

SUPREME COURT OF THE UNITED STATES

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

Dayton E. Van Vactor, of Klamath Falls, Oreg.; Charles L. Carr, of Kansas City, Mo.; Martin Sack, of Jacksonville, Fla.; James B. Searcy, of Springfield, Ill.; D. Niel Ferguson, of Ocala, Fla.; Alonzo H. Garcelon, of Boston, Mass.; David W. Jacobs, of Boston, Mass.; Alma M. Myers, of San Francisco, Calif.; Norman A. Bailie, of Los Angeles, Calif.; Eugene Harpole, of Superior, Mont.; Lon E. Blankenbecker, of Houston, Tex.; John F. Sharp, jr., of Oklahoma City, Okla.; J. Andrew West, of Prescott, Ariz.; Elbert Hooper, of Fort Worth, Tex.; and J. Mark Trice, of Washington, D. C., were admitted to practice.

No. 41. Painters District Council No. 14 of Chicago, etc., appellants, *v.* The United States of America. Suggestion of a diminution of the record and motion for a writ of certiorari submitted by Mr. Solicitor General Thacher for the appellee.

No. 287. The Atchison, Topeka and Santa Fe Railway Company et al., appellants, *v.* The United States of America et al. Joint motion to advance submitted by Mr. Solicitor General Thacher in that behalf.

No. 391. T. Binford et al., appellants, *v.* J. H. McLeaish & Company et al. Motion to advance submitted by Mr. A. L. Reed for the appellants.

No. 263, October term, 1930. Maas & Waldstein Company, petitioner, *v.* The United States of America. Leave granted to file brief of Hugh Satterlee and Rollin Browne as *amici curiae*, on motion of Mr. Hugh Satterlee and Mr. Rollin Browne in that behalf.

No. 98. Arizona Grocery Company, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Leave granted to file brief of the Interstate Commerce Commission as *amicus curiae* on motion of Mr. H. L. Underwood in that behalf.

No. 98. Arizona Grocery Company, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Leave granted to file brief of the Arizona Corporation Commission as *amicus curiae* on motion of Mr. John E. Benton in that behalf.

No. 60. Chicago and North Western Railway Company, petitioner, *v.* Eugene Bolle. Suggestion of a diminution of the record and motion for a writ of certiorari submitted by Mr. John P. Bramhall for the respondent.

No. 331. Manuel V. Domenech, Treasurer of Porto Rico, petitioner, *v.* Porto Rican Leaf Tobacco Company. Leave granted to file brief of respondent on motion of Mr. Dean G. Acheson with leave to petitioner to file a reply brief within three days on motion of Mr. William Cattron Rigby in that behalf.

No. 218. Winchester Manufacturing Company, petitioner, *v.* The United States. Motion to remand submitted by Mr. F. S. Bright for the petitioner in support thereof, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, and Mr. James A. Cosgrove for the respondent in opposition thereto.

No. 285. The Chemical Foundation, Inc., petitioner, *v.* General Electric Company et al. Motion for leave to file brief of Radiological Society of North America and Radiological Research Institute, Inc., as *amici curiae*, submitted by Mr. Seward Davis in that behalf and the motion denied.

No. 434. Roy Marx et al., appellants, *v.* Charles R. Maybury, as Director of Licenses for the State of Washington, et al. Appeal from the District Court of the United States for the Western District of Washington. Docketed and dismissed on motion of Mr. Blaine Mallon in behalf of counsel for the appellee.

No. 263, October term, 1930. Maas & Waldstein Company, petitioner, *v.* The United States. Leave granted to file brief of Ward Loveless, as *amicus curiae*, on motion of Mr. Ward Loveless in that behalf.

No. 16, original. The United States of America, complainant, *v.* State of Oregon. Leave granted to file amended answer of respondent on motion of Mr. J. Mark Trice for the respondent.

No. 17, original. The State of Washington, complainant, *v.* The State of Oregon. Leave granted to file answer of respondent on motion of Mr. J. Mark Trice for the respondent.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. Motion to advance submitted by Mr. C. C. Calhoun for the appellants.

No. 454, October term, 1930. John M. Brandt, Company, petitioner, *v.* The United States. Motion for leave to file petition for rehearing submitted by Mr. David J. Shorb for the petitioner.

No. 361. Nicola Ranieri, petitioner, *v.* S. D. Smith, District Director in charge of Immigration, etc. Motion to consider petition for writ of certiorari on unprinted papers submitted by Mr. John H. Chumbley for the petitioner.

No. 265. L. A. Nixon, petitioner, *v.* James Condon and C. H. Kolle. Leave granted to file brief of C. N. Love, Julius White, and others as *amici curiae* on motion of Mr. J. Alston Atkins in that behalf.

No. —. In the matter of the Disbarment of William E. Baff. Report of the Committee of the Bar presented.

No. —, original. *Ex parte*: James Edward Murphy, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. James Edward Murphy *pro se*.

No. —, original. *Ex parte*: Richard Husty, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Percy F. Parrott for the petitioner.

No. 5, original. The State of Wisconsin et al., complainants, *v.* The State of Illinois, et al.;

No. 8, original. The State of Michigan et al., complainants, *v.* The State of Illinois et al.; and

No. 9, original. The State of New York et al., complainants, *v.* The State of Illinois et al. Semiannual report of the defendants as to progress made, dated July 1, 1931, presented.

No. 11, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Report No. 3 of the defendant, State of Indiana, dated August 29, 1931, presented.

No. 358. T. E. Clemmons, Executor of the Estate of E. B. Slaton, appellant, *v.* A. L. Hall, Administrator of the Estate of Carl Hall. Appeal from the Supreme Court of the State of Georgia. Dismissed on motion of counsel for the appellant.

No. 47. Rocky Brook Mills Company, petitioner, *v.* The United States. Motion to remand submitted by Mr. John Phillip Hill for the petitioner in support thereof and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent in opposition thereto.

No. 351. S. P. Knut, Individually, etc., et al., petitioners, *v.* Patrick Henry, Executor, etc.; and

No. 352. S. P. Knut, Individually, etc., et al., petitioners, *v.* Elizabeth H. Forsyth et al. Motions to dismiss submitted by Mr. Gerard Brandon for the respondents.

No. 123. Joseph Vallanvanti, petitioner, *v.* Armour & Company. Motion for leave to proceed *in forma pauperis* submitted by Mr. Asa P. French for the petitioner.

No. 126. Leonard Fernandez, petitioner, *v.* Harry M. Kaiser, as Warden of Clinton Prison, Dannemora, N. Y. Motion for leave to proceed *in forma pauperis* submitted by Mr. Leonard Fernandez *pro se*.

No. 144. Max Leibowitz et al., petitioners, *v.* The United States of America. Motion for leave to proceed *in forma pauperis* submitted by Mr. Max Leibowitz *pro se*.

No. 166. Cammillus Soleau et al., petitioners, *v.* Josephine Soleau et al. Motion for leave to proceed *in forma pauperis* submitted by Mr. Howard Lewis for the petitioners.

No. 220. Ida E. Tutson, petitioner, *v.* Joseph F. Holland et al. Motion for leave to proceed *in forma pauperis* submitted by Mr. Elwood G. Hubert for the petitioner.

No. 410. Glen E. Minnick, Administrator, etc., petitioner, *v.* Southern Railway Company. Motion for leave to proceed *in forma pauperis* submitted by Mr. Paul Dulaney for the petitioner.

No. 47. Rocky Brook Mills Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. John Phillip Hill for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. R. C. Williamson for the respondent.

No. 61. Earl L. Fisher et al., petitioners, *v.* Scott Redfield and Berwick B. Wood, copartners, etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Oregon submitted by Mr. I. H. Van Winkle and Mr. Willis S. Moore for the petitioners, and by Mr. Erskine Wood for the respondents.

No. 62. American Hide and Leather Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. William E. Hayes and Mr. George E. Hamilton for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. George H. Foster for the respondent.

No. 65. Willie Tiger and Alexander George, petitioners, *v.* Emory Timmons et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Creekmore Wallace for the petitioners, and by Mr. Thomas J. Flannelly for the respondents.

No. 70. M. Hohenberg et al., co-partners, etc., petitioners, *v.* Louisville & Nashville Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Chas. E. Cotterill for the petitioners, and by Mr. Robert E. Steiner for the respondent.

No. 73. The Delaware, Lackawanna and Western Railroad Company, petitioner, *v.* Duris Berry. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frederic B. Scott for the petitioner, and by Mr. Joseph Coult for the respondent.

No. 74. Walter Beck, petitioner, *v.* Missouri Valley Drainage District of Holt County, Missouri, et al., etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Cyrus Crane for the petitioner.

No. 75. Daniel H. Coakley, petitioner, *v.* Equitable Bank & Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Thomas H. Mahony for the petitioner.

No. 76. Akties, Dampskibsselskabet Donneborg, as Owner of the Steamship Sonderborg, et al., etc., petitioners, *v.* G. Mikkelsen, H. Olsson et al.; and

No. 190. G. Mikkelsen et al., petitioners, *v.* Akties, Dampskibsselskabet Donneborg, etc., et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Leon T. Seawell for the petitioners, in No. 76; by Mr. Jacob L. Morewitz for the petitioners in No. 190 and respondents in No. 76.

No. 78. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. M. L. Bell, Mr. William F. Peter, and Mr. Thos. P. Littlepage for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewell Key, Mr. John Henry McEvers, and Mr. Paul D. Miller for the respondent.

No. 79. Chicago & Eastern Illinois R. R. Co., petitioner, *v.* Industrial Commission of Illinois and Joe Thomas. Petition for writ of certiorari to the Circuit Court of Cook County, State of Illinois, submitted by Mr. Edward W. Rawlins and Mr. Thos. P. Littlepage for the petitioner, and by Mr. Samuel E. Hirsch for the respondents.

No. 81. Leon E. Harker, petitioner, *v.* Ralston Purina Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Henry H. Hornbrook for the petitioner, and by Mr. P. Taylor Bryan, Mr. George H. Williams, and Mr. Thos. S. McPheeters for the respondent.

No. 82. I. Tanenbaum Son & Company, petitioner, *v.* Drumbor-Bingell Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Carr for the petitioner.

No. 83. Howard Thomas, Administrator of the Estate of Harold James Pringle, deceased, petitioner, *v.* Morton Salt Company. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Leo J. Carrigan for the petitioner, and by Mr. Burt D. Cady and Mr. Samuel D. Pepper for the respondent.

No. 85. The United States, petitioner, *v.* Olympia Shipping Corporation. Petition for writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Walter F. Welch for the respondent.

No. 137. Matson Navigation Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. William G. Feely, Mr. Herman Phleger, and Mr. Maurice E. Harrison for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Claude R. Branch for the respondent.

No. 86. Elgin, Joliet, and Eastern Railway Company, petitioner, *v.* Richard R. Churchill, Administrator, etc. Petition for writ of certiorari to the Appellate Court of the State of Illinois, First District, submitted by Mr. Kemper K. Knapp and Mr. William Beye for the petitioner, and by Mr. Herbert H. Patterson for the respondent.

No. 87. Elgin, Joliet, and Eastern Railway Company, petitioner, *v.* Richard R. Churchill, Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Kemper K. Knapp and Mr. William Beye for the petitioner, and by Mr. Herbert H. Patterson for the respondent.

No. 90. Olympic Salt Water Company, petitioner, *v.* The Ship-owners and Merchants Tugboat Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Herbert W. Clark for the petitioner, and by Mr. Thomas A. Thacher for the respondent.

No. 92. Lehigh Valley Transit Company, petitioner, *v.* Roger H. Zanes. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Allen Hunter White and Mr. Frederic L. Ballard for the petitioner, and by Mr. Daniel Burke for the respondent.

No. 93. M. C. Garber, petitioner, *v.* David Burnet, Commissioner of Internal Revenue;

No. 94. L. G. Moore, petitioner, *v.* David Burnet, Commissioner of Internal Revenue;

No. 95. James Tait, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 96. W. F. Kistler Estate et al., petitioners, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Hubert L. Bolem, Mr. S. W. Hayes, and Mr. D. A. Richardson for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. John Henry McEvers, and Mr. Paul D. Miller for the respondent.

No. 98. Arizona Grocery Company, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Samuel White for the petitioner, and by Mr. L. H. Chalmers, Mr. Thos. G. Nairn, Mr. E. W. Camp, Mr. James E. Lyons, and Mr. R. S. Outlaw for the respondents.

No. 99. William Driscoll and Thomas Driscoll, petitioners, *v.* The State of Colorado, etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Colorado submitted by Mr. Edwin H. Park for the petitioners, and by Mr. Paul P. Prosser, Mr. Edward M. Freeman, and Mr. C. L. Ireland for the respondents.

No. 100. Hamilton Rubber Manufacturing Company et al., petitioners, *v.* Maco Stewart, Sr., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John Davis for the petitioner and by Mr. Maco Stewart, Jr., for the respondent.

No. 101. William F. Kelly, petitioner, *v.* The Queensboro National Bank of the City of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William F. Kelly, *pro se*, and by Mr. Morris Kamber for the respondent.

No. 102. Samson Tire & Rubber Company, petitioner, *v.* R. H. Eggleston, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edwin C. Brandenburg for the petitioner, and by Mr. William S. Pritchard for the respondent.

No. 103. Aetna Life Insurance Company, petitioner, *v.* Lucy G. Wharton. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. S. Lasker Ehrman for the petitioner, and by Mr. Wm. H. Rector and Mr. Elbert E. Godwin for the respondent.

No. 104. H. P. Coffee Company, petitioner, *v.* Reid, Murdock & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Roy M. Eilers for the petitioner, and by Mr. Fred Gerlach and Mr. Douglas W. Robert for the respondent.

No. 106. Charles Lantz, petitioner, *v.* Thornhill Francis Broome. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. Edward Fitzpatrick, Mr. Robert N. Miller, and Mr. Donald V. Hunter for the petitioner, and by Mr. Fred E. Pettit, jr., and Mr. Charles F. Blackstock for the respondent.

No. 107. Baltimore & Ohio Railroad Company, petitioner, *v.* Jules Emmanuel Denis Cornec, Master, etc., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. George W. P. Whip and Mr. Duncan K. Brent for the petitioner, and by Mr. John C. Prizer, Mr. George Forbes, Mr. John Henry Skeen, and Mr. Emory H. Niles for the respondent.

No. 108. Southern Railway—Carolina Division, petitioner, *v.* Minnie L. Neal, Administratrix. Petition for 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. John B. Hyde, Mr. Lionel K. Legge, Mr. Nath B. Barnwell, and Mr. L. E. Jeffries for the petitioner, and by Mr. John P. Grace for the respondent.

No. 109. Benigno Velazquez, petitioner, *v.* R. W. Rickson, Master, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Jacob L. Morewitz for the petitioner.

No. 110. S. J. Schneider, Trustee, etc., petitioner, *v.* Robert H. Lucas, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Elwood Hamilton and Mr. J. C. W. Beckham, jr., for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Morton K. Rothschild, and Mr. J. Louis Monarch for the respondent.

No. 111. Skaggs Safeway Stores, Inc., petitioner, *v.* Fred Dunkle. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Leonard J. Flansburg for the petitioner.

No. 113. Lamont, Corliss & Co., Ponds Extract Co., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. B. A. Levett for the petitioners, and by Mr. Solicitor General Thacher, Mr. Charles D. Lawrence, Mr. Claude R. Branch, and Mr. Paul D. Miller for the respondent.

No. 121. Celanese Corporation of America, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by

Mr. Addison S. Pratt for the petitioner, and by Mr. Solicitor General Thacher, Mr. Charles D. Lawrence, Mr. Claude R. Branch, and Mr. Paul D. Miller for the respondent.

No. 135. F. B. Vandegrift & Company, et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. J. Stewart Tompkins for the petitioners, and by Mr. Solicitor General Thacher, Mr. Charles D. Lawrence, Mr. Claude R. Branch, and Mr. Paul D. Miller for the respondent.

No. 254. F. M. Jabara & Bros., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. Samuel Isenschmid and Mr. Thomas M. Lane for the petitioner, and by Mr. Solicitor General Thacher, Mr. Charles D. Lawrence, Mr. Whitney North Seymour, and Mr. Paul D. Miller for the respondent.

No. 255. The American Foundation, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. Henry P. Adair and Mr. John C. Cooper, jr., for the petitioner, and by Mr. Solicitor General Thacher, Mr. Charles D. Lawrence, Mr. Whitney North Seymour, and Mr. Paul D. Miller for the respondent.

No. 286. Wilbur-Ellis Co. et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. Martin T. Baldwin for the petitioners, and by Mr. Solicitor General Thacher, Mr. Charles D. Lawrence, Mr. Whitney North Seymour, and Mr. Wm. H. Riley, jr., for the respondent.

No. 114. Citizens Bank of Warrenton, petitioner, *v.* Warner Moore. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. James H. Bridgers for the petitioner.

No. 115. Edgar Percy Lewis et al., petitioner, *v.* Marshall S. Reynolds, Individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. N. E. Corthell for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Miss Helen R. Carlöss, Mr. Wm. H. Riley, jr., and Mr. C. M. Charest for the respondent.

No. 116. James Solomont, Trustee, petitioner, *v.* O'Neill-Orr Construction Company et al. Petition for writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. Jacob J. Kaplan for the petitioner, and by Mr. Scott M. Loftin, Mr. Jno. P. Stokes, and Mr. James E. Calkins for the respondent.

No. 117. Southern Pacific Company, petitioner, *v.* L. T. McCready and Maryland Casualty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. I. Gilbert, Mr. Frank C. Cleary, and Mr. Guy V. Shoup for the petitioner, and by Mr. L. E. Dadmun and Mr. Walter L. Clark for the respondent.

No. 119. American Automobile Insurance Company, petitioner, *v.* Castle, Roper-Mathews, and Charles H. Roper. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Wm. H. Allen for the petitioner, and by Mr. C. Petrus Peterson for the respondents.

No. 124. Nelson P. Gay, Executor of David S. Gay, deceased, petitioner, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles Kerr and Mr. A. K. Shipe for the petitioner, and by Mr. Wm. Marshall Bullitt for the respondent.

No. 125. Harold C. Hill, Tax Assessor, etc., petitioner, *v.* Helen Strong Carter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank K. Nebeker for the petitioner, and by Mr. Mason F. Prosser, Mr. Robbins B. Anderson, and Mr. Benjamin L. Marx for the respondent.

No. 127. Grand Trunk Western Railway Company, petitioner, *v.* Marion Heatlie, Special Administratrix, etc.;

No. 128. Grand Trunk Western Railway Company, petitioner, *v.* Ida May Drew, Special Administratrix, etc.; and

No. 129. Grand Trunk Western Railway Company, petitioner, *v.* James White. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederic T. Harward and Mr. H. V. Spike for the petitioner, and by Mr. Thomas J. Bresnahan and Mr. Elmer H. Groefsema for the respondents.

No. 130. Denver and Rio Grande Western Railroad Company et al., petitioners, *v.* Ben Terte, Judge of the Circuit Court of Jackson County, Missouri, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Thomas Hackney and Mr. Cyrus Crane for the petitioners, and by Mr. Clay C. Rogers for the respondent.

No. 131. Charles Beadon et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Abraham Rosenthal for the petitioners, and by Mr. Solicitor Gen-

eral Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. Wm. H. Riley, jr., for the respondent.

No. 132. States Steamship Company, petitioner, *v.* Jac Wychgel. Petition for writ of certiorari to the Supreme Court of the State of Oregon submitted by Mr. Erskine Wood for the petitioner, and by Mr. John C. Veatch for the respondent.

No. 133. Pueblo de San Juan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Charles Fahy, Mr. Richard H. Hanna, and Mr. Nathan R. Margold for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Richardson, Mr. Claude R. Branch, Mr. George A. H. Fraser, and Mr. Paul D. Miller for the respondent.

No. 134. The Great Lakes Towing Company, petitioner, *v.* The Kinsman Transit Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George W. Cottrell for the petitioner, and by Mr. Frederick L. Leckie for the respondent.

No. 138. Kansas City Southern Railway Company et al., petitioners, *v.* Silica Products Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Arthur C. Brown for the petitioners, and by Mr. I. N. Watson, Mr. Henry N. Ess, and Mr. Thomas E. Scofield for the respondent.

No. 139. Otto W. Klose, petitioner, *v.* The United States of America; and

No. 140. Arthur Lorenz, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Otto W. Klose, and Mr. Arthur Lorenz *pro se*, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 141. Grays Harbor Motorship Corp., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Cletus Keating for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. Wm. H. Scott, and Mr. Wm. H. Riley, jr., for the respondent.

No. 143. Excelsior Brewing, Inc., and Pulaski Holding Company, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John R. K. Scott and Mr. William T. Connor for the petitioner, and by Mr. Solicitor General Thacher,

Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. Paul D. Miller for the respondent.

No. 145. Ernest E. Cook et al., petitioners, *v.* The Illinois Bankers Life Association et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James Bingham for the petitioners, and by Mr. Ralph F. Potter for the respondents.

No. 147. Victor Blackwood, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William H. Lewis and Mr. Matthew L. McGrath for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. A. W. Henderson for the respondent.

No. 148. John Garcia, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. J. Waguespack for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, and Mr. Wm. H. Riley, jr., for the respondent.

No. 149. The Mutual Life Insurance Company of New York, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Wm. M. Williams and Mr. Frederick L. Allen for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. L. A. Smith, and Mr. Wm. H. Riley, jr., for the respondent.

No. 150. Houston Oil & Transport Company, petitioner, *v.* Aetna Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Carl G. Stearns for the petitioner, and by Mr. J. Newton Rayzor and Mr. Mart H. Royston for the respondent.

No. 151. Earl D. Bess, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Raymond Gordon for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, Mr. A. E. Gottschall, and Mr. Wm. H. Riley, jr., for the respondent.

No. 152. Oglesby Coal Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Michael F. Gallagher and Mr. Samuel M.

Rinaker for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Miss Helen Carlross for the respondent.

No. 153. James P. Jones, petitioner, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. Minitree J. Fulton for the petitioner.

No. 154. Hans Gredig et al., petitioners, *v.* R. S. Sterling et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Kirby Fitzpatrick and Mr. James A. Reed for the petitioners, and by Mr. John G. Logue for the respondents.

No. 155. American Trust Company, petitioner, *v.* American Railway Express Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Arthur L. Gilliom, Mr. Roland Obenchain, Mr. Samuel O. Pickens, and Mr. R. F. Davidson for the petitioner, and by Mr. H. S. Marx and Mr. A. M. Hartung for the respondent.

No. 156. Carlotta L. Cowles et al., etc., petitioners, *v.* Thomas F. Reddy et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Ray M. Stanley for the petitioners, and by Mr. Horace L. Cheyney and Mr. John C. Crawley for the respondents.

No. 157. Louisville Cooperage Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Elwood Hamilton and Mr. J. C. W. Beckham, jr., for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Hayner N. Larson, and Mr. Wm. H. Riley, jr., for the respondent.

No. 160. Commonwealth of Pennsylvania, petitioner, *v.* Estate of Henry S. Paul. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. William A. Schnader and Mr. Philip S. Moyer for the petitioner, and by Mr. Leon J. Obermayer for the respondent.

No. 161. International Brotherhood of Electrical Workers, Local Union No. 134, et al., petitioners, *v.* Western Union Telegraph Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Floyd E. Thompson, Mr. Henry Jackson Darby, and Mr. Hope Thompson for the petitioners, and by Mr. Francis Raymond Stark for the respondent.

No. 162. United States of America ex rel. Aspasia Polymeris et al., petitioners, *v.* Joseph W. Trudell, Immigration Inspector in Charge. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Harold Van Riper for the petitioners, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 164. Joseph A. Caples, petitioner, *v.* Doloras M. Caples. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Fred C. Knollenberg for the petitioner, and by Mr. Chiles P. Plummer for the respondent.

No. 167. Valley National Bank of Chambersburg, Pa., et al., petitioners, *v.* John P. Stover. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Douglass D. Storey for the petitioners, and by Mr. Walter K. Sharpe for the respondent.

No. 168. Frank O. LeDuc, Personally, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Warren E. Miller for the petitioner, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Whitney North Seymour, Mr. J. Frank Staley, and Mr. W. Clifton Stone for the respondent.

No. 172. Marine Transit Corporation et al., petitioners, *v.* Louis Louis Dreyfus et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Horace L. Cheyney for the petitioner, and by Mr. George V. A. McCloskey for the respondent.

No. 173. Ivan L. Skeen, petitioner, *v.* Beulah V. Lynch et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. James Conlon for the petitioner, and by Mr. C. B. Ames, Mr. J. M. Hervey, and Mr. Edward M. Freeman for the respondents.

No. 175. Eddie Norris, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. M. Hanley and Mr. Francis Murphy for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, and Mr. Wm. H. Riley, jr., for the respondent.

No. 176. Hamburg Insurance Company of Hamburg, Germany, petitioner, *v.* James A. Beha, Superintendent of Insurance of the State of New York, etc. Petition for writ of certiorari to the Court

of Appeals of the State of New York submitted by Mr. Hartwell Cabell for the petitioner, and by Mr. LeRoy B. Iserman and Mr. Alfred C. Bennett for the respondent.

No. 177. Beneficial Loan Society of Bethlehem, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Jackson R. Collins, Mr. Samuel A. Syme, and Mr. Edmund R. Beckwith for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. R. C. Williamson, and Mr. William H. Riley, jr., for the respondent.

No. 179. Herbert S. Daniel, Trustee, etc., petitioner, *v.* Guaranty Trust Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Halleck F. Rose, Mr. Arthur R. Wells, Mr. Winthrop B. Lane, and Mr. Paul L. Martin for the petitioner, and by Mr. William C. Dorsey for the respondent.

No. 180. Faber, Coe & Gregg, Inc., petitioner *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. James L. Gerry for the petitioner, and by Mr. Solicitor General Thacher, Mr. Charles D. Lawrence, Mr. Claude R. Branch, Mr. Ralph Folks, and Mr. Paul D. Miller for the respondent.

No. 181. Marblehead Land Company et al., petitioners, *v.* City of Los Angeles. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Oscar Lawler and Mr. M. F. Mitchell for the petitioners, and by Mr. Erwin P. Werner and Mr. Frederick von Schrader for the respondent.

No. 182. Mrs. Lotta F. Jacobs et al., petitioners, *v.* First National Bank of Shreveport et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles E. Dunbar for the petitioners.

No. 183. Minidoka Irrigation District, petitioner, *v.* Ray Lyman Wilbur, Secretary of the Interior. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. F. W. Clements and Mr. Lawrence H. Cake for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Richardson, Mr. Claude R. Branch, Mr. Whitney North Seymour, and Mr. A. G. Iverson for the respondent.

No. 185. Baltimore and Philadelphia Steamboat Company et al., petitioners, *v.* Augustus P. Norton, Deputy Commissioner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Vernon S. Jones, Mr. Ira A. Campbell, Mr. Cletus Keating, and Mr. Raymond Parmer

for the petitioners, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. J. Frank Staley, Mr. C. M. Hester, and Mr. Wm. H. Riley, jr., for the respondent.

No. 186. En-le-te-ke, Charlie Harjo, et al., petitioners, *v.* W. A. Beasley et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. J. B. Campbell for the petitioners.

No. 187. J. Aron & Company, Inc., petitioner, *v.* Panama Railroad Company. Petition for writ of certiorari to the Supreme Court of New York County, State of New York, submitted by Mr. Horace T. Atkins for the petitioner, and by Mr. Richard Reid Rogers for the respondent.

No. 188. Fred E. Turner, Individually, etc., et al., petitioners, *v.* Effie T. Kirkwood. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Richard William Stoutz for the petitioners.

No. 189. John W. Jarvis, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. W. H. Douglass for the petitioner, and by Mr. Bruce Scott, Mr. Douglas W. Robert, and Mr. J. C. James for the respondent.

No. 191. United States Gypsum Company, petitioner, *v.* Plastoid Products, Inc. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. A. Arnold Brand and Mr. Arthur A. Olson for the petitioner, and by Mr. Albert J. Fihe for the respondent.

No. 192. City of Corpus Christi, Texas, petitioner, *v.* Corpus Christi Gas Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Gordon Boone for the petitioner, and by Mr. S. J. Brooks and Mr. Howard Templeton for the respondent.

No. 193. Southern Railway Company, petitioner, *v.* R. A. Hamilton; and

No. 194. Seaboard Air Line Railway Company, petitioner, *v.* R. A. Hamilton. Petitions for writs of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. S. R. Prince, Mr. H. O'B. Cooper, and Mr. L. E. Jeffries for the petitioner, in No. 193; by Mr. Murray Allen for the petitioner in No. 194, and by Mr. Robert N. Simms and Mr. Clyde A. Douglass for the respondent.

No. 196. Claude Neon Southern Corporation et al., petitioners, *v.* W. T. McCaffrey, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Scott M. Loftin, Mr. John P. Stokes, and Mr. James E. Calkins for the petitioners.

No. 197. Pennsylvania Railroad Company, petitioner, *v.* Shamrock Towing Company, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Chauncey I. Clark and Mr. Van Vechten Veeder for the petitioner, and by Mr. Edward Ash and Mr. Horace L. Cheyney for the respondents.

No. 199. Illinois Power and Light Corporation, petitioner *v.* J. T. Hurley et al., Trustees, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Thomas F. Doran and Mr. Thomas M. Pierce for the petitioner, and by Mr. John S. Leahy for the respondent.

No. 200. Harry M. Blackmer, petitioner, *v.* The United States of America; and

No. 201. Harry M. Blackmer, 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. Frederic DeC. Faust, Mr. Charles F. Wilson, Mr. George Gordon Battle, and Mr. Karl C. Schuyler for the petitioner, and by Mr. Leo A. Rover, Mr. Atlee Pomerene, and Mr. Frank Harrison for the respondents.

No. 202. Joseph H. Hanson, M. D., petitioner, *v.* Michigan State Board of Registration in Medicine. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Edwin C. Brandenburg and Mr. Louis M. Denit for the petitioner.

No. 203. Edward Da Roza, petitioner, *v.* The United States of America; and

No. 204. Edward Da Roza, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Ernest Spagnoli for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondent.

No. 205. Nitro Chemical Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Whitney North Seymour for the respondent.

No. 206. Sunny Brook Distillery Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Levi Cooke for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, and Mr. Wm. H. Riley, jr., for the respondent.

No. 207. American Monorail Company, petitioner, *v.* A. Stanford Lyon, Judge of the Circuit Court of Jackson County, Missouri, et al. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Frank J. Hogan, Mr. Maurice H. Winger, and Mr. Edmund L. Jones for the petitioner, and by Mr. I. N. Watson, Mr. Henry N. Ess, Mr. Powell C. Groner, and Mr. Paul Barnett for the respondent.

No. 208. City of Paris, Tennessee, petitioner, *v.* Kentucky-Tennessee Light and Power Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. R. H. Porter for the petitioner and by Mr. Wm. Marshall Bullitt for the respondent.

No. 209. John Peter Buren, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John Peter Buren, *pro se*, and by Mr. Peter F. Dunne and Mr. Guy V. Shoup for the respondent.

No. 210. Josie D. Harkins et al., petitioners, *v.* Helena M. Johnson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the sixth circuit submitted by Mr. George B. Martin for the petitioners, and by Mr. B. M. James and Mr. Joe Hobson for the respondent.

No. 211. L. Meisenhelder, as General Administratrix, etc., petitioner, *v.* H. E. Byram et al. Petition for writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Mortimer H. Boutelle and Mr. Frederick M. Miner for the petitioner, and by Mr. F. W. Root, Mr. A. C. Erdall, and Mr. C. S. Jefferson for the respondents.

No. 212. Union Trust Company, of Rochester, New York, as Trustee, etc., petitioner, *v.* James C. Ayer, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Archibald N. Jordan for the petitioner, and by Mr. Raymond M. White for the respondents.

No. 213. Oregon-Washington Railroad & Navigation Company, petitioner, *v.* Wilbur Bevin, by his Guardian, etc. Petition for writ of certiorari to the Supreme Court of the State of Oregon submitted by Mr. Arthur C. Spencer, Mr. Charles H. Bates, and Mr. Henry W. Clark for the petitioner.

No. 214. C. W. Colgrove et al., petitioners, *v.* Leo H. Lowe, Individually, etc. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Cornelius J. Doyle for the petitioners, and by Mr. Oscar E. Carlstom and Mr. Montgomery S. Winning for the respondents.

No. 215. American Flyer Mfg. Co., petitioner, *v.* L. Gessford Handy and The Lionel Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. David P. Wolhaupter for the petitioner, and by Mr. Robert C. Watson for the respondents.

No. 216. James McWilliams Blue Line, Inc., et al., petitioners, *v.* Pennsylvania Railroad Company, Owner of the Steamtug "Brinton," etc.;

No. 244. Pennsylvania Railroad Company, Owner, etc., petitioner, *v.* James McWilliams Blue Line, Inc., et al.; and

No. 264. Long Beach-on-the-Ocean, Inc., petitioner, *v.* Pennsylvania Railroad Company, as Owner, etc. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Anthony V. Lynch for the petitioner in No. 216; by Mr. Chauncey I. Clark for the petitioner in No. 244; by Mr. Warner Pyne for the petitioner in No. 264; and by Mr. Warner Pyne, Mr. George V. A. McCloskey, Mr. Leo J. Curren, and Mr. Anthony V. Lynch, jr., for the respondent, in No. 244.

No. 217. William Stevens, petitioner, *v.* The Vessel "White City," etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William F. Purdy for the petitioner, and by Mr. Sanford H. Cohen for the respondent.

No. 218. Winchester Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Frank S. Bright, Mr. William L. Rawls, Mr. H. Stanley Hinrichs, and Mr. Raymond S. Williams for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, and Mr. James A. Cosgrove for the respondent.

No. 219. Reginald A. Fessenden, petitioner, *v.* Richard H. Wilson and John P. Schafer. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. Reginald A. Fessenden, *pro se*, and by Mr. DeWitt C. Tanner for the respondents.

No. 221. G. Bryan Pitts, petitioner, *v.* William L. Peak. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. T. Morris Wampler for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, and Mr. Neil Burkinshaw for the respondent.

No. 222. Interstate Transit Company, petitioner, *v.* Norman Rogers. Petition for writ of certiorari to the Supreme Court of the

State of California submitted by Annette Abbott Adams for the petitioner, and by Mr. Francis Carr for the respondent.

No. **224.** Artie T. Wells, petitioner, *v.* The Chesapeake & Ohio Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. R. B. Newcomb for the petitioner, and by Mr. Fred C. Rector for the respondent.

No. **225.** John S. Phipps, petitioner, *v.* Frank C. Bowers, as Executor, etc.;

No. **226.** Henry C. Phipps, petitioner, *v.* Frank C. Bowers, as Executor, etc.;

No. **227.** Howard Phipps, petitioner, *v.* Frank C. Bowers, as Executor, etc.; and

No. **228.** Helen Martin, petitioner, *v.* Frank C. Bowers, as Executor, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Louis Titus for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Miss Helen R. Carloss, Mr. William H. Riley, jr., and Mr. C. M. Charest for the respondent.

No. **229.** Arthur Carr, petitioner, *v.* W. S. Kingsbury, as Chief of the Division of State Lands, etc.;

No. **230.** Roy Maggart, petitioner, *v.* W. S. Kingsbury, as Chief of the Division of State Lands, etc.;

No. **231.** F. L. Feisthamel, petitioner, *v.* W. S. Kingsbury, as Chief of the Division of State Lands, etc.;

No. **232.** C. C. Cumings, petitioner, *v.* W. S. Kingsbury, as Chief of the Division of State Lands, etc.; and

No. **233.** Thomas A. Joyner, petitioner, *v.* W. S. Kingsbury, as Chief of the Division of State Lands, etc. Petition for writs of certiorari to the District Court of Appeal, Fourth Appellate District, State of California, submitted by Mr. George B. Bush for the petitioners, and by Mr. U. S. Webb for the respondent.

No. **234.** Stephen R. Jones et al., petitioners, *v.* Andrew W. Mellon, Secretary, etc., et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harry J. Gerrity for the petitioners, and by Mr. Solicitor General Thacher, Mr. T. H. Lewis, jr., Mr. Whitney North Seymour, and Mr. William H. Riley, jr., for the respondent.

No. **235.** Morse Dry Dock & Repair Company, petitioner, *v.* Lancashire Shipping Company, Ltd.;

No. **236.** Morse Dry Dock & Repair Company, petitioner, *v.* Tokio Marine & Fire Insurance Company;

No. **237.** Morse Dry Dock & Repair Company, petitioner, *v.* Standard Transportation Company; and

No. **238.** Morse Dry Dock & Repair Company, petitioner, *v.* Standard Oil Company of New York. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Courtland Palmer for the petitioner, and by Mr. George Whitefield Betts, jr., and Mr. Leonard J. Matteson for the respondents.

No. **239.** Mrs. J. C. Pugh, as Executrix, etc., et al., petitioners, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Rush L. Holland, Mr. George E. Strong, Mr. Frank J. Looney, and Mr. Judson M. Grimmet for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Hayner N. Larson, and Mr. W. Marvin Smith for the respondent.

No. **240.** R. E. Allen, Receiver of Public Sales Corporation, petitioner, *v.* A. N. Kelly, Assessor of Yuma County, Arizona, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George B. Webster for the petitioner, and by Mr. K. Berry Peterson for the respondent.

No. **241.** The People of Porto Rico, petitioner, *v.* Clara Livingston. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William Cattron Rigby and Mr. Blanton Winship for the petitioner, and by Mr. Carroll G. Walter for the respondent.

No. **242.** Jesse H. Denton, petitioner, *v.* Yazoo & Mississippi Valley Railroad Company et al. Petition for writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. John P. Bramhall for the petitioner, and by Mr. Charles N. Burch, Mr. R. V. Fletcher, Mr. A. S. Bozeman, and Mr. C. H. McKay for the respondents.

No. **243.** Mary Bohenic, Individually, etc., petitioner, *v.* The Delaware & Hudson Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Sol Gelb for the petitioner, and by Mr. H. T. Newcomb and Mr. Carl E. Whitney for the respondent.

No. **246.** Anna Beaver Hallam, petitioner, *v.* Commerce Mining and Royalty Company, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Joseph W. Howell for the petitioner, and by Mr.

A. Scott Thompson, Mr. Ray McNaughton, Mr. George S. Ramsey, and Mr. F. D. Adams for the respondents.

No. 247. Subhi Mustafa Sadi, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Max J. Kohler for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 248. Mrs. George G. Snowden et al., petitioner, *v.* Red River and Bayou Des Glaizer Levee et al. Petition for writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mrs. George G. Snowden, *pro se.*

No. 249. Tennessee Railroad Company, petitioner, *v.* Cecil Thompson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. J. A. Fowler for the petitioner, and by Mr. W. T. Kennerly for the respondent.

No. 251. Peter H. Miller, Individually and as Collector of Internal Revenue, etc., petitioner, *v.* The Standard Nut Margarine Company of Florida. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. A. H. Conner for the petitioner, and by Mr. George N. Murdock, Mr. A. Y. Milam, and Mr. Robert R. Milam for the respondent.

No. 252. Josiah T. Rose, Collector of Internal Revenue, etc., petitioner, *v.* The Standard Nut Margarine Company of Florida. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. George N. Murdock and Mr. James C. Davis for the respondent.

No. 292. Ed S. Vail Butterine Co., petitioner, *v.* Mabel G. Reinecke, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. George N. Murdock for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. S. Dee Hanson for the respondent.

No. 253. Annie C. Slaughter, petitioner, *v.* C. C. Slaughter Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. C. M. Chambers for the petitioner.

No. 256. Charles E. Havener, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit

Court of Appeals for the Tenth Circuit submitted by Mr. James M. Johnson and Mr. Donald W. Johnson for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 257. E. C. Riegel, petitioner, *v.* The Public Utilities Commission of the District of Columbia. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. E. C. Riegel, *pro se.*

No. 258. Central Pacific Railway Company et al., petitioners, *v.* County of Alameda et al. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. C. F. R. Ogilby, Mr. Frank Thunen, and Mr. Guy V. Shoup for the petitioners, and by Mr. T. P. Wittschen for the respondent.

