mr. Talfourd P. Linn for the petitioner, and by Mr. Edward C. Turner, Mr. Albert M. Calland, Mr. F. S. Monnett, and Mr. David F. Pugh for the respondents.

No. 875. Iver Olbers, petitioner, *v.* United States Shipping Board Emergency Fleet Corporation et al. 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. George H. Emerson and Mr. Roscoe H. Hupper for the respondents.

No. 882. Raleigh Monroe Falconer, 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. Ivan L. Hyland for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 884. The E. Ingraham Company, petitioner, *v.* Ida Silver, doing business under the firm name and style of The Ideal Crystal & Machine Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. O. Ellery Edwards for the petitioner.

No. 885. J. L. McDaniel (first name unknown), 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. Robert R. Nevin and Mr. Earl H. Turner for the petitioner.

No. 887. Chicago and Northwestern Railway Company, petitioner, *v.* Alvin R. Durham Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Robert H. Widdicombe and Mr. R. N. Van Doren for the petitioner and by Mr. Julius J. Patik for the respondents.

No. 889. John E. Winkelman, petitioner, *v.* Laura M. Winkelman. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. John E. Hughes for the petitioner.

No. 893. Southern Railway Company, petitioner, *v.* Margaret E. Kirkland et al., as Executors, etc. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina submitted by

Mr. S. R. Prince, Mr. H. O'B. Cooper, Mr. F. G. Tompkins, and Mr. L. E. Jeffries for the petitioner and by Mr. A. S. Harby for the respondents.

No. 895. Jules Arnstein, alias Nickey Arnstein, et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Henry E. Davis and Mr. T. Morris Wampler for the petitioners, and by Mr. Solicitor General Beck, Mr. Peyton Gordon, and Mr. William E. Leahy for the respondent.

No. 896. Panama Railroad Company, petitioner, *v.* Old Dominion Transportation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Richard Reid Rogers for the petitioner and by Mr. Leon T. Seawell for the respondent.

No. 897. John Randoph et al., Administrators, etc., petitioners, *v.* Bouker Contracting Company, as owner of scow 84-H. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Herman S. Hertwig for the petitioners and by Mr. George V. A. McCloskey for the respondent.

No. 904. John Cook, Administrator of Benjamin F. Dyson, etc., petitioner, *v.* Washington, Baltimore & Annapolis Electric Railroad Company. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland submitted by Mr. J. Wethered Barroll for the petitioner.

No. 907. Joe Wigington, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Robert H. Talley for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 908. F. P. Burton, Trustee, etc., et al., petitioners, *v.* J. D. Weatherman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Samuel A. Anderson for the petitioners.

No. 909. T. R. Bennett, Superintendent of Banks for the State of Georgia, petitioner, *v.* John E. Schwarz et al. Petition for a writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. Paul E. Seabrook for the petitioner, and by Mr. H. Wiley Johnson for the respondents.

No. 914. Detroit Carrier & Manufacturing Company, petitioner, *v.* John G. Perrin. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Melville Church for the petitioner, and by Mr. Albert M. Austin for the respondent.

No. 916. Leon Sigman, petitioner, *v.* Mabel G. Reinecke, Individually and as Collector of Internal Revenue for the First District of Illinois. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. J. M. Sternhagen and Mr. Arnold R. Baar for the petitioner, and by Mr. Solicitor General Beck for the respondent.

No. 917. The United States of America *ex rel.* Hyman Patton, next friend and father of Pola Patton, an infant, petitioner, *v.* Robert E. Tod, as Commissioner of Immigration of the Port of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. A. S. Gilbert for the petitioner.

No. 194. C. E. Bulloch et al., plaintiffs in error, *v.* Dermott-Collins Road Improvement District et al. Return of plaintiffs in error herein to rule to show cause submitted.

No. 216. Southeastern Express Company, appellant, *v.* W. J. Miller, State Revenue Agent, et al. Submitted by Mr. Sanders McDaniel and Mr. A. S. Bozeman for the appellant, and by Mr. R. H. Thompson for the appellee.

No. 735. Flo La Chapelle, as Administratrix of the Estate of Peter Foumakis, deceased, plaintiff in error, *v.* Union Pacific Coal Company. Submitted by Mr. John A. Shelton for the plaintiff in error, and by Mr. N. H. Loomis and Mr. John W. Lacey for the defendant in error.

No. 25, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Argument on motion to dismiss commenced by Mr. Robert M. Rieser for the defendant in support of the motion. Hearing suspended. Further consideration of the motion postponed until the case is reached on the merits.

No. 451. Ziang Sung Wan, petitioner, *v.* The United States of America. Argument commenced by Mr. William C. Dennis for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 8, will be as follows: Nos. 451, 217, 218, 524, 447, 708 (and 679), 736, 757, 559, 762, 689, and 504.

SUPREME COURT OF THE UNITED STATES

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

T. B. Merchant, of Binghamton, N. Y.; Scott F. Evans, of Minneapolis, Minn.; Harry C. Weeks, of Wichita Falls, Tex.; William W. Armstrong, of Rochester, N. Y.; and Arthur D. Honnold, of Tulsa, Okla., were admitted to practice.

No. 14, original. The State of New Mexico, complainant, *v.* The State of Colorado. Leave granted to file amended answer and cross-bill herein, on motion of Mr. Clyde C. Dawson in behalf of Mr. Wayne C. Williams, Mr. Charles Roach, Mr. Oliver Dean, and Mr. Delph E. Carpenter for the defendant.

No. 451. Ziang Sung Wan, petitioner, *v.* The United States. Argument continued by Mr. Peyton Gordon for the respondent, and concluded by Mr. Frederic D. McKenney for the petitioner.

No. 217. The United States, appellant, *v.* Charles J. Ferris. Argued by Mr. Alfred A. Wheat for the appellant, and by Mr. George A. King for the appellee.

No. 218. The United States, appellant, *v.* John Valante. Argued by Mr. George Ross Hull for the appellant, and submitted by Mr. Abner Siegal for the appellee.

No. 524. The City of Opelika, appellant, *v.* Opelika Sewer Company. Argument commenced by Mr. J. J. Mayfield for the appellant, and continued by Mr. William Findlay Brown for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 9, will be as follows: Nos. 524, 447, 708 (and 679), 736, 757, 559, 762, 689, 504, and 324 (and 336).

SUPREME COURT OF THE UNITED STATES

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

Fannie Bear Besser, of Newark, N. J.; Benjamin J. Jarrett, of Pittsburgh, Pa.; John G. Frazer, of Pittsburgh, Pa.; John U. Gardiner, of Washington, D. C.; Arthur J. Westermayr, of New York City; Washington Bowie, jr., of Baltimore, Md.; and Bradford M. Melvin, of San Francisco, Calif., were admitted to practice.

No. 524. The City of Opelika, appellant, *v.* Opelika Sewer Company. Argument continued by Mr. William Findlay Brown for the appellee, and concluded by Mr. J. J. Mayfield for the appellant.

No. 447. The United States, appellant, *v.* The Supplee-Biddle Hardware Company. Argument commenced by Mr. Alfred A. Wheat for the appellant, continued by Mr. Frank Davis, jr., and Mr. Frederic L. Clark for the appellee, and concluded by Mr. Alfred A. Wheat for the appellant.

No. 708. Sam Michaelson et al., petitioners, *v.* The United States ex rel. Chicago, St. Paul, Minneapolis & Omaha Railway Company; and

No. 679. S. C. Sandefur *v.* Canoe Creek Coal Company. Three hours allowed for the argument of these cases. Argument commenced by Mr. D. R. Richberg for the petitioners in No. 708, and continued by Mr. James W. Henson for S. C. Sandefur in No. 679 by Mr. Edward Porter Humphrey for Canoe Creek Coal Company in No. 679, and by Mr. Richard L. Kennedy for the respondent in No. 708.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 10, will be as follows: Nos. 708 (and 679), 736, 757, 559, 762, 689, 504, 324 (and 336), 219, and 220.

SUPREME COURT OF THE UNITED STATES

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

William J. Griffin, of Detroit, Mich.; Frank W. Lucas, of Madison, Wis.; Oscar C. Hull, of Detroit, Mich.; Milo H. Crawford, of Detroit, Mich.; William J. Belknap, of Detroit, Mich.; Ralph E. Routier, of Detroit, Mich.; Raymond J. Scully, of New York City; Jesse L. Root, of Omaha, Nebr.; and Noble T. Lawson, of Detroit, Mich., were admitted to practice.

No. 708. Sam Michaelson et al., petitioners, *v.* The United States ex rel. Chicago, St. Paul, Minneapolis & Omaha Railway Company; and

No. 679. S. C. Sandefur *v.* Canoe Creek Coal Company. Argument continued by Mr. Richard L. Kennedy for the respondent in No. 708, and concluded by Mr. Jackson H. Ralston for the petitioners in No. 708 and S. C. Sandefur in No. 679.

No. 736. Wong Doo, petitioner, *v.* The United States of America. Argument commenced by Mr. William J. Dawley for the petitioner, continued by Mr. George Ross Hull for the respondent, and concluded by Mr. Jackson H. Ralston for the petitioner.

No. 757. James C. Davis, Director General of Railroads, etc., petitioner, *v.* Timothy Donowan, as Owner of the Deck Scow *Mary Ethel*, et al. Argued by Mr. Evan Shelby for the petitioner, and by Mr. George V. A. McCloskey for the respondents.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels (more or less), Alleged Apple Cider Vinegar et al. Leave granted to file brief herein as amicus curiae, on motion of Mr. William W. Armstrong in that behalf. Argument commenced by Mr. James A. Fowler for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 11, will be as follows: Nos. 559, 762, 689, 504, 324 (and 336), 219, 220, 221, 222 (and 224 and 225).

SUPREME COURT OF THE UNITED STATES

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

A. C. Arnold, of Jacksonville, Fla.; Ray E. Barnett, of Los Angeles, Calif.; Thomas G. Steward, of Chicago, Ill.; Benjamin Reass, of New York City; Emanuel Newman, of New York City; John D. McCall, of Dallas, Tex.; and Edward Harding, of New York City, were admitted to practice.

No. 689. J. C. Walton, appellant, *v.* The House of Representatives of the State of Oklahoma et al. Motion to continue submitted by Mr. A. R. Serven in that behalf; and motion denied.

No. 224. Chicago & Northwestern Railway Company, appellant, *v.* W. H. Osborne, jr., Tax Commissioner, etc., et al.; and

No. 225. Chicago, St. Paul, Minneapolis & Omaha Railway Company, appellant, *v.* W. H. Osborne, jr., Tax Commissioner, etc., et al. Advanced and consolidated, to be heard with case No. 219, on motion of Mr. R. N. Van Doren for the appellants.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels (more or less) Alleged Apple Cider Vinegar et al. Argument concluded by Mr. L. C. Spieth for the respondents.

No. 762. The State of Missouri ex rel. The Burns National Bank of St. Joseph, plaintiff in error, *v.* A. B. Duncan, Judge of the Probate Court of Buchanan County, Missouri. Argued by Mr. J. D. Bowersock for the plaintiff in error, and by Mr. Solicitor General Beck for The United States, as amicus curiæ; and submitted by Mr. Morton Jourdan and Mr. Charles H. Mayer for the defendant in error.

No. 689. J. C. Walton, appellant, *v.* The House of Representatives of the State of Oklahoma et al. Submitted by Mr. George F. Short for the appellees, with leave to counsel for the appellant to file a brief within fifteen days.

No. 504. Continental and Commercial Trust and Savings Bank, plaintiff in error, *v.* Wilhelmina Werner et al. Argued by Mr. E. A. Walters for the plaintiff in error, and by Mr. W. G. Bissell for the defendants in error.

No. 324. The Idaho Irrigation Company (Limited) et al., appellants, *v.* Fred W. Gooding et al.; and

No. 336. Fred W. Gooding et al., appellants, *v.* The Idaho Irrigation Company et al. Argument commenced by Mr. Gordon M. Buck for the appellants in No. 324 and the appellees in No. 336, and continued by Mr. Harrison Tweed for the Equitable Trust Co. of New York et al.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 14, will be as follows: Nos. 324 (and 336), 219 (and 224 and 225), 220, 221, 222, 666 (and 667 and 668), 789 (and 540, 790, and 539), 32, 14, and 24.

SUPREME COURT OF THE UNITED STATES

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

C. K. Poe, of Seattle, Wash.; J. George Silberstein, of New York City; James Marshall, of New York City; Harvey A. Penney, of Saginaw, Mich.; Mat J. Holland, of St. Louis, Mo.; Arthur T. Brewster, of Ironton, Mo.; E. K. Murray, of Tacoma, Wash.; Thomas J. L. Kennedy, of Seattle, Wash.; James A. Gray, of Brooklyn, N. Y.; Frank B. Goudy, of Denver, Colo.; Stanley Reed, of Maysville, Ky.; Alex. M. Winston, of Spokane, Wash.; John J. Cannon, of Palatka, Fla.; Charles L. Orr, of Holdenville, Okla.; Charles B. Matthews Nash, of Newark, N. J.; Ernest G. Metcalfe, of New York City; Randolph W. Branch, of Manchester, N. H.; and Joseph P. Reilly, of Brooklyn, N. Y., were admitted to practice.

No. 94. Jay Burns Baking Company et al., plaintiffs in error, *v.* Charles W. Bryan, as Governor, etc. In error to the Supreme Court of the State of Nebraska. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Butler. Dissenting: Mr. Justice Brandeis and Mr. Justice Holmes.

No. —, original. *Ex parte* In the matter of William A. Higgins, petitioner. Motion for leave to file petition for a writ of mandamus herein denied.

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

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. Motion of the State of New Mexico to take additional testimony of the witness R. J. Owen granted, to be limited to the subject matter detailed in his affidavits, dated November 26, 1923,

and filed with the motion, his examination and cross-examination to be completed within the month of May, with the right on the part of the State of Texas to introduce rebuttal to Owen's testimony during the month of June. New Mexico to pay all the costs of the additional testimony, both that of Owen and of witnesses called in rebuttal to his evidence.

No. —, original. *Ex parte* In the matter of the Republic of Portugal. Motion for leave to file petition for writ of mandamus herein denied.

No. 877. National Paper & Type Company, plaintiff in error, *v.* Frank K. Bowers, Collector, etc. Motion to advance granted, and cause assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 793. John H. Ford *v.* Guy Sturgis, Administrator, etc.;

No. 794. Union Iron Works Company *v.* Guy Sturgis, Administrator, etc.; and

No. 795. Reginald W. Geare *v.* Guy Sturgis, Administrator, etc. Motion to advance granted, and cases assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 531. Herman A. Wagner, plaintiff in error, *v.* The City of Milwaukee et al. Motion to advance granted, and cause placed on the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 805. The Michigan Public Utilities Commission et al., appellants, *v.* Coral W. Duke, doing business as Duke Cartage Company. Motion to advance granted, and cause placed on the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 921. Behn, Meyer & Company (Limited), appellant, *v.* Thomas W. Miller, as Alien Property Custodian of the United States, et al. Motion to advance granted and cause placed on the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

Nos. 402 and 888. Alpha Portland Cement Company, plaintiff in error, *v.* Commonwealth of Massachusetts. Motion to consolidate granted. Motion to advance denied.

No. 883. Roscoe Irwin, Former Collector, etc., petitioner, *v.* E. Palmer Gavit. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 729. Joseley Tiger, plaintiff in error, *v.* Aaron Drumright et al. Petition for a writ of certiorari herein denied.

No. 831. Thomas Joyce, 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. 854. J. W. Ward Farming Company et al., etc., petitioners, *v.* W. E. Lowry et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 874. E. W. Clark & Company, petitioner, *v.* Augusta M. Slaymaker et al. Petition for a writ of certiorari to the Court of Appeals of Franklin County, State of Ohio, denied.

No. 875. Iver Olbers, petitioner, *v.* United States Shipping Board Emergency Fleet Corporation et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 882. Raleigh Monroe Falconer, 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. 884. The E. Ingraham Company, petitioner, *v.* Ida Silver, doing business under the firm name and style of The Ideal Crystal & Machine Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 885. J. L. MacDaniel (first name unknown), 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. 889. John E. Wilkelman, petitioner, *v.* Laura M. Winkelman. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 893. Southern Railway Company, petitioner, *v.* Margaret E. Kirkland et al. Executors, etc. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina denied.

No. 894. Greensboro Warehouse & Storage Company, petitioner, *v.* James C. Davis, Director General, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 735. Flo LaChapelle, as Administratrix of the Estate of Peter Fomakis, deceased, plaintiff in error, *v.* Union Pacific Coal Company. In error to the Supreme Court of the State of Wyoming. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S. 1, 5-6. Petition for certiorari denied.

No. 640. James C. Davis, Agent, etc., plaintiff in error, *v.* Dexter & Carpenter, (Inc). In error to the District Court of the United States for the District of Maryland. Per curiam: Transferred to the Circuit Court of Appeals for the Fourth Circuit upon the authority of (1) *Brown v. Alton Water Co.*, 222 U. S. 325; *Union Trust Co. v. Westhus*, 228 U. S. 519; (2) act of September 14, 1922, ch. 305, 42 Stat. 837.

No. 504. Continental & Commercial Trust & Savings Bank, plaintiff in error, *v.* Wilhelmina Werner et al. In error to the Supreme Court of the State of Idaho. Per curiam: Dismissed for want of jurisdiction upon the authority of *Spencer v. Duplan Silk Co.*, 191 U. S. 526, 530; *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. Petition for certiorari denied.

No. —, original. The United States of America, complainant, *v.* The State of Wisconsin. Motion for leave to file a bill of complaint herein submitted by Mr. Solicitor General Beck for the complainant.

No. 933. The City of Newark et al., appellants, *v.* The Central Railroad Company of New Jersey et al. Motion to advance submitted by George W. Wickersham in that behalf.

No. 24. Bass, Ratcliff & Gretton (Limited), plaintiff in error, *v.* State Tax Commission; and

No. 14. Gorham Manufacturing Company, appellant, *v.* State Tax Commission of the State of New York et al. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. Ernest G. Metcalfe in that behalf.

No. 819. James C. Davis, Director General, etc., petitioner, *v.* Corona Coal Company. Motion to advance submitted by Mr. George Denegre, Mr. Victor Leovy, and Mr. Henry H. Chaffe in that behalf.

No. 931. The People of the State of New York ex rel. Rosevale Realty Company (Inc), plaintiff in error, *v.* Albert E. Kleinert, as Superintendent of the Bureau of Buildings of the Borough of Brooklyn (Inc.) et al. Motion to advance submitted by Mr. F. A. Whiteley in that behalf.

No. 359. In the matter of petition of East River Towing Company (Inc.), for Limitation of Liability of the Steam Tug *Edward*, Her Engines, etc. Motion to advance submitted by Mr. J. P. Gray in that behalf.

No. 529. The Sanitary District of Chicago, appellant, *v.* The United States of America. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. C. S. Ferris in that behalf.

No. 781. Eastman Kodak Company of New York, plaintiff in error, *v.* Southern Photo Materials Company. Petition for a writ of certiorari herein submitted by Mr. John W. Davis, Mr. Alex. W. Smith, Mr. Frank L. Crawford, and Mr. Clarence P. Moser for the plaintiff in error in support of the petition, and by Mr. Daniel MacDougald for the respondent.

No. 891. Missouri Pacific Railroad Company, petitioner, *v.* Reynolds-Davis Grocery Company. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Vincent M. Miles and Mr. Thomas B. Pryor for the petitioner.

No. 915. Southern Utilities Company, petitioner, *v.* City of Palatka. Petition for a writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. J. T. G. Crawford and Mr. W. B. Crawford for the petitioner, and by Mr. P. H. Odom for the respondent.

No. 926. W. & A. Fletcher Company, petitioner, *v.* International Mercantile Marine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Ira A. Campbell, Mr. John M. Woolsey and Mr. Clarence Bishop Smith for the petitioner and by Mr. Charles C. Burlingham, Mr. Chauncey I. Clark, and Mr. Ray Rood Allen for the respondent.

No. 948. Crawford County Levee and Drainage District No. 1, petitioner, *v.* J. R. Hutson et al. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin submitted by Mr. Charles E. Buell and Mr. Frank W. Lucas for the petitioner, and by Mr. Harry L. Butler for the respondent.

No. 432. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Garfield Ladner. Motion to dismiss submitted by Mr. W. J. Gex for the defendant in error in support of the motion, and by Mr. Gregory L. Smith for the plaintiff in error in opposition thereto.

No. 763. Santa Clara Valley Land Company, plaintiff in error, *v.* Arthur Meehan, as City Marshal, etc., et al. In error to the District Court of Appeal, First Appellate District, of the State of California. Dismissed, per stipulation.

No. 842. Sol D. Snitow, petitioner, *v.* Harry L. Wissing, Trustee. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Petition dismissed, per stipulation.

No. 324. The Idaho Irrigation Company (Limited) et al. *v.* Fred W. Gooding et al.; and

No. 336. Fred W. Gooding et al., appellants, *v.* The Idaho Irrigation Company et al. Argument continued by Mr. Harrison Tweed

for Idaho Irrigation Co., (Limited), and concluded by Mr. W. G. Bissell for Fred W. Gooding et al.

No. 28, original. Ex parte In the matter of Skinner & Eddy Corporation, petitioner. Argued on return to the rule to show cause by Mr. Louis Titus and Mr. George Donworth for the petitioner, and by Mr. Alfred A. Wheat for the respondents.

No. 219. Chicago, Burlington & Quincy Railroad Company, appellant, *v.* W. H. Osborne, etc., et al.;

No. 224. Chicago & Northwestern Railway Company, appellant, *v.* W. H. Osborne, jr., Tax Commissioner, etc., et al.; and

No. 225. Chicago, St. Paul, Minneapolis & Omaha Railway Company, appellant, *v.* W. H. Osborne, jr., Tax Commissioner, etc., et al. Argument commenced by Mr. Bruce Scott for the appellant in No. 219.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 15, will be as follows: Nos. 219 (and 224 and 225), 220, 221, 222, 666 (and 667 and 668), 789 (and 540, 790, and 539), 32, 14, 24, and 155 (and 133 and 137).

SUPREME COURT OF THE UNITED STATES

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

Benj. S. Pagel, of Detroit, Mich.; Joseph Michelman, of Boston, Mass.; and Joseph W. Kimbel, of Washington, D. C., were admitted to practice.

The Chief Justice announced that there will be no session of the court on the 18th instant.

No. 219. Chicago, Burlington & Quincy Railroad Company, appellant, *v.* W. H. Osborne, Tax Commissioner, etc., et al.;

No. 224. Chicago & Northwestern Railway Company, appellant, *v.* W. H. Osborne, jr., Tax Commissioner, etc., et al.; and

No. 225. Chicago, St. Paul, Minneapolis & Omaha Railway Company, appellant, *v.* W. H. Osborne, jr., Tax Commissioner, etc., et al. Argument continued by Mr. Wymer Dressler for the appellants in Nos. 224 and 225, by Mr. George W. Ayres and Mr. Hugh LaMaster for the appellees, and concluded by Mr. Bruce Scott for the appellant in No. 219.

No. 220. George W. Cook, plaintiff in error, *v.* Galen L. Tait, United States Collector, etc. Argument commenced by Mr. Charles Claffin Allen, jr., for the plaintiff in error, continued by Mr. Solicitor General Beck for the defendant in error, and concluded by Mr. Charles Claffin Allen for the plaintiff in error.

No. 221. Commissioner of Immigration of the Port of New York, petitioner, *v.* Gittel Gottlieb et al. Argument commenced by Mr. George Ross Hull for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 16, will be as follows: Nos. 221, 222, 666 (and 667 and 668), 789 (and 540, 790, and 539), 32, (14 and 24), 155 (and 133 and 137), 226, 227, and 228 (and 229).

SUPREME COURT OF THE UNITED STATES

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

Douglass D. Storey, of Harrisburg, Pa.; Lennard H. Mitchell, of Newcastle, Ind.; Clarence B. Randall, of St. Paul, Minn.; Robert D. Garver, of Bartlesville, Okla.; Maurice Murphy, of Topeka, Kans.; and Samuel Brenner, of New York City, were admitted to practice.

No. 14, original. The State of New Mexico, complainant, *v.* The State of Colorado. Leave granted to file replication and answer to cross bill, and replication to answer, on motion of Mr. A. A. Jones in that behalf.

No. 227. The United States, appellant, *v.* James Reed. Submitted by Mr. Solicitor General Beck for the appellant, and by Mr. George A. King for the appellee.

No. 221. Commissioner of Immigration of the Port of New York, petitioner, *v.* Gittel Gottlieb et al. Argument continued by Mr. George Ross Hull for the petitioner, and by Mr. Louis Marshall for the respondents, and concluded by Mr. George Ross Hull for the petitioner.

No. 222. A. P. Kennedy et al. *v.* The United States. Argued by Mr. James Patrick Gilmore for A. P. Kennedy et al., and by Assistant Attorney General Willebrandt for the United States.

No. 666. The United States of America, etc., appellants, *v.* American Railway Express Company et al.;

No. 667. Southeastern Express Company, appellant, *v.* American Railway Express Company et al.; and

No. **668**. Southern Traffic League et al., appellants, *v.* American Railway Express Company et al. Argument commenced by Mr. Blackburn Esterline for the United States, and continued by Mr. R. C. Alston for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 17, will be as follows: Nos. **666** (and **667** and **668**), **789** (and **540**, **790**, and **539**), **32**, **14**, **24**, **155** (and **133** and **137**), **226**, **228** (and **229**), **230**, **231**, and **232**.

SUPREME COURT OF THE UNITED STATES

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

Walter B. Walker, of New York City; John J. Boyle, of Youngstown, Ohio; William J. Drew, of Boston, Mass.; J. D. Fredericks, of Los Angeles, Calif.; Samuel W. Odell, of Los Angeles, Calif.; M. Vincent Ryan, of Albany, N. Y.; Earl F. Reed, of Pittsburgh, Pa.; and Wilbur Reed Seabrook, of Erie, Pa., were admitted to practice.

No. 229. The United States of America et al., appellants, *v.* The City of Wellsville, Ohio. Leave granted to file brief for the city of East Liverpool, Ohio, as amicus curiae herein granted on motion of Mr. Harry Brokaw, in that behalf.

No. 666. The United States of America et al., appellants, *v.* American Railway Express Company et al.;

No. 667. Southeastern Express Company, appellant, *v.* American Railway Express Company; and

No. 668. Southern Traffic League et al., appellants, *v.* American Railway Express Company et al. Argument continued by Mr. Robert C. Alston for the appellees, by Mr. P. J. Farrell for the Interstate Commerce Commission, by Mr. T. M. Cunningham, jr., for the appellees, and concluded by Mr. Sanders McDaniel for the Southeastern Express Company.

No. 789. The Pacific Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, etc.;

No. 540. The Pacific Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, etc.;

No. 790. The Home Telephone & Telegraph Company of Spokane, appellant, *v.* E. V. Kuykendall, etc.; and

No. 539. The Home Telephone & Telegraph Company of Spokane, appellant, *v.* E. V. Kuykendall, etc. Argument commenced by Mr. Otto B. Rupp for the appellants, continued by Mr. John H. Dunbar, Mr. T. J. L. Kennedy, and Mr. Alexander M. Winston for the appellees, and concluded by Otto B. Rupp for the appellants.

No. 32. William R. Warner & Company, petitioner, *v.* Eli Lilly & Company. Passed per stipulation of counsel to be restored pursuant to section 9 of rule 26.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 21, will be as follows: Nos. 14, 24, 155 (and 133 and 137), 226, 228 (and 229), 230, 231, 232, 627 (and 628), and 420.

SUPREME COURT OF THE UNITED STATES

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

Morris E. Kinnan, of New York City; Jacob M. Friedlander, of Los Angeles, Calif.; E. Mark Sullivan, of Boston, Mass.; Samuel Silverman, of Boston, Mass.; Clay Judson, of Chicago, Ill.; Percy A. Wells, of Chicago, Ill.; Harold T. Edwards, of New York City; C. A. Starbird, of Alma, Ark.; and W. H. T. Loyall, of Norfolk, Va., were admitted to practice.

Mr. Solicitor General Beck presented the Hon. Harlan F. Stone, Attorney General of the United States, and it was ordered that his commission be recorded.

No. 218. The United States of America, appellant, *v.* John Valante. Appeal from the District Court of the United States for the Southern District of New York. Final order reversed; and cause remanded to the District Court with instructions to vacate its order, discharge the writ, and remand Valante to the custody of the warden. Opinion by Mr. Justice Sanford.

No. 297. James C. Davis, as Agent of the President of the United States under the Transportation Act of 1920, petitioner, *v.* R. L. Cornwell. On writ of certiorari to the Supreme Court of the State of Montana. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 190. W. H. Hoffman et al., appellants, *v.* Peter McClelland, Jr., et al. Appeal from the District Court of the United States for the Western District of Texas; transferred from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs; and cause remanded to the said District Court. Opinion by Mr. Justice Van Devanter.

No. 467. The Chastleton Corporation et al., appellants, *v.* A. Leftwich Sinclair et al. Appeal from 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 Holmes. Mr. Justice Brandeis concurs in part.

No. 201. Southeastern Express Company, plaintiff in error, *v.* W. J. Miller, State Revenue Agent. In error to the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 216. Southeastern Express Company, appellant, *v.* W. J. Miller, State Revenue Agent, etc., et al. Appeal from the District Court of the United States for the Southern District of Mississippi. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. —, original. The United States, complainant, *v.* The State of Wisconsin. Motion for leave to file bill of complaint herein granted; and process ordered to issue returnable on Monday, October 6, 1924.

No. 933. The City of Newark et al., appellants, *v.* The Central Railroad Company of New Jersey et al. Motion to advance granted; and cause assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 359. In the matter of petition of East River Towing Company (Inc.) for limitation of liability of the Steam Tug *Edward*, her engines, etc. Motion to advance granted; and cause assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 819. James C. Davis, Director General, etc., petitioner, *v.* Corona Coal Company. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, May 5 next.

No. 931. The People of the State of New York ex rel. Rosevale Realty Company (Inc.), plaintiff in error, *v.* Albert E. Kleinert, as Superintendent of the Bureau of Buildings of the Borough of Brooklyn, etc., et al. Motion to advance denied.

No. 432. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Garfield Ladner. In error to the Supreme Court of the State of Mississippi. Per curiam: Affirmed upon the authority of *Central Vermont R. R. Co. v. White*, 238, U. S. 507, 515; *Minneapolis, etc., R. R. Co. v. Bombolis*, 241 U. S. 211; *Dickinson, Receiver, v. Stiles*, 246 U. S. 631.

No. 697. Prince Tyner, plaintiff in error, *v.* Henry Buffington et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the case on the writ of error.

No. 778. American Railway Express Company, petitioner, *v.* The Commonwealth of Kentucky. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky granted.

No. 917. The United States of America ex rel. Hyman Patton, etc., petitioner, *v.* Robert E. Tod, as Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 915. Southern Utilities Company, petitioner, *v.* The City of Palatka. Petition for a writ of certiorari to the Supreme Court of the State of Florida granted.

No. 739. Wilson Clinton, an incompetent, by Edmond Hill, his next friend and guardian, et al., plaintiffs in error, *v.* Gypsy Oil Company. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 826. Herschell Norman, petitioner, *v.* The State of Ohio. Petition for a writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 853. Charles E. Schaff, as Receiver of the Properties of the Missouri, Kansas & Texas Railway Company, petitioner, *v.* S. H. Hudgins et al., Copartners, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 895. Jules Arnstein, alias Nickey Arnstein, et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 896. Panama Railroad Company, petitioner, *v.* Old Dominion Transportation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 897. John Randolph, Administrator, etc., et al., petitioners, *v.* Bouker Contracting Company, as Owner of Scow 84-H. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 904. John Cook, Administrator of Benjamin F. Dyson, etc., petitioner, *v.* The Washington, Baltimore & Annapolis Electric Railroad Company. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland denied.

No. 907. Joe Wigington, 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. 908. F. P. Burton, Trustee, etc., et al., petitioners, *v.* J. D. Weatherman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 913. James C. Davis, Director General of Railroads, petitioner, *v.* William Radford Coyle, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 914. Detroit Carrier & Manufacturing Company, petitioner, *v.* John G. Perrin. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 916. Leon Sigman, petitioner, *v.* Mabel G. Reinecke, etc., Collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 781. Eastman Kodak Company of New York, plaintiff in error, *v.* Southern Photo Materials Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 926. W. and A. Fletcher Company, petitioner, *v.* International Mercantile Marine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 948. Crawford County Levee and Drainage District No. 1, petition, *v.* J. R. Hutson et al. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin denied.

No. 924. A. J. Buck, appellant, *v.* E. V. Kuykendall, Director of Public Works of the State of Washington. Motion for a stay herein submitted by Mr. Merrill Moores in that behalf.

No. 957. Louisville & Nashville Railroad Company, petitioner, *v.* Robert E. Morrill, sr. Petition for a writ of certiorari to the Supreme Court of the State of Alabama submitted by Mr. C. P. McIntyre, Mr. E. Perry Thomas, and Mr. George W. Jones for the petitioner, and by Mr. William M. Williams for the respondent.

No. 937. The Facer Forged Steel Car Wheel & Locomotive Wheel Company, petitioner, *v.* Carnegie Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles E. Townsend, Mr. Joseph R. Edson, and Mr. Thomas G. Steward for the petitioner, and by Mr. D. Anthony Usina for the respondent.

No. 906. Daisy M. Scott et al, petitioners, *v.* The City of Columbus, Ohio. Petition for a writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Timothy S. Hogan for the petitioner, and by Mr. Charles A. Leach for the respondent.

No. 910. Prairie Oil & Gas Company, petitioner, *v.* Louis F. Shanblum et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. C. S. Arnold for the petitioner.

No. 918. Patrick McGovern et al., etc., petitioner, *v.* The City of Boston. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. John F. Cronan for the petitioners, and by Mr. E. Mark Sullivan and Mr. Samuel Silverman for the respondent.

No. 923. New Creek Company, petitioner, *v.* Ephraim Leder, Collector. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James Wilson Bayard for the petitioner, and by Mr. Solicitor General Beck, and Assistant Attorney General Willebrand for the respondent.

No. 935. Kawasaki Zosensho, Owner of Steamship *Baltimore Maru*, petitioner, *v.* Cosulich Societa Triestina Di Navigazione of Trieste, Italy, Owner of Steamship *Anna*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George Whitefield Betts, jr., Mr. George C. Sprague, and Mr. H. C. Hughes for the petitioner.

No. 936. The Hettrick Manufacturing Company, petitioner, *v.* James A. Shepherd & Company (Limited). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George Roscoe Davis for the petitioner, and by Mr. Charles H. Brady for the respondent.

No. 943. Chicago, St. Paul, Minneapolis & Omaha Railway Company et al., petitioners, *v.* Josephine C. Kepler. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. Wymer Dressler and Mr. R. L. Kennedy for the petitioners, and by Mr. Edward P. Smith and Mr. Francis S. Howell for the respondent.

No. 946. William A. Brown & Company et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. B. A. Levett and Mr. Allan R. Brown for the petitioners, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Hoppin for the respondent.

No. 949. Nancy Roberts et al., petitioners, *v.* Atlantic Oil Producing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Harvey Riddell for the petitioners.

No. 950. The New York Central Railroad Company, petitioner, *v.* Joseph C. Dunbar. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles C. Paulding for the petitioner, and by Mr. John B. Rogers for the respondent.

No. 955. Alfred Emerson et al., petitioners, *v.* Radio Corporation of America et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel H. Wandell for the petitioners, and by Mr. L. F. H. Betts for the respondents.

No. 961. United States of America ex rel. Dong Yick Yuen, petitioner, *v.* John F. Dunton, Chinese Inspector in Charge, Port of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Roger O'Donnell for the petitioner, and by Mr. Solicitor General Beck and Mr. George Ross Hull for the respondent.

No. 14. Gorham Manufacturing Company, appellant, *v.* State Tax Commission of the State of New York et al. Argued by Mr. James M. Beck for the appellant, and submitted by Mr. Carl Sherman and Mr. C. T. Dawes for the appellees.

No. 24. Bass, Ratcliff & Gretton (Limited), plaintiff in error, *v.* State Tax Commission. Argued by Mr. James M. Beck for the plaintiff in error, and submitted by Mr. Carl Sherman and Mr. C. T. Dawes for the defendant in error.

No. 155. The State of Missouri ex rel. Jesse W. Barrett, Attorney General, et al., appellants, *v.* Kansas Natural Gas Company:

No. 133. The Kansas Natural Gas Company, plaintiff in error, *v.* State of Kansas ex rel. A. E. Helm, Attorney etc.; and

No. 137. The State of Kansas ex rel. Fred S. Jackson, Attorney, etc, appellant, *v.* The Central Trust Company of New York et al. Argument commenced by Mr. J. W. Dana for the Kansas City Gas Co., continued by Mr. Frank E. Atwood for the State of Missouri and Public Service Commission, by Mr. Robert D. Garver for the Kansas Natural Gas Co., and concluded by Mr. F. S. Jackson for the State of Kansas ex rel. A. E. Helm, attorney for the Public Utilities Commission of the State of Kansas.