No. 259. Paul Graffe, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Samuel A. King for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondent.

No. 260. Maryland Casualty Company, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. J. F. Dammann for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. John G. Remy for the respondent.

No. 261. Unaka and City National Bank, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John W. Price for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, and Mr. J. Louis Monarch for the respondent.

No. 262. Fort Worth Independent School District, petitioner, *v.* Aetna Casualty & Surety Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Robert M. Rowland for the petitioner and by Mr. John T. Pearson for the respondent.

No. 263. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* Clarence Bezue. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Edward R. Brumley and Mr. John M. Gibbons for the petitioner and by Mr. Thomas J. O'Neill and Mr. Charles D. Lewis for the respondent.

No. 265. L. A. Nixon, petitioner, *v.* James Condon and C. H. Kollé. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. James Marshall, Mr. Arthur Spingarn, Mr. Nathan R. Margold, and Mr. Fred C. Knollenberg for the petitioner.

No. 267. Life & Casualty Insurance Company of Tennessee, petitioner, *v.* Cuba Heathcott, by next friend; and

No. 268. Life & Casualty Insurance Company of Tennessee, petitioner, *v.* Cuba Heathcott, by next friend. Petition for writs of certiorari to the Supreme Court and to the Court of Civil Appeals of the State of Tennessee submitted by Mr. J. Carlton Loser for the petitioner.

No. 269. Sidney Z. Mitchell, petitioner, *v.* The Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Graham Sumner for the petitioner and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. J. Louis Monarch, and Mr. Paul D. Miller for the respondent.

No. 271. J. B. Davis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William J. Berne for the petitioner and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 314. Realty Acceptance Corporation, petitioner, *v.* Henry G. Montgomery. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles F. Curley and Mr. R. Randolph Hicks for the petitioner, and by Mr. Robert H. Richards and Mr. Thomas J. Crawford for the respondent.

No. 272. Merritt J. Corbett, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John E. Hughes and Mr. William Cogger for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, Mr. John G. Remey, and Mr. W. Marvin Smith for the respondent.

No. 273. Cleveland-Cliffs Steamship Company, petitioner, *v.* McGill Grain Company. Petition for writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Tracy H. Duncan, Mr. Frederick L. Leckie, and Mr. Edgar W. McPherran for the petitioner.

No. 274. Joseph A. Diamond and Esther A. Diamond, petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Walter Bachrach and Mr. Benjamin C. Bachrach for the petitioners, and by Mr. Frank H. Scott, Mr. Homer H. Cooper, and Mr. Louis H. Cooke for the respondent.

No. 275. Frommel Realty and Investment Co. et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert Ash for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, Mr. William Cutler Thompson, and Mr. Paul D. Miller for the respondent.

No. 276. Canal Steel Works, Inc., petitioner, *v.* One Drag Line Dredge. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Nicholas G. Carbajal for the petitioner.

No. 277. The Pacific Mutual Life Insurance Company of California, petitioner, *v.* Wanda Roberta Barton et al., Minors, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. T. L. Doggett and Mr. Charles Cook Howell for the petitioner.

No. 278. Mary A. Lineberry, petitioner, *v.* Woodward & Lothrop; and

No. 279. Willie E. Lineberry, petitioner, *v.* Woodward & Lothrop. Petition for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Richard L. Merrick and Mr. Elwood P. Morey for the petitioners, and by Mr. Frederic D. McKenney, Mr. John S. Flannery, and Mr. G. Bowdoin Craighill for the respondent.

No. 280. Joseph Engelsberg, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. W. D. Stewart for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 281. Benjamin Gitlow, as President of "Revolutionary Age," etc., petitioner, *v.* John J. Kiely, Postmaster of the City of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Arthur G. Hays for the petitioner, and by Mr. Solicitor General Thacher,

Mr. Whitney North Seymour, and Mr. Harry S. Ridgely for the respondent.

No. 282. Norman S. Bowles, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John Philip Hill for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 283. W. C. Ray and W. M. Davidson, petitioners, *v.* Silver Springs Paradise Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Henry J. Richardson for the petitioners, and by Mr. H. P. Adair for the respondent.

No. 284. Otto F. Gluck, petitioner, *v.* Lillian Kemper. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Walter H. Saunders and Mr. J. L. London for the petitioner, and by Mr. Oscar Habenicht for the respondent.

No. 285. The Chemical Foundation, Inc., petitioner, *v.* General Electric Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Hugh M. Morris, Mr. John F. Neary, and Mr. Louis W. McKernan for the petitioner, and by Mr. Charles Neave and Mr. Stephen H. Philbin for the respondent.

No. 288. Dow V. Walker and August Wemme, petitioners, *v.* Howard Sutherland, as Alien Property Custodian, etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Oregon submitted by Mr. James J. Crossley for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Lewis, Mr. Whitney North Seymour, and Mr. Thos. E. Rhodes for the respondent.

No. 289. Basil Robillard, as Executor, etc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Basil Robillard for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. A. H. Conner for the respondent.

No. 290. A. D. Burrowes, Receiver, etc., petitioner, *v.* Bertha Goodman, Executrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Francis L. Driscoll for the petitioner.

No. 291. Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Mack Saxon, Ancillary Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Texas submitted by Mr. A. H. Culwell, Mr. E. E. McInnis, and Mr. Wm. H. Burges for the petitioner, and by Mr. Winbourn Pearce for the respondent.

No. 293. City Button Works, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Donald Horne for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. John H. McEvers for the respondent.

No. 294. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Howes Brothers Hide Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. John Henry McEvers, and Mr. Paul D. Miller for the petitioner, and by Mr. Robert A. Littleton for the respondents.

No. 295. Sallie M. Wise, petitioner, *v.* N. L. Miller et al. Petition for writ of certiorari to the Supreme Court of the State of Alabama submitted by Mr. J. T. Stokely and Mr. S. P. Smith for the petitioner, and by Mr. Needham A. Graham, jr., for the respondent.

No. 296. United States Navigation Company, Inc., petitioner, *v.* The Cunard Steamship Company, Ltd., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Mark W. Maclay and Mr. John Tilney Carpenter for the petitioner, and by Mr. Roscoe H. Hupper and Mr. Charles C. Burlingham for the respondent.

No. 297. Mrs. Iris Christine Bergholm et al., petitioners, *v.* Peoria Life Insurance Company of Peoria, Illinois. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Tom Connally for the petitioners.

No. 298. The Wadsworth Electric Manufacturing Company, petitioner, *v.* The Westinghouse Electric and Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Thomas G. Haight and Mr. Walter F. Murray for the petitioner, and by Mr. Drury W. Cooper for the respondent.

No. 299. Enrique Monserrat, petitioner, *v.* Alfredo Carmelo and Ramon Oriol. Petition for writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Clyde Alton DeWitt and Mr. Eugene Arthur Perkins for the petitioner.

No. 302. Georgios or George Fafalios, petitioner, *v.* William N. Doak, Secretary of Labor. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Ward Bonsall for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, Mr. W. Marvin Smith, and Mr. Albert E. Reitzel for the respondent.

No. 303. Charles E. Stratton et al., executors, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. G. Philip Wardner for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. Andrew D. Sharpe for the respondent.

No. 304. Lamont Miller, petitioner, *v.* The United States of America; and

No. 305. Clinton Hoffman, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Patrick J. Friel for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 306. Warren and Arthur Smadbeck, Inc., petitioner, *v.* Heling Contracting Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Marion DeVries and Mr. Samuel J. Rawak for the petitioner, and by Mr. John W. Griffin and Mr. Warthon Poor for the respondent.

No. 307. Herman M. Diamond, petitioner, *v.* John J. McMahon. Petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. Thomas G. Haight for the petitioner.

No. 311. St. Paul Fire & Marine Insurance Company, petitioner, *v.* Sophia C. Bachmann. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Philip P. Steptoe and Mr. Louis A. Johnson for the petitioner, and by Mr. Carl G. Bachmann, Mr. Charles J. Schuck, and Mr. J. Bernard Handlan for the respondent.

No. 312. Bessie D. Laughlin, Administratrix, etc., petitioner, *v.* Thomas E. Robertson, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. Joshua R. H. Potts for the petitioner, and by Mr. Solicitor General Thacher, Mr. W. Marvin Smith, and Mr. T. A. Hostetler for the respondent.

No. 313. George M. Wright and William A. Morehead, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. M. G. McDonald for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, Mr. Wm. Cutler Thompson, and Mr. Wm. H. Riley, jr., for the respondent.

No. 315. United States Fidelity & Guaranty Company, petitioner, *v.* Wilton McCarthy. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Jesse A. Miller and Mr. James C. Davis for the petitioner, and by Mr. Charles S. Bradshaw for the respondent.

No. 316. Heyman Rosenberg and Parker-Kalon Corporation, petitioners, *v.* Carr Fastener Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edgar M. Kitchin, Mr. David L. Podell, Mr. Edmund Quincy Moses, and Mr. Jacob J. Podell for the petitioners, and by Mr. L. G. Miller for the respondent.

No. 317. The Indemnity Insurance Company of North America et al., petitioners, *v.* N. L. Levering. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. C. M. Ozias for the petitioners, and by Mr. Hiram E. Booth for the respondent.

No. 318. Leoncio C. Belisario, petitioner, *v.* The People of the Philippine Islands. Petition for writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Leoncio C. Belisario *pro se*, and by Mr. William Cattron Rigby and Mr. Blanton Winship for the respondent.

No. 320. The Onondaga Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 321. The Ten Eyck Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. J. C. Murphy for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, Mr. John Henry McEvers, and Mr. Wm. H. Riley, jr., for the respondent.

No. 322. Jonathan Godfrey, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 323. Estate of Charles G. Waldo, deceased, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals

for the Second Circuit submitted by Mr. Harvey K. Zollinger and Mr. Marion W. Ripy for the petitioners and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. Morton K. Rothschild for the respondent.

No. **326.** Mary E. Hanlon, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. **327.** Mrs. Elizabeth Henaghan, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Josephus C. Trimble and Mr. Jerry A. Mathews for the petitioners and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. Norman D. Keller for the respondent.

No. **328.** William Lias 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 Mr. J. Bernard Handlan and Mr. John Marshall for the petitioners and by Mr. Solicitor General Thacher for the respondent.

No. **329.** Phil Collenger, petitioner, *v.* The United States of America; and

No. **330.** John Antonean, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Gerald A. Gillett for the petitioners and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, and Mr. Whitney North Seymour for the respondent.

No. **331.** Manuel V. Domenech, Treasurer of Porto Rico, petitioner, *v.* Porto Rican Leaf Tobacco Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William Cattron Rigby and Mr. Blanton Winship for the petitioner and by Mr. William M. Parker and Mr. J. Arthur Leve for the respondent.

No. **332.** J. Howard Leman, Administrator C. T. A., etc., et al., petitioners, *v.* Krentler-Arnold Hinge Last Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Ellis Spear, jr., for the petitioners, and by Mr. Robert Cushman and Mr. Otto F. Barthel for the respondent.

No. **334.** Spring Canyon Coal Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. **335.** Spring Canyon Coal Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certi-

orari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Charles Hamel and Mr. John Enrietto for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. J. P. Jackson for the respondent.

No. **336.** City of Willow Glen, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Casper A. Ornbaun for the petitioner, and by Mr. Frank C. Cleary and Mr. E. J. Foulds for the respondent.

No. **341.** David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Coronado Oil and Gas Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. Hayner N. Larson for the petitioner.

No. **342.** National Tank Seal Company, petitioner, *v.* Johns-Manville Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Richard Wm. Stoutz for the petitioner, and by Mr. Odin Roberts for the respondent.

No. **343.** The North American Coal Corporation, petitioner, *v.* The Wheeling and Lake Erie Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. H. H. Hoppe for the petitioner and by Mr. Albert E. Powell and Mr. Andrew P. Martin for the respondent.

No. **344.** Mari Tollefsen Todok and Knute C. Engen, petitioners, *v.* Union State Bank of Harvard, Harvard, Nebraska, et al. Petition for writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. Frank E. Edgerton for the petitioners and by Mr. Walter D. James and Mr. Frank D. Williams for the respondent.

No. **345.** Benjamin L. Allen, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. J. Sterling Halstead and Mr. Martin A. Schenck for the petitioner and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. Morton K. Rothschild for the respondent.

No. **346.** Buick Motor Company, petitioner, *v.* City of Milwaukee, Wisconsin, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr.

John Thomas Smith for the petitioner, and by Mr. John M. Niven, Mr. Walter J. Mattison, and Mr. Theo. W. Brazeau for the respondents.

No. 347. United States Fidelity & Guaranty Company, petitioner, *v.* State of Kansas at the Relation and to the Use of the Winkle Terra Cotta Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri by Mr. Eugene S. Quinton for the petitioner, and by Mr. Thomas W. White for the respondent.

No. 349. Old Colony Railroad Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. James S. Y. Ivins for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Miss Helen R. Carloss for the respondent.

No. 350. Amante Rongetti, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Charles P. R. Macaulay for the petitioner, and by Mr. Oscar E. Carlstrom for the respondent.

No. 351. S. P. Knut, Individually, etc., et al., petitioners, *v.* Patrick Henry, Executor, etc. Petition for writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. S. P. Knut for the petitioners, and by Mr. Gerard Brandon for the respondent.

No. 352. S. P. Knut, Individually, etc., et al., petitioners, *v.* Elizabeth H. Forsyth et al. Petition for writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. S. P. Knut for the petitioners and by Mr. Gerard Brandon for the respondents.

No. 353. August J. Schick, petitioner, *v.* City of New Orleans et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Claude L. Johnson for the petitioner.

No. 354. William H. Leland et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Harris H. Gilman and Mr. Merrill S. June for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, Miss Helen R. Carloss, and Mr. Wm. H. Riley, jr., for the respondent.

No. 355. Frank Collis Bowers, as Executor, etc., petitioner, *v.* Lawyers Mortgage Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit sub-

mitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. J. Louis Monarch, Mr. Hayner N. Larson, and Mr. Paul D. Miller for the petitioner, and by Mr. John A. Garver for the respondent.

No. 356. The United States of America, petitioner, *v.* Home Title Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. J. Louis Monarch, Mr. Hayner N. Larson, and Mr. Paul D. Miller for the petitioner, and by Mr. Hugh Satterlee for the respondent.

No. 359. Louis B. Eubank et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Louis B. Eubank for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Andrew D. Sharpe, and Mr. William H. Riley, Jr., for the respondent.

No. 360. Kathryn T. Long, petitioner, *v.* Frederick H. Rike, individually, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Hobart P. Young and Mr. Harris C. Lutkin for the petitioner, and by Mr. Frank H. Scott and Mr. Tappan Gregory for the respondents.

No. 361. Nicola Ranieri, petitioner, *v.* S. D. Smith, District Director in Charge of Immigration at Chicago, Illinois, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John A. Chumbley for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondents.

No. 362. Seaboard Oil Company, petitioner, *v.* Fred B. Cunningham. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Martin H. Long and Mr. Julian Hartridge for the petitioner, and by Mr. Robert L. Shipp for the respondent.

No. 363. R. V. Board, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Elwood Hamilton and Mr. J. C. W. Beckham, jr., for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. John Mac C. Hudson for the respondent.

No. 365. Missouri Pacific Railroad Company, petitioner, *v.* Sophia David, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Thomas Hackney, Mr. Edward J. White, and Mr. Leslie A. Welch for the petitioner, and by Mr. Horace Guffin for the respondent.

No. 366. Mrs. Niels (Mellie) Esperson Stewart, Executrix, etc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. B. F. Louis for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. Norman D. Keller for the respondent.

No. 367. Mrs. Niels (Mellie) Esperson, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 368. Mrs. Niels (Mellie) Esperson, Executrix, etc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. B. F. Louis for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. J. Louis Monarch, and Mr. John G. Remy for the respondent.

No. 369. Andrew W. Mellon, Director General of Railroads, as Agent, etc., petitioner, *v.* China Fire Insurance Company, Ltd., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edward N. Abbey and Mr. Russell H. Robbins for the petitioner, and by Mr. Oscar R. Houston and Mr. Arthur W. Clement for the respondent.

No. 370. The Lamson Company, Inc., petitioner, *v.* H. H. Whittemore, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. E. Crosby Kindleberger for the petitioner, and by Mr. Horace E. Gunn for the respondent.

No. 373. Geronimo Ramirez, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas submitted by Mr. George E. Shelley for the petitioner.

No. 392. South Florida Lumber Mills, petitioner, *v.* Jules Breuchaud. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. N. B. K. Pettingill for the petitioner, and by Mr. O. K. Reaves for the respondent.

No. 399. D. T. Blodgett, as Taxpayer, etc., petitioner, *v.* Wm. D. Dehy et al. Petition for writ of certiorari to the Superior Court for

the County of Santa Barbara, State of California, submitted by Mr. D. T. Blodgett *pro se*, and by Mr. John Henry Heaney and Mr. Francis Price for the respondents.

The Chief Justice announced:

The Court will now adjourn to meet upon Monday next, October 12, when arguments in cases especially set and cases on the regular docket will be commenced. The Court will thus be enabled to devote time during the next week to the disposition of the petitions for certiorari which are submitted to-day.

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

The day call for Monday, October 12, will be as follows: Nos. **24, 36 (and 37), 43, 69, 1, 2, 3, 4, 5, and 6.**

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SUPREME COURT OF THE UNITED STATES

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

Andrew Paul Federline, of Washington, D. C.; Homer C. Fulton, of Duluth, Minn.; Howard F. Cline, of Detroit, Mich.; H. Gordon Chute, of Seattle, Wash.; Frederick C. Kurth, of Detroit, Mich.; Joseph Jacobs, of Boston, Mass.; Robert E. Milling, jr., of New Orleans, La.; Sidney Newborg, of New York City; George A. Wilson, of Des Moines, Iowa; Florence A. Quintin, of New York City; John Bird Quintin, of New York City; Alex Glick, of Detroit, Mich.; Hubert Blalock, of West Hartford, Conn.; Frank Delaney, of Glenwood Springs, Colo.; Charles Hutchinson, of Des Moines, Iowa; Anthony P. Donadio, jr., of Cincinnati, Ohio; George William Hansen, of Chicago, Ill.; Sidney Neuman, of Chicago, Ill.; Albert Huntington Pendleton, of Chicago, Ill.; John C. Gung'l, of Tucson, Ariz.; John St. Paul, jr., of New Orleans, La.; G. Frank Lipper, of Houston, Tex.; Justin Winfred Shrader, of Boston, Mass.; Burton J. Wyman, of Oakland, Calif.; William Joachim, of New York City; Howard P. Williamson, of Dayton, Ohio; Ralph C. Davis, of Pittsburgh, Pa.; Thomas Stephen Brown, of Pittsburgh, Pa.; and George W. Ferguson, of Cheyenne, Wyo., were admitted to practice.

The Chief Justice announced:

In view of the large number of such orders, the orders of the Court made this day, upon motions submitted and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the Clerk of the Court.

No. —. In re disbarment of Harold J. Bandy. It being represented to the Court that Harold J. Bandy, of Granite City, State of Illinois, a member of the Bar of this Court, did, on September 11, 1931, cause the case of *Harry Blockburger v. The United States of America* to be docketed in this Court as No. 374, October Term, 1931, and did, on September 19, 1931, formally enter his appearance in

this Court in that cause as counsel for the petitioner; that, for the purpose of complying with the rules of this Court requiring that the Clerk shall in all cases be satisfied as to the payment of fees and costs, the said Harold J. Bandy sent to the Clerk of this Court, under dates of September 7, 1931, and September 16, 1931, his checks for \$10 and for \$75, respectively, as deposits to secure the payment of estimated Clerk's fees and printing costs in said cause; that payment of said checks was refused by the drawee bank and that the said checks were returned to the Clerk marked "Insufficient funds"; that the said Bandy has failed to reply to, and has refused to pay the charges upon, a telegram sent to him by the Clerk on September 28, 1931, in respect to such checks, and has failed to reply to a letter addressed to him by the Clerk on September 29, 1931, on the same subject, or to a further letter dated October 7, 1931, in which the Clerk earnestly requested him to make immediate reply, since the petition of the said Blockburger for a writ of certiorari would be due for submission to this Court on Monday, October 12, 1931,

Now, therefore, it is ordered that the said Harold J. Bandy show cause, if any there be, on or before Monday, October 26 next, by written response to this rule, why his name should not be stricken from the roll of attorneys admitted to practice before the bar of this Court on the ground that he has failed to demean himself as an attorney and counsellor of this Court, uprightly, and according to law, in keeping with the obligation of his oath.

No. —, original. Ex parte: James Edward Murphy, petitioner. The motion for leave to file a petition for writ of mandamus is denied.

No. —, original. Ex parte: Richard Husty, petitioner. The motion for leave to file a petition for writ of mandamus is denied.

No. 5, original. The State of Wisconsin et al., complainants, *v.* The State of Illinois et al.;

No. 8, original. State of Michigan et al., complainants, *v.* The State of Illinois et al.; and

No. 9, original. State of New York et al., complainants, *v.* The State of Illinois et al. The semiannual report of the defendants, dated July 1, 1931, is received and ordered to be filed.

No. 11, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Report No. 3 of the defendant, dated August 29, 1931, is received and ordered to be filed.

No. 484, October Term, 1930. The Federal Trade Commission, petitioner, *v.* Raladam Company. The motion to modify the judgment of this Court in this case is denied without prejudice to application to the Circuit Court of Appeals for similar relief.

No. 454, October Term, 1930. John M. Brant Company, petitioner, *v.* The United States. The motion for leave to file petition for rehearing in this case is denied.

No. 41. Painters District Council No. 14, of Chicago, etc., et al., appellants, *v.* The United States of America. On suggestion of a diminution of the record the motion for a writ of certiorari in this case is granted.

No. 60. Chicago and North Western Railway Company, petitioner, *v.* Eugene Bolle. On suggestion of a diminution of the record the motion for a writ of certiorari in this case is denied.

No. 62. American Hide and Leather Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 79. Chicago & Eastern Illinois R. R. Co., petitioner, *v.* Industrial Commission of Illinois and Joe Thomas. Petition for writ of certiorari to the Circuit Court of Cook County, State of Illinois, granted.

No. 137. Matson Navigation Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 86. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* Richard R. Churchill, Administrator etc.; and

No. 87. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* Richard R. Churchill, Administrator, etc. Petition for writs of certiorari to the Appellate Court of the State of Illinois, First District and to the Supreme Court of the State of Illinois granted.

No. 98. Arizona Grocery Company, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 115. Edgar Percy Lewis et al., petitioners, *v.* Marshall S. Reynolds, Individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 130. Denver and Rio Grande Western Railroad Company et al., petitioner, *v.* Ben Terte, Judge, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 162. United States of America *ex rel.* Aspasia Polymeris et al., petitioners, *v.* Joseph W. Trudell, Immigration Inspector in Charge. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 172. Marine Transit Corporation et al., petitioner, *v.* Louis Louis Dreyfus et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 47. Rocky Brook Mills Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied. The motion to remand is also denied.

No. 61. Earl L. Fisher et al., petitioners, *v.* Scott Redfield et al. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 65. Willie Tiger et al., petitioners, *v.* Emory Timmons et al. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 70. M. Hohenberg et al., co-partners, etc., petitioners, *v.* Louisville & Nashville Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 73. The Delaware, Lackawanna and Western Railroad Company, petitioner, *v.* Duris Berry. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 74. Walter Beck, petitioner, *v.* Missouri Valley Drainage District, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 75. Daniel H. Coakley, petitioner, *v.* Equitable Bank & Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 76. Akties, Dampskibsselskabet Donnenborg, as Owner, etc., et al., petitioners, *v.* G. Mikkelsen et al.; and

No. 190. G. Mikkelsen et al., petitioners, *v.* Akties, Dampskibsselskabet Donnebørg, etc., et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 78. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 81. Leon E. Harker, petitioner, *v.* Ralston Purina Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 82. I. Tanenbaum Son & Company, petitioner, *v.* Drumbor-Bingell Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 83. Howard Thomas, Administrator, etc., petitioner, *v.* Morton Salt Company. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 90. Olympic Salt Water Company, petitioner, *v.* The Ship-owners and Merchants Tugboat Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 92. Lehigh Valley Transit Company, petitioner, *v.* Roger H. Zanes. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 93. M. C. Garber, petitioner, *v.* David Burnet, Commissioner of Internal Revenue;

No. 94. L. G. Moore, petitioner, *v.* David Burnet, Commissioner of Internal Revenue;

No. 95. James Tait, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 96. W. F. Kistler Estate et al., petitioners, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 99. William Driscoll et al., petitioners, *v.* The State of Colorado, etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Colorado denied.

No. 100. Hamilton Rubber Manufacturing Co. et al., petitioners, *v.* Maco Stewart, Sr., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 101. William F. Kelly, petitioner, *v.* The Queensboro National Bank of the City of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 102. Samson Tire & Rubber Company, petitioner, *v.* R. H. Eggleston, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 103. Aetna Life Insurance Company, petitioner, *v.* Lucy G. Wharton. Petition for writ of certiorari to the United States Circuit court of Appeals for the Eighth Circuit denied.

No. 104. H. P. Coffee Company, petitioner, *v.* Reid, Murdoch & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 106. Charles Lantz, petitioner, *v.* Thornhill Francis Broome. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 107. Baltimore & Ohio Railroad Company, petitioner, *v.* Jules Emmanuel Denio Cornec, Master, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 108. Southern Railway-Carolina Division, petitioner, *v.* Minnie L. Neal, Administratrix. Petition for writ of certiorari to the Supreme Court of the State of South Carolina denied.

No. 109. Benigno Velazquez, petitioner, *v.* R. W. Rickson, Master, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 110. S. J. Schneider, Trustee, etc., petitioner, *v.* Robert H. Lucas, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 111. Skaggs Safeway Stores, Incorporated, petitioner, *v.* Fred Dunkle. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 113. Lamont, Corliss & Co. et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 121. Celanese Corporation of America, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 135. F. B. Vandegrift & Co. et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 254. F. M. Jabara & Bros., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 255. The American Foundation, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 286. Wilbur-Ellis Co. et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 114. Citizens Bank of Warrenton, petitioner, *v.* Warner Moore. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 116. James Solomont, Trustee, petitioner, *v.* O'Neill-Orr Construction Company et al. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 117. Southern Pacific Company, petitioner, *v.* L. T. McCready et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 119. American Automobile Insurance Company, petitioner, *v.* Castle, Roper-Mathews and Charles H. Roper. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 124. Nelson P. Gay, Executor, etc., petitioner, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 125. Harold C. Hill, Tax Assessor, etc., petitioner, *v.* Helen Strong Carter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 127. Grand Trunk Western Railway Company, petitioner, *v.* Marion Heatlie, Special Administratrix, etc.;

No. 128. Grand Trunk Western Railway Company, petitioner, *v.* Ida May Drew, Special Administratrix, etc.; and

No. 129. Grand Trunk Western Railway Company, petitioner, *v.* James White. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 131. Charles Beadon et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 132. States Steamship Company, petitioner, *v.* Jac Wychgel. Petition for writ of certiorari to the Supreme Court of the State of Oregon denied.

No. 133. Pueblo de San Juan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 134. The Great Lakes Towing Company, petitioner, *v.* The Kinsman Transit Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 138. Kansas City Southern Railway Company et al., petitioners, *v.* Silica Products Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 139. Otto W. Klose, petitioner, *v.* The United States of America; and

No. 140. Arthur Lorenz, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 141. Grays Harbor Motorship Corp., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 143. Excelsior Brewing, Inc., et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 145. Ernest E. Cook et al., petitioners, *v.* The Illinois Bankers Life Association et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 147. Victor Blackwood, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 148. John Garcia, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 149. The Mutual Life Insurance Company of New York, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 150. Houston Oil & Transport Company, petitioner, *v.* Aetna Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 151. Earl D. Bess, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 152. Oglesby Coal Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 153. James P. Jones, petitioner, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 154. Hans Gredig et al., petitioners, *v.* R. S. Sterling et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 155. American Trust Company, petitioner, *v.* American Railway Express Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 156. Carlotta L. Cowles et al., petitioners, *v.* Thomas F. Reddy et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 157. Louisville Cooperage Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 160. Commonwealth of Pennsylvania, petitioner, *v.* Estate of Henry S. Paul. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 161. International Brotherhood of Electrical Workers, Local Union No. 134, et al., petitioners, *v.* Western Union Telegraph Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 164. Joseph A. Caples, petitioner, *v.* Doloras M. Caples. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 167. Valley National Bank of Chambersburg, Pa., et al., petitioners, *v.* John P. Stover. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 168. Frank O. LeDuc, Personally, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 15, original. State of Wyoming, complainant, *v.* State of Colorado. Motion to set case for hearing on motion to dismiss submitted by Mr. George W. Ferguson for the complainant.

No. 3. The Permutit Company, petitioner, *v.* Graver Corporation. Motion for leave to file brief of the Duro Company, as *amicus curiae*, submitted by Mr. Howard P. Williamson in that behalf and the motion denied.

No. 44. Sigmund Ornstein and Louis Ornstein, appellants, *v.* The Chesapeake and Ohio Railway Company. Motion to dismiss or affirm submitted by Mr. Fred C. Rector for the appellee.

No. 71. Andrew B. Keating, as Receiver of Taxes, etc., appellants, *v.* The Public National Bank of New York. Motion to dismiss or affirm submitted by Mr. Martin Saxe, Mr. Henry L. Moses, Mr. Robert C. Beatty and Mr. Herman G. Kopald for the appellee, in support of the motion, and by Mr. Arthur J. W. Hilly, Mr. William Herbert King, and Mr. Eugene Fay for the appellants, in opposition thereto.

No. 120. Public Service Commission of Indiana et al., appellants, *v.* Batesville Telephone Company. Motion to dismiss or affirm submitted by Mr. William H. Thompson and Mr. Albert L. Rabb for the appellee.

No. 266. John F. Hanson, appellant, *v.* Otto A. Hanson, individually, etc. Motion for leave to proceed *in forma pauperis* submitted by Mr. John F. Hanson *pro se*.

No. 446. David Threatt, petitioner, *v.* American Mutual Liability Insurance Co. et al. Motion for leave to proceed *in forma pauperis* submitted by Mr. David Threatt *pro se*.

No. 142. Twin City Power Company, petitioner, *v.* Savannah River Electric Company. Petition for writ of certiorari to the Su-

preme Court of the State of South Carolina submitted by Mr. D. W. Robinson, Mr. George E. O'Connor, and Mr. E. H. Callaway for the petitioner, and by Mr. M. G. McDonald for the respondent.

No. 198. William Courtney Taylor et al., petitioners, *v.* American Liability Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles Kerr and Mr. A. K. Shipe for the petitioners, and by Mr. Beverley R. Jouett for the respondent.

No. 364. The Chase National Bank of the City of New York, petitioner, *v.* City of Sanford, Florida. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Henry Root Stern, Mr. H. G. Pickering, Mr. James F. Soudefur, and Mr. Bertram F. Shipman for the petitioner, and by Mr. Charles A. Boston and Mr. Lucien H. Boggs for the respondent.

No. 375. George Davidson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Daniel T. Hagan and Mr. James S. Y. Ivins for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. A. W. Henderson, and Mr. Wm. H. Riley, jr., for the respondent.

No. 376. George M. Phillips, petitioner, *v.* Union Terminal Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. John G. Parkinson for the petitioner, and by Mr. Robert A. Brown for the respondent.

No. 377. Charles E. Forsythe et al., petitioners, *v.* James Tregarthen & Sons Co. Petition for writ of certiorari to the United State Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel D. Stein for the petitioners, and by Mr. Edward Ash for the respondent.

No. 378. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Chicago Portrait Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. J. Louis Monarch, and Mr. Andrew D. Sharpe for the petitioner.

No. 379. Taylor-Moore Syndicate, Inc., et al., petitioners, *v.* Central Florida Lumber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. N. B. K. Pettingill for the petitioners, and by Mr. Martin Sack for the respondent.

No. 380. Florence C. Knollenberg, petitioner, *v.* The State Bank of Alamogordo. Petition for writ of certiorari to the Supreme Court of the State of New Mexico submitted by Mr. Fred C. Knollenberg for the petitioner, and by Mr. H. B. Holt for the respondent.

No. 382. A. Schrader's Son, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John B. Sullivan, jr., and Mr. Frank M. Avery for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. John Henry McEvers for the respondent.

No. 383. Louisville & Nashville Railroad Company, petitioner, *v.* Tom Hall. Petition for writ of certiorari to the Supreme Court of the State of Alabama submitted by Mr. J. S. Stone and Mr. White E. Gibson for the petitioner, and by Mr. C. C. Calhoun for the respondent.

No. 384. W. Bernard Vause, petitioner, *v.* The United States of America; and

No. 386. Samuel Schuchman, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert H. Elder for the petitioner in No. 384; by Mr. George H. Combs, jr., for the petitioner in No. 386; and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 385. W. P. Allen, petitioner, *v.* Citizens Bank & Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. S. H. Sutherland for the petitioner, and by Mr. Paul Dulaney for the respondent.

No. 388. Monarch Tool & Manufacturing Company, petitioner, *v.* Mills Novelty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Walter F. Murray for the petitioner, and by Mr. Weymouth Kirkland for the respondent.

No. 396. Bradley A. Fiske, petitioner, *v.* William A. Moffett. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Raymond J. Mawhinney and Mr. Ernest Wilkinson for the petitioner, and by Mr. Solicitor General Thacher and Mr. Assistant Attorney General Rugg for the respondent.

No. 397. Southern Railway Company, petitioner, *v.* Mamie Lee Derrington, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. S. R.

Prince, Mr. L. E. Jeffries, Mr. H. O'B. Cooper, Mr. R. J. Kramer, and Mr. Bruce A. Campbell for the petitioner, and by Mr. W. H. Douglass for the respondent.

No. 417. Chicago & North Western Railway Company, petitioner, *v.* George G. Struthers, as Special Administrator, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Samuel H. Cady and Mr. William T. Faricy for the petitioner, and by Mr. Tom Davis and Mr. Ernest A. Michel for the respondent.

No. 44. Sigmund Ornstein and Louis Ornstein, appellants, *v.* The Chesapeake and Ohio Railway Company. Statement as to jurisdiction submitted by Mr. Stuart R. Bolin for the appellants, in support thereof, and by Mr. Fred C. Rector of the appellees, in opposition thereto.

No. 53. C. W. Palm, appellant, *v.* R. B. Hollopeter. Statement as to jurisdiction submitted by Mr. Alfred Evan Reames for the appellant, in support thereof, and Mr. Gus Newbury for the appellee, in opposition thereto.

No. 56. Sarah P. Stuart and Elizabeth K. Dodge, appellants, *v.* Charles E. Fox and Edward E. Fox;

No. 57. Sarah P. Stuart and Elizabeth K. Dodge, appellants, *v.* Jessie C. Minott; and

No. 58. Sarah P. Stuart and Elizabeth K. Dodge, appellants, *v.* Harry M. Schwartz and Jesse M. Rosenberg. Statement as to jurisdiction submitted by Mr. Frank H. Purinton for the appellants, in support thereof, and by Mr. Robert Hale for the appellees, in opposition thereto.

No. 63. The Hodge Drive-It-Yourself Company et al., appellants, *v.* The City of Cincinnati et al., et al. Statement as to jurisdiction submitted by Mr. Julius R. Samuels for the appellants.

No. 68. Samuel W. Baxter, as Administrator, etc., appellant, *v.* Continental Casualty Company. Statement as to jurisdiction submitted by Mr. P. Taylor Bryan and Mr. Douglass H. Jones for the appellant.

No. 71. Andrew B. Keating, as Receiver, etc., et al., appellants, *v.* The Public National Bank of New York. Statement as to jurisdiction submitted by Mr. Arthur J. W. Hilly, Mr. William Herbert King, and Mr. Eugene Fay for the appellants.

No. 72. Broad-Grace Arcade Corporation, appellant, *v.* J. Fulmer Bright, Major of the City of Richmond, et al., etc. Statement as to jurisdiction submitted by Mr. Andrew D. Christian for the appellant.

No. 77. The Chapel State Theatre Company, appellant, *v.* Fred W. Hooper, Doing Business as F. W. Hooper Company. Statement as to jurisdiction submitted by Mr. Levi Cooke for the appellant, in support thereof, and by Mr. R. M. Lucas for the appellee, in opposition thereto.

No. 80. State of Washington *ex rel.* George I. Clithero et al., appellants, *v.* N. D. Showalter, etc., et al. Statement as to jurisdiction submitted by Mr. Raymond M. Hudson and Mr. Robert L. Edmiston for the appellants, in support thereof, and by Mr. John H. Dunbar and Mr. E. W. Anderson for the appellees, in opposition thereto.

No. 84. W. L. Mathews et al., appellants, *v.* J. F. Rodgers et al. Statement as to jurisdiction submitted by Mr. J. A. Lauderdale for the appellants.

No. 88. Atlantic Coast Line Railroad Company et al., appellants, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. Carl H. Davis, Mr. F. B. Grier, and Mr. M. G. McDonald for the appellants.

No. 89. Augusta Power Company, a Business Trust, et al., appellants, *v.* Savannah River Electric Company. Statement as to jurisdiction submitted by Mr. Edgar Watkins for the appellants.

No. 105. Walnut and Quince Streets Corporation, appellants, *v.* William B. Mills, Superintendent of the Department of Public Safety, etc., et al. Statement as to jurisdiction submitted by Mr. Maurice Bower Saul, Mr. Walter Biddle Saul, and Mr. Earl G. Harrison for the appellant, in support thereof, and by Mr. G. Coe Farrier for the appellees, in opposition thereto.

No. 112. Nellie Field Burwell, Sole Devisee, etc., et al., appellants, *v.* James T. Powell and John S. Daisy. Statement as to jurisdiction submitted by Mr. James E. Heath for the appellants, in support thereof, and by Mr. Wm. M. Williams for the appellees, in opposition thereto.

No. 118. Fox Film Corporation, appellant, *v.* R. C. Norman, State Tax Commissioner. Statement as to jurisdiction submitted by Mr. W. A. Sutherland for the appellant.

No. 120. Public Service Commission of Indiana et al., appellants, *v.* Batesville Telephone Company. Statement as to jurisdiction submitted by Mr. James M. Ogden and Mr. G. W. Hufsmith for the appellants.

No. 122. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al., etc. Statement as to jurisdiction submitted by Mr. Edgar A. DeMeules and Mr. George S. Ramsey for the appellant.

No. 136. Victor J. Passera et al., appellants, *v.* Pontchartrain Realty Company, Inc. Statement as to jurisdiction submitted by Mr. Wm. C. Dufour and Mr. J. Zach Spearing for the appellants.

No. 142. Twin City Power Company, appellant, *v.* Savannah River Electric Company. Statement as to jurisdiction submitted by Mr. D. W. Robinson, Mr. George E. O'Connor, and Mr. E. H. Callaway for the appellant, in support thereof, and by Mr. M. G. McDonald for the appellee, in opposition thereto.

No. 158. Amos Shriver, appellant, *v.* Woodbine Savings Bank of Woodbine, Iowa. Statement as to jurisdiction submitted by Mr. James M. Parsons for the appellant.

No. 159. Yale Oil Corporation of South Dakota, appellant, *v.* The State of Montana. Statement as to jurisdiction submitted by Mr. George M. Morris and Mr. Frederick L. Pearce for the appellant.

No. 165. A. H. Averill, as Insurance Commissioner of the State of Oregon, appellant, *v.* Northwestern National Insurance Company of Milwaukee, Wisconsin. Statement as to jurisdiction submitted by Mr. I. H. Van Winkle and Mr. Willis S. Moore for the appellant.

No. 169. L. S. Brannan et al., appellants, *v.* William B. Harrison, as Comptroller General, etc. Statement as to jurisdiction submitted by Mr. C. N. Davie for the appellants, in support thereof, and by Mr. Robert S. Parker and Mr. T. R. Gress for the appellee, in opposition thereto.

No. 170. Gregg Dyeing Company, appellant, *v.* W. G. Query et al., etc.; and

No. 245. The City of Greenville, etc., et al., appellants, *v.* W. G. Query et al. Statements as to jurisdiction submitted by Mr. P. F. Henderson for the appellants.

No. 171. First National Bank of Boston, Executor, etc., appellant, *v.* State of Maine. Statement as to jurisdiction submitted by Mr. Charles L. Hutchinson for the appellant.

No. 174. Interstate Natural Gas Co., Inc., et al., appellants, *v.* Abe Arent. Statement as to jurisdiction submitted by Mr. Henry P. Dart, jr., and Mr. Henry P. Dart for the appellants, in support thereof, and by Mr. J. D. Barksdale for the appellee, in opposition thereto.

No. 178. William J. Stratton, as Secretary of State, etc., appellant, *v.* St. Louis Southwestern Railway Company. Statement as to jurisdiction submitted by Mr. Oscar E. Carlstrom and Mr. B. L. Catron for the appellant.

No. 184. The Great Atlantic & Pacific Tea Company, appellant, *v.* C. H. Morrisett, State Tax Commissioner, etc. Statement as to jurisdiction submitted by Mr. Thomas B. Gay for the appellant.

No. 195. Jesus Salvatierra, et al., etc., appellants, *v.* Independent School District, etc., et al. Statement as to jurisdiction submitted by Mr. Fred C. Knollenberg for the appellants.

No. 223. Louis P. Kielsen, appellant, *v.* George G. Barrett, as State Treasurer, etc. Statement as to jurisdiction submitted by Mr. Oliver O. Haga for the appellant.

No. 250. Carolina-Northwestern Railway Company, appellant, *v.* F. J. Key. Statement as to jurisdiction submitted by Mr. Frank G. Tompkins and Mr. J. E. McDonald for the appellant, in support thereof, and by Mr. R. E. Whiting for the appellee, in opposition thereto.

No. 266. John F. Hanson, appellant, *v.* Otto A. Hanson, Individually, etc., et al. Statement as to jurisdiction submitted by Mr. John F. Hanson *pro se*, in support thereof, and by Mr. Frank O. Johnson for the appellees, in opposition thereto.

No. 270. The Pacific Co., Ltd., appellant, *v.* Charles G. Johnson, State Treasurer of the State of California. Statement as to jurisdiction submitted by Mr. Joseph D. Peeler, Mr. Donald O. Hunter, Mr. Melvin D. Wilson, and Mr. Robert N. Miller for the appellant.

No. 287. The Atchison, Topeka and Santa Fe Railway Company, et al., appellants, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. Frederick H. Wood, Mr. Walter McFarland, Mr. Elmer A. Smith, Mr. H. H. Larrimore, Mr. J. N. Davis, Mr. A. B. Mason, Mr. R. J. Hagman, Mr. R. S. Outlaw, Mr. Leslie Craven, Mr. Wm. D. Whitney, Mr. A. B. Enoch, and Mr. Frank A. Leffingwell for the appellants.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. Statement as to jurisdiction submitted by Mr. Edward P. Humphrey, Mr. Charles W. Milner, Mr. L. E. Jeffries, and Mr. S. R. Prince for the appellants.

No. 319. A. O. Arneson and his wife, Mary Arneson, et al., appellants, *v.* United Irrigation Company, etc., et al. Statement as to jurisdiction submitted by Mr. S. J. Brooks and Mr. W. L. Matthews for the appellants, in support thereof, and by Mr. W. L. Cook for the appellee, in opposition thereto.

No. 333. Hartford Accident & Indemnity Company, appellant, *v.* O. L. Bunn, doing business as Bunn Electric Company et al. Statement as to jurisdiction submitted by Mr. W. Calvin Wells, Mr. Arthur G. Powell, and Mr. Max F. Goldstein for the appellant.

No. 24. The Texas and Pacific Railway Company et al., appellants, *v.* The United States of America et al. Four hours allowed for the

oral argument of this case. Argument commenced by Mr. Luther M. Walter for the appellants, New Orleans Joint Traffic Bureau et al.; and continued by Mr. Thomas J. Freeman for appellants, Texas and Pacific Railway Co. et al.; by Mr. Wylie M. Barrow for appellant, The State of Louisiana; by John St. Paul, jr., for appellant, The Board of Commissioners of the Port of New Orleans; by Mr. Daniel W. Knowlton for appellees, The United States and The Interstate Commerce Commission; by Mr. R. S. Outlaw for appellees, the Missouri-Kansas-Texas R. R. Co. et al.; by Mr. R. C. Fulbright for appellees, the Galveston Chamber of Commerce et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 13, will be as follows: Nos. **24, 36 (and 37), 43, 69, 1, 2, 3, 4, 5, and 6.**

SUPREME COURT OF THE UNITED STATES

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

Challen W. Waychoff, of Waynesburg, Pa.; Walter F. Brown, of Houston, Tex.; Alexander J. Laffey, of Indianapolis, Ind.; Helen Mary Considine, of Boston, Mass.; George R. Stuntz, of Seattle, Wash.; and Alfred Earle Dennis, of Los Angeles, Calif., were admitted to practice.

No. 24. The Texas and Pacific Railway Company et al., appellants, *v.* The United States of America et al. Argument continued by Mr. R. C. Fulbright, for the appellees, Galveston Chamber of Commerce et al.; and concluded by Mr. Luther M. Walter, for the appellants, New Orleans Joint Traffic Bureau et al.

No. 36. Louisiana Public Service Commission, etc., et al., appellants, *v.* The Texas & New Orleans Railroad Company et al.; and

No. 37. State of Louisiana and Louisiana Public Service Commission, appellants, *v.* The United States of America et al. Three hours allowed for the oral argument of this cause. Argued by Mr. Wylie M. Barrow for the appellants; by Mr. Assistant to the Attorney General O'Brian for the appellees, The United States and the Interstate Commerce Commission; and by Mr. Harry McCall, for the appellees, Texas and New Orleans Railroad Company et al.

No. 43. Bandini Petroleum Company et al., appellants, *v.* The Superior Court of the State of California, etc., et al. Argument commenced by Mr. Robert B. Murphey for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 14, will be as follows: Nos. 43, 69, 1, 2, 3, 4, 5, 6, 7 (8, 9, 10, 11, 12, and 13), and 14.

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SUPREME COURT OF THE UNITED STATES

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

Clyde Gilman Doyle, of Long Beach, Calif.; G. L. Woodruff, of Annapolis, Md.; Walter C. Montgomery, of Waynesburg, Pa.; Thomas J. Byrne, of Bronxville, N. Y.; Arthur B. Van Buskirk, of Pittsburgh, Pa.; John I. Hook, of Waynesburg, Pa.; John Claremont Lauber, of Minneapolis, Minn.; and A. A. Purman, of Waynesburg, Pa., were admitted to practice.

No. 43. Bandini Petroleum Company et al., appellants, *v.* The Superior Court of the State of California, etc. Argument continued by Mr. Robert B. Murphey for the appellants, and concluded by Mr. James S. Bennett for the appellees.

No. 69. The Chicago, Rock Island and Pacific Railway Company et al., appellants, *v.* The United States of America et al. Argued by Mr. Frank H. Towner for the appellants; by Mr. Assistant to the Attorney General O'Brian for appellees, the United States and the Interstate Commerce Commission; and by Mr. Robert E. Quirk for appellee, the South Manchester R. R. Co.

No. 1. Akron, Canton & Youngstown Railway Company et al., appellants, *v.* The United States of America et al. Argument commenced by Mr. Leo P. Day for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 15, will be as follows: Nos. 1, 2, 3, 4, 5, 6, 7, (8, 9, 10, 11, 12, and 13), 14, 15 (and 16), and 17.

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SUPREME COURT OF THE UNITED STATES

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

Tom Kirby, of Sioux Falls, S. Dak., was admitted to practice.

No. 17. Albert A. Hoepfer, appellant, *v.* Tax Commission of Wisconsin et al. Submitted by Mr. Claire B. Bird for the appellant, and by Mr. John W. Reynolds and Mr. Harold M. Wilkie for the appellees.

No. 1. Akron, Canton & Youngstown Railway Company et al., appellants, *v.* The United States of America et al. Argument continued by Mr. Leo P. Day for the appellants, by Mr. J. Stanley Payne for the appellees, The United States and the Interstate Commerce Commission, and concluded by Mr. Leo P. Day for the appellants.

No. 2. The Great Atlantic & Pacific Tea Company et al., appellants, *v.* Allen J. Maxwell, Commissioner of Revenue of North Carolina. Argued by Mr. John W. Davis for the appellants, and by Mr. Dennis G. Brummitt for the appellee.

No. 3. The Permutit Company, petitioner, *v.* Graver Corporation. Argument commenced by Mr. Drury W. Cooper for the petitioner, and continued by Mr. Charles L. Byron for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 16, will be as follows: Nos. 3, 4, 5, 6, 7 (8, 9, 10, 11, 12, and 13), 14, 15 (and 16), 18, 19 (and 20) and 21 (22 and 23).

SUPREME COURT OF THE UNITED STATES

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

Fred W. Llewellyn, of Seattle, Wash.; Edward I. Gleszer, of Bangor, Me.; William McKinley Gleszer, of Hartford, Conn.; James R. Beverly, of San Juan, P. R.; and I. Harry Levin, of Washington, D. C., were admitted to practice.

No. 3. The Permutit Company, petitioner, *v.* Graver Corporation. Argument concluded by Mr. Charles L. Byron for the respondent.

No. 4. The Hardware Dealers Mutual Fire Insurance Co. of Wisconsin, appellant, *v.* The Glidden Company et al. Argued by Mr. Mortimer H. Boutelle for the appellant, and by Mr. Homer C. Fulton and Mr. Eugene M. O'Neill for the appellees.

No. 5. George T. Mitchell, Attorney General of the State of Mississippi, et al., etc., appellants, *v.* Penny Stores, Inc. Argument commenced by Mr. W. Lee Guice for the appellants. The Court declined to hear further argument.

No. 6. De Laval Steam Turbine Company, petitioner, *v.* The United States. Argued by Mr. John Spalding Flannery for the petitioner, and by Mr. Assistant Attorney General Rugg for the respondent.

No. 7. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc.;

No. 8. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc.;

No. 9. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc.;

No. 10. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc.;

No. 11. Henry A. Phillips, petitioner, *v.* Board of Revision of Tax Assessments, etc.;

No. 12. Piedmont Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc.; and

No. 13. Greene County Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc. Argument commenced by Mr. Arthur B. Van Buskirk for the petitioners.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 19, will be as follows: Nos. 7 (8, 9, 10, 11, 12, and 13), 14, 15 (and 16), 18, 19 (and 20), 21 (22 and 23), 25, 26, 27, and 28 (29 and 30).

SUPREME COURT OF THE UNITED STATES

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

Ezekiel Wolf, of Boston, Mass.; H. C. Ellett, of Princeton, W. Va.; Elizabeth Robinson, of New York City; Grover C. Worrell, of Mullens, W. Va.; Isidor B. Rosman, of New York City; Joseph Nievinski, of Seattle, Wash.; Alexis T. Gresham, of Mobile, Ala.; and Thomas S. Tobin, of Los Angeles, Calif., were admitted to practice.

The Chief Justice announced:

In view of the large number of such orders, the orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the Clerk of the Court.

No. 630, October term, 1930. DeForest Radio Company, petitioner, *v.* General Electric Company. Ordered, that the opinion in this case be amended as follows:

(1) By substituting for the words "In July, 1912," in the 12th line of the last paragraph of the opinion, the following:

"August 20, 1912, the earliest date claimed for Langmuir, was rejected, rightly, we think, by the District Court, which held that Langmuir was anticipated by Arnold in November, 1912. But before the earlier date,"

(2) By substituting for the 3d sentence from the end of the following:

"By August, 1912, the Telegraph Company used De Forest amplifying audions at 54 volts, and, by November, they were used by another at 67½ volts. This was possible only because the tubes had thus been exhausted of gas which would otherwise have ionized with blue glow at from 20 to 30 volts."

No. —. In Re Disbarment of Harold J. Bandy. Order: On consideration of the affidavit of Harold J. Bandy in response to the rule of this Court, issued October 12, 1931, to show cause why his

name should not be stricken from the roll of attorneys admitted to practice before the bar of this Court.

It is ordered that the said rule to show cause be, and it is hereby, discharged.

No. 15, original. The State of Wyoming, complainant, *v.* The State of Colorado. The motion to set this case for hearing on the motion to dismiss is granted and the case is assigned for Monday, November 30 next.

No. 42. State of Utah, petitioner, *v.* The United States of America; and

No. 48. Carbon County Land Company, petitioner, *v.* The United States of America et al. It is ordered that these cases be reassigned for argument on Monday, January 4 next.

No. 63. The Hodge Drive-It-Yourself Company et al., appellants, *v.* The City of Cincinnati et al.;

No. 72. Broad-Grace Arcade Corporation, appellant, *v.* J. Fulmer Bright, Mayor, etc.;

No. 84. W. L. Mathews et al., appellants, *v.* J. F. Rodgers, et al.;

No. 88. Atlantic Coast Line Railroad Company et al., appellants, *v.* The United States of America et al.;

No. 118. Fox Film Corporation, appellant, *v.* R. C. Norman, State Tax Commissioner; and

No. 122. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al., etc. In these cases probable jurisdiction is noted.

No. 71. Andrew B. Keating, as Receiver of Taxes, etc., appellants, *v.* The Public National Bank of New York. Further consideration of the question of the jurisdiction of this Court and of the motion to dismiss or affirm is postponed to the hearing of the case on its merits.

No. 77. The Chapel State Theatre Company, appellant, *v.* Fred W. Hooper, Doing Business as F. W. Hooper Company; and

No. 112. Nellie Field Burwell, Sole Devisee etc., et al., appellants, *v.* James T. Powell et al. Further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the cases on the merits.

No. 123. Joseph Vallanvanti, petitioner, *v.* Armour & Company. On petition for writ of certiorari to the Superior Court in and for the County of Middlesex, State of Massachusetts. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already in-

curred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 126. Leonard Fernandez, petitioner, *v.* Harry M. Kaiser, as Warden of Clinton Prison, Dannemora, N. Y. On petition for writ of certiorari to the County Court for Clinton County, State of New York. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 144. Max Leibowitz and Louis Leibowitz et al., petitioners, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 166. Cammillus Soleau et al., petitioners, *v.* Josephine Soleau et al. On petition for writ of certiorari to the Supreme Court of the State of Michigan. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 220. Ida E. Tutson, petitioner, *v.* Joseph F. Holland et al. On petition for writ of certiorari to the Court of Appeals of the District of Columbia. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 410. Glen E. Minnick, Administrator of the Estate of W. H. Minnick, deceased, petitioner, *v.* Southern Railway Company. On petition for writ of certiorari to the Supreme Court of the State of Tennessee. *Per curiam:* The motion for leave to proceed further

herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 44. Sigmund Ornstein and Louis Ornstein, appellants, *v.* The Chesapeake and Ohio Railway Company. Appeal from the Supreme Court of the State of Ohio. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. *Grays Harbor Logging Co. v. Coats-Fordney Logging Co.*, 243 U. S. 251, 255-257.

No. 53. C. W. Palm, appellant, *v.* R. B. Hollopeter. Appeal from the Supreme Court of the State of Oregon. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. Sec. 237(a), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Sec. 237(c), Judicial Code as amended (43 Stat. 936, 938), certiorari is denied.

No. 56. Sarah P. Stuart and Elizabeth K. Dodge, appellants, *v.* Charles E. Fox and Edward E. Fox;

No. 57. Sarah P. Stuart and Elizabeth K. Dodge, appellants, *v.* Jessie C. Minott; and

No. 58. Sarah P. Stuart and Elizabeth K. Dodge, appellants, *v.* Harry M. Shwartz and Jesse M. Rosenberg. Appeals from the Supreme Judicial Court of the State of Maine. *Per curiam*: The appeals herein are dismissed for the want of jurisdiction. Sec. 237(a), Judicial Code as amended by the Act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeals were allowed as petitions for writs of certiorari as required by Sec. 237(c), Judicial Code as amended (43 Stat. 936, 938), certiorari is denied.

No. 80. State of Washington *ex rel.* George I. Clithero and 36 others, appellants, *v.* N. D. Showalter, etc., et al. Appeal from the Supreme Court of the State of Washington. *Per curiam*: The appeal herein is dismissed for the want of a substantial federal question. *Wabash Ry. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191.

No. 105. Walnut and Quince Streets Corporation, appellant, *v.* William B. Mills, Superintendent of the Department of Public Safety, etc., et al. Appeal from the Supreme Court of the State of Pennsylvania. *Per curiam*: The appeal herein is dismissed for the want of a substantial federal question. *Wabash Ry. Co. v. Flannigan*,

192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191.

No. 136. Victor J. Passera et al., appellants, *v. Pontchartrain Realty Company, Inc.* Appeal from the Supreme Court of the State of Louisiana. *Per curiam*: The appeal herein is dismissed for the want of a substantial federal question. *Wabash Ry. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191.

No. 89. Augusta Power Company, a Business Trust, et al., appellants, *v. Savannah River Electric Company.* Appeal from the Supreme Court of the State of South Carolina. *Per curiam*: The appeal herein is dismissed. *Louisiana Navigation Co., Ltd., v. Oyster Comm'n.*, 226 U. S. 99, 101; *Redall v. Bryan*, 24 How. 420; *Bruce v. Tobin*, 245 U. S. 18, 19; *Verden v. Coleman*, 18 How. 86; *Moses v. The Mayor*, 15 Wall. 387.

No. 142. Twin City Power Company, appellant, *v. Savannah River Electric Company.* Appeal from the Supreme Court of the State of South Carolina. *Per curiam*: The appeal herein is dismissed. *Louisiana Navigation Co., Ltd., v. Oyster Comm'n.*, 226 U. S. 99, 101; *Redall v. Bryan*, 24 How. 420; *Bruce v. Tobin*, 245 U. S. 18, 19; *Verden v. Coleman*, 18 How. 86; *Moses v. The Mayor*, 15 Wall. 387. The petition for a writ of certiorari in this cause is denied.

No. 265. L. A. Nixon, petitioner, *v. James Condon and C. H. Kolle.* The petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted. The motion of C. N. Love and others as *amici curiae* for leave to participate in the oral argument of this case is denied.

No. 179. Herbert S. Daniel, Trustee, etc., petitioner, *v. Guaranty Trust Company of New York.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 185. Baltimore and Philadelphia Steamboat Company et al., petitioners, *v. Augustus P. Norton, Deputy Commissioner, etc.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 200. Harry M. Blackmer, petitioner, *v. The United States of America*; and

No. 201. Harry M. Blackmer, petitioner, *v. The United States of America.* Petition for writs of certiorari to the Court of Appeals of the District of Columbia granted.

No. 217. William Stevens, petitioner, *v.* The Vessel "White City," her engines, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 242. Jesse H. Denton, petitioner, *v.* Yazoo & Mississippi Valley Railroad Company et al. Petition for writ of certiorari to the Supreme Court of the State of Mississippi granted.

No. 248. Mrs. George G. Snowden et al., petitioners, *v.* Red River and Bayou Des Glaises Levee et al. Petition for writ of certiorari to the Supreme Court of the State of Louisiana granted.

No. 251. Peter H. Miller, Individually, etc., petitioner, *v.* The Standard Nut Margarine Company of Florida. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 252. Josiah T. Rose, Collector of Internal Revenue, etc., petitioner, *v.* The Standard Nut Margarine Company of Florida. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 258. Central Pacific Railway Company et al., petitioners, *v.* County of Alameda et al., etc. Petition for writ of certiorari to the Supreme Court of the State of California granted.

No. 263. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* Clarence Bezue. Petition for writ of certiorari to the Supreme Court of the State of New York granted.

No. 314. Realty Acceptance Corporation, petitioner, *v.* Henry G. Montgomery. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 218. Winchester Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied. The motion to remand is also denied.

No. 173. Ivan L. Skeen, petitioner, *v.* Beulah V. Lynch et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 175. Eddie Norris, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 176. Hamburg Insurance Company of Hamburg, Germany, petitioner, *v.* James A. Beha, Superintendent of Insurance, etc. Petition for writ of certiorari to the Court of Appeals of the State of New York denied.

No. 177. Beneficial Loan Society of Bethlehem, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 180. Faber, Coe & Gregg, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 181. Marblehead Land Company et al., petitioner, *v.* City of Los Angeles, a Municipal Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 182. Mrs. Lotta F. Jacobs et al., petitioners, *v.* First National Bank of Shreveport et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 183. Minidoka Irrigation District, petitioner, *v.* Ray Lyman Wilbur, Secretary of the Interior. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 186. En-le-te-ke, Charlie Harjo, et al., petitioners, *v.* W. A. Beasley et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 187. J. Aaron & Company, Inc., petitioner, *v.* Panama Rail Road Company. Petition for writ of certiorari to the Supreme Court, of New York County, State of New York, denied.

No. 188. Fred E. Turner, Individually, etc., petitioners, *v.* Effie T. Kirkwood. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 189. John W. Jarvis, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 191. United States Gypsum Company, petitioner, *v.* Plastoid Products, Inc. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 192. City of Corpus Christi, Texas, petitioner, *v.* Corpus Christi Gas Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 193. Southern Railway Company, petitioner, *v.* R. A. Hamilton; and

No. 194. Seaboard Air Line Railway Company, petitioner, *v.* R. A. Hamilton. Petitions for writs of certiorari to the Supreme Court of the State of North Carolina denied.

No. 196. Claude Neon Southern Corporation et al., petitioners, *v.* W. T. McCaffrey, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 197. Pennsylvania Railroad Company, petitioner, *v.* Shamrock Towing Company, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 199. Illinois Power and Light Corporation, petitioner, *v.* J. T. Hurley et al., Trustees, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 202. Joseph H. Hanson, M. D., petitioner, *v.* Michigan State Board of Registration in Medicine. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 203. Edward Da Roza, petitioner, *v.* The United States of America; and

No. 204. Edward Da Roza, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 205. Nitro Chemical Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 206. Sunny Brook Distillery Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 207. American Monorail Company, petitioner, *v.* A. Stanford Lyon, Judge, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 208. City of Paris, Tennessee, petitioner, *v.* Kentucky-Tennessee Light and Power Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 209. John Peter Buren, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 210. Josie D. Harkins, Joseph D. Harkins, et al., petitioners, *v.* Helena M. Johnson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 211. L. Meisenhelder, as General Administratrix, etc., petitioner, *v.* H. E. Byram et al. Petition for writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 212. Union Trust Company of Rochester et al., petitioners, *v.* James C. Ayer, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 213. Oregon-Washington Railroad & Navigation Company, petitioner, *v.* Wilbur Bevin, by His Guardian *ad litem* R. R. McCarthy. Petition for writ of certiorari to the Supreme Court of the State of Oregon denied.

No. 214. C. W. Colgrove et al., petitioners, *v.* Leo H. Lowe, individually, etc. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 215. American Flyer Mfg. Co., petitioner, *v.* L. Gessford Handy et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 216. James McWilliams Blue Line, Inc., et al., petitioners, *v.* Pennsylvania Railroad Company, etc.;

No. 244. Pennsylvania Railroad Company, Owner, etc., petitioner, *v.* James McWilliams Blue Line, Inc., et al.; and

No. 264. Long Beach-on-the-Ocean, Inc., petitioner, *v.* Pennsylvania Railroad Company, as Owner, etc. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 219. Reginald A. Fessenden, petitioner, *v.* Richard H. Wilson and John P. Schafer. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 221. G. Bryan Pitts, petitioner, *v.* William L. Peak. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 222. Interstate Transit Company, petitioner, *v.* Norman Rogers. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 224. Artie T. Wells, petitioner, *v.* The Chesapeake & Ohio Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 225. John S. Phipps, petitioner, *v.* Frank C. Bowers, as Executor, etc.;

No. 226. Henry C. Phipps, petitioner, *v.* Frank C. Bowers, as Executor, etc.;

No. 227. Howard Phipps, petitioner, *v.* Frank C. Bowers, as Executor, etc.; and

No. 228. Helen Martin, petitioner, *v.* Frank C. Bowers, as Executor, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 229. Arthur Carr, petitioner, *v.* W. S. Kingsbury, as Chief of the Division of State Lands, etc.;

No. 230. Roy Maggart, petitioner, *v.* W. S. Kingsbury, as Chief of the Division of State Lands, etc.;

No. 231. F. L. Feisthamel, petitioner, *v. W. S. Kingsbury*, as Chief of the Division of State Lands, etc.;

No. 232. C. C. Cumings, petitioner, *v. W. S. Kingsbury*, as Chief of the Division of State Lands, etc.; and

No. 233. Thomas A. Joyner, petitioner, *v. W. S. Kingsbury*, as Chief of the Division of State Lands, etc. Petition for writs of certiorari to the District Court of Appeal, 4th Appellate District, State of California, denied.

No. 234. Stephen R. Jones et al., petitioners, *v. Andrew W. Mellon*, Secretary, etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 235. Morse Dry Dock & Repair Company, petitioner, *v. Lancashire Shipping Company, Ltd.*;

No. 236. Morse Dry Dock & Repair Company, petitioner, *v. Tokio Marine & Fire Insurance Company*;

No. 237. Morse Dry Dock & Repair Company, petitioner, *v. Standard Transportation Company*; and

No. 238. Morse Dry Dock & Repair Company, petitioner, *v. Standard Oil Company of New York*. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 239. Mrs. J. C. Pugh, as Executrix, etc., et al., petitioners, *v. David Burnet*, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 240. R. E. Allen, Receiver of Public Sales Corporation, petitioner, *v. A. N. Kelly*, Assessor, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 241. The People of Porto Rico, petitioner, *v. Clara Livingston*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 243. Mary Bohenic, individually etc., petitioner, *v. The Delaware & Hudson Company*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 246. Anna Beaver Hallam, petitioner, *v. Commerce Mining and Royalty Company, etc.*, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 247. Subhi Mustafa Sadi, petitioner, *v. The United States of America*. Petition for writ of certiorari to the United States Circuit of Appeals for the Second Circuit denied.

No. 249. Tennessee Railroad Company, petitioner, *v.* Cecil Thompson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 292. Ed S. Vail Butterine Co., petitioner, *v.* Mabel G. Reinecke, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 253. Annie C. Slaughter, petitioner, *v.* C. C. Slaughter Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 256. Charles E. Havener, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 257. E. C. Riegel, petitioner, *v.* The Public Utilities Commission of the District of Columbia. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 259. Paul Graffe, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 260. Maryland Casualty Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 261. Unaka and City National Bank, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 262. Fort Worth Independent School District, petitioner, *v.* Aetna Casualty & Surety Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 267. Life & Casualty Insurance Company of Tennessee, petitioner, *v.* Cuba Heathcott, by next friend; and

No. 268. Life & Casualty Insurance Company of Tennessee, petitioner, *v.* Cuba Heathcott, by next friend. Petition for writs of certiorari to the Supreme Court of the State of Tennessee and to the Court of Civil Appeals, State of Tennessee, denied.

No. 269. Sidney Z. Mitchell, petitioner, *v.* The Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 271. J. B. Davis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 272. Merritt J. Corbett, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 273. Cleveland-Cliffs Steamship Company, petitioner, *v.* Car-gill Grain Company. Petition for writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 274. Joseph A. Diamond et al., petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 275. Frommel Realty and Investment Co., et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 324. United Drug Company, appellant, *v.* Frank P. Washburn, Commissioner of Agriculture, etc. Statement as to jurisdiction submitted by Mr. Brenton K. Fisk for the appellant, in support thereof, and by Mr. Nathan W. Thompson for the appellee, in opposition thereto.

No. 371. John W. Keogh, appellant, *v.* Robert E. Neely, Acting United States Collector of Internal Revenue, etc. Statement as to jurisdiction submitted by Mr. John W. Keogh, *pro se*, in support thereof, and by Mr. Solicitor General Thacher for the appellee, in opposition thereto.

No. 308. John T. Stone, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Daniel R. Rothemel and Mr. Edward O. Proctor for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Whitney North Seymour for the respondent.

No. 309. William A. Patterson, Albert E. Rust, et al., etc., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Edward O. Proctor and Mr. Daniel R. Rothemel for the petitioners, and by Mr. Solicitor General Thacher for the respondent.

No. 310. Louis Horkheimer and Julius Horkheimer, petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Edward O. Proctor and Mr. Daniel R. Rothemel for the petitioners, and by Mr. Solicitor General Thacher for the respondent.

No. 371. John W. Keogh, petitioner, *v.* Robert E. Neely, Acting United States Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John W. Keogh, *pro se*, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. Hayner N. Larson for the respondent.

No. 374. Harry Blockburger, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harold J. Bandy for the petitioner, and by Mr. Solicitor General Thacher for the respondent.

No. 381. Jos. Denunzio Fruit Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Theodore B. Benson, Mr. Frank S. Bright, and Mr. H. Stanley Hinrichs for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. S. Dee Hanson for the respondent.

No. 389. William M. Taylor, Trustee, etc., petitioner, *v.* Mary Plomondon Jones, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Elmer J. Lundy for the petitioner.

No. 390. R. E. Kennington, Liquidator, etc., et al., petitioners, *v.* G. L. Donald, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Henry J. Richardson, Mr. Garner W. Green, Mr. W. H. Watkins, and Mr. Marcellus Green for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Wm. Cutler Thompson, and Mr. Wm. Riley, jr., for the respondent.

No. 393. James Dunn, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Raymond T. Coughlin for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 394. Wirt Franklin, petitioner, *v.* Frank Carter et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. R. M. Rainey and Mr. Streeter B. Flynn for the petitioner.

No. 395. Chicago Fraternal Life Association, petitioner, *v.* Emily H. Karst. Petition for writ of certiorari to the Springfield Court of Appeals, State of Missouri, submitted by Mr. William J. Corgigan for the petitioner.

No. 400. F. M. Hubbell Son & Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the

Eighth Circuit submitted by Mr. J. G. Gamble for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. A. H. Conner for the respondent.

No. 401. American Surety Company of New York, petitioner, *v.* The Greek Catholic Union. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James M. Magee for the petitioner, and by Mr. Thomas Stephen Brown and Mr. Ralph C. Davis for the respondent.

No. 402. The Archibald McNeil & Sons Co., Inc., petitioner, *v.* Western Maryland Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. George Demming, Mr. John R. Geyer, and Mr. Paul G. Smith for the petitioner, and by Mr. Alexander Armstrong for the respondent.

No. 403. Charley Singleton et al., petitioners, *v.* Edith Cheek, nee Jackson, et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. A. G. C. Beirer for the petitioners.

No. 404. United States ex rel. Arthur J. Klein, petitioner, *v.* Raymond J. Mulligan, Acting United States Marshal. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Basil O'Connor for the petitioner, and by Mr. Robert D. Murray for the respondent.

No. 412. Kotabs, Inc., Edward Bornstein, et al., petitioners, *v.* Kotex Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Benjamin S. Kirsh for the petitioners.

No. 413. The Aetna Casualty and Surety Company, petitioner, *v.* Phoenix National Bank and Trust Company of Lexington. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles Kerr, Mr. Clinton M. Harrison, Mr. Samuel M. Wilson, and Mr. A. K. Shipe for the petitioner, and by Mr. Richard C. Stoll for the respondent.

No. 415. Charles F. Delbridge, Charles Frederick Coots, et al., petitioners, *v.* Arthur J. Oldfield et al. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Orla B. Taylor for the petitioners, and by Mr. Frederick C. Kurth and Mr. Howard F. Cline for the respondents.

No. 418. Milmine Bodman & Co., Inc., petitioner, *v.* Empire Canal Corporation et al; and

No. 419. Norris Grain Company of New York, Inc., petitioner, *v.* Empire Canal Corporation et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George V. A. McCloskey for the petitioner, and by Mr. Mark W. Maclay and Mr. John Tilney Carpenter for the respondents.

No. 426. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Charles P. Leininger. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Levi Cooke and Mr. George R. Beneman for the respondent.

No. 7. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc.;

No. 8. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc.;

No. 9. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc. ;

No. 10. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments;

No. 11. Henry A. Phillips, petitioner, *v.* Board of Revision of Tax Assessments, etc.;

No. 12. Piedmont Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc.; and

No. 13. Greene County Coal Company, petitioner, *v.* Board of Revision of Tax Assessments, etc. Argument continued by Mr. Arthur B. Van Buskirk for the petitioners, and concluded by Mr. Challen W. Waychoff for the respondent.

No. 14. Handy and Harman, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Argued by Mr. William C. Breed for the petitioner and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 15. Iowa-Des Moines National Bank, petitioner, *v.* E. R. Bennett, Chairman, etc.; and

No. 16. Central State Bank, petitioner, *v.* E. R. Bennett, Chairman, etc. Three hours allowed for the oral argument of these cases. Argument commenced by Mr. J. G. Gamble for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 20, will be as follows: Nos. 15 (and 16), 18, 19 (and 20), 21 (22 and 23), 25, 26, 27, 28 (29 and 30), 31, and 32.

SUPREME COURT OF THE UNITED STATES

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

Anne B. Leach, of Philadelphia, Pa., was admitted to practice.

No. 15. Iowa-Des Moines National Bank, petitioner, *v.* E. R. Bennett, Chairman of the Board of Supervisors of Polk County, Iowa, et al.; and

No. 16. Central State Bank, petitioner, *v.* E. R. Bennett, Chairman, etc., et al. Argument continued by Mr. J. G. Gamble for the petitioners, by Mr. Charles Hutchinson and Mr. Eskie C. Carlson for the respondents, and concluded by Mr. A. B. Howland for the petitioner.

No. 18. David W. Phillips, Collector of Internal Revenue, etc., *v.* Dime Trust & Safe Deposit Company, Executor, etc. Argued by Mr. Claude R. Branch for Phillips, Collector, and by Mr. Charles C. Lark for the Dime Trust & Safe Deposit Company.

No. 19. Letus N. Crowell, as Deputy Commissioner, etc., et al., petitioners, *v.* Charles Benson; and

No. 20. Letus N. Crowell, as Deputy Commissioner, etc., et al., petitioners, *v.* Charles Benson. Argument commenced by Mr. Solicitor General Thacher for petitioner, Letus N. Crowell, as Deputy Commissioner; continued by Mr. Alexis T. Gresham for petitioner, J. B. Knudson; and by Mr. Harry T. Smith for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 21, will be as follows: Nos. 19 (and 20), 21 (22 and 23), 25, 26, 27, 28 (29 and 30), 31, 32, 33, and 34 (and 35).

SUPREME COURT OF THE UNITED STATES

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

Charles A. Schneider, of New York City; T. Austin Gavin, of Tulsa, Okla.; Alexander K. Hancock, of Savannah, Ga.; Joseph W. Horner, of Columbus, Ohio; and Roy F. Ford, of Tulsa, Okla., were admitted to practice.

No. 26. The United States, petitioner, *v.* Kirby Lumber Company. Leave granted to file brief of American Tobacco Company, as *amicus curiæ*, on motion of Mr. Robert Ash in that behalf.

No. 19. Letus N. Crowell, as Deputy Commissioner, etc., petitioner, *v.* Charles Benson; and

No. 20. Letus N. Crowell, as Deputy Commissioner, etc., et al., petitioners, *v.* Charles Benson. Argument continued by Mr. Harry T. Smith for the respondent, and concluded by Mr. Solicitor General Thacher for the petitioner, Letus N. Crowell, as Deputy Commissioner.

No. 21. The Virginian Railway Company, petitioner, *v.* Boyd E. Chambers;

No. 22. The Virginian Railway Company, petitioner, *v.* E. L. Fitzgerald; and

No. 23. The Virginian Railway Company, petitioner, *v.* W. O. Hylton. Argument commenced by Mr. John R. Pendleton for the petitioner, continued by Mr. Russell S. Ritz for the respondent, and concluded by Mr. Grover C. Worrell for the respondent.

No. 25. City of Chicago, appellant, *v.* Chicago Rapid Transit Company. Argument commenced by Mr. Albert H. Veeder for the appellant, and continued by Mr. Joseph F. Grossman for the appellant. The Court declined to hear further argument.

No. 26. The United States, petitioner, *v.* Kirby Lumber Company. Argument commenced by Mr. Assistant Attorney General Rugg for the petitioner, and continued by Mr. Robert Ash for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 22, will be as follows: Nos. 26, 27, 28 (29 and 30), 31, 32, 33, 34 (and 35), 38, 39, and 40.

SUPREME COURT OF THE UNITED STATES

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

Homer H. Marshman, of Cleveland, Ohio; Thomas J. Mangan, of Binghamton, N. Y.; Essex S. Abbott, of Haverhill, Mass.; Davis J. Coddair, of Haverhill, Mass.; Ralph Atkins, of New York City; and Henry T. Bannon, of Portsmouth, Ohio, were admitted to practice.

No. 27. Wm. H. Moore, Jr., Trustee in Bankruptcy, etc., petitioner, *v.* O. S. Bay. Argued by Mr. Thomas S. Tobin for the petitioner. No appearance for the respondent.

No. 28. Sun Insurance Office, petitioner, *v.* J. M. Scott;

No. 29. Norwich Union Fire Insurance Society, Ltd., petitioner, *v.* J. M. Scott; and

No. 30. The Home Insurance Company of New York, petitioner, *v.* J. M. Scott. Argued by Mr. Rolland M. Edmonds for the petitioners, and by Mr. F. S. Monnett for the respondent.

No. 31. Magno Santovincenzo, Consul of the Kingdom of Italy at New York, appellant, *v.* James F. Egan, Public Administrator, etc., et al. Argued by Mr. Carroll G. Walter for the appellant, and by Mr. Robert P. Beyer for the appellee.

No. 32. William H. Mecon, Administrator, etc., petitioner, *v.* Fitzsimmons Drilling Co., Inc., et al. Argument commenced by Mr. Roy F. Ford for the petitioner, and continued by Mr. T. Austin Gavin for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 23, will be as follows: Nos. 32, 33, 34 (and 35), 38, 39, 40, 41, 45, 49, and 51.

SUPREME COURT OF THE UNITED STATES

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

Elwood Anderson, of Gillette, Wyo., and William J. P. Aberg, of Madison, Wis., were admitted to practice.

No. 336. City of Willow Glen, petitioner, *v.* Southern Pacific Company. Motion for leave to file brief of the City of Los Angeles, City of San Francisco, City of Oakland, and others as *amici curiae* submitted by Mr. Frederic D. McKenney in that behalf, with leave until Monday next to secure consent of counsel to the filing of the brief.

No. 45. Southern Railway Company, petitioner, *v.* R. R. Moore, as Administrator, etc. Submitted by Mr. S. R. Prince, Mr. H. O'B. Cooper, Mr. Frank G. Tompkins, and Mr. L. E. Jeffries for the petitioner, and by Mr. William C. Wolfe for the respondent.

No. 32. William H. Mecon, Administrator, etc., petitioner, *v.* Fitzsimmons Drilling Co., Inc., et al. Argument continued by Mr. T. Austin Gavin and Mr. George F. Short for the respondents, and concluded by Mr. Roy F. Ford for the petitioner.

No. 33. The United States of America, Interstate Commerce Commission, et al., appellants, *v.* Baltimore & Ohio Railroad et al. Argument commenced by Mr. J. Stanley Payne for appellants, The United States and The Interstate Commerce Commission; continued by Mr. Parker McCollester for appellant, Hoboken Manufacturer's R. R. Co.; by Mr. Henry S. Drinker, jr., for the appellees; and concluded by Mr. Parker McCollester for appellant, Hoboken Manufacturer's R. R. Co.

No. 34. The Chesapeake and Ohio Railway Company, petitioner, *v.* William Kuhn; and

No. 35. The Chesapeake and Ohio Railway Company, petitioner, *v.* William Kuhn. Argued by Mr. Henry Bannon for the petitioner, and by Mr. Homer H. Marshman for the respondent.

No. 38. The United States of America, appellant, *v.* Harry Murdock. Argument commenced by Mr. Solicitor General Thacher for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 26, will be as follows: Nos. 38, 40, 41, 49, 51, 52, 54 (and 55), 59, 60, and 66 (and 67).