Adjourned until to-morrow at 12 o'clock.

The day call for Monday, April 21, will be as follows: Nos. 226, 228 (and 229), 230, 231, 232, 627 (and 628), 420, 233, 235, and 236.

SUPREME COURT OF THE UNITED STATES

James A. Bear, of Roanoke, Va.; Harvey B. Apperson, of Roanoke, Va.; Francis E. Bagot, of Buffalo, N. Y.; Frank B. Dodds, of Lawrence, Kans.; William H. Gorman, of Buffalo, N. Y.; Lafayette Walker, of Okmulgee, Okla.; John S. Daniel, of Clarksville, Tenn.; Jesse J. Bruce, of Muskogee, Okla.; J. Bernard Smith, of Muskogee, Okla.; and Daniel Bartlett, of St. Louis, Mo., were admitted to practice.

No. 420. Merlin W. Hixon, plaintiff in error, *v.* Louis D. Oakes. Leave granted to file brief of National Association of Retail Drug-gists as amicus curiae in this case on motion of Mr. E. C. Brok-meyer.

No. 235. Henry D. Owens, appellant, *v.* The United States. Submitted by Mr. Horace S. Whitman and Mr. William L. Marbury for the appellant, and by Mr. Solicitor General Beck and Mr. Assis-tant Attorney General Ottinger for the appellee.

No. 236. The Bromwell Brush and Wire Goods Company, plain-tiff in error *v.* The State Board of Charities and Corrections of Kentucky. Submitted by Mr. Harvey Myers for the plaintiff in error and by Mr. Thomas B. McGregor and Mr. Swager Sherley for the defendants in error.

No. 226. Adams Express Company, plaintiff in error, *v.* W. W. Darden. Argued by Mr. William L. Granberry for the plaintiff in error and by Mr. K. T. McConnico for the defendant in error.

No. 228. The United States of America et al., appellants, *v.* The Village of Hubbard, Ohio, and

No. 229. The United States of America et al., appellants, *v.* The City of Wellsville, Ohio. Argument commenced by Mr. Blackburn Esterline for the United States, continued by Mr. Charles Boyd for the city of Wellsville, Ohio, by Mr. Edmond H. Moore for the village of Hubbard, Ohio, and concluded by Mr. P. J. Farrell for the Inter-state Commerce Commission.

No. 230. William Bernard Duke et al., appellants, *v.* The United States. Argument commenced by Mr. Conrad H. Syme for the appellant.

Adjourned until to-morrow at 12 o'clock.

Day call for Wednesday, April 23, will be as follows: Nos. 230, 231, 232, 627 (and 628), 420, 233, 237, 238, 239, and 241.

SUPREME COURT OF THE UNITED STATES

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

Charles M. Delameter, of Oakland, Calif.; Addison C. Burnham, of Boston, Mass.; Paul Barnett, of Sedalia, Mo.; David W. Peters, of Jefferson City, Mo.; and Paul Andros Brooks, of Minneapolis, Minn., were admitted to practice.

No. 237. Steel Producers' Export Corporation, plaintiff in error, *v.* The Wilkoff Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Spencer Gordon in that behalf.

No. 230. William Bernard Duke et al., appellants, *v.* The United States. Argument continued by Mr. Conrad H. Syme for the appellants, by Mr. Henry M. Ward for the appellee, and concluded by Mr. Conrad H. Syme for the appellants.

No. 231. Wesley Hetrick, plaintiff in error, *v.* Village of Lindsey et al. Argued by Mr. Albert H. Fry for the plaintiff in error, and by Mr. W. J. Mead for the defendants in error.

No. 232. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* Edmund R. Wells et al. Argued by Mr. A. H. Culwell for the petitioner, and submitted by Mr. George E. Wallace for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 24, will be as follows: Nos. 627 (and 628), 420, 233, 238, 239, 241, 242, 243, 244, and 247 (and 248).

SUPREME COURT OF THE UNITED STATES

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

Vernon M. Dorsey, of Chevy Chase, Md.; Sidney F. Parham, of Clarendon, Va.; George T. Welch, of New York City; James H. Baldwin, of Butte, Mont.; and Isaiah Campbell, of Chicago, Ill., were admitted to practice.

No. 243. Charlie Hester, plaintiff in error, *v.* The United States. Submitted by Mr. Richard A. Ford for the plaintiff in error, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the defendant in error.

No. 244. Herbert Hoover, Secretary of Commerce, plaintiff in error, *v.* The Intercity Radio Company (Inc.). Continued, per stipulation.

No. 627. The United States of America et al., appellants, *v.* The New River Company et al.; and

No. 628. Slab Fork Coal Company et al., appellants, *v.* New River Company et al. Argument commenced by Mr. Blackburn Esterline for the United States, continued by Mr. G. T. Bell for the appellants in No. 628; by Mr. James W. Carmalt for the appellees, and concluded by Mr. J. Carter Fort for the Interstate Commerce Commission.

No. 420. Merlin W. Hixson, plaintiff in error, *v.* Louis D. Oakes. Argument commenced by Mr. Ray E. Nimmo for the plaintiff in error, continued by Mr. J. M. Friedlander and Mr. S. W. Odell for the defendant in error, and concluded by Mr. Ray E. Nimmo for the plaintiff in error.

No. 233. United Leather Workers' International Union No. 66 et al., appellants, *v.* Herkert & Meisel Trunk Company et al. Argument commenced by Mr. John P. Leahy for the appellants, and continued by Mr. Charles A. Houts for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 25, will be as follows: Nos. 233, 238, 239, 241, 242, 247 (and 248), 32, 251, 254, and 257.

SUPREME COURT OF THE UNITED STATES

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

John D. Costello, of San Francisco, Calif.; M. J. Henderson, of Kansas City, Mo.; Ed F. Alexander, of Cincinnati, Ohio; and C. Huffman Lewis, of Shreveport, La., were admitted to practice.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervenor. Report of the boundary commissioners and report of medial line survey presented by Mr. Arthur D. Kidder and Mr. Arthur A. Stiles; and reports ordered filed.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervenor.

ORDER.—The commissioners heretofore designated to run, locate, and mark upon the ground portions of the boundary line between the States of Texas and Oklahoma, where it follows the course of the Red River, having this day presented a report, with accompanying maps, showing that they have run, located, and marked upon the ground the portion of the boundary along the Big Bend area, and also a report, with accompanying map, showing that they have surveyed, run upon the ground, and platted the medial line between such State boundary and the northerly bank of the river for a length of three miles at and in the vicinity of the river bed oil wells;

And it further appearing from such reports that the said commissioners have transmitted copies of such reports, with the accompanying maps, by registered mail to the Attorney General of the United States, the attorney general of the State of Texas, and the attorney general of the State of Oklahoma, and have lodged with the clerk fifty additional copies of such reports and maps for the use of such private intervenors as may apply for them;

It is ordered that the said reports, with the accompanying maps, be received and filed by the clerk.

And it is further ordered that all objections or exceptions to such reports or either of them, if there be any such objections or exceptions, shall be presented to the court or filed with the clerk within a period of four weeks from this date; and the periods heretofore fixed for presenting or filing such objections or exceptions are limited and modified accordingly.

No. 233. United Leather Workers' International Union No. 66 et al., appellants, *v.* Herkert & Meisel Trunk Company et al. Argument continued by Mr. Charles A. Houts for the appellees, and concluded by Mr. Mat J. Holland for the appellees.

No. 238. Liberty National Bank of Roanoke, Virginia, petitioner, *v.* James A. Bear, Trustees, etc. Argument commenced by Mr. James D. Johnston for the petitioner, continued by Mr. Harvey B. Apperson and Mr. James A. Bear for the respondent, and concluded by Mr. James D. Johnston for the petitioner.

No. 239. E. L. Price et al., plaintiffs in error, *v.* Drainage District No. 17, Mississippi County, Arkansas. Argued by Mr. Arthur T. Brewster for the plaintiffs in error, and by Mr. G. B. Rose for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 28, will be as follows: Nos. 241, 242, 247 (and 248), 32, 251, 254, 257, 259, 260, and 262 (and 263).

SUPREME COURT OF THE UNITED STATES

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

Elizabeth F. Vilkomerson, of New York City; Newton A. Tracy, of Toledo, Ohio; Charles Kerr, of Lexington, Ky.; T. M. Bigger, of Columbus, Ohio; and Haines H. Hargrett, of Tifton, Ga., were admitted to practice.

No. 169. *The New York Central Railroad Company v. The United States of America.* On a certificate from the United States Circuit Court of Appeals for the Third Circuit. Question certified answered in the negative. Opinion by Mr. Justice Butler.

No. 214. *Supreme Lodge, Knights of Pythias, plaintiff in error, v. George O. Meyer.* In error to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland. Separate opinion by Mr. Justice McReynolds.

No. 215. *Supreme Lodge, Knights of Pythias, plaintiff in error, v. Lena Eiser.* In error to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 219. *Chicago, Burlington & Quincy Railroad Company, appellant, v. W. H. Osborne, Tax Commissioner, etc., et al.;*

No. 224. *Chicago & Northwestern Railway Co. v. W. H. Osborne, Tax Commissioner, etc., et al.;*

No. 225. *Chicago, St. Paul, Minneapolis & Omaha Railway Company, appellant, v. W. H. Osborne, jr., Tax Commissioner, etc., et al.* Appeals from the District Court of the United States for the District of Nebraska. Decrees reversed with costs; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 762. The State of Missouri at the relation of the Burnes National Bank of St. Joseph, plaintiff in error, *v.* A. B. Duncan, Judge of the Probate Court Buchanan County, Missouri. In error to the Supreme Court of the State of Missouri. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Petition for writ of certiorari denied. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Sutherland and Mr. Justice McReynolds.

No. 213. Henry V. Cunningham, Successor of Edward A. Thurston, Sole Surviving Trustee of the Bankrupt Estate of Charles Ponzi, petitioner *v.* Benjamin Brown, et. al. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the District of Massachusetts for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

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

No. 984. Harry A. Horine et al., petitioners, *v.* The United States. Motion for leave to file petition for a writ of certiorari herein, without a certified copy of the record, granted, the case docketed, and the petition denied.

No. 924. A. J. Buck, appellant, *v.* E. V. Kuykendall, Director of Public Works for the State of Washington. Motion for stay denied; but the case advanced and assigned for argument on Monday November 10 next, after the case is heretofore assigned for that day.

No. 861. Modern Woodmen of America, petitioner, *v.* Jennie Vida Mixer. Petition for writ of certiorari to the Supreme Court of the State of Nebraska granted.

No. 870. Robins Dry Dock and Repair Co., plaintiff in error, *v.* Lars Dahl. Further consideration of the petition for writ of certiorari herein postponed until the hearing of the cause of the writ of error.

No. 887. Chicago & Northwestern Railway Co., petitioner, *v.* Alvin R. Durham Co. et al. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied for lack of jurisdiction, there being no final decree.

No. 906. Daisy M. Scott et al., petitioners, *v.* City of Columbus, Ohio. Petition for writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 910. Prairie Oil & Gas Co., petitioner, *v.* Louis F. Scandblum et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 918. Patrick McGovern et al., etc., petitioners, *v.* The City of Boston. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 923. New Creek Co., petitioner, *v.* Ephraim Lederer, Collector. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 935. Kawasaki Zosensho, Owner, etc., petitioner, *v.* Cosulich Societa Triestina di Navigazione of Trieste, Italy, Owner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 936. The Hettrick Manufacturing Co., petitioner, *v.* James A. Shepherd Co. (Ltd.) Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 937. The Facer Forged Steel Car Wheel and Locomotive Wheel Co., petitioner, *v.* Carnegie Steel Co. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 946. William A. Brown & Co. et al., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs Appeals denied.

No. 949. Nancy Roberts et al., petitioners, *v.* Atlantic Oil Producing Co. Petitioner for writ of certiorari to the United States Circuit Court of Appeals for Sixth Circuit denied.

No. 950. The New York Central Railroad Co., petitioner, *v.* Joseph C. Dunbar. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 955. Alfred Emerson et al., petitioners, *v.* Radio Corporation of America, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 957. Louisville & Nashville Railroad Co., petitioner, *v.* Robert E. Morrill, sr. Petition for writ of certiorari to the Supreme Court of the State of Alabama denied.

No. 961. The United States of America ex rel. Dong Yick Yuen, petitioner, *v.* John F. Dunton, Chinese Inspector. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 235. Henry D. Owens, appellant. *v.* The United States. Appeal from the Court of Claims. Per Curiam: Suit for damages against the United States under a contract for the removal of garbage from Camp Meade. Judgment for claimant for part of claim. Appeal to secure larger recovery. Question turns on the constructions of contract. This court concurs in the view of the Court of Claims and the judgment is affirmed.

No. 236. The Bromwell Brush and Wire Goods Company, plaintiff in error, *v.* The State Board of Charities and Correction of Kentucky. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Per Curiam: Dismissed for want of jurisdiction upon the authority of (1) *Shultis v. McDougal*, 225 U. S. 561, 568, 569; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony's Church v. Pennsylvania Railroad Co.*, 237 U. S. 575, 577, 578; *Norton v. Whiteside*, 239 U. S. 144, 147; (2) *Miller v. Cornwall Railway Co.*, 168 U. S. 131, 134; *New York Central Railroad Co. v. New York*, 186 U. S. 269, 273; *Consolidated Turnpike v. Norfolk, etc., Railway Co.*, 228, U. S. 326, 331.

No. 239. E. L. Pierce et al., plaintiffs in error. *v.* Drainage District No. 17, Mississippi County, Arkansas. In error to the Supreme Court of the State of Arkansas. Per Curiam: Dismissed for want of jurisdiction upon the authority of *Farral v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light v. Town of Graham*, 253 U. S. 193, 195.

No. 230. William Bernard Duke et al., appellants, *v.* The United States. Appeal from the Court of Claims. On consideration of the record and arguments in this cause the judgment of the Court of Claims is set aside and the cause is remanded to that court with the following directions, one purpose of which is to elicit additional findings on questions of fact bearing on the right application of the cause of certain statutes of the United States, notably sections 5, 7, 8, and 9 of the act of September 7, 1916, c. 451, 39 Stat. 728, as amended by the act of July 15, 1918, c. 152, 40 Stat. 900:

1. To find (a) the nature, terms, and conditions of the offer to sell on the part of the United States Shipping Board which is mentioned in the court's second finding, (b) whether that offer was based on any appraisalment of the vessels to be sold and whether there was any public advertisement of the offer, (c) whether the offer contemplated a sale of the vessels free from the conditions and restrictions referred to in section 8 of the act of 1916 and specified in section 9 thereof as amended, (d) whether the letter of December 15, 1919, by W. L. Mercer, acting manager of ship sales, which is set forth in the sixth finding, was written pursuant to a direction or authorization on the part of the Shipping Board, (e) whether the

Shipping Board's resolution of December 19, 1919, which is set forth in the eighth finding, was intended to rescind the resolution of December 12, 1919, on the ground that the latter was void or that it was not an effective acceptance of W. Bernard Duke's proposal of December 5, 1919, but only a qualified acceptance which was as yet ineffective because Mr. Duke had not assented to the qualification, and (f) the amount of damages to which the plaintiffs are entitled if they have a right to recover damages.

2. To take further evidence, if need be, on which to base such additional findings.

3. To qualify or alter any of the existing findings, if need be, to bring them and the additional findings into accord.

4. To render upon all the findings when completed such judgment as shall appear to be right under the law, subject to the usual right of appeal. Remanded for additional findings, etc.

ORDER.—The call of the docket will be suspended for the term on Friday, May 2, next. The court will take a recess from Monday, May 5, until Monday, May 12, next.

No. 985. The United States to the use of Sue P. Gates, plaintiff in error, *v.* Frank M. Harshberger et al. In error to the District Court of the United States for the Western District of Washington. Docketed and dismissed, on motion of Mr. Solicitor General Beck for the defendants in error.

No. 953. Frank K. Bowers, Collector, etc., petitioner, *v.* West Virginia Pulp and Paper Co. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. John W. Davis for the respondent.

No. 607. The Standard Oil Co. of New Jersey, petitioner, *v.* Southern Pacific Company et al. Motion for leave to take additional testimony submitted by Mr. John M. Woolsey for the petitioner in support of the motion, and by Mr. Charles C. Burlingham, Mr. Ray Rood Allen, and Mr. A. Howard Neely for the respondent in opposition thereto.

No. 960. Arthur E. Donegan, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alexander Akerman, and Mr. W. M. Toomer for the petitioner.

No. 783. Hubert Work, Secretary of the Interior, plaintiff in error, *v.* United States ex rel. Logan Rives. Motion to dismiss or affirm, or transfer to the summary docket submitted by Mr. Leslie C. Garnett and Mr. Burgess W. Marshall for the defendant in error in support of the motion, and by Mr. Solicitor General Beck and Mr. C. Edward Wright in opposition thereto.

No. 734. Pluto Oil & Gas Co. et al., plaintiffs in error, *v.* H. C. Miller. Motion to dismiss submitted by Mr. L. O. Lytle and Mr. W. V. Pryor for the defendant in error in support of the motion.

No. 841. John G. Crosland, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Bart A. Riley for the petitioner and Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 899. James C. Davis, Agent, plaintiff in error, *v.* L. L. & Cohen and Company (Inc.) Petition for writ of certiorari herein to the Superior Court of Bristol County, Massachusetts, submitted by Mr. Arthur W. Blackman for the plaintiff in error in support of the petition.

No. 905. B. F. Lee et al., plaintiffs in error, *v.* Osceola and Little River Road Improvement District of Mississippi County, Arkansas. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Charles M. Bryan for the plaintiff in error in support of the petition.

No. 932. San Joaquin Lumber Co., petitioner, *v.* R. H. Dodd, Trustee, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Percy S. Webster for the petitioner and by Mr. Arthur L. Shaw for the respondents.

No. 941. Koppel Industrial Car and Equipment Co., petitioner, *v.* Albert E. Lee, Receiver. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Henry E. Warner for the petitioner and by Mr. Philip N. Jones for the respondent.

No. 942. M. J. Bashara, petitioner, *v.* George C. Hopkins, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Harry C. Weeks for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Ottinger, and Mr. Harvey B. Cox for the respondent.

No. 947. Manfred W. Ehrich, Trustee, etc., et al., petitioners, *v.* Charles J. Eisenlohr. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted

by Mr. Arthur Garfield Hays and Mr. Saul S. Myers for the petitioners and by Mr. Owen J. Roberts for the respondent.

No. 954. Emily R. Cadwalader et al., Executors, etc., *v.* Edward L. Sturgess, etc., Collector of United States Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Herbert Noble for the petitioners, and Mr. Solicitor General Beck, Mr. Assistant Attorney General Ottinger, and Mr. Harvey B. Cox for the respondent.

No. 962. Empire Gas & Fuel Co., petitioner, *v.* Lone Star Gas Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit submitted by F. M. Etheridge for the petitioner and by Mr. Harry Preston Lawther for the respondent.

No. 965. Belding Bros. & Co., petitioner, *v.* Benjamin L. Armstrong. Petition for writ of certiorari to the United States Circuit of Appeals for the Second Circuit submitted by Mr. Robert B. Honeyman and Mr. Henry B. Twombly for the petitioner and by Mr. Livingston Gifford for the respondent.

No. 970. Old Colony Trust Co., petitioner, *v.* Lawyers' Title Trust Co. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Eugene W. Leake and Mr. William C. Breed for the petitioner and by Mr. Frederick P. King for the respondent.

No. 978. J. P. Evans, petitioner, *v.* Pat Marr, Individually and as Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. D. Wilkinson and Mr. C. Huffman W. Lewis for the petitioner.

No. 982. Louis Milam et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Robert H. Talley for the petitioners.

No. 838. William F. Quesse et al., petitioners, *v.* The People of the State of Illinois. On petition for writ of certiorari to the Supreme Court of the State of Illinois. Petition dismissed on motion of counsel for the petitioner.

No. 259. J. W. Neil, plaintiff in error, *v.* Utah Wholesale Grocery Co. Submitted by Mr. William R. Andrews and Mr. Joseph Chez for the plaintiff in error and by Mr. Jacob Evans and Mr. Mahlon B. Wilson for the defendant in error.

No. 260. Missouri Pacific Railroad Co., plaintiff in error, *v.* A. M. Burnett. Submitted by Mr. Thomas B. Pryor and Edward J. White for the plaintiff in error and Mr. Joe T. Robinson for the defendant in error.

No. **241.** James C. Davis, as Agent, etc., plaintiff in error, *v.* Charles Hareford. Argued by A. A. McLaughlin for the plaintiff in error, and by Mr. C. A. Starbird for the defendant in error.

No. **242.** Nassau Smelting & Refining Works, petitioner, *v.* Brightwood Bronze Foundry Company. Argued by Mr. Joseph D. Jacobs for the petitioner and by Mr. Harry M. Ehrlich for the respondent.

No. **247.** The Louisville & Nashville Railroad Company, appellant, *v.* The United States. Continued per stipulation.

No. **248.** The Illinois Central Railroad Company, appellant, *v.* The United States. Argued by Mr. Benjamin Carter for the appellant, and by Mr. Blackburn Esterline for the appellee.

No. **32.** William R. Warner & Co., petitioner, *v.* Eli Lilly & Co. Argument commenced by Mr. George W. Wickersham for the petitioner.

Adjourned until to-morrow at 12 o'clock.

Day call for Tuesday, April 29, will be as follows: Nos. **32, 251, 254, 257, 262** (and **263**), **265, 266** (and **267**), **269, 270**, and **272.**

SUPREME COURT OF THE UNITED STATES

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

Robert Gallagher, of Boston, Mass., and R. F. Milam, of Fort Worth, Tex., were admitted to practice.

No. 32. William R. Warner & Company, petitioner, *v.* Eli Lilly & Company. Argument continued by Mr. E. W. Bradford for the respondent, and concluded by Mr. Francis Rawle for the petitioner.

No. 251. The United States of America *ex rel.* the Baldwin Company, appellant, *v.* Thomas E. Robertson, Commissioner of Patents, *et al.* Argued by Mr. Frederic D. McKenney for the appellant, and by Mr. Samuel S. Watson for the appellees.

No. 254. Thomas Hammerschmidt *et al.*, petitioners, *v.* The United States. Argument commenced by Mr. Ed F. Alexander for the petitioners, and continued by Mr. Assistant Attorney General Davis for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 30, will be as follows: Nos. 254, 257, 262 (and 263), 265, 266 (and 267), 269, 270, 272, 273 (and 493), and 275.

SUPREME COURT OF THE UNITED STATES

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

Nathan L. Miller, of New York City; George A. Hile, jr., of Houston, Tex.; G. F. Dohrn, of Mission, Tex.; Howard S. Young, of Indianapolis, Ind.; and Fanny E. Holtzmann, of New York City, were admitted to practice.

No. 254. Thomas Hammerschmidt et al., petitioners, *v.* The United States. Argument continued by Mr. Assistant Attorney General Davis for the respondent, and concluded by Mr. Ed. F. Alexander for the petitioners.

No. 257. The People of the State of New York ex rel. The City of Buffalo, plaintiff in error, *v.* The Public Service Commission of the State of New York et al. Argued by Mr. George Clinton for the plaintiff in error, and by Mr. Henry W. Killeen for defendant in error.

No. 262. Harry H. Weiss, Collector of Internal Revenue, petitioner, *v.* Louis Stearn; and

No. 263. Harry H. Weiss, Collector of Internal Revenue, petitioner, *v.* John G. White. Argument commenced by Mr. Alfred A. Wheat for the petitioners, continued by Mr. John G. White for the respondent in No. 263, and by Mr. Charles P. Hine for the respondent in No. 262, and concluded by Mr. Alfred A. Wheat for the petitioner.

No. 265. Transportes Maritimos do Estado, plaintiff in error, *v.* Sylvio A. Almeida. Submitted by Mr. F. Dudley Kohler for the plaintiff in error, and by Mr. Silas B. Axtell for the defendant in error.

No. 266. Air-Way Electric Appliance Corporation, appellant, *v.* Harry S. Day, Treasurer of the State of Ohio et al.; and

No. **267**. Harry S. Day, Treasurer of the State of Ohio et al., appellants, *v.* Air-Way Electric Appliance Corporation. Argument commenced by Mr. Newton A. Tracy for the appellant in No. **266**, continued by Mr. William J. Meyer for appellees in No. **266** and appellants in No. **267**.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 1, will be as follows: Nos. **266** (and **267**), **269**, **270**, **272**, **273** (and **493**), **274**, **275**, **277**, **278** (and **279**, **280**, and **281**), and **282**.

SUPREME COURT OF THE UNITED STATES

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

Brooklyn Bridge, of Dennison, Ohio; Kenneth E. Stockton, of New York City; George W. Reed, of Uhrichsville, Ohio; Theodore M. Bailey, of Sioux Falls, S. Dak.; Fred S. Hudson, of Kansas City, Mo.; and George K. Large, of Flemington, N. J., were admitted to practice.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States, intervener. Twelfth report of receiver filed, on motion of Mr. John S. Flannery in that behalf.

No. 274. Claude E. Barnes, plaintiff in error, *v.* The People of the State of New York. Continued, per stipulation.

No. 278. Magnum Import Company (Inc.), petitioner, *v.* Francois Joseph de Spoturno Coty;

No. 279. Max L. Cohn, trading as The Maclen Import Company, petitioner, *v.* Francois Joseph de Spoturno Coty;

No. 280. Arthur Baum et al., trading as The Beautex Company, petitioners, *v.* Francois Joseph de Spoturno Coty; and

No. 281. Magnum Import Company, petitioner, *v.* Houbigant (Inc.), on writs of certiorari to the United States Circuit Court of appeals for the Second Circuit. Dismissed with costs, on motion of Mr. Otto A. Schlobohm in behalf of counsel for the petitioners.

No. 282. Ivory Novelties Trading Company (Inc.), petitioner, *v.* Francois Joseph de Spoturno Coty. Passed, to be restored to the call pursuant to Section 9, Rule 26, on motion of Mr. Otto A. Schlobohm in that behalf.

No. 266. Air-Way Electric Appliance Corporation, appellant, *v.* Harry S. Day, Treasurer of the State of Ohio, et al.; and

No. 267. Harry S. Day, Treasurer of the State of Ohio, et al., appellants, *v.* Air-Way Electric Appliance Corporation. Argument continued by Mr. William J. Meyer for the appellees in No. 266 and the appellants in No. 267, and concluded by Mr. Newton A. Tracy for the appellant in No. 266 and the appellee in No. 267.

No. 269. Kansas City Southern Railway Company et al., plaintiffs in error, *v.* Road Improvement District No. 3 of Sevier County, Arkansas, et al. Argued by Mr. Samuel W. Moore for the plaintiffs in error, and submitted by Mr. Hal. L. Norwood for the defendants in error.

No. 270. Charles Boettcher et al., as Receivers, etc., plaintiffs in error, *v.* The Public Utilities Commission of the State of Colorado et al. Argument commenced by Elmer L. Brock for the plaintiffs in error, continued by Mr. Robert E. More and Mr. Kenaz Huffman for the defendants in error, and concluded by Mr. Elmer L. Brock for the plaintiffs in error.

No. 272. Missouri Pacific Railroad Company, plaintiff in error, *v.* Mrs. T. V. Prude. Submitted by Mr. Edward J. White and Mr. Thomas B. Pryor for the plaintiff in error, and by Mr. S. S. Hargraves, Mr. S. H. Mann, sr., and Mr. S. H. Mann, jr., for the defendant in error.

No. 273. Thomas W. Miller, as Alien Property Custodian, et al., appellants, *v.* Frederick Y. Robertson; and

No. 493. Frederick Y. Robertson, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Leave granted to file an additional brief herein on or before Wednesday next, on motion of Mr. Alfred Sutro for Frederick Y. Robertson. Argument commenced by Mr. Lindley M. Garrison for Thomas W. Miller, as Alien Property Custodian, et al., and continued by Mr. Alfred Sutro for Frederick Y. Robertson.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 2, will be as follows: Nos. 273 (and 493), 275, 277, 288, 289, 290, 291, 292, 293, and 294.

SUPREME COURT OF THE UNITED STATES

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

W. H. McHenry, of Des Moines, Iowa; Cornelius C. Billings, of New York City; George N. Gardiner, of New Bedford, Mass.; Louis Hirschberg, of St. Louis, Mo.; Maxwell C. Katz, of New York City; Luther Burns, of Topeka, Kans.; Richard Yates Hoffman, of Chicago, Ill.; Milton Gladstone, of New York City; and I. Clinton Kline, of Sunbury, Pa., were admitted to practice.

No. 277. Nassau Smelting & Refining Works (Limited), plaintiff in error, *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Otto Schlobohm in that behalf.

No. 265. Transportes Maritimos do Estado, plaintiff in error, *v.* Sylvio A. Almeida. Leave granted to file an additional brief herein, on motion of Mr. F. Dudley Kohler for the plaintiff in error.

No. 273. Thomas W. Miller, as Alien Property Custodian, et al., appellants, *v.* Frederick Y. Robertson; and

No. 493. Frederick Y. Robertson, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Argument continued by Mr. Alfred Sutro and Mr. C. W. Stockton for Frederick Y. Robertson, and concluded by Mr. Lindley M. Garrison for Thomas W. Miller, as Alien Property Custodian, et al.

No. 275. New York, Philadelphia & Norfolk Telegraph Company, plaintiff in error, *v.* John I. Dolan, Collector of Taxes, etc. Leave granted counsel for the plaintiff in error to file a supplemental brief herein on or before Tuesday next. Argument commenced by Mr. Overton Harris for the plaintiff in error, continued by Mr. Horace Greeley Eastburn for the plaintiff in error, and concluded by Mr. Caleb S. Layton for the defendant in error.

No. 288. The United States ex rel. Chicago, New York & Boston Refrigerator Company, appellant, *v.* Interstate Commerce Commission. Argument commenced by Mr. William G. Wheeler for the appellant, continued by Mr. J. Carter Fort for the appellee, and concluded by Mr. Edward M. Hyzer for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 5, will be as follows: No. 819.

SUPREME COURT OF THE UNITED STATES

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

Frank M. Halstead, of New York City; Onofrio Rella, of New York City; Nathan Cayton, of Washington, D. C.; W. D. Potter, of Ardmore, Okla.; Hal M. Black, of Wichita, Kans.; J. Harry Byrne, of Washington, D. C.; Roswell F. Magill, of Chicago, Ill.; R. N. McConnell, of Chicago, Ill.; Benjamin H. Bartholow, of Mount Vernon, N. Y.; Frank J. Ready, jr., of Nashville, Tenn.; James McG. Williamson, of Washington, D. C.; Mark A. Watson, of Washington, D. C.; Aubrey R. Marrs, of New York City; Errett G. Smith, of Minneapolis, Kans.; James D. Carmichael, of Chickasha, Okla.; William Edris, of Seattle, Wash.; Arthur P. Drury, of Washington, D. C.; Dion S. Birney, of Washington, D. C.; Judd Dewey, of Boston, Mass.; and Harry McCall, of New Orleans, La., were admitted to practice.

No. 187. Norfolk & Western Railway Company, plaintiff in error, *v.* The Public Service Commission of West Virginia et al. In error to the Supreme Court of Appeals of the State of West Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 198. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Central Iron & Coal Company. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Alabama. Opinion by Mr. Justice Brandeis.

No. 243. Charlie Hester, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of South Carolina. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 220. George W. Cook, plaintiff in error, *v.* Galen L. Tait, United States Collector of Internal Revenue for the District of Maryland. In error to the District Court of the United States for the District of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

The Chief Justice announced the following orders of the court:

No. 607. Standard Oil Company of New Jersey, petitioner, *v.* Southern Pacific Company. The motion for leave to take additional testimony is granted, such testimony to be taken, however, in accordance with rule 12, paragraph 2, of the rules of this court, to be limited to the subject matter specified in the motion, and to be upon interrogatories presented and served upon the opposite party by the petitioner on or before the 1st day of June next, and upon cross-interrogatories to be filed on or before the 20th day of June next. The commission with the interrogatories for the taking of said testimony shall issue to the clerk of the Circuit Court of Appeals for the Second Circuit, and the interrogatories and the evidence taken shall be forwarded to this court on or before the 1st day of September next. The costs of the commission, when incurred, shall be paid by the petitioner.

No. 783. Hubert Work, Secretary of the Interior, plaintiff in error, *v.* The United States of America *ex rel.* Logan Rives. Motion to dismiss or affirm denied, the case placed upon the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 194. C. E. Bulloch et al., plaintiffs in error, *v.* Dermott-Collins Road Improvement District et al. In error to the Supreme Court of the State of Kansas. Per curiam: Reversed upon the authority of *Gulf, Colorado & Santa Fe Ry. Co. v. Dennis*, 224 U. S. 503; *Board of Public Utility Commissioners v. Compania General*, 249 U. S. 425, 426, 427; *Heitmuller v. Stokes*, 256 U. S. 359, 362; *Atherton Mills v. Johnson*, 259 U. S. 13, 15-16, on the ground that the question in the case has become moot, with direction to remand to the Chancery Court of Chicot County with direction to that court to dismiss the suit without prejudice.

No. 227. The United States, appellant, *v.* James Reed. Appeal from the Court of Claims. Per curiam: Affirmed upon the authority of *United States v. Andrews*, 240 U. S. 90, 94.

No. 241. James C. Davis, as Agent, etc., plaintiff in error, *v.* Charles Hareford. In error to the Supreme Court of the State of Arkansas. 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; Godchaux *v.* Estopinal, 251 U. S. 179, 181; Rooker *v.* Fidelity Trust Co., 261 U. S. 114, 117.

No. 257. People of the State of New York *ex rel.* the City of Buffalo, plaintiff in error, *v.* The Public Service Commission of the State of New York *et al.* In error to the Supreme Court of the State of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) Farrell *v.* O'Brien, 199 U. S. 89, 100; Toop *v.* Ulysses Land Co., 237 U. S. 580, 583; Piedmont Power & Light Co. *v.* Town of Graham, 253 U. S. 193, 195; (2) Hunter *v.* Pittsburgh, 207 U. S. 161, 178; Pawhuska *v.* Pawhuska Oil Co., 250 U. S. 394; Trenton *v.* New Jersey, 262 U. S. 182; Newark *v.* New Jersey, 262 U. S. 192, 196.

No. 259. J. W. Neil, plaintiff in error, *v.* Utah Wholesale Grocery Company. In error to the Supreme Court of the State of Utah. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; Jett Bros. Distilling Co. *v.* City of Carrollton, 252 U. S. 1, 5-6.

No. 260. Missouri Pacific Railroad Company, plaintiff in error, *v.* A. M. Burnett. In error to the Supreme Court of the State of Arkansas. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; Jett Bros. Distilling Co. *v.* City of Carrollton, 252 U. S. 1, 5-6. Petition for certiorari dismissed for lack of submission under the rule.

No. 270. Charles Boettcher *et al.*, Receivers of the Denver & Salt Lake Railroad Company, plaintiff in error *v.* The Public Utilities Commission of the State of Colorado *et al.* In error to the Supreme Court of the State of Colorado. Per curiam: Dismissed for want of jurisdiction upon the authority of Farrell *v.* O'Brien, 199 U. S. 89, 100; Toop *v.* Ulysses Land Co., 237 U. S. 580, 583; Piedmont Power & Light Co. *v.* Town of Graham, 253 U. S. 193, 195.

No. 734. Pluto Oil & Gas Company *et al.*, plaintiffs in error, *v.* H. C. Miller. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2; 39 Stat., 726; Jett Bros. Distilling Co. *v.* City of Carrollton, 252 U. S. 1, 5-6. Petition for certiorari denied.

No. 570. W. F. Gravins, petitioner, *v.* Walker D. Hines, Director General, etc. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 841. John G. Crosland, 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. 932. San Joaquin Lumber Company, petitioner, *v.* R. H. Dodd, Trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 941. Koppel Industrial Car & Equipment Company, petitioner, *v.* Albert E. Lee, Receiver. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 942. M. J. Bashara, petitioner, *v.* George C. Hopkins, Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 947. Manfred W. Ehrich, Trustee, etc., et al., petitioners, *v.* Charles J. Eisenlohr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 953. Frank K. Bowers, Collector, etc., petitioner, *v.* West Virginia Pulp & Paper Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 954. Emily R. Cadwalader et al., Executors, etc., petitioners, *v.* Edward L. Sturgess, etc., Collector of United States Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 960. Arthur E. Donegan, 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. 962. Empire Gas & Fuel Company, petitioner, *v.* Lone Star Gas Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 965. Belding Bros. & Company, petitioner, *v.* Benjamin L. Armstrong. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 970. Old Colony Trust Company, petitioner, *v.* Lawyers' Title & Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 978. J. P. Evans, petitioner, *v.* Pat Marr, Individually and as Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 982. Louis Milam et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener.