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SUPREME COURT OF THE UNITED STATES

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

M. Lewis Hall, of Fort Lauderdale, Fla.; Henry T. Golightly, of Fairburn, Ga.; R. M. Mountcastle, of Muskogee, Okla.; Geo. E. H. Goodner, of Washington, D. C.; Zeno Fritz, of Pittsburgh, Pa.; Alonzo M. Snyder, of Cleveland, Ohio; William T. Howley, of Washington, D. C.; and George D. Toole, of Butte, Mont., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 1. Akron, Canton & Youngstown Railway Company et al., appellants, *v.* The United States of America et al. Appeal from the District Court of the United States for the Northern District of Illinois. *Per curiam*: The Court is of the opinion that the Interstate Commerce Commission acted within its authority and that its order is supported by substantial evidence. The decree is affirmed. *Western Chemical Company v. United States*, 271 U. S. 268, 271; *Chicago, R. I. & P. R'y Co. v. United States*, 274 U. S. 29, 33, 34, *Alabama et al. v. United States*, 283 U. S. 776, 779.

No. 2. The Great Atlantic & Pacific Tea Company et al., appellants, *v.* Allen J. Maxwell, Commissioner of Revenue of North Carolina. Appeal from the Supreme Court of the State of North Carolina. *Per curiam*: Judgment affirmed. *State Board of Tax Commissioners v. Jackson*, 283 U. S. 527.

Mr. Justice Van Devanter and Mr. Justice Sutherland concur in the judgment solely upon the ground that the decision in *State Board of Tax Commissioners v. Jackson*, *supra*, is in point and controlling; but if the question were still open they would regard the taxing act as repugnant to the equal protection clause of the fourteenth amendment for the reasons stated in the dissenting opinion in the Jackson case.

Mr. Justice McReynolds and Mr. Justice Butler are of opinion that the challenged judgment should be reversed.

No. 5. George T. Mitchell, Attorney General of the State of Mississippi, et al., etc., appellants, *v.* Penny Stores, Incorporated. Appeal from the District Court of the United States for the Southern District of Mississippi. *Per curiam*: In this suit, brought to enjoin the enforcement of the provisions of sections 2 (c), 11, and 13 of article 1 of chapter 90 of the Laws of Mississippi of 1930, an application was made to the District Court of the United States for an interlocutory injunction. The District Court, composed of three judges (U. S. C., title 28, sec. 380), granted an interlocutory injunction upon the giving by the plaintiffs of a bond payable to the State of Mississippi in the sum of \$5,000, conditioned as required by law, restraining the enforcement of the statutory provisions until the cause could be fully heard and determined. No opinion was rendered by the District Court, and the only question presented by the record upon this appeal is whether the District Court abused its discretion in granting an injunction until the case could be heard upon the merits. *Alabama et al. v. United States*, 279 U. S. 229, 231; *United Fuel Gas Co. v. Public Service Commission*, 278 U. S. 322, 326; *National Fire Insurance Co. v. Thompson*, 281 U. S. 331, 338. The order was made prior to the decision of this Court in *State Board of Commissioners v. Jackson*, 283 U. S. 527, and, as no abuse of discretion is shown, the order must be affirmed.

No. 21. The Virginian Railway Company, petitioner, *v.* Boyd E. Chambers;

No. 22. The Virginian Railway Company, petitioner, *v.* E. L. Fitzgerald; and

No. 23. The Virginian Railway Company, petitioner, *v.* W. O. Hylton. On writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. *Per curiam*: Judgments affirmed by a divided court.

No. 25. City of Chicago, appellant, *v.* Chicago Rapid Transit Company. Appeal from the District Court of the United States for the Northern District of Illinois. *Per curiam*: This suit was brought to restrain the Illinois Commerce Commission and the Attorney General of the State of Illinois from enforcing an order of the commission prescribing rates of fare upon the appellee's railroads upon the ground that the order was confiscatory and in violation of the fourteenth amendment of the Constitution of the United States. The city of Chicago was permitted to intervene as defendant. The District Court, composed of three judges (U. S. C., title 28, sec. 380), granted an interlocutory injunction, and on final hearing entered its decree, adjudging, upon findings, that the rates prescribed by the State commission were confiscatory and permanently restraining the enforcement of its order. The Illinois Commerce

Commission and the Attorney General of the State have not appealed from the decree, which is thus a final adjudication of the invalidity of the rate order. The present appeal is taken by the city of Chicago.

The Court is of the opinion that the city of Chicago has no separate standing which entitles it to appeal from the decree, and its appeal is dismissed. *City of Pawhuska v. Pawhuska Oil & Gas Co.*, 250 U. S. 394; *City of Chicago v. Dempcy*, 250 U. S. 651; *Denney v. Pacific Telephone & Telegraph Co.*, 276 U. S. 97, 102; *Railroad Commission of California v. Los Angeles Railway Corporation*, 280 U. S. 145, 156; *Public Utilities Commission v. City of Quincy*, 290 Ill. 360, 369, 370; *Chicago Railways Co. v. City of Chicago*, 292 Ill. 190, 195; 257 U. S. 617; *Hoyne v. Chicago & Oak Park Elevated Railway Company*, 294 Ill. 413, 420-422. See also *City of New York v. New York Telephone Company*, 261 U. S. 312, 316.

No. 120. Public Service Commission of Indiana et al., appellants, *v. Batesville Telephone Company*. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. *Per curiam*: This suit was brought to restrain the enforcement of an order of the Public Service Commission of Indiana upon the grounds that the commission had exceeded its authority and that the order violated the due process clause and the equal protection clause of the fourteenth amendment of the Federal Constitution. The District Court (a single judge sitting, as an interlocutory injunction was not sought, *Stratton v. St. Louis, S. W. Ry. Co.*, 282 U. S. 10, 15) dismissed the bill for want of equity. The decree was reversed by the Circuit Court of Appeals, which directed that the relief for which the bill prayed be granted. The sole ground of the decision of the Circuit Court of Appeals was that the Public Service Commission had no jurisdiction under the law of the State to make the order.

The statute governing appeals to this Court from the Circuit Courts of Appeals is section 240 of the Judicial Code as amended by the act of February 13, 1925 (c. 229, 43 Stat. 936, 938), which provides in paragraphs (b) and (c) as follows:

“(b) Any case in a Circuit Court of Appeals where is drawn in question the validity of a statute of any State, on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, and the decision is against its validity, may, at the election of the party relying on such State statute, be taken to the Supreme Court for review on writ of error or appeal; but in that event a review on certiorari shall not be allowed at the instance of such party, and the review on such writ of error or appeal shall be restricted to an examination and decision of the Federal questions presented in the case.

“(c) No judgment or decree of a Circuit Court of Appeals or of the Court of Appeals of the District of Columbia shall be subject to review by the Supreme Court otherwise than as provided in this section.”

The plain intent of this statute is to limit appeals to this Court from a Circuit Court of Appeals to cases where its decision is against the validity of a statute of a State upon the ground of its being repugnant to the Constitution, treaties, or laws of the United States. In other cases, review by this Court, if it be had, must be pursuant to a writ of certiorari duly applied for and granted.

As in this case the Circuit Court of Appeals did not decide against the validity of the order of the Public Service Commission upon the asserted Federal grounds, but dealt with its validity solely under the State law, the appeal must be dismissed.

No. 68. Samuel W. Baxter, as Administrator of the Estate of George A. Zeller, deceased, appellant, *v.* Continental Casualty Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: This action was originally brought in the Circuit Court, city of St. Louis, Missouri, and was removed to the District Court of the United States upon the ground of diversity of citizenship. The action was upon a policy of automobile insurance issued by the defendant, and recovery depended upon judgment having been obtained and execution thereon having been returned unsatisfied in an action against the assured. It was shown that action had been brought in the State court against the assured, the Southwest Motor Sales Co., a Missouri corporation, and also against one Harry Shields, its executive officer. Process had been served upon Shields personally, and jurisdiction of the Southwest Motor Sales Co. had been sought by constructive service under the Missouri law. Judgment by default had been entered against both defendants and execution had been returned unsatisfied.

In the present action the Circuit Court of Appeals, affirming judgment for the defendant, held that the insurance policy which the defendant had issued did not cover Shields and that the service in the action against the Southwest Motor Sales Co. was invalid under the decisions of the State court. *Priest v. Capitain*, 236 Mo. 436, 457; *Moss v. Fitch*, 212 Mo. 484, 497. As the decision of the Circuit Court of Appeals merely applied the law of the State, no question is presented which gives this Court jurisdiction of the appeal. *Public Service Commission of Indiana et al. v. Batesville Telephone Co.*, decided this day. Appeal dismissed.

The Chief Justice announced:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination

of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the clerk of the Court.

No. 178. William J. Stratton, as Secretary of State of the State of Illinois, appellant, *v.* St. Louis Southwestern Railway Company. In this case probable jurisdiction is noted and the case is advanced and assigned for argument on Monday, November 30, next, at the head of the call for that day.

No. 287. The Atchison, Topeka and Santa Fe Railway Company et al., appellants, *v.* The United States of America et al. In this case probable jurisdiction is noted. The motion to advance is granted and the case is advanced and assigned for argument on Monday, November 30, next, after the cases heretofore assigned for that day.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. In these cases probable jurisdiction is noted. The motion to advance is granted and the cases are advanced and assigned for argument on Monday, November 30, next, after the cases heretofore assigned for that day.

No. 158. Amos Shriver, appellant, *v.* Woodbine Savings Bank of Woodbine, Iowa;

No. 165. A. H. Averill, as Insurance Commissioner of the State of Oregon, appellant, *v.* Northwestern National Insurance Company of Milwaukee, Wisconsin;

No. 171. First National Bank of Boston, Executor, etc., appellant, *v.* State of Maine; and

No. 270. The Pacific Co., Ltd., appellant, *v.* Charles G. Johnson, State Treasurer of California. In these cases probable jurisdiction is noted.

No. 159. Yale Oil Corporation of South Dakota, appellant, *v.* The State of Montana;

No. 170. Gregg Dyeing Company, appellant, *v.* W. G. Query et al., etc.;

No. 245. The City of Greenville, etc., et al., appellants, *v.* W. G. Query et al., etc.;

No. 250. Carolina-Northwestern Railway Company, appellant, *v.* F. J. Key;

No. 319. A. O. Arneson, and his wife, Mary Arneson, et al., appellants, *v.* United Irrigation Company, etc., et al.; and

No. 333. Hartford Accident & Indemnity Company, appellant, *v.* O. L. Bunn, doing business as Bunn Electric Company, et al. Fur-

ther consideration of the question of the jurisdiction of this Court in these cases is postponed to the hearing of the cases on the merits.

No. 169. L. S. Brannan, M. N. Carroll, D. O. Hamby, et al., appellants, *v.* William B. Harrison, as Comptroller General, etc. Appeal from the Supreme Court of the State of Georgia. *Per curiam:* The appeal herein is dismissed. Louisiana Navigation Co. Ltd., *v.* Oyster Commission, 226 U. S. 99, 101; Reddall *v.* Bryan, 24 How. 420; Bruce *v.* Tobin, 245 U. S. 18, 19; Verden *v.* Coleman, 18 How. 86; Moses *v.* The Mayor, 15 Wall. 387.

No. 174. Interstate Natural Gas Co., Inc., et al., appellants, *v.* Abe Arent. Appeal from the Supreme Court of the State of Louisiana. *Per curiam:* The appeal herein is dismissed for the want of jurisdiction. Section 237 (a), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by section 237 (c), Judicial Code, as amended (43 Stat. 936, 938), certiorari is denied.

No. 195. Jesus Salvatierra et al., etc., appellants, *v.* Independent School District, etc., et al. Appeal from the Court of Civil Appeals, Fourth Supreme Judicial District, State of Texas. *Per curiam:* The appeal herein is dismissed for the want of jurisdiction. Section 237 (a), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by section 237 (c), Judicial Code, as amended (43 Stat. 936, 938), certiorari is denied.

No. 223. Louis P. Kieldsen, appellant, *v.* George G. Barrett, as State Treasurer, etc. Appeal from the Supreme Court of the State of Idaho. *Per curiam.* The appeal herein is dismissed for the want of a substantial federal question. Wabash R. R. Co. *v.* Flannigan, 192 U. S. 29; Erie R. R. Co. *v.* Solomon, 237 U. S. 427; C. A. King & Co. *v.* Horton, 276 U. S. 600; Bank of Indianola *v.* Miller, 276 U. S. 605; Roe *v.* Kansas, 278 U. S. 191.

No. 266. John F. Hanson, appellant, *v.* Otto A. Hanson, Individually, etc. Appeal from the Supreme Court of the State of Kansas. *Per curiam:* The motion for leave to proceed further herein in forma pauperis is denied. On consideration of the unprinted record submitted in this cause it is ordered that the appeal herein be, and it is hereby, dismissed for the want of a substantial federal question. Wabash R. R. Co. *v.* Flannigan, 192 U. S. 29; Erie R. R. Co. *v.* Solomon, 237 U. S. 427; C. A. King & Co. *v.* Horton, 276 U. S. 600; Bank of Indianola *v.* Miller, 276 U. S. 605; Roe *v.* Kansas, 278 U. S. 191. The costs already incurred herein shall be paid by the Clerk as provided in the order of October 29, 1926.

No. 328. William Lias 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 granted limited to the question raised by the supplemental charge to the jury. The case is advanced and assigned for argument on Monday, November 23, next at the head of the call for that day.

No. 291. Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Mack Saxon, Ancillary Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Texas granted.

No. 296. United States Navigation Company, Inc., petitioner, *v.* The Cunard Steamship Company, Ltd., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 297. Mrs. Iris Christine Bergholm et al., petitioners, *v.* Peoria Life Insurance Company of Peoria, Illinois. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 311. St. Paul Fire & Marine Insurance Company, petitioner, *v.* Sophia C. Bachmann. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 332. J. Howard Leman, Administrator, etc., et al., petitioners, *v.* Krentler-Arnold Hinge Last Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 341. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Coronado Oil and Gas Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 349. Old Colony Railroad Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 355. Frank Collis Bowers, as Executor, etc., petitioner, *v.* Lawyers Mortgage Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 356. The United States of America, petitioner, *v.* Home Title Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 365. Missouri Pacific Railroad Company, petitioner, *v.* Sophia David, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 378. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Chicago Portrait Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 276. Canal Steel Works, Inc., petitioner, *v.* One Drag Line Dredge. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 277. The Pacific Mutual Life Insurance Company of California, petitioner, *v.* Wanda Roberta Barton et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 278. Mary A. Lineberry, petitioner, *v.* Woodward & Lothrop; and

No. 279. Willie E. Lineberry, petitioner, *v.* Woodward & Lothrop. Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied.

No. 280. Joseph Engelsberg, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 281. Benjamin Gitlow, as President of "Revolutionary Age," etc., petitioner, *v.* John J. Kiely, Postmaster, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 282. Norman S. Bowles, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 283. W. C. Ray and W. M. Davidson, petitioners, *v.* Silver Springs Paradise Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 284. Otto F. Gluck, petitioner, *v.* Lillian Kemper. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 285. The Chemical Foundation, Inc., petitioner, *v.* General Electric Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 288. Dow V. Walker et al., petitioners, *v.* Howard Sutherland, as Alien Property Custodian, etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Oregon denied.

No. 289. Basil Robillard, as Executor, etc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 290. A. D. Burrowes, Receiver of the First National Bank of Dunn, N. C., petitioner, *v.* Bertha Goodman, Executrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 295. Sallie M. Wise, petitioner, *v.* N. L. Miller, David J. Davis, et al. Petition for writ of certiorari to the Supreme Court of the State of Alabama denied.

No. 298. The Wadsworth Electric Manufacturing Company, petitioner, *v.* The Westinghouse Electric and Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 299. Enrique Monserrat, petitioner, *v.* Alfredo Carmelo et al. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 302. Georgios or George Fafalios, petitioner, *v.* William N. Doak, Secretary of Labor. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 303. Charles E. Stratton et al., executors, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit of Appeals for the First Circuit denied.

No. 304. Lamont Miller, petitioner, *v.* The United States of America; and

No. 305. Clinton Hoffman, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 306. Warren and Arthur Smadbeck, Inc., petitioner, *v.* Heling Contracting Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 307. Herman M. Diamond, petitioner, *v.* John J. McMahon. Petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 312. Bessie D. Laughlin, Administratrix, etc., petitioner, *v.* Thomas E. Robertson, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 313. George M. Wright and William A. Morehead, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 315. United States Fidelity & Guaranty Company, petitioner, *v.* Wilton McCarthy. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 316. Heyman Rosenberg and Parker-Kalon Corporation, petitioners, *v.* Carr Fastener Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 317. The Indemnity Insurance Company of North America et al., petitioners, *v.* N. L. Levering. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 318. Leoncio C. Belisario, petitioner, *v.* The People of the Philippine Islands. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 322. Jonathan Godfrey, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 323. Estate of Charles G. Waldo, deceased, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 326. Mary E. Hanlon, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 327. Mrs. Elizabeth Henaghan, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 329. Phil Collenger, petitioner, *v.* The United States of America; and

No. 330. John Antonean, 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. 331. Manuel V. Domenech, Treasurer of Porto Rico, petitioner, *v.* Porto Rican Leaf Tobacco Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 334. Spring Canyon Coal Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 335. Spring Canyon Coal Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 342. National Tank Seal Company, petitioner, *v.* Johns-Manville Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 343. The North American Coal Corporation, petitioner, *v.* The Wheeling and Lake Erie Railway Company. Petition for writ

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

No. 344. Mari Tollefsen Todok and Knute C. Engen, petitioners, *v.* Union State Bank of Harvard, Harvard, Nebraska, et al. Petition for writ of certiorari to the Supreme Court of the State of Nebraska denied.

No. 345. Benjamin L. Allen, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 346. Buick Motor Company, petitioner, *v.* City of Milwaukee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 347. United States Fidelity & Guaranty Company, petitioner, *v.* State of Kansas at the Relation and to the Use of the Winkle Terra Cotta Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 350. Amante Rongetti, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 351. S. P. Knut, Individually, etc., et al., petitioners, *v.* Patrick Henry, Executor, etc. Petition for writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 352. S. P. Knut, Individually, etc., et al., petitioners, *v.* Elizabeth H. Forsyth et al. Petition for writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 353. August J. Schick, petitioner, *v.* City of New Orleans et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 354. William H. Leland et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 359. Louis B. Eubank et al., etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 360. Kathryn T. Long, petitioner, *v.* Frederick H. Rike, individually, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 361. Nicola Ranieri, petitioner, *v.* S. D. Smith, District Director in Charge of Immigration at Chicago, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 362. Seaboard Oil Company, petitioner, *v.* Fred B. Cunningham. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 363. R. V. Board, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 366. Mrs. Niels (Mellie) Esperson Stewart, Executrix, etc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 367. Mrs. Niels (Mellie) Esperson, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 368. Mrs. Niels (Mellie) Esperson, Executrix, etc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 369. Andrew W. Mellon, Director General of Railroads, as Agent, etc., petitioner, *v.* China Fire Insurance Company, Ltd., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 370. The Lamson Company, Inc., petitioner, *v.* H. H. Whittemore, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 373. Geronimo Ramirez, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas denied.

No. 392. South Florida Lumber Mills, petitioner, *v.* Jules Breuchaud. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 399. D. T. Blodgett, as Taxpayer, etc., petitioner, *v.* Wm. D. Dehy et al. Petition for writ of certiorari to the Superior Court for the County of Santa Barbara, State of California, denied.

No. 198. William Courtney Taylor et al., petitioners, *v.* American Liability Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 364. The Chase National Bank of the City of New York, petitioner, *v.* City of Sanford, Florida. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 375. George Davidson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 376. George M. Phillips, petitioner, *v.* Union Terminal Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 377. Charles E. Forsythe et al., etc., petitioners, *v.* James-Tregarthen & Sons Co. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 379. Taylor-Moore Syndicate, Inc., etc., et al., petitioners, *v.* Central Florida Lumber Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 380. Florence C. Knollenberg, petitioner, *v.* The State Bank of Alamogordo. Petition for writ of certiorari to the Supreme Court of the State of New Mexico denied.

No. 382. A. Schrader's Son, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 383. Louisville & Nashville Railroad Company, petitioner, *v.* Tom Hall. Petition for writ of certiorari to the Supreme Court of the State of Alabama denied.

No. 384. W. Bernard Vause, petitioner, *v.* The United States of America; and

No. 386. Samuel Schuchman, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 385. W. P. Allen, petitioner, *v.* Citizens Bank & Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 388. Monarch Tool & Manufacturing Company, petitioner, *v.* Mills Novelty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 396. Bradley A. Fiske, petitioner, *v.* William A. Moffett. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 397. Southern Railway Company, petitioner, *v.* Mamie Lee Derrington, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 417. Chicago & North Western Railway Company, petitioner, *v.* George G. Struthers, as Special Administrator, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

The Chief Justice announced the following order:

ORDER

The Court will take a recess from Monday, November 2, to Monday, November 23, next.

No. 39. John Strong, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Dismissed, per stipulation of counsel, and mandate granted on motion of Mr. Solicitor General Thacher in that behalf.

No. 336. City of Willow Glen, petitioner, *v.* Southern Pacific Company. Motion for leave to file brief of the City of Los Angeles and others as *amici curiae* denied.

No. 130. Denver and Rio Grande Western Railroad Company et al., petitioners, *v.* Ben Terte, Judge, etc. Motion to advance submitted by Mr. George E. Elliott in behalf of counsel for the respondent.

No. 372. Hartford Accident & Indemnity Company et al., petitioners, *v.* Enoch Howell, Administrator, etc. On petition for writ of certiorari to the Supreme Court of the State of South Carolina. Dismissed per stipulation of counsel.

No. 476. Nannie Lee King, petitioner, *v.* Mrs. Sarah Peterson et al. Motion for leave to proceed in forma pauperis submitted by Nannie Lee King *pro se*.

No. 325. T. Irving Potter and G. E. Bahr, appellants, *v.* Charles R. Maybury, as Director, etc. Statement as to jurisdiction submitted by Mr. Alfred J. Schweppe for the appellants.

No. 338. Dahlstrom Metallic Door Company et al., appellants, *v.* Industrial Board of the State of New York. Statement as to jurisdiction submitted by Mr. Robert H. Jackson for the appellants.

No. 391. T. Binford et al., appellants, *v.* J. H. McLeaish & Company et al. Statement as to jurisdiction submitted by Mr. Albert L. Reed and Mr. Elbert O. Hooper for the appellants.

No. 340. United Cigar Stores Company of America, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Sol. M. Stroock, Mr. Charles C. Carlin, Mr. M. Carter Hall, and Mr. Edward F. Spitz for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, and Mr. Joseph H. Sheppard for the respondent.

No. 398. The Darby-Lynde Company, petitioner, *v.* Acel C. Alexander, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Cir-

cuit, submitted by Mr. O. E. Swan for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Miss Helen R. Carlross, and Mr. William H. Riley, jr., for the respondent.

No. 405. John B. Ford, petitioner, *v.* Commissioner of Internal Revenue;

No. 406. George Ross Ford, petitioner, *v.* Commissioner of Internal Revenue;

No. 407. Mrs. Edna F. Knight, petitioner, *v.* Commissioner of Internal Revenue;

No. 408. Mrs. Mary Ford Bacon, petitioner, *v.* Commissioner of Internal Revenue; and

No. 409. Mrs. Carrie J. Ford, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Levi Cooke, Mr. Mark Eisner, and Mr. Ferdinand Tannenbaum for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. A. H. Conner, Mr. J. P. Jackson, and Mr. William H. Riley, jr., for the respondent.

No. 411. The Galveston Wharf Company et al., petitioners, *v.* The Galveston, Harrisburg & San Antonio Ry. Co. et al. Petition for writ of certiorari to the Supreme Court of the State of Texas submitted by Mr. Alex F. Weisberg and Mr. George S. Wright for the petitioner.

No. 414. Tomas Acevedo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Benicio F. Sanchez for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 416. The Portage Silica Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William J. Dawley for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Andrew D. Sharpe, and Mr. Paul D. Miller for the respondent.

No. 420. United States ex rel. Th. Goldschmidt, A. G., petitioner, *v.* Howard Sutherland, as Alien Property Custodian, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia, submitted by Mr. Spier Whitaker, Mr. Lawrence A. Baker, and Mr. Henry Ravenel for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Lewis, Mr. Whit-

ney North Seymour, Mr. Henry A. Cox, and Mr. William H. Riley, jr., for the respondents.

No. 421. Irving Trust Company, Receiver, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Henry Gale for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. Norman D. Keller for the respondent.

No. 422. Dan Hogan et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edwin C. Hollins for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. A. W. Henderson, and Mr. W. Marvin Smith for the respondent.

No. 424. Greater New York Development Company, petitioner, *v.* Annie L. Sears et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Phillips Ketchum for the petitioner, and by Mr. F. H. Nash for the respondent.

No. 425. Walter Schaefer, petitioner, *v.* Frank Collis Bowers, Executor, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John W. Davis and Mr. Marion N. Fisher for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. A. H. Conner for the respondent.

No. 428. W. H. Colquitt, Receiver, etc., petitioner, *v.* Roxana Petroleum Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. T. W. Gregory for the petitioner.

No. 429. D. Ginsberg & Sons, Inc., petitioner, *v.* Joseph Popkin. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Raymond J. Mawhinney for the petitioner, and by Mr. Louis Jersawit for the respondent.

No. 432. William E. Lamb, petitioner, *v.* Sterling B. Cramer et al. Petition for writ of certiorari for the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Arvid B. Tanner, Mr. W. Calvin Wells, and Mr. Emile Godchaux for the petitioner, and by Mr. Gerald FitzGerald for the respondent.

No. 433. William E. Lamb, petitioner, *v.* William A. Schmitt, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr.

Arvid B. Tanner, Mr. W. Calvin Wells, and Mr. Emile Godchaux for the petitioner, and by Mr. Gerald FitzGerald for the respondent.

No. 435. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.;

No. 436. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.;

No. 437. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.;

No. 438. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.;

No. 439. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.; and

No. 440. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John W. Davis, Mr. Lucien H. Boggs, Mr. Herbert S. Phillips, and Mr. J. Kemp Bartlett for the petitioners, and by Mr. George C. Bedell and Mr. A. G. Turner for the respondents.

No. 442. General Motors Corporation et al., petitioners, *v.* Motor Improvements, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit submitted by Mr. Drury W. Cooper and Mr. Allan C. Bakewell for the petitioners, and by Mr. Wm. Houston Kenyon, Mr. W. W. Miller, Mr. Theodore S. Kenyon, and Mr. Nelson Littell for the respondents.

No. 443. George Harvey, petitioner, *v.* American Coal Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Sol H. Esary for the petitioner and by Mr. E. L. Greever for the respondents.

No. 445. Irving Trust Company, as Permanent Receiver, etc., et al., petitioner, *v.* Olivier Straw Goods Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Moses Cohen for the petitioners, and by Mr. Selden Bacon for the respondents.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. Petition for writ of certiorari to the Municipal Court of the City of Boston, County of Suffolk, Commonwealth of Massachusetts, submitted by Mr. Philip M. Jones for the petitioner, and by Mr. Clarence W. Rowley for the respondent.

No. 479. Ralph J. Capone, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. George N. Murdock and Mr. Dennis M. Kelleher for the petitioner

and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Paul D. Miller for the respondent.

No. 64. Green Star Steamship Co., Ltd., petitioner, *v.* Armour & Company et al. Continued per stipulation of counsel.

No. 38. The United States of America, appellant, *v.* Harry Murdock. Argument continued by Mr. Solicitor General Thacher for the appellant, by Mr. Harold J. Bandy and Mr. Edmund Burke for the appellee, and concluded by Mr. Solicitor General Thacher for the appellant.

No. 40. State Tax Commission of Mississippi et al., et al., appellants, *v.* Interstate Natural Gas Company, Inc. Leave granted to Mr. Edwin R. Holmes, jr., to appear and present oral argument for the appellant, *pro hac vice*, on motion of Mr. David C. Bramlett in that behalf.

No. 40. State Tax Commission of Mississippi et al., etc., appellants, *v.* Interstate Natural Gas Company, Inc. Argument commenced by Mr. Edwin R. Holmes, jr., for the appellant, *pro hac vice*, by special leave of Court, and continued by Mr. David Clay Bramlett for the appellee. The Court declined to hear further argument.

No. 41. Painters District Council No. 14, of Chicago, etc., et al., appellants, *v.* The United States of America. Argued by Mr. William E. Rodriguez for the appellants, and by Mr. Assistant to the Attorney General O'Brian for the appellee.

No. 49. The United States of America, petitioner, *v.* Edward Ryan, Claimant of One Brunswick Bar. Argument commenced by Mr. Assistant Attorney General Youngquist for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 27, will be as follows: Nos. 49, 51, 52, 54 (and 55), 59, 60, and 66 (and 67).

SUPREME COURT OF THE UNITED STATES

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

Irving Goff McCann, of Casper, Wyo., was admitted to practice.

No. 49. The United States of America, petitioner, *v.* Edward Ryan, Claimant of One Brunswick Bar. Argument continued by Mr. Assistant Attorney General Youngquist for the petitioner, and concluded by Mr. George D. Toole for the respondent.

No. 51. Western Pacific California Railroad Company, petitioner, *v.* Southern Pacific Company. Argued by Mr. F. M. Angellotti for the petitioner, and by Mr. J. R. Bell for the respondent.

No. 52. Southern Railway Company, petitioner, *v.* Edward Walters, a Minor, by Herman Walters, his father and next friend. Argument commenced by Mr. Bruce A. Campbell for the petitioner, and continued by Mr. Charles A. Lich for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 28, will be as follows: Nos. 52, 54 (and 55), 59, 60, and 66 (and 67).

SUPREME COURT OF THE UNITED STATES

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

Cecil Clifford Rotsch, of Fort Worth, Tex., was admitted to practice.

No. 52. Southern Railway Company, petitioner, *v.* Edward Walters, a minor, etc. Argument continued by Mr. Charles A. Lich for the respondent, and concluded by Mr. Bruce A. Campbell for the petitioner.

No. 54. I. J. Van Huffel, petitioner, *v.* Trace D. Harkelrode, Treasurer, etc.; and

No. 55. I. J. Van Huffel, petitioner, *v.* Trace D. Harkelrode, Treasurer, etc. Argument commenced by Mr. H. H. Hoppe for the petitioner, continued by Mr. G. H. Birrell and Mr. Gilbert Bettman for the respondent, and concluded by Mr. Alonzo M. Snyder for the petitioner.

No. 59. The United States of America, petitioner, *v.* Frank B. Campbell. Argued by Mr. Assistant Attorney General St. Lewis for the petitioner, and case submitted by Mr. David T. Lee for the respondent.

No. 60. Chicago and North Western Railway Company, petitioner, *v.* Eugene Bolle. Argued by Mr. Samuel H. Cady for the petitioner, and by Mr. Joseph D. Ryan for the respondent.

No. 66. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* The United States of America *ex rel.* The Vindicator Consolidated Gold Mining Company; and

No. 67. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* The United States of America *ex rel.* Chestatee Pyrites & Chemical Corporation. Argument commenced by Mr. Assistant Attorney General Richardson for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 29, will be as follows: Nos. 66 (and 67).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Arthur H. Schwartz, of New York City; Louis A. Gravelle, of Washington, D. C.; Eugene F. Bogan, of Washington, D. C.; and Clarence T. Arai, of Seattle, Wash., were admitted to practice.

No. 282. Norman S. Bowles, petitioner, *v.* The United States of America. Order denying petition for writ of certiorari withheld on motion of Mr. John Philip Hill for the petitioner.

No. 122. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al., etc. Passed to follow No. 485, Champlin Refining Company *v.* Corporation Commission, etc., and No. 486, Corporation Commission, etc., *v.* Champlin Refining Co., on motion of Mr. Harry O. Glasser for the appellant.

No. 66. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* The United States of America, *ex rel.* The Vindicator Consolidated Gold Mining Company; and

No. 67. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* The United States of America, *ex rel.*, Chestatee Pyrites & Chemical Corporation. Argument continued by Mr. Assistant Attorney General Richardson for the petitioner, by Mr. Edgar Watkins for the respondents, and concluded by Mr. Assistant Attorney General Richardson for the petitioner.

Adjourned until Monday, November 2 next, at 12 o'clock.

79704—31—23

SUPREME COURT OF THE UNITED STATES

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

Alice Greenacre, of Chicago, Ill.; Clarence Lohman, of Pawhuska, Okla.; Ralph A. Barney, of Pawhuska, Okla.; Carroll E. Wright, of Logan, Ohio; Forest E. Weinrich, of Logan, Ohio; Frank A. Mathews, jr., of Palmyra, N. J.; Arthur J. Thomas, of Salisbury, N. C.; and Charles Wood Bowen, of Logan, Ohio, were admitted to practice.

No. 26. The United States, petitioner, *v.* Kirby Lumber Company. On writ of certiorari to the Court of Claims. Judgment reversed and cause remanded to the Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 27. Wm. H. Moore, Jr., Trustee in Bankruptcy for the Estate of Sassard & Kimball, Inc., Bankrupt, petitioner, *v.* O. S. Bay. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs, and the cause remanded to the District Court of the United States for the Southern District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

The Chief Justice announced following orders of the Court:

No. 45. Southern Railway Company, petitioner, *v.* R. R. Moore, as Administrator of the Estate of Edwin A. Wagon, deceased. On writ of certiorari to the Supreme Court of the State of South Carolina. *Per curiam*: The judgment herein is reversed, upon the ground, as matter of law, that the evidence is not sufficient to sustain a finding that negligence of the petitioner was the cause of the death of respondent's intestate, Chicago, Milwaukee & St. Paul Ry. Co. *v.* Coogan, 271 U. S. 472, 474, 478; Atlantic Coast Line *v.* Driggers, 279 U. S. 787, 788; Atchison, Topeka & Santa Fe Ry. Co. *v.* Toops, 281 U. S. 351, 354-355.

No. 41. Painters District Council No. 14 of Chicago and Vicinity of the Brotherhood of Painters, Decorators and Paperhangers of America et al., appellants, *v.* The United States of America. Appeal

from the District Court of the United States for the Northern District of Illinois. *Per curiam*: Decree affirmed. Duplex Printing Press Co. v. Deering, 254 U. S. 443; United States v. Brims, 272 U. S. 549; Bedford Cut Stone Co. v. Journeymen Stone Cutters' Association, 274 U. S. 37.

No. 59. The United States of America, petitioner, v. Frank B. Campbell. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. *Per curiam*: Judgment reversed. Section 309, World War veterans' act, as amended by the act of July 2, 1926, c. 723, 44 Stat. 790, 800 (U. S. C. App., title 38, sec. 516 b); United States v. Worley, 281 U. S. 339; Jackson v. The United States, 281 U. S. 344.

No. 371. John W. Keogh, appellant, v. Robert E. Neely, Acting United States Collector of Internal Revenue, etc. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. Section 240 (b), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 938). The petition for writ of certiorari is denied.

The Chief Justice announced:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements and upon applications for writs of certiorari as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the clerk of the Court.

No. —. In re disbarment of William E. Baff. A rule having been issued by this Court on March 25, 1931, directing William E. Baff to show cause why he should not be disbarred from the practice of the law in this Court upon the ground that he had been disbarred in the District Court of the United States for the Southern District of California; the rule together with the return and answer of the said Baff thereto having been referred to a committee of the bar of this Court to make report and recommendation respecting the final action to be taken by this Court conformably to rule 2, paragraph 5, of the rules of this Court; the said committee having reported that the evidence does not warrant the conclusion that the disbarment of the said Baff by the District Court of the United States for the Southern District of California was disciplinary but rather because his name had been entered upon the rolls of the court without a proper showing of qualification; and the majority of said committee having recommended that the rule to show cause heretofore issued against the said Baff be discharged on the ground that no charges had been made which would constitute a ground for his disbarment by this Court under paragraph 5 of rule 2.

It is ordered that the rule to show cause issued against the said Baff March 25, 1931, be, and the same hereby is discharged.

And it having been represented to the Court that the said Baff was disbarred from the practice of the law in the United States Patent Office on March 18, 1921, upon charges of misconduct; that his application to be reregistered as a member of the Patent Office bar was denied upon March 28, 1929, by the Commissioner of Patents; that the action of the Commissioner of Patents in refusing recognition to the said Baff as a patent attorney was sustained by the Chief Justice of the Supreme Court of the District of Columbia on February 19, 1931; and the Court being of the opinion that it possesses inherent power to inquire into the conduct of members of the bar of this Court and is not limited by paragraph 5 of rule 2 of the rules of this Court.

It is further ordered that a rule issue, returnable on Monday, November 30 next, to the said William E. Baff, ordering him to show cause why he should not be disbarred from the practice of the law in this Court, and his name stricken from the roll of attorneys admitted to practice before this Court, upon the ground of misconduct as shown by the Patent Office proceedings and the action of the Court thereon as above mentioned.

No. 130. Denver and Rio Grande Western Railroad Company et al., petitioners, *v.* Ben Terte, Judge of the Circuit Court, etc. The motion to advance this case is granted and the case is assigned for argument on Monday, November 23 next, after the cases heretofore assigned for that day.

No. 498. Transit Commission and State of New York et al., etc., appellants, *v.* The United States of America et al. It is ordered that this case be advanced and assigned for argument on Monday, November 23 next, after the cases heretofore assigned for that day.

No. 184. The Great Atlantic & Pacific Tea Company, appellant, *v.* C. H. Morrissett, State Tax Commissioner, etc. In this case probable jurisdiction is noted. The case is placed on the summary docket and assigned for argument on Monday, November 23 next, after the cases heretofore assigned for that day.

No. 391. T. Binford et al., appellants, *v.* J. H. McLeaish & Company et al. In this case probable jurisdiction is noted. The motion to advance is denied.

No. 324. United Drug Company, appellant, *v.* Frank P. Washburn, Commissioner, etc.; and

No. 338. Dahlstrom Metallic Door Company et al., appellants, *v.* Industrial Board of the State of New York. In these cases probable jurisdiction is noted.

No. 325. T. Irving Potter et al., appellants, *v.* Charles R. Maybury, as Director of Licenses, etc. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits.

No. 374. Harry Blockburger, petitioner, *v.* The United States of America. The petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted and the case is advanced and assigned for argument on Monday, November 23 next, after the case heretofore assigned for that day.

No. 393. James Dunn, petitioner, *v.* The United States of America. The petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted and the case is advanced and assigned for argument on Monday, November 23 next, after the cases heretofore assigned for that day.

No. 401. American Surety Company of New York, petitioner, *v.* The Greek Catholic Union. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 403. Charley Singleton et al., petitioners, *v.* Edith Cheek, née Jackson, et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 413. The Aetna Casualty and Surety Company, petitioner, *v.* Phoenix National Bank et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 426. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Charles P. Leininger. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 411. The Galveston Wharf Company et al., petitioners, *v.* The Galveston, Harrisburg & San Antonio Railway Company et al. Petition for writ of certiorari to the Supreme Court of the State of Texas granted.

No. 429. D. Ginsberg & Sons, Inc., petitioner, *v.* Joseph Popkin. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 432. William E. Lamb, petitioner, *v.* Sterling B. Cramer et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 433. William E. Lamb, petitioner, *v.* William A. Schmitt, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. Petition for writ of certiorari to the Municipal Court of the City of Boston, County of Suffolk, Commonwealth of Massachusetts, granted.

No. 442. General Motors Corporation et al., petitioners, *v.* Motor Improvements, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 308. John T. Stone, petitioner, *v.* The United States;

No. 309. William A. Patterson et al., etc., petitioners, *v.* The United States; and

No. 310. Louis Horkheimer et al., petitioners, *v.* The United States. Petitions for writs of certiorari to the Court of Claims denied.

No. 389. William M. Taylor, Trustee, etc., petitioner, *v.* Mary Plomondon Jones, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 390. R. E. Kennington, Liquidator, etc., et al., petitioners, *v.* G. L. Donald, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 394. Wirt Franklin, petitioner, *v.* Frank Carter, State Auditor, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 395. Chicago Fraternal Life Association, petitioner, *v.* Emily H. Karst. Petition for writ of certiorari to the Springfield Court of Appeals, State of Missouri, denied.