ORDER.—It appearing from the twelfth report made by the receiver in this cause that an action recently was commenced against him in the District Court of Wichita County, Tex., by J. H. Duhon and H. J. Kebideaux to recover from him certain moneys for the drilling of a river-bed well, now known as No. 168 and also as Delta well, which had been drilled prior to the receivership; and it being asserted that such action was commenced in disregard of the exclusive jurisdiction of this court over the said receivership and the said receiver; it is ordered that the said J. H. Duhon and H. J. Kebideaux, show cause in this court on Monday, the 26th day of May, 1924, why they should not be enjoined from prosecuting or maintaining the said action in the District Court of Wichita County, Tex., unless in the meantime they shall have dismissed that action and filed in this court due proof of such dismissal.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener.

ORDER.—After considering the twelfth report of the receiver herein and the earlier reports referred to therein, it is ordered that all parties in interest be accorded until and including the 23d day of May, 1924, to prepare and file with the clerk in printed form such suggestions, contentions, and supporting arguments as they severally may desire to present respecting the following subjects:

1. The extent to which and the manner in which the expenses of conducting and administering the receivership shall be spread over the several impounded funds in the receiver's custody and over the several areas and tracts from which such funds were derived, and also the proportions in which such expenses shall be deducted from the payments ultimately to be made to the several claimants who may be entitled to receive those funds from the receiver.

2. The mode of distributing or disposing of expenses incurred and losses sustained in respect of wells which have proved unremunerative.

3. Whether the order of June 1, 1921, authorizing the receiver to make certain payments reimbursing operators and drillers of river-bed wells (256 U. S. 607) shall be changed and enlarged so as to include and cover river-bed wells which subsequently proved to be unremunerative in instances where the same operator had drilled or was in process of drilling other river-bed wells which have proved productive and have yielded funds from which such reimbursement

may be made—reference being particularly had to wells numbered 149, 150, 151, 155, 161, and 163 described on pages 9 and 10 of the receiver's tenth report.

4. Whether the order of June 1, 1921, just mentioned shall be further changed and enlarged so as to include and cover river-bed well No. 139, otherwise known as the Burk-Senator well.

No. 920. Maple Flooring Manufacturers Association et al., appellants, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Beck for the appellee, concurred in by Mr. Jacob Newman, Mr. Conrad Poppenhusen, Mr. H. L. Stern, and Mr. Edward R. Johnston for the appellants.

No. 956. The United States of America, Owner of Steamships *Lake Fairlee*, etc., petitioner, *v.* Sugarland Industries et al., Trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Beck, Mr. Assistant Attorney General Ottinger, and Mr. J. Frank Staley for the petitioner.

No. —, original. Ex parte In the matter of Lehigh Valley Railroad Company, petitioner (Action No. 1). Motion for leave to file a petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. Charles A. Boston and Mr. Lindley M. Garrison for the petitioner.

No. —, original. Ex parte In the matter of Lehigh Valley Railroad Company, petitioner (Action No. 2). Motion for leave to file a petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. Charles A. Boston and Mr. Lindley M. Garrison for the petitioner.

No. 968. Second Russian Insurance Company, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Motion that cause be heard on nine printed copies of the record submitted by Mr. Albert P. Massey and Mr. William S. Thomson for the appellant.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al.;

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al.;

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al. Suggestion of death of John M. Shugert, and motion to substitute George H. Shugert, administrator of the estate of John M. Shugert, deceased, as a party respondent herein, submitted by Mr. Samuel D. Gettig and Mr. James C. Furst in support of the motion, and by Mr. Mortimer C. Rhone, Mr. Ellis L. Orvis, and Mr. Harry Keller for the petitioner in opposition thereto.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company.;

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al.; and

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al. Petition to amend original petition, and for leave to intervene herein, submitted by Mr. Newton B. Spangler for petitioning creditors in support of the petition, and by Mr. Mortimer C. Rhone, Mr. Ellis L. Orvis, and Mr. Harry Keller for the petitioners in opposition thereto.

No. 991. American Railway Express Company, petitioner, *v.* George C. Daniel. Petition for a writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. H. Prescott Gatley in behalf of Mr. Robert C. Alston for the petitioner.

No. 575. Ozark Pipe Line Corporation, appellant, *v.* Roy Monier et al., constituting the State Tax Commission of the State of Missouri et al. Motion to advance submitted by Mr. Levi Cooke in that behalf.

No. 928. Nicholas A. Dawson, petitioner, *v.* Mrs. Charles D. Gondran et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles T. Wortham for the petitioner, and by Mr. Percy S. Benedict for the respondents.

No. 951. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* H. L. Cockerham, Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Charles' N. Burch and Mr. H. D. Minor for the petitioners.

No. 952. Seaby 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. Max Isaac for the petitioner.

No. 967. Oliver M. Tucker et al., petitioners, *v.* Karl E. Peiler et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George W. Ramsey for the petitioners, and by Mr. Vernon M. Dorsey, Mr. Sidney F. Parham, and Mr. John P. Bartlett for the respondents.

No. 971. Edward Hines Yellow Pine Trustees, petitioners, *v.* Anna F. C. Martin et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. T. J. Wills and Mr. T. W. Davis for the petitioners, and by Mr. Clayton D. Potter for the respondents.

No. 975. George W. Miles, 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. Ely Rosenberg for the petitioner.

No. 819. James C. Davis, Director General, etc., petitioner, *v.* Corona Coal Company. Argued by Mr. Harry McCall for the petitioner and submitted by Mr. Richard B. Montgomery for the respondent.

Adjourned until Monday, May 12, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

John S. Pratt, of Toledo, Ohio; W. P. McLean, jr., of Fort Worth, Tex.; John L. Slattery, of Glasgow, Mont.; Arthur J. W. Hilly, of New York City; Edmond G. Toomey, of Helena, Mont.; Albert A. Grorud, of Helena, Mont.; Gerould M. Rumble, of Norfolk, Va.; Claude I. Depew, of Wichita, Kans.; E. C. Chapman, of Cleveland, Ohio; and Warren E. Libby, of Los Angeles, Calif., were admitted to practice.

No. 99. Simon Hecht et al., Trustees, petitioners, *v.* John F. Malley, Former Collector of Internal Revenue;

No. 100. Arthur I. Howard et al., Trustees, petitioners, *v.* John F. Malley, Former Collector of Internal Revenue;

No. 101. Arthur L. Howard et al., Trustees, petitioners, *v.* Andrew J. Casey, Former Acting Collector of Internal Revenue; and

No. 119. Alvah Crocket et al., Trustees, petitioners, *v.* John F. Malley, Collector. On writs of certiorari to the United States Circuit Court of Appeals for the First Circuit. The decrees of the Circuit Court of Appeals are affirmed in cases Nos. 100, 101, and 119; and in No. 99 affirmed as to taxes assessed for the years ending June 30, 1919, and June 30, 1920, and reversed as to those assessed for the six months ending June 30, 1917, and the year ending June 30, 1918; and causes remanded to the District Court of the United States for the District of Massachusetts for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford. (Mr. Justice Holmes and Mr. Justice Brandeis took no part in the consideration or decision of these cases.)

No. 367. Brooks-Scanlon Corporation, appellant, *v.* The United States; and

No. 385. The United States, appellant, *v.* Brooks-Scanlon Corporation. Appeals from the Court of Claims. Judgment reversed; and cause remanded for further proceedings in conformity with the

opinion of this court. Opinion by Mr. Justice Butler. Separate opinion by Mr. Justice McReynolds, in which Mr. Justice Sanford concurs. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 232. The Atchison, Topeka & Santa Fe Railway Company, petitioner *v.* Edmund R. Wells et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Western District of Texas for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 265. Transportes Maritimos do Estado, plaintiff in error, *v.* Sylvio A. Almeida. In error to the District Court of the United States for the Southern District of New York. Transferred to the United States Circuit Court of Appeals for the Second Circuit, pursuant to the act of Congress of September 14, 1922. Opinion by Mr. Justice Brandeis.

No. 272. Missouri Pacific Railroad Company, plaintiff in error, *v.* Mrs. T. V. Prude. In error to the Supreme Court of the State of Arkansas. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 275. New York, Philadelphia & Norfolk Telegraph Company, plaintiff in error *v.* John I. Dolan, Collector of Taxes for the Southern District of the City of Wilmington. In error to the Supreme Court of the State of Delaware. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 565. Charles D. Newton, as Attorney General, etc., et al., appellants, *v.* Consolidated Gas Company of New York. Appeal from the District Court of the United States for the Southern District of New York. Rehearing granted. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 28, original. *Ex parte* In the matter of the Skinner & Eddy Corporation, petitioner. Rule to show cause made absolute, and writ of mandamus granted.

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

No. —, original. *Ex parte* In the matter of the Lehigh Valley Railroad Company, petitioner. (Action No. 1.) Motion for leave to file a petition for a writ of prohibition and/or a writ of mandamus herein denied.

No. —, original. Ex parte In the matter of the Lehigh Valley Railroad Company, petitioner. (Action No. 2.) Motion for leave to file a petition for a writ of prohibition and/or a writ of mandamus herein denied.

No. 968. Second Russian Insurance Company, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Motion that this cause be allowed to be heard on nine printed copies of the record, granted.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al., etc.;

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al., etc.; and

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al., etc. Suggestion of death entered and motion to substitute granted, and cases set for hearing on Monday, November 10 next, after the cases heretofore assigned for that day, on the issues including that of the right of the administrator to continue this proceeding in bankruptcy.

No. 590. George R. Meek, petitioner, *v.* Centre County Banking Company et al., etc.;

No. 591. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al., etc.; and

No. 592. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al., etc. Petition to amend original petition and motion to intervene herein denied, without prejudice.

No. 575. Ozark Pipe Line Corporation, appellant, *v.* Roy Monier et al., constituting the State Tax Commission of the State of Missouri, et al. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 920. Maple Flooring Manufacturers Association et al., appellants, *v.* The United States of America. Motion to advance granted; and cause assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 129. Times Square Auto Supply Company (Inc.), appellant, *v.* Kansas City, Missouri, et al. ORDER: It is ordered by this court that the mandate in this cause heretofore issued on the 27th day of February, 1924, be, and the same is hereby, recalled, for reformation.

No. 971. Edward Hines Yellow Pine Trustees, petitioners, *v.* Anna F. C. Martin et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 991. American Railway Express Company, petitioner, *v.* George C. Daniel. Petition for a writ of certiorari to the Supreme Court of the State of Georgia granted.

No. 707. Molsie Bailey, petitioner, *v.* Claude Jones et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 909. T. R. Bennett, Superintendent of Banks for the State of Georgia, petitioner, *v.* John E. Schwarz et al. Petition for a writ of certiorari to the Supreme Court of the State of Georgia denied.

No. 928. Nicholas A. Dawson, petitioner, *v.* Mrs. Charles D. Gondran et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 951. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* H. L. Cockerham, Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 952. Seaby 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. 956. The United States of America, Owner of Steamship *Lake Fairlie*, etc., petitioner, *v.* Sugarland Industries et al., Trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 967. Oliver M. Tucker et al., petitioners, *v.* Karl E. Peiler et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 975. George H. Miles, 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. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Order entered allowing compensation to receiver and counsel.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. Motion to set cause for hearing submitted by Mr. A. A. Jones in behalf of counsel.

No. 14, original. The State of New Mexico, complainant, *v.* The State of Colorado. Motion to open, file, and publish the testimony; and to set cause for hearing, submitted by Mr. A. A. Jones in behalf of counsel.

No. —, original. *Ex parte* In the matter of the City of New York, The Transit Commission, et al., petitioners. Motion for leave to file a petition for a writ of prohibition and / or a writ of mandamus and / or a writ of prohibition herein submitted by Mr. W. E. C. Mayer in behalf of counsel for the petitioners.

No. 1018. Orinoco Company, Limited, et al., appellants, *v.* The Orinoco Iron Company. Appeal from the Court of Appeals of the District of Columbia. Docketed and dismissed with costs, on motion of Mr. William R. Harr for the appellee.

No. 326. James C. Davis, Agent, etc., petitioner, *v.* John O'Hara. Motion that James C. Davis, as agent of President Coolidge, be substituted as the party respondent in this cause submitted by counsel in that behalf.

No. 114. James C. Davis, Agent of the President and Director General of Railroads, petitioner, *v.* Portland Seed Company; and

No. 123. James C. Davis, Agent of the President and Director General of Railroads, plaintiff in error, *v.* A. J. Parrington. Petition of James C. Davis, agent, etc., for further consideration of points in the record, submitted by Mr. John F. Finerty in that behalf.

No. 999. The Cleveland & Western Coal Company, petitioner, *v.* Main Island Creek Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. F. Taplin for the petitioner, and by Mr. John H. Holt and Mr. Murray Seasingood for the respondent.

No. 969. Alge Howell, 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 J. Gulotta for the petitioner.

No. 972. Randolph Whitman, as Chairman, etc., et al., petitioners, *v.* Bondholders Committee of December 1, 1921, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert Szold for the petitioners, and by Mr. Mark Hyman for the respondents.

No. 976. The Dennison Brick & Tile Company, petitioner, *v.* Chicago Trust Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Smith W. Bennett for the petitioner, and by Mr. George W. Reed and Mr. Brooklyn Bridge for the respondents.

No. 983. Mary Brafman, petitioner, *v.* Benjamin Brafman et al., Administrators, etc. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland submitted by Elizabeth F. Vilkomerson for the petitioner.

No. 867. S. H. Kress & Company et al., plaintiffs in error, *v.* Bessie Lee Crosby. In error to the Supreme Court of the State of Mississippi. Dismissed with costs, on motion of counsel for the plaintiffs in error.

Adjourned until Monday, May 26, 1924.

SUPREME COURT OF THE UNITED STATES

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

Arthur B. O'Keefe, of West Haven, Conn.; Louis A. Ledbetter, of Oklahoma City, Okla.; John S. Black, of Columbus, Ohio; Paul N. Grubb, of Janesville, Wis.; James K. Stump, of Washington, D. C.; Max Loewenthal, of Los Angeles, Calif.; Marion W. Ripy, of Louisville, Ky.; Joseph P. Duffy, of Kansas City, Mo.; Harlan Wood, of Spartanburg, S. C.; Elmer W. Heald, of Calipatria, Calif.; James T. Montgomery, of Wichita Falls, Tex.; Laurence E. Coffey, of Buffalo, N. Y.; James J. Spillane, of Detroit, Mich.; Thomas E. Sullivan, of New York City; James G. Shifflett, of Grinnell, Iowa; John R. Cochran, of Chicago, Ill.; Delos G. Smith, of Detroit, Mich.; A. D. DuLaney, of Ashdown, Ark.; Elliott Bartram Richards, of Philadelphia, Pa.; Elmer J. Davidson, of Washington, D. C.; W. Lloyd Miller, of Braddock, Pa.; G. A. Youngquist, of St. Paul, Minn.; Pearl M. Hart, of Chicago, Ill.; John Macauley Abbott, of Philadelphia, Pa.; Will C. Austin, of Fort Worth, Tex.; Paul Cooksey, of New York City; J. Ernest Converse, of Lansing, Mich.; Paul U. Farley, of New York City; Howard E. M. Brock, of Washington, D. C.; Elmer J. Binford, of Greenfield, Ind.; Gossett Greer, of Dallas, Tex.; Lorraine Elizabeth Wooster, of Salina, Kans.; Herbert C. Wade, of Fort Worth, Tex.; Charles L. Morgan, of Fort Worth, Tex.; DeLancey C. Smith, of San Francisco, Calif.; Frederick R. Williams, of Bel Air, Harford County, Md.; John J. McCarthy, of Washington, D. C.; W. B. Wynne, of Wills Point, Tex.; Angus G. Wynne, of Kaufman, Tex.; Buck J. Wynne, of Wills Point, Tex.; Taddie L. Wynne, of Kaufman, Tex.; Fitz William McMaster Woodrow, of Columbia, S. C.; Alexander M. Bull, of Washington, D. C.; and J. B. Reed, of Lonoke, Ark., were admitted to practice.

No. 524. The City of Opelika, appellant, *v.* Opelika Sewer Company. Appeal from the District Court of the United States for the Middle District of Alabama. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 819. James C. Davis, Director General of Railroads, as Agent of the United States, petitioner, *v.* Corona Coal Company. On writ of certiorari to the Court of Appeal of the Parish of Orleans 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.

No. 10. St. Cloud Public Service Company, appellant, *v.* The City of St. Cloud. Appeal from the District Court of the United States for the District of Minnesota. Decree affirmed with costs. Opinion by Mr. Justice Sanford. Mr. Justice Butler took no part in the consideration or decision of this cause.

No. 238. Liberty National Bank of Roanoke, Virginia, petitioner, *v.* James A. Bear, Trustee in Bankruptcy of the Estates of W. L. Becker, sr., and W. L. Becker, jr., Partners, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Western District of Virginia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 593. R. E. Sheehan Company et al., plaintiffs in error, *v.* George K. Shuler, as State Treasurer of the State of New York, et al. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 103. New York State Railways, plaintiff in error, *v.* George K. Shuler, as Treasurer of the State of New York, et al. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 139. Margaret C. Lynch, Executrix of the Last Will and Testament of E. J. Lynch, Collector of Internal Revenue, deceased, petitioner, *v.* Tilden Produce Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice Butler.

No. 142. John Swendig et al., appellants, *v.* The Washington Water Power Company. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the District of Idaho. Opinion by Mr. Justice Butler.

No. 211. R. Asakura, plaintiff in error, *v.* The City of Seattle et al. In error to the Supreme Court of the State of Washington. Judgment reversed with costs; and cause remanded for further proceed-

ings not inconsistent with the opinion of this court. Opinion by Mr. Justice Butler.

No. 222. *A. P. Kennedy and John Kennedy v. The United States of America*. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Question certified answered in the negative. Opinion by Mr. Justice Butler.

No. 212. *William Lucking, appellant, v. Detroit and Cleveland Navigation Company*. Appeal from 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 District of Michigan. Opinion by Mr. Justice Butler.

No. 288. *The United States ex rel. Chicago, New York & Boston Refrigerator Company, plaintiff in error, v. Interstate Commerce Commission*. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 155. *The State of Missouri on the relation of Jesse W. Barrett, Attorney General, et al., appellants, v. Kansas Natural Gas Company*. Appeal from the District Court of the United States for the Western District of Missouri. Decree affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 133. *The Kansas Natural Gas Company, plaintiff in error, v. The State of Kansas on the relation of A. E. Helm, Attorney for the Public Utilities Commission of the State of Kansas*. In error to the Supreme Court of the State of Kansas. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 137. *The State of Kansas on the relation of Fred S. Jackson, Attorney for the Public Utilities Commission of the State of Kansas, etc., appellant, v. The Central Trust Company of New York et al.* Appeal from the District Court of the United States for the District of Kansas. Decree affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 221. *Commissioner of Immigration of Port of New York, petitioner, v. Gittel Gottlieb and Israel Gottlieb*. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 226. Adams Express Company, plaintiff in error, *v.* W. W. Darden. 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 Middle District of Tennessee. Petition for a writ of certiorari denied. Opinion by Mr. Justice Brandeis. Mr. Justice Sanford took no part in the consideration or decision of this cause.

No. 242. Nassau Smelting & Refining Works (Limited), petitioner, *v.* Brightwood Bronze Foundry Company. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the District of Massachusetts for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 456. The United States of America et al., appellants, *v.* Abilene & Southern Railway Company et al. Appeal from the District Court of the United States for the District of Kansas. Decree affirmed. Opinion by Mr. Justice Brandeis.

No. 262. Harry H. Weiss, Collector of Internal Revenue, petitioner, *v.* Louis Stearn. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Ohio. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis and Mr. Justice Holmes.

No. 263. Harry H. Weiss, Collector of Internal Revenue, petitioner, *v.* John G. White. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Ohio. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis and Mr. Justice Holmes.

No. 420. Merlin W. Hixson, plaintiff in error, *v.* Louis D. Oakes. In error to the District Court of Appeal for the Second Appellate District of the State of California. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 757. James C. Davis, Director General of Railroads, as Agent under Section 206 of the Transportation Act of 1920, petitioner, *v.* Timothy Donovan, as Owner of the Deck Scow *Mary Ethel*, et al. 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 McReynolds.

No. **341**. B. I. Salinger, jr., appellant, *v.* Victor Loisel, United States Marshal, etc.;

No. **342**. B. I. Salinger, jr., appellant, *v.* Victor Loisel, United States Marshal, etc. Appeals from the District Court of the United States for the Eastern District of Louisiana; and

No. **705**. B. I. Salinger, jr., appellant, *v.* The United States of America, and Victor Loisel, United States Marshal, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgments in Nos. **341** and **342** affirmed with costs. Judgment in No. **705** reversed; and cause remanded to the District Court of the United States for the Eastern District of Louisiana for further proceedings in conformity with the opinion of this court.

The mandates in these cases will issue forthwith and will embody an order requiring, under the bail given on the appeals in Nos. **341** and **342** and under that given on the granting of the writ of certiorari in No. **705**, that Salinger surrender himself into the custody of the marshal for the Eastern District of Louisiana, at New Orleans, within 10 days from the day the mandate bears date preparatory to a removal under the warrant heretofore issued by the district judge of that district. Opinion by Mr. Justice Van Devanter.

No. **736**. Wong Doo, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree modified and affirmed; the mandate to issue at once. Opinion by Mr. Justice Van Devanter.

No. **248**. The Illinois Central Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. **217**. The United States, appellant, *v.* Charles J. Ferris. Appeal from the Court of Claims. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. **251**. The United States of America *ex rel.* The Baldwin Company, appellant, *v.* Thomas E. Robertson, as Commissioner of Patents, et al. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs; and cause remanded to the Supreme Court of the District of Columbia for further proceedings in conformity with the opinion of this court. Petition for a writ of certiorari denied. Opinion by Mr. Chief Justice Taft. Dissenting: Mr. Justice McReynolds.

No. **254**. Thomas Hammerschmidt et al., petitioners, *v.* The United States of America. On writ of certiorari to the United States Cir-

cuit Court of Appeals for the Sixth Circuit. Judgment reversed; and cause remanded to the District Court of the United States for the Southern District of Ohio for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 447. The United States, appellant, *v.* The Supplee-Biddle Hardware Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 540. The Pacific Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al. Appeal from the District Court of the United States for the Western District of Washington. Dismissed with costs. Opinion by Mr. Chief Justice Taft.

No. 789. The Pacific Telephone & Telegraph Company, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al. Appeal from the District Court of the United States for the Western District of Washington. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 539. The Home Telephone & Telegraph Company of Spokane, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al. Appeal from the District Court of the United States for the Western District of Washington. Dismissed with costs. Opinion by Mr. Chief Justice Taft.

No. 790. The Home Telephone & Telegraph Company of Spokane, appellant, *v.* E. V. Kuykendall, as Director of Public Works of Washington, et al., etc., et al. Appeal from the District Court of the United States for the Western District of Washington. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. Motion to set this cause for hearing granted; and the cause assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 14, original. The State of New Mexico, complainant, *v.* The State of Colorado. Motion for leave to open testimony and set cause for hearing granted; and the cause assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. —, original. *Ex parte* In the matter of the City of New York et al., petitioners. Motion for leave to file a petition for a writ of prohibition and/or a writ of mandamus herein denied.

No. 326. James C. Davis, Agent, etc., petitioner, *v.* John O'Hara. Motion to substitute Davis, as agent of President Coolidge in this case, denied.

No. 114. James C. Davis, as Agent, etc., petitioner, *v.* The Portland Seed Company; and

No. 123. James C. Davis, as Agent, etc., plaintiff in error, *v.* A. J. Parrington. Motion for further consideration of this cause denied.

No. 969. Alge Howell, 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. 972. Randolph Whitman, as Claimant, etc., et al., petitioners, *v.* Bondholders Committee of December 1, 1921, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 976. The Dennison Brick & Tile Company, petitioner, *v.* Chicago Trust Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 983. Mary Brafman, petitioner, *v.* Benjamin Brafman et al., Administrators, etc. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland denied.

No. 999. The Cleveland & Western Coal Company, petitioner, *v.* Main Island Creek Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

ORDER

No petitions for writs of certiorari or motions, except motions for admission to practice, will be received after Monday, June 2, and the court will adjourn for the term on Monday, June 9, next.

No. 16, original. The United States, complainant, *v.* The State of Washington. Leave granted to substitute amended bill of complaint herein, on motion of Mr. Solicitor General Beck in that behalf.

No. 488. Margaret C. Lynch, Executrix, etc., plaintiff in error, *v.* Clara B. Congdon et al., Executors, etc. In error to the District Court of the United States for the District of Minnesota. Dis-

missed, with costs, on motion of Mr. Solicitor General Beck in behalf of counsel for the plaintiffs in error.

No. **912.** The United States of America et al., appellants, *v.* Butterworth-Judson Corporation et al. Motion to advance submitted by Mr. Solicitor General Beck for the appellants.

No. **993.** The United States of America, petitioner, *v.* Washington Market Company. On petition for a writ of certiorari to the Court of Appeals of the District of Columbia. Dismissed, on motion of Mr. Solicitor General Beck for the petitioner.

No. **1048.** Hubert Work, Secretary of the Interior, appellant, *v.* The United States of America ex rel. Chestatee Pyrites & Chemical Corporation. Motion to advance submitted by Mr. Solicitor General Beck for the appellant.

No. **995.** Ephraim Lederer, Collector, petitioner, *v.* The Real Estate Title Insurance & Trust Company of Philadelphia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. Maurice Bower Saul for the respondent.

No. **562.** Lorenz Reich, plaintiff in error, *v.* Alexander Smith Cochran et al., etc., as Executors, etc. Motion to dismiss or affirm submitted by Mr. Samuel Untermyer and Mr. Percy H. Stewart for the defendants in error in support of the motion, and by Mr. Alton B. Parker in opposition thereto.

No. **938.** The United States, appellant, *v.* Fidelity & Deposit Company of Maryland. Motion to dismiss or affirm or advance submitted by Mr. Simon Lyon, Mr. R. B. H. Lyon, and Mr. H. S. Whitman for the appellee in support of the motion, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Lovett for the appellant in opposition thereto.

No. **1046.** Herman Wolff et al., Executors, etc., petitioners, *v.* John G. Williams. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Charles Henry Butler in behalf of Mr. Hugh W. Ogden and Mr. Hollis R. Bailey for the petitioners, and by Mr. Mark W. Horblit for the respondent.

No. **940.** United States & Cuban Allied Works Engineering Corporation, plaintiff in error, *v.* Lloyds, as Treasurer of Lloyds Underwriters Syndicate No. **601** et al. Motion to dismiss or affirm submitted by Mr. Hugh B. Rowland in behalf of Mr. Herbert Barry and Mr. Archibald G. Thatcher for the defendant in error in support of the motion.

No. 890. Peter Sain et al., plaintiffs in error, *v.* Cypress Creek Drainage District. Petition for a writ of certiorari herein submitted by Mr. Stuart Lewis in behalf of Mr. Lamar Williamson for the plaintiffs in error in support of the petition; and motion submitted to waive rule as to submission of petition.

No. 739. Wilson Clinton, an incompetent, etc., plaintiff in error, *v.* Gypsy Oil Company. Motion to dismiss or affirm submitted by Mr. J. B. Diggs for the defendant in error in support of the motion, and by Mr. Horace H. Hagan for the plaintiff in error in opposition thereto.

No. 227. The United States, appellant, *v.* James Reed. Mandate granted, on motion of Mr. George A. King for the appellee.

No. 576. Denison-Pratt Paper Company, petitioner, *v.* News Publishing Company. Supplemental petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. Clarence W. Dealtry, Mr. Charles D. Merrick, and Mr. Buford C. Tynes for the petitioner, and by Mr. C. M. Hanna for the respondent.

No. 892. The City of New York et al., appellants, *v.* Lindley M. Garrison, as Receiver of New York Municipal Railway Corporation, etc., et al. Motion to dismiss submitted by Mr. B. F. Shipman in behalf of Mr. Charles P. Howland for the appellees in support of the motion, and by Mr. George P. Nicholson and Mr. William G. Fullen for the appellants in opposition thereto.

No. —, original. *Ex parte* In the matter of Philip Grossman, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein submitted by Mr. Robert A. Milroy for the petitioner.

No. 806. E. R. Portucheck, 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. Will C. Austin and Mr. R. E. Taylor for the petitioner; and motion submitted to waive rule as to submission of petition.

No. 1018. Orinoco Company (Limited) et al., appellants, *v.* The Orinoco Iron Company. Motion to reinstate submitted by Mr. George N. Baxter for the appellants, and by Mr. William R. Harr and Mr. Edward S. Duvall in opposition thereto with leave to appellants to file brief by Monday next.

No. 813. The Western Pacific Railroad Company, appellant, *v.* The United States. Motion to advance submitted by Mr. Henry C. Clark for the appellant.

No. 973. North Pacific Steamship Company, plaintiff in error, *v.* William T. Soley. Petition for a writ of certiorari herein submitted

by Mr. Ernest Clewe for the petitioner, and by Mr. Henry Heidelberg for the respondent.

No. 974. The Baltimore & Ohio Railroad Company, petitioner, *v.* Anna W. Gill, Administratrix of the Estate of Glenn C. Gill, deceased. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Ralph J. Kramer, Mr. Edward C. Kramer, Mr. Bruce A. Campbell, Mr. Walter R. Mayne, Mr. Morison R. Waite, and Mr. William A. Eggers for the petitioner, and by Mr. Sidney Thorne Able and Mr. Charles P. Noell for the respondent.

No. 986. Municipal Assembly of Arroyo, Porto Rico, petitioner, *v.* Successors of C. & J. Fantauzzi. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. E. B. Wilcox and Mr. C. Dominguez Rubio for the petitioner, and by Mr. Francis E. Neagle and Mr. Eugene Congleton for the respondent.

No. 987. Juan Perez Cami, Municipal Commissioner of Finance, petitioner, *v.* Central Victoria (Ltd.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. E. B. Wilcox and Mr. Juan B. Soto for the petitioner, and by Mr. Francis G. Caffey for the respondent.

No. 989. B. W. Neal (Inc.) et al., petitioners, *v.* Alvin N. Powell et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. James F. Terry for the petitioners, and by Mr. Joseph B. Jacobs for the respondents.

No. 994. Commerce Trust Company, petitioner, *v.* F. Alexander Chandler et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Robert G. Dodge and Mr. Harold S. Davis for the petitioner, and by Mr. Judd Dewey for the respondents.

No. 996. Samuel T. Wiggins, Assignee, George P. Ide & Company et al., petitioners, *v.* F. E. Hummel, Receiver. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. R. N. McConnell for the petitioners.

No. 998. W. A. Gentry, petitioner, *v.* James C. Davis, Agent of the United States Government under the Transportation Act of 1920. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Charles Stephens and Mr. Frank Doster for the petitioner, and by Mr. W. W. Brown and Mr. Alfred G. Armstrong for the respondent.

No. 1006. John Beal Sneed et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Fifth Circuit submitted by Mr. James E. Gresham for the petitioners.

No. 1007. Frederick Keighley, Trustee of Locust Building Company (Inc.), Bankrupt, petitioner, *v.* American Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel Silbiger for the petitioner, and by Mr. Morgan J. C. Brien for the respondent.

No. 1009. S. H. Pomeroy Company et al., petitioners, *v.* Frank F. Smith Hardware Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William B. Greeley and Mr. William A. Redding for the petitioners, and by Mr. Stephen J. Cox for the respondent.

No. 1010. Emile Vital et al., Copartners, etc., petitioners, *v.* Henry F. Kerr, trading as The Kerr Steamship Line. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. Catesby Jones and Mr. James W. Ryan for the petitioners, and by Mr. Elkan Turk for the respondent.

No. 1011. Isaac J. Bigio, petitioner, *v.* Henry F. Kerr, trading as The Kerr Steamship Line. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. Catesby Jones and Mr. James W. Ryan for the petitioner, and by Mr. Elkan Turk for the respondent.

No. 1017. R. H. Clemmer, Attorney in fact for certain unsecured creditors, et al., petitioners, *v.* Arthur L. Ross et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. H. H. Rumble for the petitioners, and by Mr. R. Randolph Hicks and Mr. Arthur Leonard Ross for the respondents.

No. 1021. Merriam & Millard Company, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Edward P. Smith and Mr. Francis S. Howell for the petitioner, and by Mr. Bruce Scott, Mr. Byron Clark, and Mr. Kenneth F. Burgess for the respondent.

No. 1024. Elmyr A. Laughlin et al., petitioners, *v.* Burry Railway Supply Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Joshua R. H. Potts and Mr. Brayton G. Richards for the petitioners.

No. 1025. George W. Reed et al., Trustees in Bankruptcy of the Estate of Massachusetts Motors, Inc., Bankrupt, petitioners, *v.* Federal Finance Corporation. Petition for a writ of certiorari to

the United States Circuit Court of Appeals for the First Circuit submitted by Mr. George W. Reed for the petitioners, and by Mr. Alexander Britton for the respondent.

No. 1027. Chicago Pneumatic Tool Company, petitioner, *v.* William H. Keller (Inc.), Formerly Known as Keller Pneumatic Tool Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John W. Davis and Mr. Samuel E. Hibben for the petitioner, and by Mr. Edward S. Rogers, Mr. George T. Buckingham, and Mr. Marquis Eaton for the respondent.

No. 1029. Guardian Savings & Trust Company, Trustee, petitioner, *v.* Road Improvement District No. 7 of Poinsett County, Arkansas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. G. B. Rose, Mr. D. H. Cantrell, Mr. J. F. Loughborough, and Mr. A. D. Dobyms for the petitioner, and by Mr. Henry D. Ashley for the respondent.

No. 1035. Rudolph De Marco, 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. Moe Levy and Mr. Henry Bowden for the petitioner.

No. 319. J. H. Hines Company, Inc., et al., plaintiffs in error, *v.* Amet Guillat, Sheriff and ex officio Tax Collector of Arroyelles Parish, Louisiana. Motion to dismiss or affirm submitted by Mr. J. D. Wilkinson and Mr. C. H. Lewis for the defendant in error in support of the motion, and by Mr. Donelson Caffery and Mr. W. E. Couvillon for the plaintiffs in error in opposition thereto.

No. 722. First National Bank of Guthrie Center, Iowa, plaintiff in error, *v.* L. B. Anderson, County Auditor of Guthrie County, Iowa, et al., etc. Motion to dismiss or affirm submitted by Mr. Ben J. Gibson and Mr. Maxwell A. O'Brien for the defendants in error in support of the motion, and by Mr. J. G. Gamble for the plaintiff in error in opposition thereto.

No. 774. Fort Smith Spelter Company, plaintiff in error, *v.* Clear Creek Oil & Gas Company. Motion to dismiss submitted by Mr. Joseph M. Hill and Mr. Henry L. Fitzhugh for the defendant in error in support of the motion, and by Mr. Tom M. Mehaffy and Mr. James W. Mehaffy for the plaintiff in error in opposition thereto.

No. 407. Arkansas Natural Gas Company, plaintiff in error, *v.* W. N. McFarland, Supervisor of Public Accounts. In error to the Supreme Court of the State of Louisiana. Dismissed, per stipulation.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Answer to rule to show cause of J. H. Duhon and H. J. Kebideaux filed, on motion of Mr. A. H. Carrigan in that behalf.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Argument on suggestions, etc., commenced by Mr. W. A. Ledbetter for the lessees; continued by Mr. A. H. Carrigan for certain patented land owners, by Mr. R. H. Ward for the Kirby Petroleum Co., a lessee; by Mr. W. W. Dyer for the United States of America, intervener; by Mr. E. P. Hill for the State of Oklahoma; by Mr. E. E. Blake and Mr. R. L. Cole for the Grand Oil & Developing Co., Inc.; by Mr. Leslie Humphrey for C. T. Taylor; by Mr. A. H. Carrigan for certain patented land owners; and concluded by Mr. W. A. Keeling for the State of Texas.

Adjourned until Monday, June 2, next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

Charles H. LeFevre, of Dover, Del.; William B. Devoe, of New York City; Frank L. McGuire, of New London, Conn.; Charles B. Wilson, jr., of Pawhuska, Okla.; Edward B. Dunford, of Richmond, Va.; William C. Achi, jr., of Lihue, Kauai, Hawaii; William H. Beers, of Hilo, Hawaii; William J. Corrigan, of Chicago, Ill.; Leonard Biel, of New York City; Maurice E. Harrison, of San Francisco, Calif.; Charles Lowrey Garnett, of Columbus, Miss.; Eustace Smith, of Hutchinson, Kans.; Charles N. Goodnow, of Chicago, Ill.; J. Robert Sherrod, of Fort Wayne, Ind.; William M. Walker, of Birmingham, Ala.; Richard H. Sutphen, of Defiance, Ohio; Frank Gardner, of Scottsburg, Ind.; Arthur H. Greenwood, of Washington, D. C.; Paul N. Humphrey, of Pawhuska, Okla.; Lester Wood, of Washington, D. C.; Richard V. Mattingly, of Washington, D. C.; Samuel E. Cook, of Huntington, Ind.; Jerome C. Jackson, of New York City; and Donald W. Sessions, of Lansing, Mich., were admitted to practice.

No. 120. Thomson Spot Welder Company, petitioner, *v.* Ford Motor Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Michigan. Opinion by Mr. Justice Sanford.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels, more or less, Alleged Apple Cider Vinegar, Douglas Packing Company, claimant. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment reversed; and cause remanded to the District Court of the United States for the Northern District of Ohio. Opinion by Mr. Justice Butler.