No. 400. F. M. Hubbell Son & Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 402. The Archibald McNeil & Sons Co., Inc., petitioner, *v.* Western Maryland Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 404. United States *ex rel.* Arthur J. Klein, petitioner, *v.* Raymond J. Mulligan, Acting United States Marshal. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 412. Kotabs, Inc., et al., petitioners, *v.* Kotex Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 415. Charles F. Delbridge et al., petitioners, *v.* Arthur J. Oldfield et al. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 418. Milmine Bodman & Co., Inc., petitioner, *v.* Empire Canal Corporation, et al.; and

No. 419. Norris Grain Company of New York, Inc., petitioner, *v.* Empire Canal Corporation et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 336. City of Willow Glen, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 340. United Cigar Stores Company of America, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 398. The Darby-Lynde Company, petitioner, *v.* Acel C. Alexander, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 405. John B. Ford, petitioner, *v.* Commissioner of Internal Revenue;

No. 406. George Ross Ford, petitioner, *v.* Commissioner of Internal Revenue;

No. 407. Mrs. Edna F. Knight, petitioner, *v.* Commissioner of Internal Revenue;

No. 408. Mrs. Mary Ford Bacon, petitioner, *v.* Commissioner of Internal Revenue; and

No. 409. Mrs. Carrie J. Ford, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied.

No. 414. Tomas Acevedo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 416. The Portage Silica Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 420. United States ex rel. Th. Goldschmidt, A. G., petitioner, *v.* Howard Sutherland, as Alien Property Custodian, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 421. Irving Trust Company, Receiver, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 422. Dan Hogan et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 424. Greater New York Development Company, petitioner, *v.* Annie L. Sears et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 425. Walter Schaefer, petitioner, *v.* Frank Collis Bowers, Executor, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 428. W. H. Colquitt, Receiver, etc., et al., petitioners, *v.* Roxana Petroleum Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 435. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.;

No. 436. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.;

No. 437. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.;

No. 438. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.;

No. 439. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc.; and

No. 440. United States Fidelity & Guaranty Company, petitioner, *v.* Highway Engineering & Construction Company, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 443. George Harvey, petitioner, *v.* American Coal Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 479. Ralph J. Capone, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Motion to amend bill of complaint submitted by Mr. Warren R. Austin for the complainant.

No. 51, October term, 1930. Saranac Automatic Machine Corporation, petitioner, *v.* Wirebounds Patents Company et al. Motion to recall mandate submitted by Mr. Edward Stafford in behalf of counsel for the petitioner.

No. 186. En-le-te-ke, Charlie Harjo, et al., petitioners, *v.* W. A. Beasley et al. Motion to recall order denying petition for writ of certiorari submitted by Mr. John B. Campbell for the petitioners.

No. 337. Western Distributing Company, appellant, *v.* The Public Service Commission of the State of Kansas et al. Statement as to jurisdiction submitted by Mr. Robert Stone and Mr. Robert D. Garver for the appellant.

No. 348. United States Cartridge Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Harry LeBaron Sampson for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. Paul D. Miller for the respondent.

No. 427. Moritz Stein et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Sanford H. Cohen for the petitioners, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 430. Spencer Kellogg & Sons, Inc., as Owner, etc., petitioner, *v.* Hilda M. Hicks, as Administratrix, etc., et al.; and

No. 444. Vera Alexander, Administratrix, etc., et al., petitioners, *v.* Spencer Kellogg & Sons, Inc. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar, Mr. Chauncey I. Clark, Mr. Leonard J. Matteson, and Mr. George S. Brengle for the petitioner in No. 430 and respondent in No. 444; by Mr. Sidney Newborg for the respondents in No. 430; and by Mr. Lucien V. Axtell for the petitioners in No. 444.

No. 441. Marcel Dreyfus, petitioner, *v.* Independence Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank S. Monnett and Mr. Howard Morgan Jones for the petitioner, and by Mr. A. I. Vorys for the respondent.

No. 448. Jenkins-Kreer & Company, Inc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Clarence N. Goodwin for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. William Cutler Thompson for the respondent.

No. 452. William M. Taylor, Trustee, petitioner, *v.* William J. Tayrien et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Elmer J. Lundy for the petitioner, and by Mr. T. J. Leahy and Mr. Charles Stuart Macdonald for the respondents.

No. 457. Patrick J. Hurley et al., petitioners, *v.* R. Foster Kincaid, Sr. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Richardson, Mr. A. G. Iverson, and Mr. Paul D. Miller for the petitioners, and by Mr. William C. Dufour, Mr. T. J. Freeman, Mr. Gaston Porterie, and Mr. John St. Paul, jr., for the respondent.

Adjourned until Monday, November 23 next, at 12 o'clock.

The day call for Monday, November 23, will be as follows: Nos. 328, 374, 393, 130, 498, 184, 62, 63, 71, and 72.

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SUPREME COURT OF THE UNITED STATES

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

Elwood Hansmann, of Chicago, Ill.; Howard D. Matthews, of Wheeling, W. Va.; Louis D. Tanenbaum, of Corpus Christi, Tex.; Stanley S. Waite, of St. Louis, Mo.; Harry M. Fennemore, of Phoenix, Ariz.; Lambert O'Donnell, of Washington, D. C.; Robert C. Handwerk, of Washington, D. C.; and Irwin N. Loeser, of Cleveland, Ohio, were admitted to practice.

No. 28. Sun Insurance Office, petitioner, *v. J. M. Scott*;

No. 29. Norwich Union Fire Insurance Society, Ltd., petitioner, *v. J. M. Scott*; and

No. 30. The Home Insurance Company of New York, petitioner, *v. J. M. Scott*. On writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgments reversed with costs, and cases 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. Justice Roberts.

No. 32. William H. Mecon, Administrator of the Estate of Archie Lee Smith, deceased, petitioner, *v. Fitzsimmons Drilling Company, Inc., and Atlantic Oil Producing Company*. On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. Judgment reversed with costs, and case remanded to the District Court of the United States for the Western District of Oklahoma with directions to set aside the judgment and remand the case to the State court. Opinion by Mr. Justice Roberts.

No. 52. Southern Railway Company, petitioner, *v. Edward Walters, a Minor, by Herman Walters, his father and next friend*. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Eastern

District of Missouri for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts. Mr. Justice Stone took no part in the consideration or decision of this case.

No. 4. The Hardware Dealers Mutual Fire Insurance Company of Wisconsin, appellant, *v.* The Glidden Company, Marshall Wells Company, Bank of Commerce and Savings, Inc., of Duluth, Minnesota, etc., et al. Appeal from the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 18. David W. Phillips, Collector of Internal Revenue, Twelfth District, *v.* Dime Trust & Safe Deposit Company, Executor of the Last Will and Testament of William B. Lewis, etc. On certificate from the United States Circuit Court of Appeals for the Third Circuit. Judgment of the District Court of the United States for the Middle District of Pennsylvania reversed with costs, and case remanded to said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 49. The United States of America, petitioner, *v.* Edward Ryan, Claimant of One Brunswick Bar, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed and case remanded to the District Court of the United States for the District of Montana for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 36. Louisiana Public Service Commission, etc., et al., appellants, *v.* The Texas & New Orleans Railroad Company, Arkansas, Louisiana & Missouri Railway Company, et al.; and

No. 37. State of Louisiana and Louisiana Public Service Commission, appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Appeals from the District Court of the United States for the Eastern District of Louisiana. Decrees affirmed. Opinion by Mr. Justice Butler.

No. 14. Handy and Harman, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Butler.

No. 38. The United States of America, appellant, *v.* Harry Murdock. Appeal from the District Court of the United States for the Southern District of Illinois. Judgment reversed, and case remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 6. De Laval Steam Turbine Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 60. Chicago and North Western Railway Company, petitioner, *v.* Eugene Bolle. On writ of certiorari to the Appellate Court of the State of Illinois, Second District. Judgment reversed with costs and cause remanded to the said Appellate Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Sutherland.

No. 69. The Chicago, Rock Island and Pacific Railway Company, Chicago and North Western Railway Company, Illinois Central Railroad Company, et al., appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the District Court of the United States for the Northern District of Illinois. Decree reversed and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Sutherland. Dissenting opinion by Mr. Justice Stone, in which Mr. Justice Holmes and Mr. Justice Brandeis concur.

No. 3. The Permutit Company, petitioner, *v.* Graver Corporation. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree affirmed with costs, and case remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice Brandeis.

No. 34. The Chesapeake and Ohio Railway Company, petitioner, *v.* William Kuhn. On writ of certiorari to the Supreme Court of the State of Ohio. Writ of certiorari dismissed.

No. 35. The Chesapeake and Ohio Railway Company, petitioner, *v.* William Kuhn. On writ of certiorari to the Court of Appeals of Pike County, State of Ohio. Judgment reversed with costs, and cause remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 51. Western Pacific California Railroad Company, petitioner, *v.* Southern Pacific Company. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs, and cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 40. State Tax Commission of Mississippi et al., etc., appellants, *v.* Interstate Natural Gas Company, Incorporated. Appeal from the District Court of the United States for the Southern District of Mississippi. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 43. Bandini Petroleum Company, Commodore Petroleum Company, Wilshire Oil Company, et al., appellants, *v.* The Superior Court of the State of California in and for the County of Los Angeles and Honorable William Hazlett, as one of the Judges thereof. Appeal from the District Court of Appeal of the State of California, Second Appellate District. Final order affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 7. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments in Greene County, Pennsylvania;

No. 8. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments in Greene County, Pennsylvania;

No. 9. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments in Greene County, Pennsylvania;

No. 10. Cumberland Coal Company, petitioner, *v.* Board of Revision of Tax Assessments in Greene County, Pennsylvania;

No. 11. Henry A. Phillips, petitioner, *v.* Board of Revision of Tax Assessments in Greene County, Pennsylvania;

No. 12. Piedmont Coal Company, petitioner, *v.* Board of Revision of Tax Assessments in Greene County, Pennsylvania; and

No. 13. Greene County Coal Company, petitioner, *v.* Board of Revision of Tax Assessments in Greene County, Pennsylvania. On writs of certiorari to the Supreme Court of the State of Pennsylvania. Decrees reversed with costs, and cases remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Hughes.

No. 31. Magno Santovincenzo, Consul of the Kingdom of Italy at New York, appellant, *v.* James F. Egan, Public Administrator, etc., and John J. Bennett, Jr., Attorney General of the State of New York. Appeal from the Surrogate's Court of the County of New York, State of New York. The appeal herein is dismissed for the want of jurisdiction, section 237(a), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by section 237(c), Judicial Code, as amended (43 Stat. 936, 938), certiorari is granted.

No. 31. Magno Santovincenzo, Consul of the Kingdom of Italy at New York, petitioner, *v.* James F. Egan, Public Administrator, etc., and John J. Bennett, Jr., Attorney General of the State of New York. On writ of certiorari to the Surrogate's Court of the County of New York, State of New York. Judgment reversed with costs, and case remanded to the said Surrogate's Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 294. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Howes Brothers Hide Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. *Per curiam*: The petition for a writ of certiorari in this case is granted. The decree herein is reversed upon the authority of Handy & Harman *v.* Burnet, Commissioner, decided this day.

No. 50. The United States of America, petitioner, *v.* George Anderson. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. The petition for a writ of certiorari in this case is granted. The decree herein is reversed upon the authority of United States *v.* Ryan, decided this day.

The Chief Justice announced:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the Clerk of the Court.

No. 446. David Threatt, petitioner, *v.* American Mutual Liability Insurance Co. et al. On petition for writ of certiorari to the Supreme Court of the State of Georgia. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted papers herein submitted and of the opinion of the Supreme Court of the State of Georgia in this case, finds that there is no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the clerk as provided in the order of October 29, 1926.

No. 476. Nannie Lee King, petitioner, *v.* Mrs. Sarah Peterson and Benjamin L. Jaffe. On petition for writ of certiorari to the Court of Appeals of the District of Columbia. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that there is no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. The costs already incurred herein shall be paid by the clerk as provided in the order of October 29, 1926.

No. —. In the matter of the disbarment of H. A. Ledbetter. The report of the committee of the bar of this Court, appointed pursuant to the order of April 22, 1930, is received and

It is ordered that the said committee is hereby discharged with the thanks of this Court.

No. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. The motion to amend the bill of complaint in this cause is granted.

No. 51, October term, 1930. Saranac Automatic Machine Corporation, petitioner, *v.* Wirebound Patents Company. The motion to recall or supplement the mandate in this case is denied.

No. 337. Western Distributing Company, appellant, *v.* The Public Service Commission of the State of Kansas et al. In this case probable jurisdiction is noted.

No. 457. Patrick J. Hurley et al., petitioners, *v.* R. Foster Kincaid, Sr. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. The case is advanced and assigned for argument on Monday, January 4 next, after the cases heretofore assigned for that day.

No. 348. United States Cartridge Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 430. Spencer Kellogg & Sons, Inc., as Owner, etc., petitioner, *v.* Hilda M. Hicks, as Administratrix, etc., et al.; and

No. 444. Vera Alexander, Administratrix, etc., et al., petitioners, *v.* Spencer Kellogg & Sons, Inc. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 97. Gong Bell Manufacturing Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 293. City Button Works, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 320. The Onondaga Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 321. The Ten Eyck Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 381. Jos. Denunzio Fruit Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 427. Moritz Stein et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 441. Marcel Dreyfus, petitioner, *v.* Independence Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 445. Irving Trust Company, as Permanent Receiver, etc., et al., petitioners, *v.* Olivier Straw Goods Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 448. Jenkins-Kreer & Company, Inc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 452. William M. Taylor, Trustee, petitioner, *v.* William J. Tayrien et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 491. Michael Devasto, *alias* Mike Devasto, et al., petitioners, *v.* The United States of America. Leave granted to file brief of the respondent by December 4 next, on motion of Mr. Solicitor General Thacher for the respondent.

No. 468. Robert M. Leach, Executor, etc., petitioner, *v.* Malcolm E. Nichols, Formerly Collector of Internal Revenue. Leave granted to file brief of the Attorney General of Massachusetts as *amicus curiæ*, on motion of Mr. O. Walker Taylor in that behalf.

No. 171. First National Bank of Boston, Executor, etc., appellant, *v.* State of Maine. Leave granted to file brief of the State of Minnesota as *amicus curiæ*, on motion of Mr. Godfrey G. Goodwin in that behalf.

No. 98. Arizona Grocery Company, petitioner, *v.* Atchison, Topeka & Santa Fe Railway Company et al. Leave granted to file brief of the Interstate Commerce Commission, as *amicus curiæ*, on motion of Mr. Harry L. Underwood in that behalf.

No. 98. Arizona Grocery Company, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Leave granted to file brief of the National Association of Railroads and Utility Commissioners, as *amicus curiæ*, on motion of Mr. John E. Benton, in that behalf.

No. 98. Arizona Grocery Company, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Motion for leave to file brief of Felix T. Smith and others, as *amici curiæ*, submitted by Mr. John E. Benton and the motion denied.

No. 118. Fox Film Corporation, appellant, *v.* R. C. Norman, State Tax Commissioner. Paul H. Doyal, present State Tax Commissioner, substituted as the party appellee in place of R. C. Norman, formerly State Tax Commissioner, on motion of Mr. W. A. Sutherland in that behalf.

No. 13, original. The State of New Jersey, complainant, *v.* The City of New York. Report of the special master upon rereference presented by Mr. Edward K. Campbell, the special master herein.

No. —, original. *Ex parte*: A. W. Estabrook. Motion for leave to proceed *in forma pauperis* and for leave to file petition for writ of mandamus submitted by Mr. A. W. Estabrook *pro se*.

No. 447. John F. Hanson, appellant, *v.* Dan Kramer et al. Motion for leave to proceed *in forma pauperis* submitted by Mr. John F. Hanson *pro se*.

No. 357. The Packer Corporation, appellant, *v.* The State of Utah. Statement as to jurisdiction submitted by Mr. Dan B. Shields for the appellant.

No. 423. Bradford Electric Light Company, Inc., appellant, *v.* Jennie M. Clapper, Administratrix. Statement as to jurisdiction submitted by Mr. William E. Leahy for the appellant, in support thereof, and by Mr. John E. Benton for the appellee, in opposition thereto.

No. 447. John F. Hanson, appellant, *v.* Dan Kramer et al. Statement as to jurisdiction submitted by Mr. John F. Hanson *pro se*.

No. 339. Southern Pacific Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Charles H. Bates for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. Louis R. Mehlinger, and Mr. William H. Riley, jr., for the respondent.

No. 423. Bradford Electric Light Company, Inc., petitioner, *v.* Jennie M. Clapper, Administratrix. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William E. Leahy for the petitioner, and by Mr. John E. Benton for the respondent.

No. 431. Henry Peterson, petitioner, *v.* Naknek Packing Company. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. F. H. Dam for the petitioner, and by Mr. Francis V. Keesling for the respondent.

No. 450. Howard N. Eavenson, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by

Mr. William A. Seifert and Mr. Wm. Wallace Booth for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Hayner N. Larson, and Mr. William H. Riley, jr., for the respondent.

No. 451. Charles W. Dahlinger, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Seifert and Mr. Wm. Wallace Booth for the petitioner, and Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewell Key, Mr. Hayner N. Larson, and Mr. William H. Riley, jr., for the respondent.

No. 453. Atlantic Coast Line Railroad Company, petitioner, *v.* Hannah R. Temple, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. Thomas W. Davis and Mr. Douglas McKay for the petitioner, and by Mr. John F. Williams and Mr. R. E. Whiting for the respondent.

No. 455. Franklin-American Trust Company, petitioner, *v.* St. Louis Union Trust Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. George B. Rose, Mr. D. H. Cantrell, Mr. J. F. Loughborough, Mr. A. W. Dobyns, and Mr. A. F. House for the petitioner, and by Mr. Thomas S. McPheeters, Mr. Henry Davis, and Mr. Charles T. Coleman for the respondent.

No. 456. Lawrence C. O'Brien, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James A. O'Callaghan for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. John H. McEvers for the respondent.

No. 458. Angier Corporation, petitioner, *v.* Commissioner of Internal Revenue; and

No. 459. Angier Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. George T. Weitzel for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. S. Dee Hanson, and Mr. Wilbur H. Friedman for the respondent.

No. 460. Clarence W. Haggerty, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States

Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Leslie P. Whelan for the petitioner, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 461. Bank of America of California, Ancillary Guardian, etc., petitioner, *v.* The Fulton Trust Company of New York et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. U. S. Webb, Mr. Raymond Benjamin, Mr. Charles D. Hamel, and Mr. John Enrietto for the petitioner, and by Mr. Frederic D. McKenney, Mr. John S. Flannery, and Mr. G. Bowdoin Craighill for the respondents.

No. 464. Baton Coal Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Seifert and Mr. William Wallace Booth for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. John MacC. Hudson, and Mr. Paul D. Miller for the respondent.

No. 465. National Pressure Cooker Company, petitioner, *v.* Mabel Stroeter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. P. M. Beach for the petitioner, and by Mr. Harry F. Payer for the respondent.

No. 466. The United States of America, petitioner, *v.* Daniel M. Lefkowitz and Pauline Paris. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. John J. Byrne, and Mr. Wilbur H. Friedman for the petitioner, and by Mr. David P. Seigel for the respondent.

No. 467. Lulu Vance Baumgartner, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Allen L. Chickering, Mr. Walter C. Fox, jr., and Mr. Blair S. Shuman for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. John H. McEvers, and Mr. W. Marvin Smith for the respondent.

No. 468. Robert M. Leach, Executor, etc., petitioner, *v.* Malcolm E. Nichols, Formerly Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. O. Walker Taylor for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. William Cutler

Thompson, Mr. C. M. Charest, and Mr. William T. Sabine, jr., for the respondent.

No. 469. George L. Shearer, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 470. William A. W. Stewart, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Henry Butler for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Norman D. Keller, and Mr. F. Edward Mitchell for the respondent.

No. 473. Los Angeles Dock and Terminal Company, petitioner, *v.* Pacific Dock and Terminal Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William J. Hughes, jr., Mr. William J. Hughes, Mr. Walter M. Campbell, and Mr. W. H. Anderson for the petitioner, and by Mr. T. T. C. Gregory for the respondent.

No. 474. Southern Pacific Railroad Company et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. C. F. R. Ogilby, Mr. Frank Thunen, and Mr. Guy F. Shoup for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Richardson, Mr. Claude R. Branch, and Mr. E. T. Burke for the respondent.

No. 478. Abe Danciger et al., etc., petitioners, *v.* Floyd E. Jacobs, Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. I. J. Ringolsky and Mr. Hary L. Jacobs for the petitioner.

No. 480. Commerce Farm Credit Company, petitioner, *v.* J. E. Shropshire et ux. L. A. Shropshire. Petition for writ of certiorari to the Supreme Court of the State of Texas submitted by Mr. Robert J. McMillan for the petitioner, and by Mr. Crawford B. Reeder for the respondent.

No. 481. Southern Railway Company, petitioners, *v.* Eagle Cotton Oil Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles Clark and Mr. W. N. McGehee for the petitioners, and by Mr. Nuel D. Belnap, Mr. Luther M. Walter, and Mr. John S. Burchmore for the respondent.

No. 483. American Insurance Company, petitioner, *v.* General Motors Acceptance Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. T. A. Hammond, Mr. Alston Cockrell, and Mr. Alex.

W. Smith, jr., for the petitioner, and by Mr. N. B. K. Pettingill and Mr. T. M. Shackelford, jr., for the respondent.

No. 484. W. E. Hedger Company, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Horace T. Atkins for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, and Mr. William H. Riley, jr., for the respondent.

No. 487. Canada Malting Company, Ltd., petitioner, *v.* Patterson Steamships, Ltd.;

No. 488. British Empire Grain Company, Ltd., petitioner, *v.* Paterson Steamships, Ltd.; and

No. 489. Henry K. Starnes, doing business as H. K. Starnes & Company, petitioner, *v.* Patterson Steamships, Ltd. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Henry J. Bigham, Mr. D. Roger Englar, Mr. Oscar R. Houston, and Mr. Leonard J. Matteson for the petitioner, and by Mr. Ray M. Stanley and Mr. Ellis H. Gibley for the respondent.

No. 491. Michael Devasto, *alias* Mike Devasto, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Sanford H. Cohen for the petitioners.

No. 493. New York Title and Mortgage Company, petitioner, *v.* First National Bank et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James C. Rogers and Mr. Henry S. Conrad for the petitioner, and by Mr. Arthur Mag for the respondent.

No. 495. The Kansas City Southern Railway Company, etc., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Samuel W. Moore and Mr. F. H. Moore for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, Mr. Morton K. Rothschild, and Mr. Paul D. Miller for the respondent.

No. 497. United Brick and Tile Company, petitioner, *v.* E. R. McKissick et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. B. J. Flick, Mr. Silas H. Strawn, and Mr. H. M. Havner for the petitioner, and by Mr. Charles S. Bradshaw for the respondents.

No. 499. Manhattan Oil Company et al., petitioners, *v.* George A. Mosby. Petition for writ of certiorari to the United States Circuit

Court of Appeals for the Eighth Circuit submitted by Mr. George L. Edwards for the petitioners, and by Mr. H. M. Langworthy for the respondent.

No. 500. The Territory of Hawaii, by C. T. Bailey, Commissioner of Public Lands, petitioner, *v.* Francis Gay et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank E. Thompson for the petitioner, and by Mr. A. G. M. Robertson, Mr. Mason F. Prosser, Mr. Benjamin L. Marx, and Mr. Robbins B. Anderson for the respondents.

No. 328. William Lias et al., petitioners, *v.* The United States of America. Argument commenced by Mr. Howard D. Matthews for the petitioners, and continued by Mr. Solicitor General Thacher for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 24, will be as follows: Nos. 328, 374, 393, 130, 498, 184, 62, 63, 71, and 72.

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SUPREME COURT OF THE UNITED STATES

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

Meyer Bernstein, of New York City; James A. Brearley, of Washington, D. C.; Harold H. Jacobs, of Washington, D. C.; W. W. Martin, of Richmond, Va.; James F. Casey, of Washington, D. C.; and J. Henri Brown, of San Juan, P. R. were admitted to practice.

No. 468. Robert M. Leach, Executor, etc., petitioner, *v.* Malcolm E. Nichols, Formerly Collector of Internal Revenue. Leave granted petitioner to file a reply brief on or before December 5 next on motion of Mr. O. Walker Taylor for the petitioner.

No. 328. William Lias et al., petitioners, *v.* The United States of America. Argument continued by Mr. Solicitor General Thacher for the respondent, and concluded by Mr. J. Bernard Handlan for the petitioner.

No. 374. Harry Blockburger, petitioner, *v.* The United States of America. Argued by Mr. Claude R. Branch for the respondent, and case submitted by Mr. Harold J. Bandy for the petitioner.

No. 393. James Dunn, petitioner, *v.* The United States of America. Argued by Mr. Roger O'Donnell for the petitioner, and by Mr. Solicitor General Thacher for the respondent.

No. 130. Denver and Rio Grande Western Railroad Company et al., petitioners, *v.* Ben Terte, Judge of the Circuit Court of Jackson County, etc. Argued by Mr. Thomas Hackney for the petitioner, and by Mr. Clay C. Rogers for the respondent.

No. 498. Transit Commission and State of New York et al., etc., appellants, *v.* The United States of America, Long Island Railroad Company, and Interstate Commerce Commission. Argument commenced by Mr. George H. Stover for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 25, will be as follows: Nos. 498, 184, 62, 63, 71, 72, 77, 79, 84, and 86 (and 87).

SUPREME COURT OF THE UNITED STATES

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

Bradley B. Gilman, of Worcester, Mass.; J. D. Skeen, of Salt Lake City, Utah; Amil H. Japp, of Lawton, Okla.; Alton E. Laughlin, of Washington, D. C.; Chester W. Johnson, of Minneapolis, Minn.; and William D. P. Carey, of Hutchinson, Kans., were admitted to practice.

No. 498. Transit Commission and State of New York et al., etc., appellants, *v.* The United States of America, Long Island Railroad Company, and Interstate Commerce Commission. Argument continued by Mr. George H. Stover for the appellants; by Mr. Assistant to the Attorney General O'Brien for appellees, The United States and the Interstate Commerce Commission; and concluded by Mr. Alfred A. Gardner for appellee, the Long Island Railroad Company.

No. 184. The Great Atlantic & Pacific Tea Company, appellant, *v.* C. H. Morrisett, State Tax Commissioner for the State of Virginia, et al., etc., et al. Argued by Mr. Thomas B. Gray for the appellant and by Mr. W. W. Martin for the appellees.

No. 62. American Hide and Leather Company, petitioner, *v.* The United States. Argument commenced by Mr. William E. Hayes for the petitioner, continued by Mr. Assistant Attorney General Rugg for the respondent, and concluded by Mr. George E. Hamilton for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 30, will be as follows: Nos. 63, 71, 72, 77, 79, 84, 86 (and 87), 178, 15, original 287, and 300 (and 301).

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SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Jacob Hauptman, of Cincinnati, Ohio; Paul R. Conaghan, of Chicago, Ill.; Maurice H. Greene, of Boise, Idaho; Morris K. Levinson, of Chicago, Ill.; Edward W. Smith, of Clarksdale, Miss.; Sam C. Cook, of Clarksdale, Miss.; Frank L. Snell, jr., of Phoenix, Ariz.; Richard J. Jackson, of Cheyenne, Wyo.; Wilton H. Wallace, of Washington, D. C.; Joseph J. Sheehan, of New York City; Edgar Watkins, jr., of Atlanta, Ga.; Robert Wallace Kellough, of Tulsa, Okla.; John G. Somers, of Newton, Kans.; Julia M. H. Carson, of Philadelphia, Pa.; and Albert D. Cash, of Cincinnati, Ohio, were admitted to practice.

No. 17. Albert A. Hoeper, appellant, *v.* Tax Commission of Wisconsin and Marathon County, Wisconsin. Appeal from the Supreme Court of the State of Wisconsin. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Roberts. Dissenting opinion by Mr. Justice Holmes, in which Mr. Justice Brandeis and Mr. Justice Stone concur.

No. 33. The United States of America, Interstate Commerce Commission, et al., appellants, *v.* Baltimore and Ohio Railroad Company, The Central Railroad Company of New Jersey, et al. Appeal from the District Court of the United States for the District of New Jersey. Decree affirmed. Opinion by Mr. Justice McReynolds. Dissenting opinion by Mr. Justice Stone, in which Mr. Justice Holmes and Mr. Justice Brandeis concur.

The Chief Justice announced the following orders of the Court:

No. 328. William Lias, Joe Fragale, and Theodore Prosos, petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. *Per curiam*: Judgment affirmed. *Allen v. United States*, 164 U. S. 492, 501, 502.

No. 184. The Great Atlantic & Pacific Tea Company, appellant, *v.* C. H. Morrissett, State Tax Commissioner for the State of Virginia, et al., etc., et al. Appeal from the District Court of the United States for the Eastern District of Virginia. *Per curiam*: Decree affirmed. State Board of Tax Commissioners of Indiana *v.* Jackson, 283 U. S. 527; Great Atlantic & Pacific Tea Co. *v.* Maxwell, 284 U. S. — (decided October 26, 1931).

No. 447. John F. Hanson, appellant, *v.* Dan Kramer, J. Oscar Stromquist, et al. Appeal from the Supreme Court of the State of Kansas. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied. The appeal is dismissed for the want of a substantial Federal question. Equitable Life Assurance Society *v.* Brown, 187 U. S. 308, 311; Campbell *v.* City of Olney, 262 U. S. 352, 354; Title Oil Co. *v.* Flannagan, 263 U. S. 444, 455, 456; Wick *v.* Chelan Electric Co., 280 U. S. 108, 111. The costs already incurred herein shall be paid by the clerk as provided in the order of October 29, 1926.

The Chief Justice announced:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the clerk of the Court.

No. —, original. *Ex parte*: A. W. Estabrook, petitioner. The motion for leave to proceed *in forma pauperis* is denied. The motion for leave to file petition for writ of mandamus is also denied.

No. 357. The Packer Corporation, appellant, *v.* The State of Utah. In this case probable jurisdiction is noted.

No. 339. Southern Pacific Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted limited to the question raised with respect to Engineer officers of the War Department in performing duties in time of peace in connection with rivers and harbors improvements and the meetings of the California Débris Commission.

No. 453. Atlantic Coast Line Railroad Company, petitioner, *v.* Hannah R. Temple, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of South Carolina granted.

No. 455. Franklin-American Trust Company, petitioner, *v.* St. Louis Union Trust Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 466. The United States of America, petitioner, *v.* Daniel M. Lefkowitz and Pauline Paris. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 469. George L. Shearer, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 470. William A. W. Stewart, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 487. Canada Malting Company, Ltd., petitioner, *v.* Paterson Steamships, Ltd.;

No. 488. British Empire Grain Company, Ltd., petitioner, *v.* Paterson Steamships, Ltd.; and

No. 489. Henry K. Starnes, doing business as H. K. Starnes & Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 431. Henry Peterson, petitioner, *v.* Naknek Packing Company. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 450. Howard N. Eavenson, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 451. Charles W. Dahlinger, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 456. Lawrence C. O'Brien, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 458. Angier Corporation, petitioner, *v.* Commissioner of Internal Revenue; and

No. 459. Angier Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 461. Bank of America of California, Ancillary Guardian, etc., petitioner, *v.* The Fulton Trust Company of New York et al., etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 464. Baton Coal Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 465. National Pressure Cooker Company, petitioner, *v.* Mabel Stroeter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 467. Lulu Vance Baumgartner, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 473. Los Angeles Dock and Terminal Company, petitioner, *v.* Pacific Dock and Terminal Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 474. Southern Pacific Railroad Company et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 478. Abe Danciger et al., petitioners, *v.* Floyd E. Jacobs, Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 480. Commerce Farm Credit Company, petitioner, *v.* J. E. Shropshire, et ux. L. A. Shropshire. Petition for writ of certiorari to the Supreme Court of the State of Texas denied.

No. 481. Southern Railway Company et al., petitioners, *v.* Eagle Cotton Oil Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 483. American Insurance Company, petitioner, *v.* General Motors Acceptance Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 484. W. E. Hedger Company, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 493. New York Title and Mortgage Company, petitioner, *v.* First National Bank et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 495. The Kansas City Southern Railway Company, etc., petitioner, *v.* Commissioner of Internal Revenue. Petitioner for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 497. United Brick and Tile Company, petitioner, *v.* E. R. McKissick et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 499. Manhattan Oil Company et al., petitioners, *v.* George A. Mosby. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 500. The Territory of Hawaii, by C. T. Bailey, Commissioner of Public Lands, petitioner, *v.* Francis Gay et al., etc. Petition for

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

No. 71. Andrew B. Keating, as Receiver, etc., et al., appellants, *v.* The Public National Bank of New York. Leave granted to file brief of the city of Buffalo, as *amicus curiae*, on motion of Mr. Herbert A. Hickman in that behalf.

No. 217. William Stevens, petitioner, *v.* The Vessel "White City," her engines, etc. Motion as to printing record submitted by Mr. Charles C. Collins in behalf of counsel for the petitioner.

No. 522. Ellison Ranching Company, appellant, *v.* George A. Bartlett. Motion to advance submitted by Mr. J. D. Skeen for the appellant.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. Motion to amend petition for writ of certiorari submitted by Mr. Abbot P. Mills in behalf of counsel for the petitioner in support of the motion, and by Mr. Clarence W. Rowley for the respondent in opposition thereto.

No. 490. Super Maid Cook-Ware Corporation, petitioner, *v.* James E. Hamil et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edwin C. Hollins for the petitioner.

No. 492. Samuel J. Kearing, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas J. Mangan for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. John J. Byrne for the respondent.

No. 501. E. C. Waddington, Trustee in Bankruptcy of Preston P. Sweeten, Bankrupt, petitioner, *v.* Hamilton G. Pedrick. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frank A. Mathews, jr., for the petitioner.

No. 503. Jack Hardeman, petitioner, *v.* Albert T. Witbeck. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Patrick H. Loughran for the petitioner.

No. 63. The Hodge Drive-it-Yourself Company, The Barrs Self Driver Company, Inc., et al, appellants, *v.* The City of Cincinnati et al., etc. Argument commenced by Mr. Julius R. Samuels for the appellants. The Court declined to hear further argument.

No. 71. Andrew B. Keating, as Receiver, etc., et al., appellants, *v.* The Public National Bank of New York. Argued by Mr. Arthur J. W. Hilly for appellants, and by Mr. Martin Saxe and Mr. Robert C. Beatty for the appellee.

No. 72. Broad-Grace Arcade Corporation, appellant, *v.* J. Fulmer Bright, Mayor of the City of Richmond, et al., etc. Argument commenced by Mr. Andrew D. Christian for the appellant and continued by Mr. Collins Denny, jr., for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 1, will be as follows: Nos. 72, 77, 79, 84, 86 (and 87), 178, 15 original, 287, 300 (and 301), and 88.

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SUPREME COURT OF THE UNITED STATES

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

Thomas W. Dahlquist, of San Francisco, Calif.; Frank A. Leffingwell, of Dallas, Tex.; A. Burton Mason, of San Francisco, Calif.; Victor Packman, of St. Louis, Mo.; and J. T. Suggs, jr., of Dallas, Tex., were admitted to practice.

No. 72. Broad-Grace Arcade Corporation, appellant, *v.* J. Fulmer Bright, Mayor of the City of Richmond et al., etc. Argument continued by Mr. Collins Denny, jr., for the appellees, and concluded by Mr. Andrew D. Christian for the appellant.

No. 77. The Chapel State Theatre Company, appellant, *v.* Fred W. Hooper, Doing business as F. W. Hooper Company. Argument commenced by Mr. Albert D. Cash for the appellant. The Court declined to hear further argument.

No. 79. Chicago & Eastern Illinois Railroad Company, petitioner, *v.* Industrial Commission of Illinois and Joe Thomas. Argued by Mr. Edward W. Rawlins for the petitioner, and by Mr. Samuel E. Hirsch for the respondents.

No. 84. W. L. Matthews et al., appellants, *v.* J. F. Rodgers et al. Argument commenced by Mr. J. A. Lauderdale for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 2, will be as follows: Nos. 84, 86 (and 87), 178, 15, original, 287, 300 (and 301), 88, 98, 112, and 115.

SUPREME COURT OF THE UNITED STATES

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

Albert M. Levert, of New York City; Fred J. Cunningham, of Spokane, Wash.; and Scott Russell, of Macon, Ga., were admitted to practice.

No. 84. W. L. Mathews et al., appellants, *v.* J. F. Rogers et al. Argument continued by Mr. Sam C. Cook and Mr. Edward W. Smith for the appellees, and concluded by Mr. J. A. Lauderdale for the appellants.

No. 86. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* Richard R. Churchill, Administrator, etc.; and

No. 87. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* Richard R. Churchill, Administrator, etc. Argued by Mr. Paul R. Conaghan for the petitioner, and by Mr. Herbert H. Patterson for the respondent.

No. 178. William J. Stratton, as Secretary, etc., appellant, *v.* St. Louis Southwestern Railway Company. Argument commenced by Mr. Bayard Lacey Catron for the appellant, and continued by Mr. Josiah Whitnel for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 3, will be as follows: Nos. 178, 15, original, 287, 300 (and 301), 88, 98, 112, 115, 137, and 158.

SUPREME COURT OF THE UNITED STATES

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

James F. Ailshie, jr., of Boise, Idaho, and Gregory A. Harrison, of San Francisco, Calif., were admitted to practice.

No. 158. Amos Shriver, appellant, *v.* Woodbine Savings Bank of Woodbine, Iowa. Submitted by Mr. James M. Parsons for the appellant and by Mr. H. L. Robertson for appellee.

No. 178. William J. Stratton, as Secretary, etc., appellants, *v.* St. Louis Southwestern Railway Company. Argument concluded by Mr. Josiah Whitnel for the appellee.

No. 15, original. State of Wyoming, complainant, *v.* State of Colorado. Argued on the motion to dismiss the bill of complaint by Mr. Paul W. Lee for the defendant in support of the motion, and by Mr. James A. Greenwood for the complainant in opposition thereto.

No. 287. The Atchison, Topeka and Santa Fe Railway Company et al., appellants, *v.* The United States of America, The Interstate Commerce Commission et al. Five and one-half hours allowed for the oral argument of this case. Argument commenced by Mr. Frederick H. Wood for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 4, will be as follows: Nos. 287, 300 (and 301), 88, 98, 112, 115, 137, 159, 162, and 163.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Charles N. Hobson, of Frankfort, Ky.; Edward J. Schweid, of Cleveland, Ohio; and M. Rutledge Rivers, of Charleston, S. C., were admitted to practice.

No. 287. The Atchison, Topeka, and Santa Fe Railway Company et al., appellants, *v.* The United States of America, The Interstate Commerce Commission, et al. Argument continued by Mr. Frederick H. Wood for the appellants; by Mr. Daniel W. Knowlton for appellees, the United States and Interstate Commerce Commission; by Mr. John E. Benton for appellees, the State Commissions of the States of Arizona, Arkansas, Colorado, Idaho, Missouri, Montana, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, and Wyoming; by Mr. Hugh LaMaster for the appellee, Nebraska State Railway Commission; and concluded by Mr. Frederick H. Wood for the appellants; and case submitted by Mr. Charles W. Steiger and Mr. Ralph Merriam for appellee, Public Service Commission of the State of Kansas.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. Argument commenced by Mr. Edward P. Humphrey for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 7, will be as follows: Nos. 300 (and 301), 88, 98, 112, 115, 137, 159, 162, 163, and 165.

SUPREME COURT OF THE UNITED STATES

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

Edward M. Biddle, of Philadelphia, Pa.; Robert W. Shackelford, of Tampa, Fla.; Gail Laughlin, of Portland, Me.; William P. Beeber, of Philadelphia, Pa.; Melvin C. Light, of Lima, Ohio; James J. Weadock, of Lima, Ohio; Ernest M. Botkin, of Lima, Ohio; Frederick L. Pearce, of Washington, D. C.; Stanley R. Foot, of Helena, Mont.; H. E. Garling, of Lima, Ohio; Louis P. Pink, of Los Angeles, Calif.; Stewart K. Powell, of Onancock, Va.; George L. Doughty, of Accomac, Va.; and Frank C. Laughlin, of New York City; were admitted to practice.