No. 666. The United States of America and Interstate Commerce Commission, appellants, *v.* American Railway Express Company and Seaboard Air Line Railway Company;

No. 667. Southeastern Express Company, appellant, *v.* American Railway Company and Seaboard Air Line Railway Company; and

No. 668. Southern Traffic League, Atlanta Freight Bureau, and Southern Fisheries Association, appellants, *v.* American Railway Express Company and Seaboard Air Line Railway Company. Appeals from the District Court of the United States for the Northern District of Georgia. Decrees reversed with costs; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 34. Pacific Gas & Electric Company, appellant, *v.* The City and County of San Francisco;

No. 35. Pacific Gas & Electric Company, appellant, *v.* The City and County of San Francisco and James Rolph, jr., Mayor of said City and County; and

No. 36. Pacific Gas & Electric Company, appellant, *v.* The City and County of San Francisco and James Rolph, jr., Mayor of said City and County. Appeal from the District Court of the United States for the Northern District of California. Decrees reversed with costs; and causes remanded for such further proceedings as the circumstances may require, including another reference to the master if deemed advisable. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis and Mr. Justice Holmes.

No. 79. Waldemar Gnerich et al., doing business under the firm name and style of B. & S. Drug Company, appellants, *v.* S. F. Rutter, as Prohibition Director in and for the District of California. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Northern District of California with directions to dismiss the bill for want of a necessary party. Opinion of Mr. Justice Van Devanter.

No. 463. I. Goto et al., appellants, *v.* John C. Lane, High Sheriff of the Territory of Hawaii. Appeal from the District Court of the United States for the District of Hawaii. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 231. Wesley Hetrick, plaintiff in error, *v.* Village of Lindsey, Frank E. Seigenthaler, Auditor of Sandusky County, and Henry F. Setzler, Treasurer of Sandusky County. In error to the Supreme Court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft; announced by Mr. Justice McKenna.

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

No. —, original. *Ex parte* In the matter of Philip Grossman, petitioner. Motion for leave to file petition for a writ of habeas corpus herein granted. A rule to show cause ordered to issue returnable on Monday, October 6 next. Petitioner to be admitted to bail upon furnishing bond in the sum of \$5,000.

No. 912. The United States of America et al., appellants, *v.* Butterworth-Judson Corporation et al. Motion to advance granted; and cause assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 1048. Hubert Work, Secretary of the Interior, appellant, *v.* The United States of America ex rel. Chestatee Pyrites & Chemical Corporation. Motion to advance granted; and cause assigned for argument with No. 783, heretofore assigned for Monday, November 10 next.

No. 813. The Western Pacific Railroad Company, appellant, *v.* The United States. Motion to advance granted; and cause assigned for argument with No. 810, heretofore assigned for Monday, November 10 next.

No. 562. Lorenz Reich, plaintiff in error, *v.* Alexander Smith Cochran et al, etc., as Executors, etc. In error to the Supreme Court of the State of New York. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726. And see *Tidal Oil Co. v. Flanagan*, 263 U. S. 444.

No. 739. Wilson Clinton, an Incompetent, by Edmond Hill, His Next Friend and Guardian, et al., plaintiffs in error, *v.* Gypsy Oil Company. In error to the Supreme Court of the State of Oklahoma. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. City of Carrolton*, 252 U. S. 1, 5-6.

No. 892. The City of New York et al., appellants, *v.* Lindley M. Garrison, as Receiver of New York Municipal Railway Corporation, etc., et al. Appeal from the District Court of the United States for the Southern District of New York. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Heike v. The United States*, 217 U. S. 423, 429; *Rexford v. Brunswick-Balke Collander Co.*, 228 U. S. 339, 346; *Collins v. Miller*, 252 U. S. 364, 365; *Oneida Navigation Corporation v. Job & Co.*, 252 U. S. 521, 522.

No. 938. The United States, appellant, *v.* Fidelity & Deposit Company of Maryland. Motion to dismiss or affirm herein denied; and cause advanced and assigned for argument on the Summary Docket on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 319. J. H. Hines Company (Inc.) et al., plaintiffs in error, *v.* Amet Guillot, Sheriff, etc. Further consideration of the motion to dismiss or affirm postponed until the hearing of the cause on the merits.

No. 722. First National Bank of Guthrie Center, Iowa, plaintiff in error, *v.* L. B. Anderson, County Auditor of Guthrie County, Iowa, et al., etc. Further consideration of the motion to dismiss or affirm postponed until the hearing of the cause on the merits.

No. 774. Fort Smith Spelter Company, plaintiff in error, *v.* Clear Creek Oil & Gas Company. Further consideration of the motion to dismiss or affirm postponed until the hearing of the cause on the merits.

No. 750. Fulton National Bank of Atlanta, petitioner, *v.* I. S. Hoosier et al., Receivers of Imbrie Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 785. James C. Davis, Agent, etc., petitioner, *v.* L. D. Alexander et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 986. Municipal Assembly of Arroyo, Porto Rico, petitioner, *v.* Successors of C. and J. Fantauzzi. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 987. Juan Perez Cami, Municipal Commissioner of Finance, petitioner, *v.* Central Victoria (Limited). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 576. Denison-Pratt Paper Company, petitioner, *v.* News Publishing Company. Supplemental petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 806. E. R. Portucheck, 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. 890. Peter Sain et al., plaintiffs in error, *v.* Cypress Creek Drainage District. Petition for a writ of certiorari herein denied.

No. 943. Chicago, St. Paul, Minneapolis & Omaha Railway Company et al., petitioners, *v.* Josephine C. Kepler. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska denied.

No. 989. B. W. Neal (Inc.) et al., petitioners, *v.* Alvin N. Powell et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 994. Commerce Trust Company, petitioner, *v.* F. Alexander Chandler et al., Co-Receiver. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 995. Ephraim Lederer, Collector, petitioner, *v.* The Real Estate Title Insurance & Trust Company of Philadelphia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 996. Samuel T. Wiggins, Assignee, et al., petitioners, *v.* F. E. Hummel, Receiver. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 998. W. A. Gentry, petitioner, *v.* James C. Davis, Agent. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 1006. John Beal Sneed 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. 1007. Frederick Keighley, Trustee of Locust Building Company (Inc.), Bankrupt, petitioner, *v.* American Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 211. R. Asakura, plaintiff in error, *v.* The City of Seattle et al. In error to the Supreme Court of the State of Washington.

ORDER.—It is ordered by the court that the opinion heretofore filed be amended by inserting near the end thereof and immediately after the sentence "The ordinance violates the treaty," the following: "The question in the present case relates solely to Japanese subjects who have been admitted to this country. We do not pass upon the right of admission or the construction of the treaty in this respect, as that question is not before us and would require consideration of other matters with which it is not now necessary to deal."

ORDER

No. 341. B. I. Salinger, jr., appellant, *v.* Victor Loisel, United States marshal;

No. 342. B. I. Salinger, jr., appellant, *v.* Victor Loisel, United States marshal; and

No. 705. B. I. Salinger, jr., petitioner. *v.* Victor Loisel, United States Marshal, et al. The judgment of May 26, 1924, in these cases is amended by adding thereto the following, "or, in the alternative, that he surrender himself within such ten days into the custody of the marshal for the District of South Dakota at some place within that district, to be dealt with according to law." The mandates heretofore issued are recalled and new ones will issue forthwith bearing the date of those first issued and conforming to the original judgment as here amended. The last paragraph of the opinion in these cases will be amended by adding the same alternative clause to it.

No. 992. Edward H. Childs, Trustee in Bankruptcy, petitioner, *v.* The United States of America. Suggestion to strike petition for writ of certiorari from the docket submitted by Mr. Alfred A. Wheat for the respondent.

No. 454. The United States of America ex rel. Soo Hoo Hong, petitioner, *v.* Robert E. Tod, Commissioner of Immigration. etc. Suggestion to strike petition for writ of certiorari from the docket submitted by Mr. Alfred A. Wheat for the respondent.

No. 482. The United States of America ex rel. Joseph Singleton, next friend of Lui Kah, petitioner, *v.* Robert E. Tod, Commissioner of Immigration. Suggestion to strike petition for writ of certiorari from the docket submitted by Mr. Alfred A. Wheat for the respondent.

No. 1033. The United States of America, petitioner, *v.* New York & Cuba Mail Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alfred A. Wheat, Mr. Solicitor General Beck, Mr. Assistant Attorney General Davis, and Mr. Harry S. Ridgely for the petitioner, and by Mr. John Tilney Carpenter for the respondent.

No. 367. Brooks-Scanlon Corporation, appellant, *v.* The United States; and

No. 385. The United States appellant, *v.* Brooks-Scanlon Corporation. Motion for leave to file a petition for rehearing herein within 60 days submitted by Mr. Alfred A. Wheat for the United States in support of the motion, and by Mr. George A. King in behalf of counsel for Brooks-Scanlon Corporation in opposition thereto.

No. 929. Realty Holding Company, appellant, *v.* Lavina B. Donaldson. Motion to dismiss submitted, without prejudice, by Mr. L. B. Gardner, Mr. Sidney T. Miller, Mr. George L. Canfield, Mr. John C. Spaulding, Mr. Harold H. Emmons, Mr. Frank L. Dodge, and Mr. Robert M. Dsipdale, for the appellee in support of

the motion; with leave to counsel for the plaintiff in error to file brief in opposition thereto on or before Monday next.

No. 447. The United States, appellant, *v.* The Supplee-Biddle Hardware Company. Mandate granted, on motion of Mr. Frank Davis, jr., for the appellee.

No. 1077. Catherine G. Branam, jr., an Infant, etc., petitioner, *v.* William A. Wimsatt, trading as Johnson & Wimsatt. Motion for leave to proceed *in forma pauperis* herein submitted by Mr. S. T. Taliaferro for the petitioner.

No. 900. Cranberry Creek Coal Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 901. Alliance Coal Mining Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 902. The Lehigh Coal & Navigation Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania; and

No. 903. Philadelphia & Reading Coal & Iron Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Motion to advance submitted by Mr. George W. Woodruff for the defendant in error.

No. 1076. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v.* Texas & Pacific Railway Company. Motion to advance submitted by Mr. Alexander Britton in that behalf.

No. 979. Fleischmann Construction Company et al., plaintiffs in error, *v.* The United States of America to the use of G. W. Forsberg et al. Motion to dismiss or affirm submitted by Mr. Bynum E. Hinton for the defendants in error in support of the motion, and by Mr. Levi H. David and Mr. William F. Kimber for the plaintiffs in error in opposition thereto.

No. 1061. Compagnie Internationale de Produits Alimentaires, S. A., appellant, *v.* Thomas W. Miller, as Alien Property Custodian, etc., et al. Motion to advance submitted by Mr. C. B. Ellis for the appellant.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Motion of defendant for leave to file amended counter-claim submitted by Mr. Thomas W. Gregory for the defendant, and by Mr. Will G. Hill for the complainant in opposition thereto.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Motion of defendant for leave to file request of the State of Texas that the receiver pay the gross production tax due the State of Texas upon the oil produced in Texas during the receivership, submitted by Mr. Thomas W. Gregory for the defendant.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Motion of Thomas A. Gall, trustee, for permission to file requests for instructions to the receiver to turn over impounded money to be distributed as to well No. 160, submitted by Mr. Thomas W. Gregory in that behalf.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Motion of Mueller Petroleum Co. for leave to intervene submitted by Mr. W. A. Ledbetter, Mr. H. L. Stuart, and Mr. R. R. Bell in that behalf.

No. 1022. Louisville Bedding Company, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings submitted by Mr. Raymond M. Hudson for the appellant; with leave to the appellee to file brief in opposition thereto on or before Thursday next.

No. 1060. United Gas & Electric Engineering Corporation, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings submitted by Mr. Raymond M. Hudson for the appellant; with leave to the appellee to file brief in opposition thereto on or before Thursday next.

No. 870. Robins Dry Dock & Repair Company, plaintiff in error, *v.* Lars Dahl. Motion to advance submitted by Mr. Ralph G. Barclay for the defendant in error.

No. 1050. The Palmer Brothers Company, appellant, *v.* D. E. Weaver, Chief of the Bureau of Inspection in Pittsburgh of the Department of Labor and Industry, etc. Motion to advance submitted by Mr. Frank T. McGuire in that behalf.

No. 25, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion for the appointment of a commissioner herein submitted by Mr. A. L. Sawyer for the complainant.

No. 529. The Sanitary District of Chicago, appellant, *v.* The United States of America. Leave granted to file a brief herein as amici curiae on motion of counsel for the States of Michigan, Wisconsin, Ohio, Indiana, and Pennsylvania.

No. —. *Ex parte* In the matter of Julius Shapiro and Samuel J. Smith, individually and as copartners doing business as Shapiro & Company, Bankrupts, petitioners. Motion for a stay submitted by Mr. Jerome C. Jackson for the petitioners.

No. 1002. Twohy Brothers Company, plaintiff in error, *v.* Clarence Kennedy. Motion to dismiss submitted by Mr. J. H. Benton in behalf of Mr. W. T. Sprowls for the defendant in error in support of the motion, and by Mr. E. C. Brandenburg, Mr. G. P. Bullard, and Mr. Samuel White for the plaintiff in error in opposition thereto.

No. 738. Great International Brotherhood of Locomotive Engineers, plaintiff in error, *v.* J. W. Green. Motion to dismiss or affirm submitted by Mr. J. T. Stokely for the defendant in error in support of the motion, and by Mr. J. J. Mayfield for the plaintiff in error in opposition thereto.

No. 1000. Samuel S. Lewis 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 First Circuit submitted by Mr. Harvey H. Pratt for the petitioners.

No. 1001. Mrs. F. W. Leatherbury, Community Administratrix, petitioner, *v.* Gulf, Colorado & Santa Fe Railway Company. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas submitted by Mr. Winbourn Pearce and Mr. A. L. Curtis for the petitioner, and by Mr. J. W. Terry for the respondent.

No. 1008. Great Northern Railway Company, petitioner, *v.* Charles W. Reed et al. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. F. G. Dorety for the petitioner.

No. 1012. Charles Sherwin et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. B. Scott for the petitioners.

No. 1015. Leda K. Mayfield, 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 Fourth Circuit submitted by Mr. S. G. Mayfield for the petitioner, and by Mr. Alfred Huger for the respondent.

No. 1016. Leda K. Mayfield, petitioner, *v.* The Federal Reserve Bank of Atlanta. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. S. G. Mayfield for the petitioner, and by Mr. Hollins N. Randolph and Mr. A. B. Lovett for the respondent.

No. 1030. Fred S. Hoback, 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. B. Hunt and Mr. Walter R. Staples for the petitioner.

No. 1034. American Central Insurance Company, petitioner, *v.* Mrs. G. W. Sims. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. R. Lee Bartels for the petitioner.

No. 1039. Diamond Coal & Coke Company, petitioner, *v.* Hazelwood Dock Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Edward B. Burling for the petitioner.

No. 1040. Diamond Coal & Coke Company, petitioner, *v.* Hazelwood Dock Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Edward B. Burling for the petitioner.

No. 1041. American Creosote Works (Inc.) et al., petitioners, *v.* Edwin L. Powell. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William B. Grant and Mr. Charlton R. Beattie for the petitioners.

No. 1049. Landers Company (Inc.) et al., petitioners, *v.* Lincoln-Alliance Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. J. Howard and Mr. Sewall Myer for the petitioners.

No. 1054. Commercial National Bank of Hutchinson, Kansas, petitioner, *v.* Heid Brothers (Inc.). Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas submitted by Mr. I. N. Watson and Mr. Charles R. Loomis for the petitioner, and by Mr. Joseph U. Sweeney for the respondent.

No. 1062. Irving National Bank, etc., petitioner, *v.* Thomas M. Blake et al., Receivers. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Irving L. Ernst for the petitioner, and by Mr. Herman Aaron for the respondents.

No. 1063. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* Ernest J. Goneau. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Marshall A. Spooner and Mr. John E. Palmer for the petitioner, and by Mr. Samuel A. Anderson for the respondent.

No. 1065. Forestglen Land Company, petitioner, *v.* George R. Scrugham et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Walter L. Clark and Mr. M. W. Acheson, jr., for the petitioner, and by Mr. A. Leo Weil for the respondent.

No. 1066. Joe R. Irwin, 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. Huling P. Robertson, jr., for the petitioner.

No. 1069. J. G. White & Company (Inc.), petitioner, *v.* Ball Engineering Company. Petition for a writ or certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. J. Kemp Bartlett and Mr. Harry W. Reynolds for the petitioner, and by Mr. Charles D. Lockwood and Mr. William M. Parke for the respondent.

No. 1071. James C. Davis, Director General and Agent, etc., petitioner, *v.* John L. Roper Lumber Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. A. A. McLaughlin for the petitioner.

No. 1073. Thomas W. Miller, as Alien Property Custodian et al., petitioners, *v.* Benjamin Guinness et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Peck for the petitioners.

No. 1074. Benjamin Guinness et al., petitioners, *v.* Thomas W. Miller, Alien Property Custodian et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alexander B. Siegel for the petitioners.

No. 1075. Chicago Great Western Railroad Company, petitioner, *v.* A. D. Schendel, as Special Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Asa G. Briggs for the petitioner, and by Mr. Tom Davis and Mr. Ernest A. Michel for the respondent.

No. 1079. W. W. Wilkinson, Trustee, etc., petitioner, *v.* J. L. Walker. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Mark McMahon for the petitioner.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Report of commissioners as to time employed and expense incurred in surveying and mapping medial line of Red River in vicinity of river bed oil wells submitted by Mr. Arthur D. Kidder and Mr. Arthur A. Stiles, the commissioners herein.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

Jesse P. Dice, of Akron, Ohio; Vernon W. Van Fleet, of South Bend, Ind.; Charles F. Dolle, of Cincinnati, Ohio; Robert M. Drysdale, of Detroit, Mich.; John R. Rood, of Detroit, Mich.; Frank C. Miller, of Norfolk, Va.; William Morrow, of Scottsbluff, Nebr.; Alberto S. Poventud, of Ponce, P. R.; Joseph P. O'Connell, of Denver, Colo.; Barry S. Ulrich, of San Francisco, Calif.; Richard H. Wilmer, of Washington, D. C.; Sidney C. Murray, of Chicago, Ill.; Robert C. Hilldale, of Washington, D. C.; William E. Chapman, of Fort Worth, Tex.; Samuel Dickstein, of New York City; William G. Mahaffy, of Wilmington, Del.; Will T. Gordon, of Washington, D. C.; C. Dudley Shreve, of Washington, D. C.; Raymond F. Church, of Los Angeles, Calif.; Albert R. Killgore, of Glendale, Calif.; and James Neil Hastings, of Los Angeles, Calif., were admitted to practice.