No. 66. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* The United States of America *ex rel.* The Vindicator Consolidated Gold Mining Company; and

No. 67. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* The United States of America *ex rel.* Chestatee Pyrites & Chemical Corporation. On writs of certiorari to the Court of Appeals of the District of Columbia. Judgments affirmed and cases remanded to the Supreme Court of the District of Columbia with directions to award a writ of mandamus requiring the Secretary of the Interior to proceed to an examination and adjustment of the claim in question conformably to the statutes as here construed. Opinion by Mr. Justice Butler.

No. 54. I. J. Van Huffel, petitioner, *v.* Trace D. Harkelrode, Treasurer of Trumbull County, Ohio, etc. On writ of certiorari to the Court of Appeals of Trumbull County, Ohio. Writ of certiorari dismissed.

No. 55. I. J. Van Huffel, petitioner, *v.* Trace D. Harkelrode, Treasurer of Trumbull County, Ohio, etc. On writ of certiorari to the Supreme Court of the State of Ohio. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 423. Bradford Electric Light Company, Inc., appellant and petitioner, *v.* Jennie M. Clapper, Administratrix. Appeal from and

on petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Appeal dismissed for want of jurisdiction. Petition for writ of certiorari granted. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court: No. 13, original. The State of New Jersey, complainant, *v.* The City of New York. Decree entered.

No. 71. Andrew B. Keating, as Receiver of Taxes of the City of New York, and William Reid, Jr., as City Collector, appellants, *v.* The Public National Bank of New York. Appeal from the United States Circuit Court of Appeals for the Second Circuit. *Per curiam*: Decree affirmed. *Bodkin v. Edward*, 255 U. S. 221, 223; *Texas & New Orleans R. R. Co. v. Brotherhood of Railway and Steamship Clerks*, 281 U. S. 548, 558; *First National Bank of Hartford, Wisconsin, v. City of Hartford*, 273 U. S. 548; *Minnesota v. First National Bank of St. Paul*, 273 U. S. 561; *Georgetown National Bank v. McFarland*, 273 U. S. 658.

No. 72. Broad-Grace Arcade Corporation, appellant, *v.* J. Fulmer Bright, Mayor of the City of Richmond, et al., etc. Appeal from the District Court of the United States for the Eastern District of Virginia. *Per curiam*: The order denying an interlocutory injunction is affirmed (*Alabama v. United States*, 279 U. S. 229, 231; *United Fuel Gas Co. v. Public Service Commission*, 278 U. S. 322, 326; *National Fire Insurance Co. v. Thompson*, 281 U. S. 331, 338), but without prejudice to the power and duty of the District Court, as specially constituted, to inquire and determine whether the court has jurisdiction (Judicial Code, Sec. 37; U. S. Code, Tit. 28, Sec. 80) both in relation to the amount involved in the controversy (*Chase v. Wetzler*, 225 U. S. 79, 85, 86; *North Pacific Steamship Co. v. Soley*, 257 U. S. 216, 221), and with respect to the right of the complainant to maintain this suit in equity (*Fenner v. Boykin*, 271 U. S. 240, 243, 244; *Cline v. Frink Dairy Co.*, 274 U. S. 445, 451-453).

No. 77. The Chapel State Theatre Company, appellant, *v.* Fred W. Hooper, Doing Business as F. W. Hooper Company. Appeal from the Supreme Court of the State of Ohio. *Per curiam*: Judgment affirmed. *Great Southern Fireproof Hotel Co. v. Jones*, 193 U. S. 632.

No. 86. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* Richard R. Churchill, Administrator of the Estate of Roy W. Brown, deceased; and

No. 87. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* Richard R. Churchill, Administrator of the Estate of Roy W. Brown, deceased. On writs of certiorari to the Appellate Court of the State of Illinois, First District, and the Supreme Court of

the State of Illinois. *Per curiam*: The writs of certiorari herein are dismissed as improvidently granted.

No. 217. William Stevens, petitioner, *v.* The Vessel "White City," her engines, etc. Motion as to printing record denied, without prejudice to the authority of this Court to make such order as to costs as it may deem proper, if it appear that either party shall have caused unnecessary parts of the record to be printed.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. The motion to amend the petition for writ of certiorari is denied.

No. 522. Ellison Ranching Company, appellant, *v.* George A. Bartlett. The motion to advance this case is denied.

No. 468. Robert M. Leach, Executor, etc., petitioner, *v.* Malcolm E. Nichols, Formerly Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 503. Jack Hardeman, petitioner, *v.* Albert T. Witbeck. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 490. Super Maid Cook-Ware Corporation, petitioner, *v.* James E. Hamil et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 491. Michael Devasto, *alias* Mike Devasto et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 492. Samuel J. Kearing, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 501. E. C. Waddington, Trustee in Bankruptcy of Preston P. Sweeten, Bankrupt, petitioner, *v.* Hamilton G. Pedrick. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

The Chief Justice also announced the following order:

ORDER

The Court will take a recess from Monday, December 14, until Monday, January 4, 1932.

No. 171. First National Bank of Boston, Executor, etc., petitioner, *v.* State of Maine. Leave granted to file brief of James Turner, Henry E. Worcester, and Central Hanover Bank and Trust Com-

pany, Executors of the estate of James N. Jarvie, deceased, as *amici curiae* on motion of Mr. Henry J. Richardson in that behalf.

No. 172. Marine Transit Corporation and Tug "Gerald A. Fagan" by Marine Transit Corporation, claimant, petitioner, *v.* Louis Louis Dreyfus and Charles Louis Dreyfus, etc. Leave granted to file brief of Chamber of Commerce of the State of New York and The American Arbitration Association, Inc., as *amici curiae*, on motion of Mr. Kenneth Dayton in that behalf.

No. 505. Howard Sutherland, as Alien Property Custodian of the United States, petitioner, *v.* The People of the State of New York, by James A. Beha, Superintendent of Insurance, etc. Motion by Herman F. M. Mutzenbecher et al. to continue on their own behalf the petition filed herein in the name of the Alien Property Custodian, submitted by Mr. Nathan Ottinger in support of the motion, and by Mr. Alfred C. Bennett for the respondent, in opposition thereto.

No. 550. John Borum, John Logan, and Milton Guy, *v.* The United States of America. Motion for leave to proceed *in forma pauperis* and to bring up the entire record and cause and to print certificate, record, and briefs at public expense submitted by Mr. James A. O'Shea for John Borum et al.

No. 454. Claiborne-Annapolis Ferry Company, appellant, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. Jesse I. Miller, Mr. George E. Edelen, and Mr. Philip B. Perlman for the appellant.

No. 463. New State Ice Company, appellant, *v.* Ernest A. Liebmann. Statement as to jurisdiction submitted by Mr. John B. Dudley and Mr. J. H. Everest for the appellant.

No. 472. G. M. Saunders, appellant, *v.* The State of Georgia. Statement as to jurisdiction submitted by Mr. James A. Branch and Mr. Wm. Schley Howard for the appellant.

No. 496. Irene Elizabeth Capron and Irene Elizabeth Capron, as Administratrix, etc., petitioners, *v.* Erwin Ray Van Horn. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. A. Haines for the petitioners, and by Mr. M. W. Conkling for the respondent.

No. 502. Anna L. Siegel et al., etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank H. Sullivan for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Hayner N. Larson, and Mr. Wilbur H. Friedman for the respondent.

No. 505. Howard Sutherland, as Alien Property Custodian of the United States, petitioner, *v.* The People of the State of New York, by James A. Beha, Superintendent of Insurance, etc. Petition for writ of certiorari to the Court of Appeals of the State of New York submitted by Mr. Nathan Ottinger and Mr. Charles J. Schuck for the petitioner, and by Mr. LeRoy B. Iserman and Mr. Alfred C. Bennett for the respondent.

No. 510. New Era Motors, Inc., et al., petitioners, *v.* Carl W. Burst et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. S. Mayner Wallace and Mr. T. M. Pierce for the petitioners.

No. 515. Navigazione Libera Triestina and Steamship "Carso," etc., petitioners, *v.* Molinelli, Giannusa & Rao, Inc., et al.;

No. 516. Navigazione Libera Triestina and Steamship "Carso," etc., petitioners, *v.* R. Gerber & Company et al.;

No. 517. Navigazione Libera Triestina and Steamship "Carso," etc., petitioners, *v.* Italian Importing Company of New York;

No. 518. Navigazione Libera Triestina and Steamship "Carso," etc., petitioners, *v.* Western Sausage & Provision Company; and

No. 519. Navigazione Libera Triestina and Steamship "Carso," etc., petitioners, *v.* Robert Kurtz et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Homer L. Loomis for the petitioners, and by Mr. Horace T. Atkins and Mr. Harry D. Thirkield for the respondents.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. Argument continued by Mr. Edward P. Humphrey for the appellants, and by Mr. Charles N. Hobson for the appellee, and concluded by Mr. Charles W. Milner for the appellants.

No. 88. Atlantic Coast Line Railroad Company et al., appellants, *v.* The United States of America, The Interstate Commerce Commission, et al. Argument commenced by Mr. Carl H. Davis for the appellants; continued by Mr. Assistant to the Attorney General O'Brian for the appellees, The United States and the Interstate Commerce Commission; by Mr. W. S. O'B. Robinson, jr., for the appellee Piedmont and Northern Ry. Co., and concluded by Mr. F. B. Grier for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 8, will be as follows: Nos. 98, 112, 115, 137, 159, 162, 163, 165, 170 (and 245), and 171.

SUPREME COURT OF THE UNITED STATES

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

John G. Simms, of Orlando, Fla., and J. Orin Waite, of Erie, Pa., were admitted to practice.

No. 449. Walter H. Gant, Knox L. Garvin, et al., appellants, *v.* City of Oklahoma City et al. Leave granted to file statement as to jurisdiction on motion of Mr. W. E. Disney on behalf of counsel for the appellants.

No. 265. L. A. Nixon, petitioner, *v.* James Condon and C. H. Kolle. Leave granted to file brief of C. N. Love and others as *amicus curiae*, on motion of Mr. Charles H. Houston in the behalf.

No. 98. Arizona Grocery Company, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Argument commenced by Mr. Frank L. Snell, jr., for the petitioner, continued by Mr. R. C. Fulbright for the petitioner and by Mr. Burton Mason for the respondents, and concluded by Mr. R. C. Fulbright for the petitioner.

No. 112. Nellie Field Burwell, Sole Devisee, etc., et al., appellants, *v.* James T. Powell and John S. Daisy. Argument commenced by Mr. James E. Heath for the appellants, continued by Mr. Stewart K. Powell for the appellees and by Mr. James E. Heath for the appellants. The Court declined to hear further argument.

No. 115. Edgar Percy Lewis et al., as Trustees, etc., petitioners, *v.* Marshall S. Reynolds, Individually, etc. Argument commenced by Mr. N. E. Corthell for the petitioners, and continued by Mr. Assistant Attorney General Youngquist for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 9, will be as follows: Nos. 115, 137, 159, 162, 163, 165, 170 (and 245), 171, 172, and 179.

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SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

James M. Lynch, of Florence, S. C.; Shepard K. Nash, of Sumter, S. C.; Benjamin A. Morgan, of Greenville, S. C.; Francis C. Hutchens, of San Francisco, Calif.; Carl V. Rice, of Parsons, Kans.; Leonard A. Pierce, of Portland, Me.; John W. Palmer, of Sedalia, Mo.; Clement F. Robinson, of Portland, Me.; Herbert J. Connell, of Portland, Me.; and Winthrop B. Lane, of Omaha, Nebr., were admitted to practice.

No. 115. Edgar Percy Lewis et al., etc., petitioners, *v.* Marshall S. Reynolds, Individually and as Collector of Internal Revenue. Argument continued by Mr. Assistant Attorney General Youngquist for the respondent, and concluded by Mr. N. E. Corthell for the petitioners.

No. 137. Matson Navigation Company, petitioner, *v.* The United States. Argued by Mr. Gregory A. Harrison for the petitioner, and by Mr. Claude R. Branch for the respondent.

No. 159. Yale Oil Corporation of South Dakota, appellant, *v.* The State of Montana. Argument commenced by Mr. Frederick L. Pearce for the appellant. The Court declined to hear further argument.

No. 162. United States of America, *ex rel.* Aspasia Polymeris and Antigone Polymeris, petitioners, *v.* Joseph W. Trudell, Immigration Inspector in Charge. Argued by Mr. Harold Van Riper for the petitioners, and by Mr. Claude R. Branch for the respondent.

No. 163. The United States of America *v.* Leonard Vanbierliet. Argument commenced by Mr. Whitney North Seymour for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 10, will be as follows: Nos. 163, 165, 170 (and 245), 171, 172, 179, 185, and 242.

SUPREME COURT OF THE UNITED STATES

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

Harry E. Powers, of Whiting, Ind.; John N. Penick, of Boston, Mass.; Lillian Clawans, of Newark, N. J.; Henry Ellwood Otto, of New York City; Lester Hand Jayne, of New York City; and James B. Wolfenbarger, of Peoria, Ill., were admitted to practice.

No. 171. First National Bank of Boston, Executor, etc., appellant, *v.* State of Maine. Leave granted to file brief of the City Bank Farmers Trust Co., of New York, as executor of the last will and testament of Virgil P. Kline, deceased, as *amicus curiae*, on motion of Mr. Russell L. Bradford in that behalf.

No. 171. First National Bank of Boston, Executor, etc., appellant, *v.* State of Maine. Leave granted to file brief of the Tax Commission of the State of New York, as *amicus curiae*, on motion of Mr. Seth T. Cole in that behalf.

No. 163. The United States of America *v.* Leonard Vanbiervliet. Argument concluded by Mr. Whitney North Seymour for the United States, and case submitted by Mr. Martin J. Kilsdonk for Vanbiervliet.

No. 165. A. H. Averill, as Insurance Commissioner of the State of Oregon, appellant, *v.* Northwestern National Insurance Company of Milwaukee, Wisconsin. Argued by Mr. I. H. Van Winkle for the appellant, and by Mr. Thomas MacMahon for the appellee.

No. 170. Gregg Dyeing Company, appellant, *v.* W. G. Query et al., etc.; and

No. 245. The City of Greenville, etc., et al., appellants, *v.* W. G. Query et al., etc. Argument commenced by Mr. James M. Lynch for the appellants. The Court declined to hear further argument.

No. 171. First National Bank of Boston, Executor, etc., appellant, *v.* State of Maine. Argued by Mr. Leonard A. Pierce for the appellant, and by Mr. Clement F. Robinson for the appellee.

No. 172. Marine Transit Corporation, etc., petitioner, *v.* Louis Dreyfus, et al., etc. Argument commenced by Mr. Horace L. Cheney for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 11, will be as follows: Nos. 172, 179, 185, and 242.

SUPREME COURT OF THE UNITED STATES

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

William F. Weigester, of Washington, D. C.; Henry W. Longfellow, of Washington, D. C.; Walter R. Kuhn, of New York City; Claude D. Cass, of Washington, D. C.; Cyril A. Soans, of Chicago, Ill.; Michael B. Wagenheim, of Norfolk, Va.; Ray Weightman, of Jefferson City, Mo.; J. Bertram Wegman, of Brooklyn, N. Y.; Yandell Boatner, of Shreveport, La.; Henry I. Eager, of Kansas City, Mo.; David W. Cannon, of Salt Lake City, Utah; Joseph E. Daily, of Peoria, Ill.; Phil W. Davis, jr., of Tulsa, Okla.; Milton Sylvester Koblitz, of Cleveland Heights, Ohio; and Leo J. Linder, of New York City, were admitted to practice.

No. 66. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* The United States of America, *ex. rel.* The Vindicator Consolidated Gold Mining Company; and

No. 67. Ray Lyman Wilbur, as Secretary of the Interior, petitioner, *v.* The United States of America, *ex. rel.* Chestatee Pyrites Chemical Corporation. Mandates granted on motion of Mr. Edgar Watkins for the respondents.

No. 172. Marine Transit Corporation, etc., petitioner, *v.* Louis Louis Dreyfus et al., etc. Argument continued by Mr. Horace L. Cheyney for the petitioner, and concluded by Mr. George V. A. McCloskey for the respondents.

No. 179. Herbert S. Daniel, Trustee, etc., petitioner, *v.* Guaranty Trust Company of New York. Argued by Mr. Winthrop B. Lane for the petitioner, and by Mr. Porter R. Chandler for the respondent.

No. 185. Baltimore and Philadelphia Steamboat Company et al., petitioners, *v.* Augustus P. Horton, Deputy Commissioner, etc., et al.

Argued by Mr. Ira A. Campbell and Mr. Edwin A. Swingle for the petitioner. No appearance for the respondents.

No. 242. Jesse H. Denton, petitioner, *v.* Yazoo & Mississippi Valley Railroad Company et al. Argued by Mr. John P. Bramhall for the petitioner, and by Mr. H. D. Minor for the respondent.

Adjourned until Monday, December 14, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Walter W. Ahrens, of New York City; Paul P. Stoutenburgh, of Washington, D. C.; Cam D. Dorsey, of Atlanta, Ga.; Seymour J. Koff, of Brooklyn, N. Y.; William P. Smith, of Washington, D. C.; Paul R. Russell, of Miami, Fla.; Theodore L. Reimel, of Philadelphia, Pa.; and John Lawrence Seymour, of Wilmington, Del., were admitted to practice.

No. 15. Iowa-Des Moines National Bank, petitioner, *v.* E. R. Bennett, chairman of the Board of Supervisors of Polk County, Iowa, et al.; and

No. 16. Central State Bank, petitioner, *v.* E. R. Bennett, Chairman of the Board of Supervisors of Polk County, Iowa, et al. On writs of certiorari to the Supreme Court of the State of Iowa. Judgments reversed with costs, and cases remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis.

The Chief Justice announced the following orders of the Court:

No. 112. Nellie Field Burwell, Sole Devisee and Executrix of Samuel B. Field and Joseph S. Pruitt, appellants, *v.* James T. Powell and John S. Daisy. Appeal from the Supreme Court of Appeals of the State of Virginia. *Per curiam*: The appeal herein is dismissed for the want of a substantial federal question. *Ennis Water Works v. City of Ennis*, 233 U. S. 652, 657, 658; *Banning Co. v. California*, 240 U. S. 142, 153, 154, 155; *Board of Liquidation of New Orleans v. Louisiana*, 179 U. S. 622, 638.

No. 159. Yale Oil Corporation of South Dakota, appellant, *v.* The State of Montana. Appeal from the Supreme Court of the State of Montana. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. *Wabash Ry. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191.

No. 163. The United States of America *v.* Leonard Vanbiervliet. On certificate from the United States Circuit Court of Appeals for the Sixth Circuit. *Per curiam*: Question answered, "No." Philipides *v.* Day, 283 U. S. 48.

No. 165. A. H. Averill, as Insurance Commissioner of the State of Oregon, appellant, *v.* Northwestern National Insurance Company of Milwaukee, Wisconsin. Appeal from the District Court of the United States for the District of Oregon. *Per curiam*: The order granting an interlocutory injunction is affirmed (Alabama *v.* The United States, 279 U. S. 229, 231) without prejudice to further consideration of the merits of the cause, and without prejudice to the power and duty of the District Court, as specially constituted, to inquire and determine whether the court has jurisdiction, both in relation to the amount involved in the controversy and with respect to the right of the complainant to maintain this suit in equity.

No. 472. G. M. Saunders, appellant, *v.* The State of Georgia. Appeal from the Supreme Court of the State of Georgia. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. Hall *v.* Geiger-Jones Co., 242 U. S. 539, 555, 556, 557; Caldwell *v.* Sioux Falls Stock Yards Co., 242 U. S. 559; Merrick *v.* N. W. Halsey & Co., 242 U. S. 568.

No. 454. Claiborne-Annapolis Ferry Company, appellant, *v.* The United States of America et al. and

No. 463. New State Ice Company, appellant, *v.* Ernest A. Liebmann. In these cases probable jurisdiction is noted.

No. 84. W. L. Mathews et al., appellants, *v.* J. F. Rodgers et al. This cause is restored to the docket and assigned for Monday, January 11 next, at the head of the call, for reargument, limited to the question of the jurisdiction of the District Court both with respect to the amount involved in the suit and the jurisdiction of the court as a court of equity.

No. 178. William J. Stratton, as Secretary of State, etc., appellant, *v.* St. Louis Southwestern Railway Company. This cause is restored to the docket and assigned for Monday, January 11 next, immediately following No. 84, Mathews *v.* Rodgers, for reargument, limited to the question of the jurisdiction of the District Court both with respect to the amount involved in the suit and the jurisdiction of the court as a court of equity.

No. 13, original. The State of New Jersey, complainant, *v.* The City of New York. An order is entered fixing the amount of compensation and allowing the expenses of the special master herein.

No. 505. Howard Sutherland, as Alien Property Custodian of the United States, petitioner, *v.* The People of the State of New York, by James A. Beha, Superintendent of Insurance, etc. The motion of

Herman F. M. Mutzenbecher et al. to continue on their own behalf the petition filed in the name of the Alien Property Custodian is denied. The petition for a writ of certiorari herein to the Court of Appeals of the State of New York is also denied.

No. 496. Irene Elizabeth Capron and Irene Elizabeth Capron, as Administratrix, etc., petitioner, *v.* Erwin Ray Van Horn. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 502. Anna L. Siegel and St. Louis Union Trust Company, Executors of Alfred J. Siegel, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 510. New Era Motors, Inc., et al., petitioners, *v.* Carl W. Burst et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 515. Navigazione Libera Triestina et al., etc., petitioners, *v.* Molinelli, Giannusa & Rao, Inc., et al.;

No. 516. Navigazione Libera Triestina et al., etc., petitioners, *v.* R. Gerber & Company et al.;

No. 517. Navigazione Libera Triestina et al., etc., petitioners, *v.* Italian Importing Company of New York;

No. 518. Navigazione Libera Triestina et al., etc., petitioners, *v.* Western Sausage & Provision Company; and

No. 519. Navigazione Libera Triestina et al., etc., petitioners. *v.* Robert Kurtz and Max Kurtz, copartners, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 485. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al.; and

No. 486. Corporation Commission of the State of Oklahoma et al., appellants, *v.* Champlin Refining Company. Motion to advance submitted by Mr. Harry O. Glasser for the Champlin Refining Company.

No. 250. Carolina & Northwestern Railway Company, appellant, *v.* F. J. Key. Appeal from the Supreme Court of the State of South Carolina. Dismissed on motion of counsel for the appellant.

No. 462. Owners' Automobile Insurance Company of New Orleans, appellant, *v.* Sam Mathews Lawrason. Statement as to jurisdiction submitted by Mr. Hugh M. Wilkinson for the appellant, in support thereof, and by Mr. Wylie M. Barrow for the appellee, in opposition thereto.

No. 471. Public Service Commission of Montana et al., etc., appellants, *v.* Great Northern Utilities Company. Statement as to juris-

diction submitted by Mr. L. A. Foot and Mr. Francis A. Silver for the appellants.

No. 482. J. Earl Jardine, appellant, *v.* Superior Court of the State of California, etc. Statement as to jurisdiction submitted by Mr. H. W. O'Melveny, Mr. Walter K. Tuller, and Mr. Irving M. Walker for the appellant, in support thereof, and by Mr. Leslie R. Hewitt, Mr. Aloysius I. McCormick, and Mr. Guy Richards Crump for the appellee, in opposition thereto.

No. 520. Ira M. Petersime & Son, etc., petitioner, *v.* John L. Robbins et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. H. A. Toulmin, Mr. H. A. Toulmin, jr., and Mr. Melville Church for the petitioner, and by Mr. Raymond Ives Blakeslee for the respondent.

No. 523. Southern Lumber Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Thomas S. Buzbee for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Norman D. Keller, and Mr. W. Marvin Smith for the respondent.

No. 524. Leonard J. Woodruff, petitioner, *v.* Hubert F. Laugharn, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. J. A. Coleman for the petitioner, and by Mr. Hugh L. Dickson for the respondent.

No. 532. Drainage District No. 17 of Mississippi County, Arkansas, et al., petitioners, *v.* The Guardian Trust Company, as Trustee, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles T. Coleman for the petitioners, and by Mr. Charles D. Frierson for the respondents.

Adjourned until Monday, January 4, at 12 o'clock.

The day call for Monday, January 4, will be as follows: Nos. 457, 200 (and 201), 217, 248, 251, 252, 258, 263, 265, and 270.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van De Vanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Jacob M. Zinaman, of New York City; Michael Nagle, of El Paso, Tex.; Frederick A. Keck, of Brooklyn, N. Y.; Harry H. Russell, of Monroe, La.; and Laura Maria Borrien, of Washington, D. C., were admitted to practice.

No. 498. Transit Commission and State of New York et al., etc., appellants, *v.* The United States of America, The Long Island Railroad Company, and the Interstate Commerce Commission. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Justice Roberts.

No. 98. Arizona Grocery Company, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the District of Arizona. Opinion by Mr. Justice Roberts. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis.

No. 62. American Hide and Leather Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment reversed and cause remanded to the said Court of Claims for further proceedings in accordance with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 137. Matson Navigation Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed, without prejudice to an application by the petitioner to the court below, if so advised, for leave to amend the petition. Opinion by Mr. Justice Stone.

No. 63. The Hodge Drive-It-Yourself Company, The Barrs Self Driver Company, Inc., and Durken Drive-It-Yourself, Inc., appellants, *v.* The City of Cincinnati, Russell Wilson, Clarence Dykstra, et al., etc. Appeal from the Supreme Court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. Appeals from the Court of Appeals of the State of Kentucky. Judgments affirmed with costs. Opinion by Mr. Justice Butler. Mr. Justice Stone took no part in the consideration or decision of these cases.

No. 79. Chicago & Eastern Illinois Railroad Company, petitioner, *v.* Industrial Commission of Illinois and Joe Thomas. On writ of certiorari to the Circuit Court of Cook County, State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 374. Harry Blockburger, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed and cause remanded to the District Court of the United States for the Southern District of Illinois. Opinion by Mr. Justice Sutherland.

No. 242. Jesse H. Denton, petitioner, *v.* Yazoo & Mississippi Valley Railroad Company, The Illinois Central Railroad Company, et al. On writ of certiorari to the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 171. First National Bank of Boston, Executor of the Estate of Edward H. Haskell, Deceased, appellant, *v.* State of Maine. Appeal from the Supreme Judicial Court of the State of Maine. Judgment reversed with costs and cause remanded to the said Supreme Judicial Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Sutherland. Dissenting opinion by Mr. Justice Stone, in which Mr. Justice Holmes and Mr. Justice Brandeis concur.

No. 88. Atlantic Coast Line Railroad Company, Louisville and Nashville Railroad Company, and Charleston & Western Carolina Railway Company, appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the District Court of the United States for the Western District of South Carolina. Decree affirmed. Opinion by Mr. Justice Brandeis.

No. 115. Edgar Percy Lewis and Richard F. Cooper, as Trustees under the Will of Arthur Francis Thomas Cooper, deceased, petitioners, *v.* Marshall S. Reynolds, individually and as Collector of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the District of Wyoming. Opinion by Mr. Justice McReynolds.

No. 130. Denver and Rio Grande Western Railroad Company and The Atchison, Topeka, and Santa Fe Railway Company, petitioners, *v.* Ben Terte, Judge of the Circuit Court of Jackson County, Missouri, at Kansas City. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment reversed with costs and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds. Mr. Justice Stone took no part in the consideration or decision of this case.

No. 162. United States of America *ex rel.* Aspasia Polymeris and Antigone Polymeris, petitioners, *v.* Joseph W. Trudell, Immigration Inspector in Charge. 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 District of Vermont. Opinion by Mr. Justice Holmes.

No. 287. The Atchison, Topeka and Santa Fe Railway Company, et al., appellants, *v.* The United States of America, The Interstate Commerce Commission, et al. Appeal from the District Court of the United States for the Northern District of Illinois. Orders reversed and cause remanded to the said District Court with directions to grant the injunctions as prayed. Opinion by Mr. Chief Justice Hughes.

No. 172. Marine Transit Corporation and Tug "Gerald A. Fagan," by Marine Transit Corporation Claimant, petitioner *v.* Louis Louis Dreyfus and Charles Louis Dreyfus, etc. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 462. Owners' Automobile Insurance Company of New Orleans, appellant, *v.* Sam Mathews Lawrason. Appeal from the Supreme Court of the State of Louisiana. *Per curiam:* The appeal herein is dismissed for the want of a substantial federal question. Standard Oil Co. of Indiana *v.* Missouri, 224 U. S. 270, 286, 287; Lott *v.* Pittman, 243 U. S. 588, 591; McDonald *v.* Oregon Railroad and Navigation Co., 233 U. S. 665, 669, 670; Missouri *ex rel.* Hurwitz *v.* North, 271 U. S. 40, 42.

No. 482. J. Earl Jardine, appellant, *v.* Superior Court of the State of California, in and for the County of Los Angeles, and Honorable Clair S. Tappaan. Appeal from the Supreme Court of the State of California. *Per curiam:* The appeal herein is dismissed for the

want of a substantial federal question. *Sugg v. Thornton*, 132 U. S. 524; *United Mine Workers of America v. Coronado Coal Co.*, 259 U. S. 344.

No. 485. *Champlin Refining Company, appellant, v. Corporation Commission of the State of Oklahoma et al.*; and

No. 486. *Corporation Commission of the State of Oklahoma et al., appellants v. Champlin Refining Company*. The motion to advance these cases is denied.

No. 471. *Public Service Commission of Montana et al., etc., appellants, v. Great Northern Utilities Company*. In this case probable jurisdiction is noted.

No. 158. *Amos Shriver, appellant, v. Woodbine Savings Bank of Woodbine, Iowa*. This case is restored to the docket with the request that it be argued orally and the case is assigned for argument on Monday, February 23 next.

No. 85. *The United States, petitioner, v. Olympia Shipping Corporation*. Petition for writ of certiorari to the Court of Claims denied.

No. 520. *Ira M. Petersime & Son, etc., petitioner, v. John L. Robbins, Trading as Robbins Incubator Manufacturing Company*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 523. *Southern Lumber Company, petitioner, v. The United States of America*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 524. *Leonard J. Woodruff, petitioner, v. Hubert F. Laugharn, as Trustee in Bankruptcy of the Estate of Golden State Gem Company, Bankrupt*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 532. *Drainage District No. 17, of Mississippi County, Arkansas, et al., petitioners, v. The Guardian Trust Company, as Trustee, et al.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

The Chief Justice also announced the following order:

It is ordered by this Court that the bond of the Marshal, Frank K. Green, dated January 1, 1932, be, and the same is, this day approved and recorded.

No. 611. *The United States of America, appellant, v. Leonard L. Pearson*. Appeal from the District Court of the United States for the Northern District of Texas. Appeal dismissed and mandate granted on motion of Mr. Solicitor General Thacher for the appellant.

No. 568. The United States of America, appellant, *v.* Swift & Company et al. Motion to advance submitted by Mr. Solicitor General Thacher for the appellant.

No. 569. American Wholesale Grocers Association et al., appellants, *v.* Swift & Company et al. Motion to advance submitted by Mr. Edgar Watkins for the appellants.

No. 570. National Wholesale Grocers Association, appellant *v.* Swift & Company et al. Motion to advance submitted by Mr. Frank K. Nebeker for the appellant.

No. —, original. The State of Ohio, plaintiff, *v.* The Chattanooga Boiler and Tank Company, a Tennessee Corporation, Chattanooga, Tennessee. Motion for leave to file declaration and agreed statement of facts submitted by Mr. Gilbert Bettman for the plaintiff.

No. 564. Genevieve Welosky, petitioner, *v.* Commonwealth of Massachusetts. Leave granted to file brief of the National Woman's Party as *amicus curiae*, on motion of Madge Lee Guard in that behalf.

No. 564. Genevieve Welosky, petitioner, *v.* Commonwealth of Massachusetts. Leave granted to file brief of the National Association of Women Lawyers as *amicus curiae*, on motion of Laura M. Berrien in that behalf.

No. —, original. Ex Parte: Michael P. Kosolapov, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Borris M. Komar for the petitioner.

No. 5, original. The State of Wisconsin et al., complainants, *v.* The State of Illinois and Sanitary District of Chicago et al.;

No. 8, original. The State of Michigan et al., complainants, *v.* The State of Illinois and Sanitary District of Chicago et al.; and

No. 9, original. The State of New York et al., complainants, *v.* State of Illinois and Sanitary District of Chicago et al. Report of Sanitary District of Chicago, dated January 1, 1932, presented.

No. 297. Mrs. Iris Christine Bergholm et al., petitioners, *v.* Peoria Life Insurance Company of Peoria, Illinois. Motion to dismiss submitted by Mr. John M. Elliott and Mr. J. B. Wolfenbarger for the respondent in support of the motion, and by Mr. Tom Connally for the petitioners in opposition thereto.

No. 333. Hartford Accident & Indemnity Company, appellant, *v.* O. L. Bunn, doing business as Bunn Electric Company, et al. Motion to dismiss or affirm submitted by Mr. L. T. Kennedy, Mr. Gerald Brandon, Mr. E. H. Ratcliff, Mr. Marcellus Green, Mr. Joseph E. Brown, and Mr. Garner W. Green for the appellees in support of the motion, and by Mr. W. Calvin Wells, Mr. Arthur

G. Powell, and Mr. Max F. Goldstein for the appellants in opposition thereto.

No. 333. Hartford Accident & Indemnity Company, appellant, *v.* O. L. Bunn, doing business as Bunn Electric Company et al. Motion of the Aetna Casualty & Surety Company to be made a party appellant submitted by Mr. W. Calvin Wells, Mr. Arthur G. Powell, and Mr. Max F. Goldstein for the appellant in support of the motion, and by Mr. Marcellus Green and Mr. Garner W. Green for the appellees in opposition thereto.

No. 494. American Surety Company of New York, petitioner, *v.* Vivian F. Baldwin and E. R. Baldwin. Motion to dismiss submitted by Mr. James F. Ailshie for the respondents in support of the motion, and by Mr. Allan C. Rowe and Mr. Wm. Marshall Bullitt for the petitioner in opposition thereto.

No. 537. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Wilson Lumber Company;

No. 538. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Moore Lumber Company; and

No. 539. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Byrnes Lumber Company. Motion by the respondent that the Court consider certain proceedings before the Board of Tax Appeals submitted by Mr. S. L. Herold and Mr. John B. Files for the respondents in support of the motion, and by Mr. Solicitor General Thacher for the petitioner in opposition thereto.

No. 475. New York Title and Mortgage Company, appellant, *v.* W. A. Tarver et al. Statement as to jurisdiction submitted by Mr. R. A. Ritchie, and Mr. Nathan L. Miller for the appellants.

No. 485. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al.; and

No. 486. Corporation Commission of the State of Oklahoma et al., appellants, *v.* Champlin Refining Company. Statements as to jurisdiction submitted by Mr. George S. Ramsey, Mr. Harry O. Glasser, Mr. H. G. McKeever, and Mr. Edgar O. DeMeules for the appellant in No. 485, and by Mr. J. Berry King, Mr. E. S. Ratliff, and Mr. W. P. Z. German for the appellants in No. 486.

No. 513. The United States of America, appellant, *v.* O. B. Limehouse. Statement as to jurisdiction submitted by Mr. Solicitor General Thacher for the appellant.

No. 568. The United States of America, appellant, *v.* Swift & Company et al.;

No. 569. American Wholesale Grocers Association et al., appellants, *v.* Swift & Company et al.; and

No. 570. National Wholesale Grocers Association, appellants. *v.* Swift & Company et al. Statements as to jurisdiction submitted by

Mr. Solicitor General Thacher, and Mr. Assistant to the Attorney General O'Brian for the appellant in No. 568; by Mr. Edgar Watkins, Mr. Mac Asbill, and Mr. Edgar Watkins, jr., for the appellants, in No. 569; and by Mr. William C. Breed for the appellant in No. 570.

No. 494. American Surety Company of New York, petitioner, *v.* Vivian F. Baldwin and E. R. Baldwin. Petition for writ of certiorari to the Supreme Court of the State of Idaho submitted by Mr. Allan C. Rowe and Mr. Wm. Marshall Bullitt for the petitioner, and by Mr. James F. Ailshie for the respondents.

No. 506. American Trading Company, petitioner, *v.* H. E. Heacock Co.; and

No. 507. Wm. A. Rogers, Ltd., and American Trading Company, petitioners, *v.* H. E. Heacock Co. Petition for writs of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Harry D. Nims, Mr. James J. Kennedy, Mr. Wm. Cattron Rigby, and Mr. Minturn DeS. Verdi for the petitioners, and by Mr. John P. Bartlett and Mr. Edward S. Rogers for the respondent.

No. 527. Ira Jewell Williams, petitioner, *v.* J. S. MacLaughlin, Collector of Internal Revenue for the First District of Pennsylvania. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Ira Jewell Williams for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Andrew D. Sharpe, and Mr. Wm. H. Riley, jr., for the respondent.

No. 528. Peirce Coombes, petitioner, *v.* Milton E. Getz. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. W. H. Douglass and Mr. Nat Schmulowitz for the petitioner, and by Mr. Oscar Lawler and Mr. Alfred Sutro for the respondent.

No. 533. Addie Carlson and Columbia Casualty Company, petitioners, *v.* Industrial Accident Commission et al.; Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. Oliver Dibble for the petitioners, and by Mr. George C. Faulkner for the respondents.

No. 534. Addie Carlson and Columbia Casualty Company, petitioners, *v.* Industrial Accident Commission and Manuel Gomez. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. Oliver Dibble for the petitioners, and by Mr. George C. Faulkner for the respondents.

No. 535. Norman Klauder, Trustee in Bankruptcy, etc., petitioner, *v.* Flora E. Smyth, Assignee of Louis A. Shalet. Petition for writ of certiorari to the United States Circuit Court of Appeals for the

Third Circuit submitted by Mr. D. Arthur Magaziner for the petitioner, and by Mr. Russell Duane for the respondent.

No. 536. Jonas & Neuburger, petitioner, *v.* General Motors Acceptance Corporation et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Louis S. Posner and Mr. David Haar for the petitioner, and by Mr. Albert M. Levert and Mr. John Thomas Smith for the respondents.

No. 537. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Wilson Lumber Company;

No. 538. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Moore Lumber Company;

No. 539. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Byrnes Lumber Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. S. L. Herold, and Mr. John B. Files for the respondents.

No. 540. Max Swartz et al., etc., petitioners, *v.* Benjamin F. Miller. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Julius C. Levi and Mr. Robert T. McCracken for the petitioners, and by Mr. Frank S. Busser for the respondent.

No. 541. Knut Knutsen, a Citizen of Norway, Claimant, etc., petitioner, *v.* Associated Oil Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. H. Richard Kelly and Mr. Ira S. Lillick, for the petitioner, and by Mr. S. Hasket Derby for the respondent.

No. 543. Argonaut Consolidated Mining Company, petitioner, *v.* Charles W. Anderson, as Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas Thomas Smith and Mr. Anthony J. Russo for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. John H. McEvers, and Mr. W. Marvin Smith for the respondent.

No. 544. Ruby Lee Minar and Ruby Lee Minar, Incorporated, petitioners, *v.* Bertha H. Hammett; and

No. 545. Ruby Lee Minar and Ruby Lee Minar, Incorporated, petitioners, *v.* Bertha H. Hammett. Petition for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John S. Barbour for the petitioners, and by Mr. Julius I. Peyser and Mr. Milton Strasburger for the respondents.

No. 549. Chicago, St. Paul, Minneapolis & Omaha Railway Company, petitioner, *v.* Ruth J. Henkel, as Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Ray N. Van Doren and Mr. William T. Faricy for the petitioner, and by Mr. Mortimer H. Boutelle for the respondent.

No. 551. Frances-Ralph Realty Company, petitioner *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. L. London for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Richardson, Mr. Whitney North Seymour, and Mr. William H. Riley, jr., for the respondent.

No. 552. United Drug Company, petitioner, *v.* Ireland Candy Company and National Equipment Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Brenton K. Fisk and Mr. Delos G. Haynes for the petitioner, and by Mr. Edward C. Taylor for the respondent.

No. 554. Independent School District No. 18, of Lake Park, Minnesota, petitioner, *v.* American Surety Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. A. Fosnes for the petitioner, and by Mr. Thomas C. Daggett for the respondent.