No. 200. James Everard's Breweries, appellant, *v.* Ralph A. Day, Prohibition Director of the State of New York, et al.; and

No. 245. Edward and John Burke, Limited, appellant, *v.* David H. Blair, Commissioner of Internal Revenue, et al. Appeals from the District Court of the United States for the Southern District of New York. Decrees affirmed with costs. Opinion by Mr. Justice Sanford.

No. 627. The United States of America et al., appellants, *v.* The New River Company et al; and

No. 628. Slab Fork Coal Company et al., appellants, *v.* New River Company et al. Appeals from the District Court of the United States for the Southern District of West Virginia. Decrees reversed; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler. Dissenting: Mr. Justice McKenna.

No. 324. The Idaho Irrigation Company, Limited, et al., appellants, *v.* Fred W. Gooding et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the District of Idaho. Opinion by Mr. Justice Sutherland.

No. 336. Fred W. Gooding et al., appellants, *v.* The Idaho Irrigation Company, Limited, et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the District of Idaho for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 32. William R. Warner & Company, petitioner, *v.* Eli Lilly & Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 358. The United States of America, appellant, *v.* Title Insurance & Trust Company et al. 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 Southern District of California. Opinion by Mr. Justice Van Devanter.

No. 689. J. C. Walton, appellant, *v.* Wesley D. Disney et al. Appeal from the District Court of the United States for the Western District of Oklahoma. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Injunction ordered to issue against J. H. Duhon and H. J. Kebideaux. Opinion by Mr. Justice Van Devanter.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Exceptions to report of boundary commissioners overruled. Report confirmed, and boundary established according to report. Opinion by Mr. Justice Van Devanter.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Questions propounded by order of May 5, 1924, considered and answered. Opinion by Mr. Justice Van Devanter.

No. 15, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener.

1. The motion of the defendant, the State of Texas, for leave to file an amended counterclaim relating to the interstate boundary along the one hundredth meridian is granted; and the complainant, the State of Oklahoma, and the intervener, the United States of America, are severally given until and including the first Monday of October next within which to answer such amended counterclaim.

2. On consideration of the response made by J. H. Duhon and H. J. Kebideaux to the order to show cause issued against them on May 5, 1924, such response is found insufficient and it is ordered that an injunction be issued directing that they dismiss the action brought by them against the receiver in this cause in the District Court of Wichita County, Tex., and that they refrain from taking any other proceeding or step in that action.

3. The report of the boundary commissioners of the survey and platting of the medial line of Red River in the vicinity of the river-bed wells, pursuant to the order of June 4, 1923, 262 U. S. 505, is approved and adopted. The report of such commissioners of the time employed and expense incurred in that work is also approved, and the receiver is directed to pay the sums specified in such report and to charge the same against the impounded funds derived from the river-bed wells.

4. On consideration of the motion of the State of Texas that the receiver pay out of the proceeds of the receivership wells south of the interstate boundary the production tax prescribed by the laws of that State, it is ordered that the receiver be authorized, out of the impounded proceeds from every such well, to pay such tax in respect of such impounded proceeds and to charge the same against such well as an expense specially pertaining to it. But before making any such payment the receiver shall request the attorney general of the State of Texas, and the parties interested in the fund from which the payment is to be made, to submit to him definite statements showing the amount of the tax and whether it has been otherwise paid. If in any instance the receiver is in doubt respecting the propriety of the payment he shall withhold it and report the matter to this court for further instructions.

5. The receiver is instructed to distribute pro rata over the impounded funds in his custody all interest received on receivership moneys, all discounts collected and all other similar items of profit arising from the general operations or business of the receivership, and not from particular wells.

6. The receiver is authorized to take all proper steps to obtain payment of all accounts and claims that may be due or owing to him as such receiver and to report to the court at its next term all of such accounts and claims as then may remain unpaid with his recommendations respecting the measures to be taken to enforce payment.

7. The receiver is directed to publish a final notice to all persons asserting or holding claims against him or the receivership arising out of matters accruing since the claims' notice of June 1, 1921, to present such claims within 40 days after the first publication of such notice, in default of which the claims will be barred.

8. The receiver is instructed to make no reimbursement, under the order of June 1, 1921, 256 U. S. 607, or otherwise, to any operator or driller for work done on any river-bed well prior to the receivership where the well has proved to be a dry hole or unproductive; and all applications and suggestions that reimbursement be made for such work are overruled.

9. The receiver is instructed to spread the general expenses of the receivership over all the impounded funds in his custody in such way that each dollar in the funds derived from river-bed wells, and in those derived from flood-plain wells which have remained in the operation of the receiver, will bear twice as much of such expenses as each dollar in the funds derived from flood-plain wells which have been operated by private claimants will bear. The spreading shall be made evenly over all moneys in the funds bearing the lesser share of the expenses, and evenly over all moneys in the funds bearing the larger share. No distinction shall be made between moneys going to owners of flood-plain wells and moneys going to lessees of such wells. Neither shall be exempted and the spreading over the two shall be on a pro rata basis.

10. All expenses and losses incident to work done by the receiver on river-bed wells which proved unremunerative shall be charged against the funds derived from remunerative wells in the river bed.

11. The receiver is authorized to pay to Tom Testermann the sum received by the receiver on the sale by him of equipment belonging to Mr. Testermann which had come into the possession of the receiver.

12. The petition of Tom Testermann asking that he be reimbursed out of funds enuring to the Bass Petroleum Co., its successors or assigns, for the conversion by such company, prior to the receivership, of property claimed by Mr. Testermann is denied.

13. Notwithstanding the exception of well No. 139, known as the Burk-Senator well, from the order of June 1, 1921, 256 U. S. 607,

the receiver is authorized, in his discretion, to reimburse the operators who drilled that well prior to the receivership for the cost of that work, if the operators who participated therein are disposed to adjust the differences between them and to accept a reimbursement which is satisfactory to the receiver.

14. The receiver is authorized to surrender to the Secretary of the Interior, as the representative of the United States, the possession of all of the south half of the river bed, now in the receivership, with all oil wells, pipe lines, and other property pertaining to such river bed, the surrender to be made at the close of business on the 30th of June, 1924, or as soon thereafter as the Secretary of the Interior is prepared to take over that property.

15. The receiver is authorized to deliver to the Secretary of the Interior, as the representative of the United States, at the time of the surrender named in the last paragraph the office buildings, equipment and supplies belonging to the receivership and intended for use in its oil and gas operations, the delivery to be at a valuation agreed upon between the Secretary of the Interior and the receiver. The agreed price shall be charged to the United States and credited to the receiver as a partial payment to the former of the money enuring to it as proceeds of river-bed wells.

16. The receiver is authorized to pay over to the Secretary of the Interior, as the representative of the United States, at the time of the surrender and delivery named in the last two paragraphs approximately two-thirds of the net impounded funds derived from the river-bed wells.

17. The receiver is authorized to surrender to the several owners or lessees entitled thereto, as soon as arrangements therefor satisfactorily can be made, the possession of the flood-plain wells which he is now operating, together with the pipe lines and fixtures pertaining to them. If there be controversy or doubt as to who is entitled to any particular well the receiver shall withhold its surrender for the time being and pursue the course indicated in the next paragraph of this order.

18. The receiver is instructed to publish notice to all claimants to funds in his custody derived from flood-plain wells (meaning wells south of the interstate boundary as now established) to present their claims to such funds within 40 days after the first publication of such notice, the presentation to be in the form of a definite statement of what is claimed and of the claimant's title. After the expiration of 20 days more the receiver shall be authorized, where there are no conflicting claims, to pay the proceeds from any well or wells, less expenses and charges, to the proper claimant or claimants. If there be controversy or doubt as to who is entitled to the proceeds from any well the receiver shall withhold action as to such

proceeds and report the matter to this court at its next term for further instructions.

19. The receiver is directed to have all of his accounts audited as of the close of business on June 30, 1924, by an expert public accountant designated by the Chief Justice.

No. 940. United States and Cuban Allied Works Engineering Corporation, plaintiff in error, *v.* Lloyds, as Treasurer of Lloyds Underwriters Syndicate No. 601, et al. Transferred from the United States Circuit Court of Appeals for the Second Circuit. Remanded to the said Circuit Court of Appeals. Opinion by Mr. Chief Justice Taft.

No. 233. United Leather Workers' International Union No. 66 et al., appellants. *v.* Herkert & Meisel Trunk Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of Missouri for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft. Dissenting: Mr. Justice McKenna, Mr. Justice Van Devanter, Mr. Justice Butler.

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

No. 228. The United States of America et al., appellants, *v.* The Village of Hubbard, Ohio; and

No. 229. The United States of America et al., appellants, *v.* The City of Wellsville, Ohio. Restored to the docket and assigned for reargument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 498. October term, 1922. James K. Cochran and Harris Kobey, plaintiffs in error, *v.* Coulton M. Becker. Supplemental petition to revoke the mandate in this cause denied.

No. 1018. Orinoco Company, Limited, et al., appellants, *v.* The Orinoco Iron Company. Motion to reinstate this cause on the docket denied.

No. 454. The United States of America ex rel. Soo Hoo Hong, petitioner, *v.* Robert E. Tod, Commissioner of Immigration, etc. Suggestion to strike the petition for a writ of certiorari in this cause from the docket granted.

No. 482. The United States of America ex rel. Joseph Singleton, next friend of Lui Kah, *v.* Robert E. Tod, Commissioner of Immigration. Suggestion to strike the petition for a writ of certiorari in this cause from the docket granted.

No. 992. Edward H. Childs, Trustee in Bankruptcy, petitioner, *v.* The United States of America. Suggestion to strike the petition for a writ of certiorari in this cause from the docket granted.

No. 367. Brooks-Scanlon Corporation, appellant, *v.* The United States; and

No. 385. The United States, appellant, *v.* Brooks-Scanlon Corporation. Motion for leave to postpone the presentation of a petition for a rehearing herein denied.

No. 1077. Catherine G. Branan, Junior, an infant, etc., petitioner, *v.* William A. Wimsatt, Trading as Johnson and Wimsatt. The court having considered the petition for a writ of certiorari filed in manuscript and the brief presented by the petitioner in support of the same, denies the petition for a writ of certiorari; and therefore denies the motion of the petitioner for leave to proceed in forma pauperis and to have the record printed at public expense.

No. 1022. Louisville Bedding Company, appellant, *v.* The United States. Motion to remand this cause to the Court of Claims for further findings denied without prejudice.

No. 1060. United Gas & Electric Engineering Corporation, appellant, *v.* The United States. Motion to remand this cause to the Court of Claims for further findings denied without prejudice.

No. 25, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion for the appointment of Conway Elder as commissioner to take proofs herein granted.

No. —. *Ex parte* In the matter of Julius Shapiro and Samuel J. Smith, Individually and as Copartners, doing business as Shapiro & Smith, Bankrupts, petitioners. Motion for a stay herein denied.

No. 529. The Sanitary District of Chicago, appellant, *v.* The United States of America. Motion for leave to file brief on behalf of the States of Michigan, Ohio, Wisconsin, Minnesota, Indiana, and Pennsylvania, as amici curiae herein, granted.

No. 900. Cranberry Creek Coal Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 901. Alliance Coal Mining Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 902. The Lehigh Coal & Navigation Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 903. Philadelphia & Reading Coal & Iron Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania; and

No. 1076. Gulf, Colorado & Santa Fe Railway Company, appellant, *v.* Texas & Pacific Railway Company. Motions to advance granted and cases assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 1061. Compagnie Internationale de Produits Alimentaires, S. A., appellant, *v.* Thomas W. Miller, as Alien Property Custodian, etc., et al. Motion to advance granted; and cause assigned for argument on Monday, November 10 next, with No. 921, as one case.

No. 870. Robins Dry Dock & Repair Company, plaintiff in error, *v.* Lars Dahl. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 1050. The Palmer Brothers Company, appellant, *v.* D. E. Weaver, Chief of the Bureau of Inspection in Pittsburgh of the Department of Labor and Industry, etc. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, November 10 next, after the cases heretofore assigned for that day.

No. 979. Fleischmann Construction Company et al., plaintiffs in error, *v.* The United States of America to the use of G. W. Forsberg et al. Further consideration of the motion to dismiss or affirm in this cause postponed until the hearing of the cause on the merits.

No. 1002. Twohy Brothers Company, plaintiff in error, *v.* Clarence Kennedy. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 568; *Hull v. Burr*, 234 U. S. 712, 720; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444; *Barnett v. Kunkle*, decided February 18, 1924.

No. 738. Great International Brotherhood of Locomotive Engineers, plaintiff in error, *v.* J. W. Green. In error to the Supreme Court of the State of Alabama. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195.

No. 891. Missouri Pacific Railroad Company, petitioner, *v.* Reynolds-Davis Grocery Company. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas granted.

No. 1017. R. H. Clemmer, Attorney in fact, etc., et al., petitioners, *v.* Arthur L. Ross et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 1029. Guardian Savings & Trust Company, Trustee, petitioner, *v.* Road Improvement District No. 7 of Poinsett County, Arkansas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 1008. Great Northern Railway Company, petitioner, *v.* Charles W. Reed et al. Petition for a writ of certiorari to the Supreme Court of the State of Washington granted.

No. 1012. Charles Sherwin 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 granted.

No. 1033. The United States of America, petitioner, *v.* New York & Cuba Mail Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1063. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* Ernest J. Goneau. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 1071. James C. Davis, Director General and Agent, etc., petitioner, *v.* John L. Roper Lumber Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia granted.

No. 1073. Thomas W. Miller, as Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness et al. Petition for a writ of certiorari to the United States Circuit of Appeals for the Second Circuit granted.

No. 1074. Benjamin Guinness et al., petitioners, *v.* Thomas W. Miller, Alien Property Custodian, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1075. Chicago Great Western Railway Company, petitioner, *v.* A. D. Schendel, Special Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 751. J. E. Williams et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 973. North Pacific Steamship Company, plaintiff in error, *v.* William T. Soley. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. 974. The Baltimore & Ohio Railroad Company, petitioner, *v.* Anna W. Gill, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 1009. S. H. Pomeroy Company et al., petitioners, *v.* Frank F. Smith Hardware Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1010. Emile Vital et al., etc., Copartners, etc., petitioners *v.* Henry F. Kerr, trading as the Kerr Steamship Line. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1011. Isaac J. Bigio, petitioner, *v.* Henry F. Kerr, trading as the Kerr Steamship Line. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1021. Merriam & Millard Company, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1024. Elmyr A. Laughlin et al., petitioners, *v.* Burry Railway Supply Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1025. George W. Reed et al., Trustees, petitioners, *v.* Federal Finance Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1027. Chicago Pneumatic Tool Company, petitioner, *v.* William H. Keller, Inc., formerly known as Keller Pneumatic Tool Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1035. Rudolph De Marco, 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. 1046. Herman Wolff et al., Executors of the Will of Albert J. A. Hamilton, petitioner, *v.* John G. Williams. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1000. Samuel S. Lewis 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 First Circuit denied.

No. 1001. Mrs. F. W. Leatherbury, Community Administratrix, petitioner, *v.* Gulf, Colorado & Santa Fe Railway Company. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas denied.

No. 1015. Leda K. Mayfield, 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 Fourth Circuit denied.

No. 1016. Leda K. Mayfield, petitioner, *v.* The Federal Reserve Bank of Atlanta. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1030. Fred S. Hoback, 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. 1034. American Central Insurance Company, petitioner, *v.* Mrs. G. W. Sims. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1039. Diamond Coal & Coke Company, petitioner, *v.* Hazelwood Dock Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1040. Diamond Coal & Coke Company, petitioner, *v.* Hazelwood Dock Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1041. American Creosote Works, Inc., et al., petitioners, *v.* Edwin L. Powell. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1049. Landers Company (Inc.) et al., petitioners, *v.* Lincoln-Alliance Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1054. Commercial National Bank of Hutchinson, Kansas, petitioner, *v.* Heid Brothers (Inc.). Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas denied.

No. 1062. Irving National Bank, etc., petitioner, *v.* Thomas M. Blake et al., Receivers. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1065. Forestglen Land Company, petitioner, *v.* George R. Scrugham et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1066. Joe R. Irwin, 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. 1069. J. G. White & Company (Inc.), petitioner, *v.* Ball Engineering Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1079. W. W. Wilkinson. Trustee, petitioner, *v.* J. L. Walker. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 899. James C. Davis, Agent, plaintiff in error. *v.* L. L. Cohen & Company (Inc.). Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on on the writ of error.

No. 905. B. F. Lee et al., plaintiffs in error, *v.* Osceola & Little River Road Improvement District No. 1 of Mississippi County, Arkansas. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

ORDER

It is ordered that sections 1 and 9 of Rule 26 of this court be amended so that said sections shall, respectively, read as follows:

"1. The court, on the first day of each term, will commence calling the cases for argument in the order in which they stand on the docket, and proceed from day to day during the term in the same order (except as hereinafter provided); and, if the parties, or either of them, shall be ready when the case is called, the same will be heard; and if neither party shall be ready to proceed in the argument, the case shall be continued to the next term of the court unless the court shall otherwise order.

"9. If, after a case has been continued under section 1, both parties shall desire to have it heard at the same term, they may, not later than three days before a regular motion day, file with the Clerk their joint request to that effect accompanied by their affidavits or those of their counsel giving the reasons why the case was continued and why it should be reinstated. Reinstatement shall be made by the court only when it appears to the court that there was good reason for the previous continuance and that the reinstatement can be made without prejudice to parties in other cases coming on regularly for hearing."

ORDER. In the cases in which opinions have been handed down to-day, ten days shall elapse before the mandates go down; and leave is given to the parties to file such motions within that period as they may be advised, which shall have the same effect as if filed this day.

No. 114. James C. Davis, as Agent, etc., petitioner, *v.* Portland Seed Company;

No. 122. San Francisco & Portland Steamship Company, plaintiff in error, *v.* A. J. Parrington; and

No. 123. James C. Davis, Agent, United States Railroad Administration, plaintiff in error, *v.* A. J. Parrington. Motion for an extension of time within which to file petitions for rehearing herein submitted by Mr. Hugh B. Rowland in that behalf; and motion denied.

No. 559. The United States of America, petitioner, *v.* Ninety-five Barrels, more or less, alleged apple cider vinegar, et al. Leave granted to file a petition for rehearing herein within 10 days, on motion of Mr. L. C. Speith in that behalf.

ORDER.—It is now here ordered by this court that all cases on the docket not decided, and all other business of the term not disposed of, be, and the same are hereby, continued to the next term.

Adjourned to the time and place appointed by law.