No. 555. Atlanta and Charlotte Air Line Railway Company et al., petitioners, *v.* Verna Cato, Administratrix, etc. Petition for 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 petitioners, and by Mr. Sam J. Nicholls and Mr. C. C. Wyche for the respondent.

No. 556. Walter W. De Lapp and Mrs. Walter W. De Lapp, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Ernest S. Cary for the petitioners, and by Mr. Solicitor General Thacher and Mr. Whitney North Seymour for the respondent.

No. 564. Genevieve Welosky, petitioner, *v.* Commonwealth of Massachusetts. Petition for writ of certiorari to the Superior Court of Suffolk County, Commonwealth of Massachusetts, submitted by Mr. Joseph Bearak for the petitioner.

No. 565. First National Bank and Trust Company in Macon, petitioner, *v.* Stevens, Ordinary. Petition for writ of certiorari to

the Supreme Court of the State of Georgia submitted by Mr. Clifford L. Anderson, Mr. John A. Hynds, Mr. Hughes Spalding, and Mr. John Sibley for the petitioner.

No. 571. O. C. Adams, J. A. Alexander, and others, Former Stockholders, etc., et al., petitioners, *v.* Keystone Credit Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. R. Walton Moore, Mr. John S. Barbour, Mr. Robert H. McNeill, Mr. A. W. Patterson, and Mr. M. J. Fulton for the petitioners, and by Mr. Hartwell Cabell and Mr. John S. Eggleston for the respondents.

No. 457. Patrick J. Hurley et al., petitioners, *v.* R. Foster Kincaid, Sr. Three and one-half hours allowed for the oral argument of this case. Argument commenced by Mr. Solicitor General Thacher for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 5, will be as follows: Nos. 457, 200 (and 201), 217, 248, 251, 252, 258, 263, 265, 270.

SUPREME COURT OF THE UNITED STATES

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

H. Clay Espey, of Washington, D. C.; Augustin Donovan, of Oakland, Calif.; Earl Warren, of Oakland, Calif.; Eugene T. MacIlvaine, of Jacksonville, Fla.; Winston K. Joffrion, of Marksville, La.; Joseph A. Bayer, of Mansfield, Ohio; and E. D. Millikin, of Denver, Colo., were admitted to practice.

No. 457. Patrick J. Hurley et al., petitioners, *v.* R. Foster Kincaid, Sr. Argument continued by Mr. Solicitor General Thacher for the petitioners, by Mr. H. H. Russell and Mr. William C. Dufour for the respondent, and concluded by Mr. Solicitor General Thacher for the petitioner.

No. 200. Harry M. Blackmer, petitioner, *v.* The United States of America; and

No. 201. Harry M. Blackmer, petitioner, *v.* The United States of America. Argument commenced by Mr. Karl C. Schuyler for the petitioner, and continued by Mr. Atlee Pomerene for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 6, will be as follows: Nos. 200 (and 201), 217, 248, 251, 252, 258, 263, 265, 270, and 291.

SUPREME COURT OF THE UNITED STATES

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

No. 200. Harry M. Blackmer, petitioner, *v.* The United States of America; and

No. 201. Harry M. Blackmer, petitioner, *v.* The United States of America. Argument continued by Mr. Atlee Pomerene for the respondent, and concluded by Mr. George Gordon Battle for the petitioner.

No. 217. William Stevens, petitioner, *v.* The Vessel "White City," her engines, tackles, apparel, etc. Argued by Mr. Neil P. Cullom for the petitioner, and by Mr. Chauncey I. Clark for the respondent.

No. 248. Mrs. George G. Snowden et al., petitioners, *v.* Red River and Bayou Des Glaises Levee and Drainage District of Louisiana et al. Argued by Mr. Winston K. Joffrion for the petitioners, and case submitted by Mr. W. E. Covillian for the respondents.

No. 251. Peter H. Miller, Individually and as Collector of Internal Revenue for the District of Florida, petitioner, *v.* The Standard Nut Margarine Company of Florida; and

No. 252. Josiah T. Rose, Collector of Internal Revenue for the District of Georgia, petitioner, *v.* The Standard Nut Margarine Company of Florida. Argued by Mrs. Whitney North Seymour for the petitioners, and by Mr. George N. Murdock and Mr. E. H. McIlvaine for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 7, will be as follows: Nos. 258, 263, 265, 270, 291, 296, 311, 314, 319, and 324.

SUPREME COURT OF THE UNITED STATES

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

Arthur D. Klang, of San Francisco, Calif.; Carl C. Donough, of Portland, Oreg.; Hattie L. Henenberg, of Dallas, Tex.; Winfield P. Jones, of Atlanta, Ga.; Clarence A. Powell, of Jefferson City, Mo.; and Hartwell H. Linney, of San Francisco, Calif., were admitted to practice.

No. **258**. Central Pacific Railway Company and Southern Pacific Company, petitioners, *v.* County of Alameda et al., etc. Argued by Mr. C. F. R. Ogilby for the petitioners, and by Mr. Earl Warren for the respondents.

No. **263**. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* Clarence Bezué. Argued by Mr. Edward R. Brumley for the petitioner, and by Mr. Thomas J. O'Neill for the respondent.

No. **265**. L. A. Nixon, petitioner, *v.* James Condon and C. H. Kollé. Argued by Mr. James Marshall for the petitioner. No appearance for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, January 8, will be as follows: Nos. **270, 291, 296, 311, 314, 319, 324, 325, 332, and 333**.

79704—32—45

SUPREME COURT OF THE UNITED STATES

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

William J. Guste, of New Orleans, La.; Philip C. Friese, of Baltimore, Md.; Leon Thomas David, of Los Angeles, Calif.; Walter F. Woodul, of Houston, Tex.; S. A. L. Morgan, of Amarillo, Tex.; Robert Oliver Mason, of Columbus, Kans.; and James M. Guiher, of Clarksburg, W. Va., were admitted to practice.

No. 270. The Pacific Company, Ltd., appellant, *v.* Charles G. Johnson, State Treasurer of the State of California. Argued by Mr. Stuart Chevalier for the appellant, and by Mr. H. H. Linney for the appellee.

No. 291. Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Mack Saxon, Ancillary Administrator, etc. Argued by Mr. A. H. Culwell for the petitioner, and by Mr. Winbourn Pearce for the respondent.

No. 296. United States Navigation Company, Inc., petitioner, *v.* The Cunard Steamship Company, Ltd., et al. Argument commenced by Mr. Mark. W. Maclay for the petitioner, and continued by Mr. Roscoe H. Hupper for the respondents.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 11, will be as follows: Nos. 296, 84, 178, 311, 118, 314, 319, 324, 325, 332.

SUPREME COURT OF THE UNITED STATES

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

George H. Rummens, of Seattle, Wash.; Carl T. Hoffman, of Miami, Fla.; Joseph A. McLaughlin, of New York City; John A. Mobley, of Houston, Tex.; Lester T. Parker, of Olympia, Wash.; Joseph B. Brennan, of Atlanta, Ga.; Daniel H. Redfearn, of Miami, Fla.; John Andy Smith, of Talbotton, Ga.; and Henry K. Gibson, of Miami, Fla., were admitted to practice.

No. 185. Baltimore and Philadelphia Steamboat Company and Maryland Casualty Company, petitioners, *v.* Augustus P. Norton, Deputy Commissioner for Third Compensation District of United States, and Emil Bruno Gube. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree modified and affirmed as modified, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Butler.

No. 393. James Dunn, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed and cause remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Justice Holmes. Dissenting opinion by Mr. Justice Butler.

The Chief Justice announced the following order of the Court:
 No. 248. Mrs. George G. Snowden et al., petitioners, *v.* Red River and Bayou Des Glaises Levee and Drainage District of Louisiana et al. On writ of certiorari to the Supreme Court of the State of Louisiana. *Per curiam*: After hearing oral argument the Court, being of opinion that no substantial Federal question is presented, dismisses the writ of certiorari.

The Chief Justice announced:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of

jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the Clerk of the Court.

No. —, original. The State of Ohio, plaintiff, *v.* Chattanooga Boiler & Tank Company. The motion of the State of Ohio for leave to file a petition in this Court in the above entitled cause is granted. It appearing that the Chattanooga Boiler & Tank Co. has waived the issue and service of summons herein and has voluntarily entered its appearance as defendant in this Court in this cause, it is ordered that the said defendant have twenty days from this date within which to plead.

No. —, original. *Ex Parte*: Michael P. Kosolapov, petitioner. The motion for leave to file petition for writ of mandamus is denied.

No. 5, original. The State of Wisconsin et al., complainants, *v.* The State of Illinois et al.;

No. 8, original. The State of Michigan et al., complainants, *v.* The State of Illinois et al.; and

No. 9, original. The State of New York et al., complainants, *v.* The State of Illinois et al. The semiannual report of the defendant Sanitary District of Chicago, dated January 1, 1932, is received and ordered to be filed.

No. 297. Mrs. Iris Christine Bergholm et al., petitioners, *v.* Peoria Life Insurance Company of Peoria, Illinois. Further consideration of the motion to dismiss is postponed to the hearing of the case on the merits.

No. 333. Hartford Accident & Indemnity Company, appellant, *v.* O. L. Bunn, doing business as Bunn Electric Company, et al. Further consideration of the motion to dismiss or affirm and of the motion of the Aetna Casualty & Surety Company to be made a party appellant is postponed to the hearing of the case on the merits.

No. 513. The United States of America, appellant, *v.* O. B. Limehouse. In this case probable jurisdiction is noted and the case is advanced and assigned for argument on Tuesday, February 23 next, after the case heretofore assigned for that day.

No. 568. The United States of America, appellant, *v.* Swift & Company et al.;

No. 569. American Wholesale Grocers Association et al., appellants, *v.* Swift & Company et al.; and

No. 570. National Wholesale Grocers Association, appellant, *v.* Swift & Company et al. In these cases probable jurisdiction is noted. The motions to advance are granted and the cases are assigned for argument on Monday, February 29 next.

No. 475. New York Title and Mortgage Company, appellant, *v.* W. A. Tarver;

No. 485. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al.; and

No. 486. Corporation Commission of the State of Oklahoma et al., appellants, *v.* Champlin Refining Company. In these cases probable jurisdiction is noted.

No. 494. American Surety Company of New York, petitioner, *v.* Vivian F. Baldwin and E. R. Baldwin. Action upon this petition for writ of certiorari is withheld awaiting the action of the Supreme Court of Idaho in the matters pending before it.

No. 528. Peirce Coombes, petitioner, *v.* Milton E. Getz. The petition for writ of certiorari herein to the Supreme Court of the State of California is granted, and the case is advanced and assigned for argument on Tuesday, February 23 next, after the cases heretofore assigned for that day.

No. 506. American Trading Company, petitioner, *v.* H. E. Heacock Co.; and

No. 507. Wm. A. Rogers, Ltd., and American Trading Company, petitioners, *v.* H. E. Heacock Co. Petition for writs of certiorari to the Supreme Court of the Philippine Islands granted.

No. 537. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Wilson Lumber Company;

No. 538. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Moore Lumber Company; and

No. 539. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Byrnes Lumber Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. The motion of respondents requesting consideration of certain proceedings before the Board of Tax Appeals subsequent to the decision of the Circuit Court of Appeals is denied.

No. 527. Ira Jewell Williams, petitioner, *v.* J. S. MacLaughlin, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 533. Addie Carlson and Columbia Casualty Company, petitioners, *v.* Industrial Accident Commission et al. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 534. Addie Carlson and Columbia Casualty Company, petitioners, *v.* Industrial Accident Commission and Manuel Gomez. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 535. Norman Klauder, Trustee in Bankruptcy, et al., etc., petitioner, *v.* Flora E. Smyth, Assignee of Louis A. Shalet. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 536. Jonas & Neuburger, petitioner, *v.* General Motors Acceptance Corporation et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 540. Max Swartz et al., petitioners, *v.* Benjamin F. Miller. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 541. Knut Knutsen, a citizen of Norway, Claimant, etc., petitioner, *v.* Associated Oil Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 543. Argonaut Consolidated Mining Company, petitioner, *v.* Charles W. Anderson, as Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 544. Ruby Lee Minar and Ruby Lee Minar, Incorporated, petitioners, *v.* Bertha H. Hammett; and

No. 545. Ruby Lee Minar and Ruby Lee Minar, Incorporated, petitioners, *v.* Bertha H. Hammett. Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied.

No. 549. Chicago, St. Paul, Minneapolis & Omaha Railway Company, petitioner, *v.* Ruth J. Henkel, as Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 551. Frances-Ralph Realty Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 552. United Drug Company, petitioner, *v.* Ireland Candy Company and National Equipment Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 554. Independent School District No. 18 of Lake Park, Minnesota, petitioner, *v.* American Surety Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 555. Atlanta and Charlotte Air Line Railway Company et al., petitioners, *v.* Verna Cato, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of South Carolina denied.

No. 556. Walter W. DeLapp and Mrs. Walter W. DeLapp, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 564. Genevieve Welosky, petitioner, *v.* Commonwealth of Massachusetts. Petition for writ of certiorari to the Superior Court of Suffolk County, Commonwealth of Massachusetts, denied.

No. 565. First National Bank and Trust Company in Macon, petitioner, *v.* Stevens, Ordinary. Petition for writ of certiorari to the Supreme Court of the State of Georgia denied.

No. 571. O. C. Adams, J. A. Alexander, and others, etc., et al., petitioners, *v.* Keystone Credit Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 118. Fox Film Corporation, appellant, *v.* Paul H. Doyal, State Tax Commissioner. Upon suggestion of the abolishment of the office of State Tax Commissioner of Georgia and the creation of the State Revenue Commission in lieu thereof, Paul H. Doyal, R. E. Matheson, and William B. Harrison, Members of the State Revenue Commission, are substituted as appellees herein, on motion of Mr. W. A. Sutherland in that behalf.

No. —, original. *Ex Parte*: Rebecca Silverman, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. William H. Lewis for the petitioner.

No. —. Joseph E. Illick et al., petitioners, *v.* Trust Company of Florida et al. Motion for leave to file an abbreviated record as an exhibit to the petition for writ of certiorari to be filed herein submitted by Mr. Henry W. Anderson for the petitioners, in support of the motion, and by Mr. Cary D. Landis, Mr. Carl T. Hoffman, Mr. Henry P. Adair, Mr. Mitchell B. Price, and Mr. D. H. Redfearn for the respondents, in opposition thereto.

No. 324. United Drug Company, appellant, *v.* Frank P. Washburn, Commissioner of Agriculture of the State of Maine. Leave granted to file brief of The People of the State of New York and The Department of Agriculture and Markets as *amici curiae*, on motion of Mr. Henry S. Manley in that behalf.

No. 573. The Excess Insurance Company of America, petitioner, *v.* Charles J. Connor et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Dismissed on motion of counsel for the petitioner.

No. 625. Alvah W. Estabrook, petitioner, *v.* The United States of America. Motion for leave to proceed *in forma pauperis* submitted by Mr. Alvah W. Estabrook *pro se*.

No. 449. Walter H. Gant et al., appellants, *v.* City of Oklahoma City et al. Statement as to jurisdiction submitted by Mr. J. H. Everest for the appellants.

No. 504. Eastern Air Transport, Inc., appellant, *v.* South Carolina Tax Commission et al. Statement as to jurisdiction submitted by Mr. Wm. H. White, jr., and Mr. Christie Benet for the appellant.

No. 511. R. H. Cousins, appellant, *v.* Sovereign Camp, Woodmen of the World. Statement as to jurisdiction submitted by Mr. John D. Cofer for the appellant, in support thereof, and by Mr. Charles L. Black for the appellee, in opposition thereto.

No. 512. Vincent J. Gianatasio, appellant, *v.* Abraham Kaplan et al. Statement as to jurisdiction submitted by Mr. Copal Mintz for the appellant, in support thereof, and by Mr. Arthur J. W. Hilly, Mr. J. Joseph Lilly, and Mr. Frederick A. Keck for the appellees, in opposition thereto.

No. 521. Kansas City Public Service Company, appellant, *v.* John R. Ranson, as Collector, etc. Statement as to jurisdiction submitted by Mr. Robert W. Otto, Mr. Henry N. Ess, and Mr. Powell C. Groner for the appellant, in support thereof, and by Mr. Henry L. McCune and Mr. E. H. Wright for the appellee, in opposition thereto.

No. 525. Hartford Accident & Indemnity Company, appellant, *v.* F. E. McPherson, Administrator of Willie Gant, Deceased. Statement as to jurisdiction submitted by Mr. R. M. Robinson for the appellant.

No. 526. Thomas K. Glenn, appellant, *v.* Paul H. Doyal, State Tax Commissioner. Statement as to jurisdiction submitted by Mr. John A. Sibley, Mr. Marion Smith, and Mr. Herman H. Swift for the appellant.

No. 558. Morris Levinson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit, submitted by Mr. Louis Halle for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 559. Trinity Methodist Church, South, petitioner, *v.* Federal Radio Commission. Petition for writ of certiorari to the Court of Appeals of the District of Columbia, submitted by Mr. Louis G. Caldwell for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant to the Attorney General O'Brian, Mr. Whitney North Seymour, Mr. Charles H. Weston, Mr. W. Marvin Smith, and Mr. Thad H. Brown for the respondent.

No. 572. Lucy C. Taylor, Administratrix, etc., petitioner, *v.* Southern Railway Company. Petition for writ of certiorari to the Supreme Court of Appeals of the State of Virginia, submitted by Mr. Charles Curry for the petitioner, and by Mr. Geo. E. Walker, Mr. Thomas B. Gay, and Mr. Wirt P. Marks, jr., for the respondent.

No. 577. O. K. Jelks & Son, petitioners, *v.* Tom Huston Peanut Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, submitted by Mr. Charles R. Fenwick and Mr. William D. Jones, jr., for the petitioners, and by Mr. J. Lewis Stackpole for the respondent.

No. 579. Pioneer Cooperaage Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit, submitted by Mr. Stanley S. Waite for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, Mr. Norman D. Keller, and Mr. William H. Riley, jr., for the respondent.

No. 296. United States Navigation Company, Inc., petitioner, *v.* The Cunard Steamship Company, Ltd., et al. Argument continued by Mr. Roscoe H. Hupper for the respondents, and concluded by Mr. Mark W. Maclay for the petitioner.

No. 84. W. L. Mathews et al., appellants, *v.* J. F. Rodgers et al. Reargued by Mr. J. A. Lauderdale for the appellants, and by Mr. Edward W. Smith for the appellees.

No. 178. William J. Stratton, as Secretary of State of the State of Illinois, appellant, *v.* St. Louis Southwestern Railway Company. Reargued by Mr. Bayard Lacey Catron for the appellant and by Mr. Josiah Whitnel for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 12, will be as follows: Nos. 311, 118, 314, 319, 324, 325, 332, 333, 337, and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Earl A. Merrill, of Westfield, N. J.; P. Michael Cook, of Washington, D. C.; and Walter F. Mayer, of Milwaukee, Wis., were admitted to practice.

No. 311. St. Paul Fire & Marine Insurance Company, petitioner, *v.* Sophia C. Bachmann. Argued by Mr. James M. Guiher for the petitioner, and by Mr. Charles J. Schuck and Mr. Carl G. Bachmann for the respondent.

No. 118. Fox Film Corporation, appellant, *v.* Paul H. Doyal et al., etc. Argument commenced by Mr. Joseph B. Brennan for the appellant, continued by Mr. Orville A. Park for the appellees, and concluded by Mr. W. A. Sutherland for the appellant.

No. 314. Realty Acceptance Corporation, petitioner, *v.* Henry G. Montgomery. Argued by Mr. R. Randolph Hicks for the petitioner, and by Mr. Thomas J. Crawford for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 13, will be as follows: Nos. 319, 324, 325, 332, 333, 337, 338, 341, 348, and 349.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

David Robinson, of Portland, Oreg., and Earl H. Hatcher, of Topeka, Kans., were admitted to practice.

The Chief Justice announced the following order of the Court:

It is ordered by this Court that the accompanying correspondence between members of the Court and Mr. Justice Holmes, upon his retirement as an Associate Justice of the Court, be this day spread upon the record, and that it also be printed in the reports of the Court.

SUPREME COURT OF THE UNITED STATES,
Washington, D. C., January 12, 1932.

DEAR JUSTICE HOLMES: We can not permit your long association in the work of the Court to end without expressing our keen sense of loss and our warm affection. Your judicial service of over forty-nine years—twenty years in the Supreme Judicial Court of Massachusetts and twenty-nine years upon this bench—has a unique distinction in uninterrupted effectiveness and exceptional quality. Your profound learning and philosophic outlook have found expression in opinions which have become classic, enriching the literature of the law as well as its substance. With a most conscientious exactness in the performance of every duty, you have brought to our collaboration in difficult tasks a personal charm and a freedom and independence of spirit which have been a constant refreshment. While we are losing the privilege of daily companionship, the most precious memories of your unfailing kindness and generous nature abide with us, and these memories will ever be one of the choicest traditions of the Court.

Deeply regretting the necessity for your retirement, we trust that—relieved of the burden which had become too heavy—you may

have a renewal of vigor and that you may find satisfaction in your abundant resources of intellectual enjoyment.

Affectionately yours,

CHARLES E. HUGHES.
 WILLIS VAN DEVANTER.
 JAMES C. McREYNOLDS.
 LOUIS D. BRANDEIS.
 GEORGE SUTHERLAND.
 PIERCE BUTLER.
 HARLAN F. STONE.
 OWEN J. ROBERTS.

Mr. JUSTICE HOLMES.

SUPREME COURT OF THE UNITED STATES,
Washington, D. C., January 12, 1932.

MY DEAR BRETHREN: You must let me call you so once more. Your more than kind, your generous, letter touches me to the bottom of my heart. The long and intimate association with men who so command my respect and admiration could not but fix my affection as well. For such little time as may be left for me I shall treasure it as adding gold to the sunset.

Affectionately yours,

O. W. HOLMES.

The CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE SUPREME COURT
 OF THE UNITED STATES OF AMERICA.

No. 319. A. O. Arneson, and His Wife Mary Arneson, et al., appellants, *v.* United Irrigation Company etc., et al. Leave granted Mr. J. Q. Henry to appear and present oral argument, *pro hac vice*, on motion of Mr. S. J. Brooks in that behalf.

No. 319. A. O. Arneson, and His Wife Mary Arneson, et al., appellants, *v.* United Irrigation Company etc., et al. Argued by Mr. S. J. Brooks for the appellants, and by Mr. J. A. Mobley and Mr. J. Q. Henry, *pro hac vice*, by special leave of Court, for the appellees.

No. 324. United Drug Company, appellant, *v.* Frank P. Washburn, Commissioner of Agriculture of the State of Maine. Argument commenced by Mr. Brenton K. Fisk for the appellant. The Court declined to hear further argument.

No. 325. T. Irving Potter and G. E. Bahr, appellants, *v.* Charles R. Maybury, as Director of Licenses of the State of Washington,

et al. Argument commenced by Mr. G. H. Rummens for the appellants. The Court declined to hear further argument.

No. **332**. J. Howard Leman, Administrator, etc., et al., petitioners, *v.* Krentler-Arnold Hinge Last Company. Argument commenced by Mr. Ellis Spear, jr., for the petitioner, and continued by Mr. Robert Cushman for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 14, will be as follows: Nos. **332, 333, 337, 338, 341, 348, 349, 355, 356, and 365.**

SUPREME COURT OF THE UNITED STATES

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

S. B. Laub, Natchez, Miss.; Harris J. Booras, of Boston, Mass.; George W. Newgass, of New York City; Joseph J. Klein, of New York City; Gerard H. Brandon, of Natchez, Miss.; Benjamin L. Stein, of Paterson, N. J.; Cleon R. Nixon, of Tulsa, Okla.; Jacob I. Grossman, of Chicago, Ill.; James N. Hardin, of Greeneville, Tenn.; L. Barrett Jones, of Jackson, Miss.; Ruth Hastings, of Stamford, Tex.; Emil L. Klett, of Lubbock, Tex.; Carl Runge, of Mason, Tex.; and J. I. Kilpatrick, of Lubbock, Tex., were admitted to practice.

No. **332**. J. Howard Leman, Administrator, etc., et al., petitioners, *v.* Krentler-Arnold Hinge Last Company. Argument continued by Mr. Robert Cushman for the respondent, and concluded by Mr. Ellis Spear, jr., for the petitioner.

No. **333**. Hartford Accident & Indemnity Company, appellant, *v.* O. L. Bunn, Doing Business as Bunn Electric Company, et al. Argument commenced by Mr. Marion Smith for the appellant; continued by Mr. Gerard H. Brandon for appellees Bunn et al.; by Mr. S. B. Laub for appellees, Natchez Investment Company et al.; by Mr. Garner W. Green for appellees, Enochs Lumber & Manufacturing Company, et al.; and concluded by Mr. L. Barrett Jones for the appellant.

No. **337**. Western Distributing Company, appellant, *v.* The Public Service Commission of the State of Kansas et al. Argued by Mr. Robert D. Garver for the appellant; and by Mr. E. H. Hatcher for the appellees.

No. **338**. Dahlstrom Metallic Door Company et al., appellants, *v.* Industrial Board of the State of New York. Argument commenced by Mr. Robert H. Jackson for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 15, will be as follows: Nos. **338, 341, 348, 349, 355, 356, 365, 378, 387, and 391.**

SUPREME COURT OF THE UNITED STATES

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

Allan T. Gilbert, of Chicago, Ill.; William D. Gilbert, of Chicago, Ill.; George Sanford Parsons, of New York City; Harry W. Forbes, of New York City; and Frederick Ewin Youngman, of Washington, D. C., were admitted to practice.

No. 341. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Coronado Oil and Gas Company. Leave granted to file brief of the State of Oklahoma, as *amicus curiae*, on motion of Mr. J. Berry King in that behalf.

No. 338. Dahlstrom Metallic Door Company et al., appellants, *v.* Industrial Board of the State of New York. Leave granted to file brief of the State of Wisconsin, as *amicus curiae*, on motion of Mr. Walter F. Dodd, in that behalf.

No. 338. Dahlstrom Metallic Door Company et al., appellants, *v.* Industrial Board of the State of New York. Argument continued by Mr. Robert H. Jackson for the appellants. The Court declined to hear further argument.

No. 341. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Coronado Oil and Gas Company. Argued by Mr. Solicitor General Thacher for the petitioner, and by Mr. Thomas P. Gore and Mr. David A. Richardson for the respondent.

No. 348. United States Cartridge Company, petitioner, *v.* The United States. Argument commenced by Mr. Harry LeBaron Sampson for the petitioner, and continued by Mr. Assistant Attorney General Rugg for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 18, will be as follows: Nos. 348, 349, 297, 355, 356, 365, 378, 387, 391, and 401.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

John Murdoch MacGregor, of Brooklyn, N. Y.; Byron D. Anderson, of Salt Lake City, Utah; Samuel Jacob Kaufman, of Newark, N. J.; Louis K. Press, of Newark, N. J.; Joseph Zemel, of Newark, N. J.; Russell B. Becker, of Ashland, Ky.; I. Herman Sher, of New York City; J. Howard Payne, of Baltimore, Md.; Louis J. Schneider, of Cincinnati, Ohio; Robert N. Gorman, of Cincinnati, Ohio; Dudley Miller Outcalt, of Cincinnati, Ohio; Clarence A. Randolph, of Kansas City, Mo.; Cecil R. Warner, of Fort Smith, Ark.; and Leonard M. Blum, of Cleveland, Ohio, were admitted to practice.

The Chief Justice announced the following orders of the Court:
 No. **319**. A. O. Arneson, and his wife Mary Arneson, Fred Guerin, et al., appellants, *v.* United Irrigation Company, etc., et al. Appeal from the Court of Civil Appeals, Fourth Supreme Judicial District, State of Texas. *Per curiam*: The appeal herein is dismissed for the reason that the decree of the state court sought here to be reviewed was based on non-federal grounds adequate to support it (*Farson Son & Co. v. Bird*, 248 U. S. 268; *Browne v. Union Pacific R. R. Co.*, 267 U. S. 255; *Live Oak Water Users' Association v. Railroad Commission of California*, 269 U. S. 354, 359; *Security National Bank v. Twinde*, 278 U. S. 659; *Garysburg Mfg. Co. v. Board of Commissioners*, 280 U. S. 520); and for the want of a substantial federal question (*Wabash Ry. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191).

No. **324**. United Drug Company, appellant, *v.* Frank P. Washburn, Commissioner of Agriculture of the State of Maine. Appeal from the District Court of the United States for the District of Maine. *Per curiam*: The order denying an interlocutory injunction is affirmed. *Alabama v. United States*, 279 U. S. 229, 231; *United Fuel Gas Co. v. Public Service Commission*, 278 U. S. 322, 326; *National Fire Insurance Co. v. Thompson*, 281 U. S. 331, 338.

No. 325. T. Irving Potter and G. E. Bahr, appellants, *v.* Charles R. Maybury, as Director of Licenses of the State of Washington, et al. Appeal from the Supreme Court of the State of Washington. *Per curiam*: The appeal herein is dismissed for the reason that the decree of the state court here sought to be reviewed was based upon a non-Federal ground adequate to support it. *McCoy v. Shaw*, 277 U. S. 302, 303; *People ex rel. Doyle v. Atwell*, 261 U. S. 590, 591, 592; *Howat v. Kansas*, 258 U. S. 181, 186, 190.

No. 338. Dahlstrom Metallic Door Company et al., appellants, *v.* Industrial Board of the State of New York. Appeal from the Supreme Court of the State of New York, Appellate Division. *Per curiam*: As this case is governed by principles set forth in *New York Central Railroad Company v. White*, 243 U. S. 188, and *Mountain Timber Company v. Washington*, 243 U. S. 219, the judgment is affirmed.

No. 265. L. A. Nixon, petitioner, *v.* James Condon and C. H. Kolle. The application of the respondents for leave to file a brief herein, notwithstanding the expiration of the time allowed therefor, is granted, and the case is restored to the docket for reargument at a date hereafter to be fixed by the Court.

The Chief Justice announced:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the Clerk of the Court.

No. 449. Walter H. Gant, Knox L. Garvin, and A. D. Hudspeth, appellants, *v.* City of Oklahoma City, a Municipal Corporation, and J. W. Van Meter, Superintendent of Buildings. Appeal from the Supreme Court of the State of Oklahoma. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. *Reddall v. Bryan*, 24 How. 420; *Verden v. Coleman*, 18 How. 86; *Augusta Power Co. v. Savannah River Electric Co.*, 284 U. S. II; *Twin City Power Co. v. Savannah River Electric Co.*, 284 U. S. II; *Brannan v. Harrison*, 284 U. S. II.

No. 511. R. H. Cousins, appellant, *v.* Sovereign Camp, Woodmen of the World. Appeal from the Supreme Court of the State of Texas. *Per curiam*: The appeal herein is dismissed for the want of a properly presented federal question. *Hiawassee River Power Co. v. Carolina-Tennessee Power Co.*, 252 U. S. 341, 344; *Lawler v. Walker*, 14 How. 149, 152; *Maxwell v. Newbold*, 18 How. 511, 516, 517; *Yazoo & Mississippi Railroad Company v. Adams*, 180 U. S.

41, 45, 48; Mutual Life Insurance Company *v.* McGrew, 188 U. S. 291, 309, 312.

No. 512. Vincent J. Gianatasio, appellant, *v.* Abraham Kaplan, Ferdinand Q. Morton et al. Appeal from the Supreme Court of the State of New York, New York County. *Per curiam*: The appeal herein is dismissed for the want of a substantial federal question. *Atkin v. Kansas*, 191 U. S. 207; *Heim v. McCall*, 239 U. S. 175.

No. —, original. *Ex Parte*: Rebecca Silverman, petitioner. The motion for leave to file petition for writ of mandamus is denied.

No. —. Joseph E. Illick et al., petitioners, *v.* Trust Company of Florida et al. The motion for leave to file an abbreviated record as an exhibit to the petition for writ of certiorari is granted.

No. 625. Alvah W. Estabrook, petitioner, *v.* F. G. Zerbst, Warden, etc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied. Upon inspection of the papers herein submitted, the Court finds no ground upon which a writ of certiorari should be issued, and the petition for writ of certiorari is therefore also denied.

No. 550. John Borum, John Logan, and Milton Guy *v.* The United States of America. The motion for leave to proceed further herein *in forma pauperis* is granted; the motion to bring up the entire record and cause is denied; and the cause is assigned for argument on Friday, January 22 next, at the head of the call for that day.

No. 504. Eastern Air Transport, Inc., appellant, *v.* South Carolina Tax Commission et al. In this case probable jurisdiction is noted.

No. 521. Kansas City Public Service Company, appellant, *v.* John R. Ranson, as Collector, etc.;

No. 525. Hartford Accident & Indemnity Company, appellant, *v.* F. E. McPherson, Administrator of Willie Gant, Deceased; and

No. 526. Thomas K. Glenn, appellant, *v.* Paul H. Doyal, State Tax Commissioner. Further consideration of the question of the jurisdiction of this Court in these cases is postponed to the hearing on the merits.

No. 460. Clarence W. Haggerty, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 558. Morris Levinson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 559. Trinity Methodist Church, South, petitioner, *v.* Federal Radio Commission. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 572. Lucy C. Taylor, Administratrix of H. N. Taylor, Deceased, petitioner, *v.* Southern Railway Company. Petition for writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 577. O. K. Jelks & Son, petitioners, *v.* Tom Huston Peanut Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 579. Pioneer Cooperage Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

ORDER

The Court will take a recess from Monday, January 25, until Monday, February 15, next.

No. 588. United States on relation of Wilbur F. Stuart, petitioner, *v.* Ray Lyman Wilbur, as Secretary of the Interior. Leave granted respondent to file brief on or before Friday next on motion of Mr. Solicitor General Thacher in that behalf.

No. 583. Chili Fish et al., etc., petitioners, *v.* Walter Wise et al., etc. Consideration of petition for writ of certiorari deferred for one week on motion of Mr. R. L. Owen for the petitioners.

No. 522. Ellison Ranching Company, appellant, *v.* George A. Bartlett. Statement as to jurisdiction submitted by Mr. J. D. Skeen for the appellant in support thereof, and by Mr. A. G. Mashburn and Mr. M. A. Diskin for the appellee in opposition thereto.

No. 529. Dayton C. Thomson et al., appellants, *v.* Marshall N. Dana et al., etc. Statement as to jurisdiction submitted by Mr. W. Y. Masters for the appellants.

No. 530. Girard Trust Company, as Trustee under the last will and testament of Charles I. Cragin, deceased, appellant, *v.* Ocean & Lake Realty Company. Statement as to jurisdiction submitted by Mr. Frank J. Wideman for the appellant in support thereof, and by Mr. William W. Miller and Mr. Francis P. Fleming for the appellee in opposition thereto.

No. 553. Board of Commissioners of the County of Allen, etc., et al., appellants, *v.* The State of Ohio, *ex rel.* J. Charles Bowman. Statement as to jurisdiction submitted by Mr. Melvin C. Light, Mr. James J. Weadock, Mr. Ernest M. Botkin, and Mr. H. E. Garling for the appellant in support thereof, and by Mr. U. G. Denman and Mr. William H. Harris for the appellee in opposition thereto.

No. 557. Ogden & Moffett Company et al., appellants, *v.* Michigan Public Utilities Commission et al. Statement as to jurisdiction submitted by Mr. Percy J. Donovan for the appellants.

No. 580. S. B. Lawrence et al., appellants, *v.* State Tax Commission of the State of Mississippi. Statement as to jurisdiction submitted by Mr. William H. Watkins for the appellants.

No. 561. Mary S. Trotter, petitioner, *v.* Iantha C. Anderson;

No. 562. Mary S. Trotter, petitioner, *v.* John Russel Anderson et al.; and

No. 563. Mary S. Trotter, petitioner, *v.* Baylis Estate Company. Petition for writs of certiorari to the Supreme Court of the State of California submitted by Mr. William Sea, jr., for the petitioners, and by Mr. John L. McNab for the respondent.

No. 575. North American Oil Consolidated, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Herbert W. Clark for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Miss Helen R. Carloss, and Mr. Francis H. Horan for the respondent.

No. 576. John T. Callahan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Louis Halle for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondent.

No. 581. George J. Adams and A. W. Kitchen, Co-partners, etc., petitioners, *v.* Andrew W. Mellon, Director General, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Clair R. Hillyer for the petitioners, and by Mr. Silas H. Strawn, Mr. Ralph M. Shaw, Mr. Frank H. Towner, Mr. Sidney F. Andrews, and Mr. A. A. McLaughlin for the respondents.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. A. Sutherland and Mr. Joseph B. Brennan for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. John H. McEvers, and Mr. William H. Riley, jr., for the respondent.

No. 583. Chili Fish et al., etc., petitioners, *v.* Walter Wise, et al., etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit submitted by Mr. Frank J. Boudinot, Mr. Robert L. Owen, Mr. D. H. Linebaugh, and Mr. Henry G. Thomas for the petitioners, and by Mr. James A. Veasey and Mr. Lloyd G. Owen for the respondents.

No. 584. Joyce Ethel Peters, Administratrix, etc., petitioner, *v.* Wabash Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. William H. Allen for the petitioner, and by Mr. N. S. Brown, Mr. W. H. Woodward, and Mr. Homer Hall for the respondent.

No. 585. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* James M. Borum. Petition for writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Henry S. Mitchell and Mr. John E. Palmer for the petitioner, and by Mr. Tom Davis and Mr. Ernest A. Michel for the respondent.

No. 586. Henri Charpentier, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Harold L. Turk for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. John J. Byrne, and Mr. Paul D. Miller for the respondent.

No. 587. J. P. Stevens Engraving Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. A. Sutherland and Mr. Joseph B. Brennan for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Norman D. Keller, and Mr. William H. Riley, Jr., for the respondent.

No. 588. United States on relation of Wilbur F. Stuart, petitioner, *v.* Ray Lyman Wilbur, as Secretary of the Interior. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Chester I. Long, Mr. Peter Q. Nyce, Mr. Grace McDonald Phillips, and Mr. Samuel W. McIntosh for the petitioner.

No. 590. Herman O. Hagner and Julia C. Hagner, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Wm. J. Hughes, jr., Mr. Lucian H. Vandoren, and Mr. Wm. E. Leahy for the petitioners, and by Mr. Solicitor General Thacher and Mr. Whitney North Seymour for the respondent.

No. 591. George A. Greible, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Cir-

cuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles A. Houts for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 600. Keziah Reed et al., petitioners, *v.* Lorenzo Allen. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. J. Wilmer Latimer, Mr. Walter C. Clephane, and Mr. Gilbert L. Hall for the petitioners, and by Mr. Alvin L. Newmyer and Mr. George C. Gertman for the respondent.

No. 605. Missouri Pacific Railroad Company, petitioner, *v.* W. F. Miller, Administrator of Cruce Miller, deceased, and W. F. Miller. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Edward J. White and Mr. Thomas B. Pryor for the petitioner, and by Mr. David S. Partain for the respondent.

No. 349. Old Colony Railroad Company, petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. James S. Y. Ivins for the petitioner, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 297. Mrs. Iris Christine Bergholm et al., petitioners, *v.* Peoria Life Insurance Company of Peoria, Illinois. Argued by Mr. E. L. Klett for the petitioners, and by Mr. J. I. Kilpatrick for the respondent.

No. 355. Frank Collis Bowers, as Executor, etc., petitioner, *v.* Lawyers Mortgage Company. Argument commenced by Mr. Claude R. Branch for the petitioner, and continued by Mr. Harry W. Forbes for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 19, will be as follows: Nos. 355, 356, 42 (and 48), 357, 365, 378, 387, 391, 401, and 403.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

James Park, of Lexington, Ky.; Lloyd D. Martin, of St. Petersburg, Fla.; Ralph F. Lozier, of Carrollton, Mo.; Justus F. Mozart, of Chicago, Ill.; A. G. C. Bierer, jr., of Guthrie, Okla.; Gardner Abbott, of Cleveland, Ohio; and William H. Reeder, jr., of Ogden, Utah, were admitted to practice.

No. 581. George J. Adams and A. W. Kitchen, Co-partners, etc., petitioners, *v.* Andrew W. Mellon, Director General, etc., et al. Leave granted to file brief of the Interstate Commerce Commission as *amicus curriae*, on motion of Mr. Edward M. Reidy in that behalf.

No. 355. Frank Collis Bowers, as Executor, etc., petitioner, *v.* Lawyers Mortgage Company. Argument continued by Mr. Harry W. Forbes for the respondent, and concluded by Mr. Claude R. Branch for the petitioner.

No. 356. The United States of America, petitioner, *v.* Home Title Insurance Company. Argued by Mr. Claude R. Branch for the petitioner and by Mr. Hugh Satterlee for the respondent.

No. 42. The State of Utah and Independent Coal & Coke Company, petitioners, *v.* The United States of America; and

No. 48. Carbon County Land Company, petitioner. *v.* The United States of America. Argument commenced by Mr. William J. Donovan for petitioner State of Utah; continued by Mr. Mahlon E. Wilson for petitioner Independent Coal & Coke Company; by Mr. Samuel A. King for petitioner, Carbon County Land Company; and by Mr. Solicitor General Thacher for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 20, will be as follows: Nos. 42 (and 48), 357, 365, 378, 387, 391, 403, 411, and 413.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Henry F. Schepman, of Falls City, Nebr., was admitted to practice.

No. 42. The State of Utah and Independent Coal & Coke Company, petitioners, *v.* the United States of America; and

No. 48. Carbon County Land Company, petitioner, *v.* The United States of America. Argument continued by Mr. Solicitor General Thacher for the respondent, and concluded by Mr. Samuel A. King for petitioner, Carbon County Land Company.

No. 357. The Packer Corporation, appellant, *v.* The State of Utah. Argument commenced by Mr. Gardner Abbott for the appellant, continued by Mr. Byron S. Anderson and Mr. George P. Parker for the appellee, and concluded by Mr. W. H. Reeder, jr., for the appellant.

No. 365. Missouri Pacific Railroad Company, petitioner, *v.* Sophia David, Administratrix, etc. Argued by Mr. Leslie A. Welch for the petitioner and by Mr. A. C. Randolph for the respondent.

No. 378. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Chicago Portrait Company. Argument commenced by Mr. Assistant Attorney General Youngquist for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 21, will be as follows: Nos. 378, 387, 391, 401, 403, 411, and 413.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Edmund W. Arthur, of Pittsburgh, Pa.; Benjamin P. Merrick, of Grand Rapids, Mich.; Harry Kay, of Newark, N. J.; and Herbert G. Kraft, of New York City, were admitted to practice.

No. 62. American Hide and Leather Company, petitioner, *v.* The United States. Mandate granted on motion of Mr. William E. Hayes for the petitioner.

No. 378. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Chicago Portrait Company. Argument continued by Mr. Assistant Attorney General Youngquist for the petitioner, by Mr. Arnold R. Baar for the respondent, and concluded by Mr. Assistant Attorney General Youngquist for the petitioner.

No. 387. Ruth J. Henkel, as Administratrix, etc., *v.* Chicago, St. Paul, Minneapolis & Omaha Railway Company. Argued by Mr. Everett Sanders for Henkel, Administratrix, and by Mr. William T. Faricy for the Chicago, St. Paul, Minneapolis & Omaha Railway Company.

No. 391. T. Binford et al., appellants, *v.* J. H. McLeaish & Company et al. Argument commenced by Mr. Albert L. Reed for the appellant and continued by Mr. Lon E. Blankenbecker and Mr. John H. Crooker for the appellees, and by Mr. Elbert O. Hooper for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 22, will be as follows: Nos. 391, 550, 401, 403, 411, and 413.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

John H. Burnet, of Washington, D. C.; Alfred Goldstein, of Washington, D. C.; George Spencer Wright, of Dallas, Tex.; Burton H. White, of New York City; and M. H. Rosenhouse, of Miami, Fla., were admitted to practice.

No. 391. T. Binford et al., appellants, *v.* J. H. McLeaish & Company et al. Argument concluded by Mr. Elbert O. Hooper for the appellants.

No. 550. John Borum, John Logan, and Milton Guy *v.* The United States of America. Argument commenced by Mr. John H. Burnett for Borum et al. The Court declined to hear further argument.

No. 401. American Surety Company of New York, petitioner, *v.* The Greek Catholic Union. Argument commenced by Mr. Edmund W. Arthur for the petitioner, continued by Mr. Ralph C. Davis and Mr. Thomas Stephen Brown for the respondent, and concluded by Mr. James M. Magee for the petitioner.

N. 403. Charley Singleton et al., petitioners, *v.* Edith Creek, née Jackson, et al. Argued by Mr. A. G. C. Bierer, jr., for the petitioners. No appearance for the respondents.

No. 411. The Galveston Wharf Company et al., petitioners, *v.* The Galveston, Harrisburg & San Antonio Railway Company et al. Argument commenced by Mr. George S. Wright for the petitioners, and continued by Mr. Roscoe H. Hupper for the respondent, Malory Steamship Company.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 25, will be as follows: Nos. 411 and 413.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

W. Howard Demarest, of Newark, N. J.; Arnold Just, of St. Louis, Mo.; Charles Willett, of Springfield, Tenn.; Merton D. Morse, of Schenectady, N. Y.; H. Malcolm Baldrige, of Omaha, Nebr.; and Francis M. Goodwin, of Washington, D. C., were admitted to practice.

No. 263. The New York, New Haven, and Hartford Railroad Company, petitioner, *v.* Clarence Bezue. On writ of certiorari to the Supreme Court of the State of New York. Judgment reversed with costs and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Roberts.

The Chief Justice announced the following orders of the Court:

No. 391. T. Binford et al., appellants, *v.* J. H. McLeaish & Company, Nils Nelson, W. F. Mottier, et al. Appeal from the District Court of the United States for the Southern District of Texas. *Per curiam*: The order granting an interlocutory injunction is affirmed. *Alabama v. The United States*, 279 U. S. 229; *United Fuel Gas Co. v. Public Service Commission*, 278 U. S. 322, 326; *National Fire Insurance Co. v. Thompson*, 281 U. S. 331, 338.

No. 550. John Borum, John Logan, and Milton Guy *v.* The United States of America. On certificate from the Court of Appeals of the District of Columbia. *Per curiam*: Question answered "Yes." *Dunn v. United States*, No. 393, October term, 1931, decided January 11, 1932; mandate to issue forthwith.

The Chief Justice announced:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the clerk of the Court.

No. 522. Ellison Ranching Company, appellant, *v.* George A. Bartlett. Appeal from the Supreme Court of the State of Nevada. *Per curiam:* The appeal herein is dismissed for the reason that the judgment of the State court is based upon a non-Federal ground adequate to support it. *Doyle v. Atwell*, 261 U. S. 590, 592; *McCoy v. Shaw*, 277 U. S. 302, 303.

No. —. In re Disbarment of George D. Collins, Senior. It having been represented to the Court that George D. Collins, Senior, has been disbarred from the practice of the law by the courts of the State of California,

It is ordered by the Court that the said George D. Collins, Senior, be, and he is hereby, ordered to show cause within 40 days from this date why he should not be disbarred from the practice of the law in this Court.

No. 62. American Hide and Leather Company, petitioner, *v.* The United States. The opinion in this cause is hereby amended by adding at the conclusion thereof the following paragraph:

“The amounts of the tax computed by the commissioner and the amount of the overpayment as stated in this opinion are those shown by the findings of the Court of Claims, but the mandate of this Court will be without prejudice to any restatement of the amount of overpayment based on a recomputation of the tax.”

No. 529. Dayton C. Thomson et al., appellants, *v.* Marshall N. Dana et al., etc.;

No. 557. Ogden & Moffett Company et al., appellants, *v.* Michigan Public Utilities Commission et al.; and

No. 580. S. B. Lawrence et al., appellants, *v.* State Tax Commission of the State of Mississippi. In these cases probable jurisdiction is noted.

No. 530. Girard Trust Company, as Trustee, etc., appellants, *v.* Ocean & Lake Realty Company; and

No. 553. Board of Commissioners of the County of Allen et al., appellants, *v.* The State of Ohio, ex rel. J. Charles Bowman. Further consideration of the question of the jurisdiction of this Court in these cases is postponed to the hearing of the cases on the merits.

No. 576. John T. Callahan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit, granted and the case assigned for argument on Monday, February 29 next, after the cases heretofore assigned for that day.

No. 590. Herman O. Hagner and Julia C. Hagner, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted and the

case assigned for argument on Monday, February 29, next, after the cases heretofore assigned for that day.

No. 575. North American Oil Consolidated, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 581. George J. Adams and A. W. Kitchen, Copartners, etc., petitioners, *v.* Andrew W. Mellon, Director General of Railroads, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 585. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* James M. Borum. Petition for writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 600. Keziah Reed et al., petitioners, *v.* Lorenzo Allen. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 561. Mary S. Trotter, petitioner, *v.* Iantha C. Anderson;

No. 562. Mary S. Trotter, petitioner, *v.* John Russel Anderson et al.; and

No. 563. Mary S. Trotter, petitioner, *v.* Baylis Estate Company. Petition for writs of certiorari to the Supreme Court of the State of California denied.

No. 584. Joyce Ethel Peters, Administratrix, etc., petitioner, *v.* Wabash Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 586. Henri Charpentier, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 587. J. P. Stevens Engraving Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 588. United States on relation of Wilbur F. Stuart, petitioner, *v.* Ray Lyman Wilbur, as Secretary of the Interior. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 591. George A. Greible, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 605. Missouri Pacific Railroad Company, petitioner, *v.* W. F. Miller, Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

ORDER

An order is entered authorizing the clerk to charge off on his books certain costs deemed to be uncollectable in 25 specified cases amounting in the aggregate to the sum of \$368.35.

ORDER

An order is entered directing the clerk to cancel 47 checks of specified numbers, issued by him and his predecessors in office, prior to January 1, 1929, amounting in the aggregate to the sum of \$325.53, which checks have not been presented for payment by the several payees.

No. 583. Chili Fish et al., etc., petitioners, *v.* Walter Wise et al., etc. Leave granted to file brief of the United States as *amicus curiae*, on motion of Mr. Solicitor General Thacher in that behalf.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. Mandate stayed for a period of 60 days on motion of Mr. S. R. Prince for the appellants.

No. 604. Edmund K. Fleming, petitioner, *v.* Mabel G. Reinecke, United States Collector, etc. Leave granted to file reply brief of the petitioner within one week on motion of Mr. John A. Kratz for the petitioner.

No. 609. Alice Slattery et al., appellants, *v.* Roual L. Cochran et al. Time within which to file statement as to jurisdiction and statement of points to be relied upon and designation of parts of the record to be printed extended for a period of 15 days from January 30, on motion of Mr. H. Malcolm Baldrige in behalf of counsel for the appellants.

No. 508. Mrs. Elizabeth Stanton (Parmelee) et al., petitioners, *v.* T. L. Herbert & Sons et al.; and

No. 509. Mrs. Elizabeth Stanton (Parmelee) et al., petitioners, *v.* T. L. Herbert & Sons et al. Petition for writs of certiorari to the Supreme Court of the State of Tennessee and the Court of Appeals

of the State of Tennessee submitted by Mr. Jordan Stokes, jr., and Mr. Harvey D. Jacob for the petitioners, and by Mr. Thomas H. Malone and Mr. Charles C. Trabue for the respondents.

No. 560. Continental Tie and Lumber Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. George E. H. Goodner for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. L. A. Smith, and Mr. Bradley B. Gilman for the respondent.

No. 589. Chicago and North Western Railway Company and F. W. Loos, petitioners, *v.* Steve Sabol. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Ray N. Van Doren, Mr. Samuel J. Cady, Mr. Nelson J. Wilcox, and Mr. Arthur H. Ryall for the petitioners, and by Mr. Joseph C. Fehr for the respondent.

No. 592. Thomas D. Taylor, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Maurice Bower Saul for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. William Cutler Thompson, and Mr. William H. Riley, jr., for the respondent.

No. 595. Frank J. Dorger and Clarence A. Dorger, petitioners, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Smith W. Bennett for the petitioners, and by Mr. Louis J. Schneider, Mr. Dudley Miller Outcalt, and Mr. Robert N. Gorman for the respondents.

No. 598. People of the State of Michigan, by John S. Haggerty, Secretary of State, petitioners, *v.* Michigan Trust Company, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Paul W. Voorhies for the petitioners, and by Mr. Benjamin P. Merrick for the respondent.

No. 602. Amdyco Corporation, petitioner, *v.* Radcliffe Morris Urquhart et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. W. Brown Morton for the petitioner, and by Mr. Joseph D. Denny, jr., and Mr. J. Claude Bedford for the respondents.

No. 603. Southern Pacific Company, petitioner, *v.* George Thomas. Petition for writ of certiorari to the District Court of Appeal, First Appellate District, State of California, submitted by Mr. C. W. Durbrow, Mr. H. C. Booth, Mr. C. O. Amonette, and Mr. W. I. Gilbert for the petitioner, and by Mr. George Thomas, *pro se*.

No. 604. Edmund K. Fleming, petitioner, *v.* Mabel G. Reinecke, United States Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John A. Kratz for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, Mr. Carlton Fox, and Mr. William H. Riley, jr., for the respondent.

No. 607. Grace Elizabeth Everett et al., petitioners, *v.* Amy Wing et al. Petition for writ of certiorari to the Supreme Court of the State of Vermont submitted by Mr. John Wattawa for the petitioners, and by Mr. Warren R. Austin for the respondents.

No. 608. Erie Railroad Company, petitioner, *v.* Michael Duplak, by his next friend, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Duane E. Minard and Mr. George S. Hobart for the petitioner, and by Mr. Frederick B. Scott for the respondent.

No. 610. Bonwit Teller and Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Arthur B. Hyman for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, and Mr. John Mac C. Hudson for the respondent.

No. 612. Gratiigny Plateau Development Corporation et al., petitioners, *v.* Arthur R. Hill et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Roscoe C. McCulloch for the petitioners, and by Mr. A. S. Iddings and Mr. D. W. Iddings for the respondents.

No. 615. Charles S. Quinzel, a Creditor, etc., petitioner, *v.* Harry G. Hendricks, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William J. Hughes, jr., and Mr. William E. Leahy for the petitioner, and by Mr. Eugene B. Sullivan and Mr. Samuel J. Kaufman for the respondents.

No. 617. W. Yale Smiley, petitioner, *v.* Mike Holm, as Secretary, etc. Petition for writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. George T. Simpson and Mr. W. Yale Smiley for the petitioner, and by Mr. Henry N. Benson for the respondent.

No. 634. The Texas & Pacific Railway Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Adrian C. Humphreys, Mr. Chester A. Gwinn, and Mr. Newton K. Fox for the petitioner, and by Mr.

Solicitor General Thacher, Mr. Assistant Attorney General Rugg, and Mr. Claude R. Branch for the respondent.

No. 411. The Galveston Wharf Company et al., petitioners, *v.* The Galveston, Harrisburg & San Antonio Railway Company et al. Argument continued by Mr. Roscoe H. Hupper, for the respondent, Mallory Steamship Company, and concluded by Mr. John P. Bullington for respondent, Galveston, Harrisburg & San Antonio Railway Company et al.

No. 413. The Aetna Casualty and Surety Company, petitioner, *v.* Phoenix National Bank and Trust Company of Lexington. Argued by Mr. Samuel M. Wilson for the petitioner and by Mr. James Park for the respondent.

Adjourned until Monday, February 15, at 12 o'clock.

The day call for Monday, February 15, will be as follows: Nos. 339, 423, 426, 429, 430 (and 444), 432, 433, 453, 454, and 455.

SUPREME COURT OF THE UNITED STATES

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

David L. Nair, of New Britain, Conn.; Jacob Richmond, of Springfield, Mass.; Robert W. Upton, of Concord, N. H.; Stanley M. Burns, of Dover, N. H.; R. R. Farr, of Fairfax, Va.; D. E. Coffman, of Dallas, Tex.; Edward T. Haynes, of Richmond, Va.; Lucius P. Chase, of Kohler, Wis.; George T. Hughes, of Dover, N. H.; Francis H. Horan, of New York City; and Oliver J. Todd, of Beaumont, Tex., were admitted to practice.

No. 84. *W. L. Mathews et al., appellants, v. J. F. Rodgers et al.* Appeal from the District Court of the United States for the Northern District of Mississippi. Decree reversed with costs, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 178. *William J. Stratton, as Secretary of State of the State of Illinois, appellant, v. St. Louis Southwestern Railway Company.* Appeal from the District Court of the United States for the Southern District of Illinois. Decree reversed with costs, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 42. *State of Utah and Independent Coal & Coke Company, petitioners v. The United States of America; and*

No. 48. *Carbon County Land Company, petitioner, v. The United States of America.* On writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. Decrees affirmed and cases remanded to the District Court of the United States for the District of Utah. Opinion by Mr. Justice Stone.

No. 251. *Peter H. Miller, Individually and as Collector of Internal Revenue, etc., petitioner, v. The Standard Nut Margarine Company of Florida; and*

No. 252. Josiah T. Rose, Collector of Internal Revenue, etc., petitioner, *v.* The Standard Nut Margarine Company of Florida. On writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decrees affirmed with costs, and cases remanded to the District Courts of the United States for the Southern District of Florida and Northern District of Florida, respectively. Opinion by Mr. Justice Butler. Dissenting opinion by Mr. Justice Stone, in which Mr. Brandeis concurs.

No. 348. United States Cartridge Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment reversed, and cause remanded to the said Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 258. Central Pacific Railway Company and Southern Pacific Company, petitioners, *v.* County of Alameda, Chas. W. Heyer, et al., etc. On writ of certiorari to the Supreme Court of the State of California. Decree affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 296. United States Navigation Company, Inc., petitioner, *v.* The Cunard Steamship Company, Ltd., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Sutherland.

No. 297. Mrs. Iris Christine Bergholm et al., petitioners, *v.* Peoria Life Insurance Company of Peoria, Illinois. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Northern District of Texas. Opinion by Mr. Justice Sutherland.

No. 403. Charley Singleton, Maggie Davis, and George Davis, petitioners, *v.* Edith Cheek, nee Jackson, et al. On writ of certiorari to the Supreme Court of the State of Oklahoma. Judgment reversed with costs and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Sutherland.

No. 291. Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Mack Saxon, Ancillary Administrator, etc. On writ of certiorari to the Supreme Court of the State of Texas. Judgment reversed with costs and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 365. Missouri Pacific Railroad Company, petitioner, *v.* Sophia David, Administratrix of the Estate of James Lee David, deceased. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment reversed with costs and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 314. Realty Acceptance Corporation, petitioner, *v.* Henry G. Montgomery. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the District of Delaware. Opinion by Mr. Justice Roberts announced by Mr. Chief Justice Hughes. Mr. Justice Stone took no part in the consideration or decision of this case.

No. 349. Old Colony Railroad Company, petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed and cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts announced by Mr. Chief Justice Hughes.

No. 401. American Surety Company of New York, petitioner, *v.* the Greek Catholic Union. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs and cause remanded to the District Court of the United States for the Western District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts announced by Mr. Chief Justice Hughes. Mr. Justice McReynolds is of opinion the judgment should be affirmed.

No. 200. Harry M. Blackmer, petitioner, *v.* The United States of America; and

No. 201. Harry M. Blackmer, petitioner, *v.* The United States of America. On writs of certiorari to the Court of Appeals of the District of Columbia. Decrees affirmed and cases remanded to the said Court of Appeals. Opinion by Mr. Chief Justice Hughes. Mr. Justice Roberts took no part in the consideration and decision of this cause.

No. 387. Ruth J. Henkel, as Administratrix and Personal Representative of the Estate of Carl E. P. Henkel, deceased, *v.* Chicago, St. Paul, Minneapolis & Omaha Railway Company. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. The question certified is answered, "No." Opinion by Mr. Chief Justice Hughes.

No. 332. J. Howard Leman, Administrator C. T. A. of the Estate of George E. Belcher and George E. Belcher Company, petitioners, *v.* Krentler-Arnold Hinge Last Company. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree of the Circuit Court of Appeals in so far as it modifies the decree of the District Court with respect to the question of profits reversed with costs and the decree of the District Court in that respect affirmed 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 Hughes. Mr. Justice McReynolds is of the opinion that the proceedings should have been dismissed for lack of jurisdiction over the respondent.

The Chief Justice announced the following order of the Court:

No. 18, original. The State of Ohio, petitioner, *v.* The Chattanooga Boiler and Tank Company. Answer having been filed, the parties may, upon filing stipulation to that effect, waive the filing of replication and submit the case to the Court for its decision upon the pleadings and agreed statement of facts, with provision for oral argument before the Court, if that is desired.

The Chief Justice said:

"In view of the large number of orders of the Court they will not be announced orally but appear upon the list certified by the Chief Justice filed with the Clerk."

No. —. In Re Disbarment of William E. Baff.

Upon consideration of the answer of the respondent, William E. Baff, to the rule of this Court issued to him, November 2, 1931, to show cause why he should not be disbarred from the practice of the law in this Court.

It is ordered that Mr. Frederic D. McKenney, Mr. Reeve Lewis, and Mr. Joseph H. Milans, all of Washington, District of Columbia, be, and they are hereby, appointed a Committee of the Bar of this Court to examine and report upon the following matters with respect to the order of March 18, 1921, disbarring the respondent from practice in the United States Patent Office upon charges of his misconduct, viz:

(1) What were the charges of misconduct upon which the said order of disbarment was made?

(2) Was the proceeding for disbarment conducted upon due notice and with due hearing of the respondent or due opportunity on his part to be heard?

(3) What were the findings, if any, in that proceeding in relation to the respondent's misconduct?

(4) What proceedings were had subsequent to the order of March 18, 1921, either in court or in the United States Patent Office, with respect to the said order of disbarment, including any proceedings for the respondent's reinstatement? What was the result of any such proceedings?

And to submit its recommendation as to the final action of this Court.

No. 115. Edgar Percy Lewis et al., petitioners, *v.* Marshall S. Reynolds, Individually and as Collector of Internal Revenue. In this cause it is ordered that the following words be deleted from the sixth paragraph, page 2, of the opinion announced on January 24, 1932:

"Also that at the time of his last decision he was restricted to consideration of the demand for refund and determination of whether the trustees were entitled to deduct the State inheritance taxes."

Otherwise the opinion will stand as heretofore announced.

No. 270. The Pacific Co., Ltd., appellant, *v.* Charles G. Johnson, State Treasurer of the State of California. It is ordered that this case be restored to the docket for reargument on a date to be fixed hereafter by the Court.

No. 560. Continental Tie and Lumber Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 598. People of the State of Michigan, by John S. Haggerty, Secretary of State, petitioners, *v.* Michigan Trust Company, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 608. Erie Railroad Company, petitioner, *v.* Michael Duplak, by his next friend, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 617. W. Yale Smiley, petitioner, *v.* Mike Holm, as Secretary of State of the State of Minnesota. Petition for writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 634. The Texas & Pacific Railway Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted and the case assigned for argument immediately following the hearing of case No. 560.

No. 583. Chili Fish et al., etc., petitioners, *v.* Walter Wise et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 508. Mrs. Elizabeth Stanton (Parmelee) et al., petitioners, *v.* T. L. Herbert & Sons et al.; and

No. 509. Mrs. Elizabeth Stanton (Parmelee) et al., petitioners, *v.* T. L. Herbert & Sons et al. Petition for writs of certiorari to the Supreme Court of the State of Tennessee and to the Court of Appeals of the State of Tennessee denied.

No. 589. Chicago and North Western Railway Company and F. W. Loos, petitioners, *v.* Steve Sabol. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 592. Thomas D. Taylor, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 595. Frank J. Dorger and Clarence A. Dorger, petitioners, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 602. Amdyco Corporation, petitioner, *v.* Radcliffe Morris Urquhart and American Fomon Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 603. Southern Pacific Company, petitioner, *v.* George Thomas. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, State of California, denied.

No. 604. Edmund K. Fleming, petitioner, *v.* Mabel G. Reinecke, United States Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 607. Grace Elizabeth Everett and Sarah Everett (Pro Ami), petitioners, *v.* Amy Wing et al. Petition for writ of certiorari to the Supreme Court of the State of Vermont denied.

No. 610. Bonwit Teller and Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 612. Gratiigny Plateau Development Corporation et al., petitioners, *v.* Arthur R. Hill et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 615. Charles S. Quinzel, a Creditor of George E. Thomas, Bankrupt, petitioner, *v.* Harry G. Hendricks, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 694. The United States of America *v.* George Otis Smith. Joint motion to advance submitted by Mr. Solicitor General Thacher in that behalf.

No. 694. The United States of America *v.* George Otis Smith. Joint motion to bring up the entire record and cause submitted by Mr. Solicitor General Thacher in that behalf.

No. 694. The United States of America *v.* George Otis Smith. Leave granted to file brief of the Attorney General of the United States and the Solicitor General of the United States as *amici curiae*, on motion by Mr. Solicitor General Thacher in that behalf. Ruling on the motion for leave to participate in the oral argument will be subsequently announced.

No. 689. Charles W. Anderson, Collector of Internal Revenue, petitioner, *v.* Harold K. Guinzburg et al., etc. Motion to advance submitted by Mr. H. Stanley Hinrichs in behalf of counsel for the respondent.

No. 639. L. J. Blakey, Receiver, etc., petitioner, *v.* Charles J. Brinson. Leave granted to file brief of the Comptroller of the Currency, as *amicus curiae*, on motion of Mr. George P. Barse in that behalf.

No. 468. Robert M. Leach, Executor, etc., petitioner, *v.* Malcolm E. Nichols, Formerly Collector of Internal Revenue. Leave granted to file brief of Clarence W. DeKnight, as *amicus curiae*, on motion of Mr. Frederick Schwertner in that behalf.

No. 454. Claiborne-Annapolis Ferry Company, appellant, *v.* The United States of America et al. Leave granted to file brief of the State of Maryland, as *amicus curiae*, on motion of Mr. George E. Edelen in that behalf.

No. 454. Claiborne-Annapolis Ferry Company, appellant, *v.* The United States of America, et al. Leave granted appellee, The Chesapeake Beach Railway Company, to file brief in answer to the brief of the State of Maryland as *amicus curiae* within ten days on motion of Mr. Jonathan C. Gibson in that behalf.

No. —, original. Ex parte: Gordon Dover, petitioner. Motion for leave to proceed in *forma pauperis* and for leave to file petition for writ of mandamus submitted by Mr. Gordon Dover *pro se*.

No. 654. Gulbang Nalbantian, petitioner, *v.* The United States of America. Motion for leave to proceed in *forma pauperis* submitted by Mr. Edward H. S. Martin for the petitioner.

No. 542. South Carolina Power Company, appellant, *v.* South Carolina Tax Commission et al. Statement as to jurisdiction submitted by Mr. G. L. B. Rivers, Mr. Arthur R. Young, and Mr. M. Rutledge Rivers for the appellant.

No. 593. R. A. Vose, appellant, *v.* U. S. Cities Corporation. Statement as to jurisdiction submitted by Mr. W. F. Wilson for the

appellant in support thereof, and by Mr. James I. Phelps for the appellee in opposition thereto.

No. 616. The Southwest Utility Ice Company, appellant, *v.* Ernest A. Liebmann. Statement as to jurisdiction submitted by Mr. J. H. Everest and Mr. John B. Dudley for the appellant.

No. 594. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, petitioner, *v.* Campbell River Mills Company, Ltd., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. F. M. Dudley and Mr. C. S. Jefferson for the petitioner, and by Mr. H. C. Brodie for the respondents.

No. 596. Arkansas Power & Light Company, petitioner, *v.* West Memphis Power & Water Company et al. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. J. W. House and Mr. C. H. Moses for the petitioner.

No. 597. Mike Chetkovich, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John A. Shelton for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Lewis, Mr. Claude R. Branch, Mr. W. Clifton Stone, and Mr. William H. Riley, Jr., for the respondent.

No. 601. Katie E. Thomas, petitioner, *v.* Archie C. McFall. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. George B. Webster for the petitioner, and by Mr. A. C. Malloy for the respondent.

No. 606. United States Fidelity & Guaranty Company, petitioner, *v.* Leong Dung Dye. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. E. C. Brandenburg and Mr. Louis M. Denit for the petitioner, and by Mr. Charles B. Dwight for the respondent.

No. 613. Des Moines Terminal Company, petitioner, *v.* Des Moines Union Railway Company et al.; and

No. 614. Chicago Great Western Railroad Company et al., petitioners, *v.* Des Moines Union Railway Company et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. G. Gamble and Mr. R. L. Reed for the petitioner in No. 613; by Mr. J. C. James and Mr. Donald Evans for the petitioner in No. 614; and by Mr. Homer Hall and Mr. John N. Hughes for the respondents.

No. 618. Edmund D. Adcock, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Irvin H. Fathchild for the petitioner, and by Mr. Solicitor General

Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Miss Helen R. Carloss for the respondent.

No. 623. Thomas A. Grigg, petitioner, *v.* Tom Bolton, United States Marshal for the District of Montana, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. H. L. Maury for the petitioner, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, and Mr. Harry S. Ridgely for the respondent.

No. 624. The United States, petitioner, *v.* Bonwit Teller & Co. Petition for writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Arthur B. Hyman for the respondent.

No. 626. Wisconsin Coca Cola Bottling Company et al., petitioners, *v.* E. L. Husting Company. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin submitted by Mr. Charles F. Fawsett for the petitioners, and by Mr. William L. Tibbs for the respondent.

No. 628. American Bond and Mortgage Company and Trianon, Inc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Homer H. Cooper and Mr. George W. Swain for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant to the Attorney General O'Brian, Mr. Claude R. Branch, Mr. Charles H. Weston, and Mr. William H. Riley, jr., for the respondent.

No. 629. William Lowenstein, as Trustee, etc., petitioner, *v.* Annie Reikes et al.: and

No. 630. William Lowenstein, as Trustee, etc., petitioner, *v.* I. N. Platt & Co., Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Jacob M. Zinaman for the petitioner, and by Mr. Seymour J. Koff and Mr. David W. Kahn for the respondents.

No. 632. J. Z. Wright, R. C. Wiggins, 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 Mr. Felix E. Alley for the petitioners, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Aubrey Lawrence, and Mr. Nat M. Lacy for the respondent.

No. 633. James A. Tillman, petitioner, *v.* Russo-Asiatic Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Borris M. Komar for the petitioner, and by Mr. Maurice Leon for the respondent.

No. 635. Frank L. Speakman, Ancillary Receiver, etc. petitioner, *v.* Thomas W. Bryan, as State Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Selden Bacon, Mr. Robert C. Alston, and Mr. Robert H. Richards for the petitioner, and by Mr. W. E. Norvell, jr., Mr. S. N. Evins, and Mr. James H. Anderson for the respondent.

No. 636. Thomas W. White, Collector of Internal Revenue, petitioner, *v.* John L. Hall et al., executors. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Solicitor General Thacher for the petitioner.

No. 637. Seaboard Air Line Railway Company, petitioner, *v.* C. M. Spencer. Petition for writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. Murray Allen for the petitioner, and by Mr. Clyde A. Douglass and Mr. Robert N. Simms for the respondent.

No. 638. Erie Railroad Company, petitioner, *v.* Richard W. Didsbury. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. George S. Hobart for the petitioner, and by Mr. Thomas G. Haight and Mr. John A. Hartpence for the respondent.

No. 639. L. J. Blakey, Receiver, etc., petitioner, *v.* Charles J. Brinson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. George P. Barse for the petitioner.

No. 640. L. E. Dulion, Doing Business as Mason & Dulion, petitioner, *v.* S. A. Lynch Enterprise Finance Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Winfield P. Jones for the petitioner, and by Mr. Robert C. Alston for the respondent.

No. 641. Inez B. Crandall, petitioner, *v.* William Habbe, Sheriff, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. George T. Buckingham for the petitioner, and by Mr. Ashby M. Warren and Mr. John D. Welman for the respondent.

No. 648. Glen E. Wolfe, petitioner, *v.* The Prudential Insurance Company of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Ralph F. Lozier for the petitioner, and by Mr. Henry I. Eager and Mr. Charles M. Blackmar for the respondent.

No. 649. Adams Grease Gun Corporation, petitioner, *v.* The Basick Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

submitted by Mr. Alfred W. Kiddle for the petitioner, and by Mr. Lynn A. Williams for the respondent.

No. 651. F. G. Corker, petitioner, *v.* W. K. Howard, as Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Blair Foster for the petitioner.

No. 653. Bankers Utilities Company, Inc., et al., petitioners, *v.* National Bank Supply Company, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Roy L. Daily for the petitioners, and by Mr. C. P. Goepel, Mr. Charles E. Townsend, and Mr. William A. Loftus for the respondents.

No. 662. Smith-Hamburg Scott Welding Co. of New York, Inc., et al., petitioners, *v.* Charles Henry Bickell et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles H. Wilson for the petitioner, and by Mr. Dean S. Edmonds and Mr. William H. Davis for the respondent.

No. 663. Robert W. Hurt and Elmer R. Hurt, petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Austin M. Cowan for the petitioners, and by Mr. Charles M. Blackmar, Mr. Henry I. Eager, Mr. Richard E. Bird, and Mr. Louis H. Cooke for the respondent.

No. 689. Charles W. Anderson, Collector, etc., petitioner, *v.* Harold K. Guinzburg et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. James Marshall for the respondents.

No. 339. Southern Pacific Company, petitioner, *v.* The United States. Argued by Mr. Charles H. Bates for the petitioner and by Mr. Assistant Attorney General Rugg for the respondent.

No. 423. Bradford Electric Light Company, Inc., petitioner, *v.* Jennie M. Clapper, Administratrix. Argument commenced by Mr. Stanley M. Burns for the petitioner and continued by Mr. Robert W. Upton for the respondent and by Mr. George T. Hughes for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 16, will be as follows: Nos. 423, 426, 429, 430 (and 444), 432, 433, 453, 454, 455, and 463.

SUPREME COURT OF THE UNITED STATES

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

Walter F. Mehrlich, of Chicago, Ill.; Campbell C. Cochran, jr., of Washington, D. C.; Paul M. Godehn, of Chicago, Ill.; Samuel B. Seidel, of New York City; Jesse P. Wolcott, of Port Huron, Mich.; George Washington Riley, of New York City; Robert C. Knox, of El Dorado, Ark.; H. L. Jost, of Kansas City, Mo.; Ben H. Stone, of Amarillo, Tex.; and T. S. Christopher, of Austin, Tex., were admitted to practice.

No. 423. Bradford Electric Light Company, Inc., petitioner, *v.* Jennie M. Clapper, Administratrix. Argument concluded by Mr. George T. Hughes for the petitioner.

No. 426. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Charles P. Leininger. Argued by Mr. Claude R. Branch for the petitioner, and by Mr. Irwin N. Loeser for the respondent.

No. 429. D. Ginsberg & Sons, Inc., petitioner, *v.* Joseph Popkin. Argued by Mr. Leo J. Linder for the petitioner, and by Mr. Louis Jersawit for the respondent.

No. 430. Spencer Kellogg & Sons, Inc., as Owner of the Motorboat "Linseed King," etc., petitioner, *v.* Hilda M. Hicks, Administratrix, etc., et al.; and

No. 444. Vera Alexander, Administratrix of the Estate of James Alexander, Deceased, et al., petitioners, *v.* Spencer Kellogg & Sons, Inc. Argument commenced by Mr. D. Roger Englar for Spencer Kellogg & Sons, Inc., and continued by Miss Elizabeth Robinson for Vera Alexander, Administratrix, etc.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 17, will be as follows: Nos. 430 (and 444), 432, 433, 453, 454, 455, 463, 466, 468, and 469 (and 470).

SUPREME COURT OF THE UNITED STATES

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

J. Forrest McCutcheon, of Fort Worth, Tex.; Lloyd Church, of New York City; and Walter G. Riddick, of Little Rock, Ark., were admitted to practice.

No. 200. Harry M. Blackmer, petitioner, *v.* The United States of America; and

No. 201. Harry M. Blackmer, petitioner, *v.* The United States of America. Mandates granted on motion of Mr. Charles F. Wilson for the petitioner.

No.—, original. *Ex parte:* The State of Colorado, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Clarence L. Ireland for the petitioner.

No. 430. Spencer Kellogg & Sons, Inc., as Owner of the Motorboat "Linseed King," etc., petitioner, *v.* Hilda M. Hicks, Administratrix, etc., et al.; and

No. 444. Vera Alexander, Administratrix of the Estate of James Alexander, deceased, et al., petitioners, *v.* Spencer Kellogg & Sons, Inc. Argument continued by Miss Elizabeth Robinson for Vera Alexander, Administratrix, etc., et al.; by Mr. Lester Hand Jayne for Helen Roberts, as Administratrix, etc., et al.; and concluded by Mr. D. Roger Englar for Spencer Kellogg & Sons, Inc.

No. 432. William E. Lamb, petitioner, *v.* Sterling B. Cramer et al. Argued by Mr. Edward B. Burling for the petitioner, and by Mr. Gerald Fitzgerald for the respondents.

No. 433. William E. Lamb, petitioner, *v.* William A. Schmitt, Receiver, etc. Argued by Mr. Edward B. Burling for the petitioner, and by Mr. Gerald Fitzgerald and Mr. Sam C. Cook for the respondents.

No. 453. Atlantic Coast Line Railroad Company, petitioner, *v.* Hannah R. Temple, Administratrix, etc. Argument commenced by Mr. Thomas W. Davis for the petitioner, and continued by Mr. John F. Williams for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 18, will be as follows: Nos. 453, 454, 455, 463, 466, 468, 469 (and 470), 471, 475, and 477.

SUPREME COURT OF THE UNITED STATES

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

Zaio A. Woodford, of Detroit, Mich.; Guy L. Andrews, of McAlester, Okla.; Robert W. Byerly, of New York City; Abraham Lowenhaupt, of St. Louis, Mo.; Ralph E. Slayton, of New York City; George M. Nicholson, of Oklahoma City, Okla.; Harry S. Mesirov, of Philadelphia, Pa.; and Carl Solomonson, of Rockford, Ill., were admitted to practice.

No. 453. Atlantic Coast Line Railroad Company, petitioner, *v.* Hannah R. Temple, Administratrix, etc. Argument continued by Mr. John F. Williams and Mr. R. E. Whiting for the respondent, and concluded by Mr. Douglas McKay for the petitioner.

No. 454. Claiborne-Annapolis Ferry Company, appellant, *v.* The United States of America, The Interstate Commerce Commission and Chesapeake Beach Railway Company. Argument commenced by Mr. Philip B. Perlman for the appellant; continued by Mr. Assistant to the Attorney General O'Brian for the appellees, The United States and the Interstate Commerce Commission; by Mr. Jonathan C. Gibson for the appellee, Chesapeake Beach Railway Company; and concluded by Mr. Jesse I. Miller for the appellant.

No. 455. Franklin-American Trust Company, petitioner, *v.* St. Louis Union Trust Company et al. Argument commenced by Mr. George B. Rose for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, February 19, will be as follows: Nos. 455, 463, 466, 468, 469 (and 470), 471, 475, 477, 487 (488, and 489), and 504.

SUPREME COURT OF THE UNITED STATES

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

David B. Newsom, of Miami, Fla.; Harry G. Gault, of Flint, Mich.; Jacob Klensin, of Carbondale, Pa.; R. Gaynor Wellings, of Boston, Mass.; and Ben L. Fairchild, of Pelham, N. Y., were admitted to practice.

No. 469. George L. Shearer, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 470. William A. W. Stewart, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Leave granted to file brief of Burton E. Eames and others as *amici curiae*, on motion of Mr. R. Gaynor Wellings in that behalf.

No. 455. Franklin-American Trust Company, petitioner, *v.* St. Louis Union Trust Company et al. Argument continued by Mr. George B. Rose for the petitioner, by Mr. Walter G. Riddick, for the respondents, and concluded by Mr. Henry Davis for the respondents.

No. 463. New State Ice Company, appellant, *v.* Ernest A. Liebmann. Argument commenced by Mr. John B. Dudley for the appellant, continued by Mr. George M. Nicholson for the appellee, and concluded by Mr. Guy L. Andrews for the appellant.

No. 466. The United States of America, petitioner, *v.* Daniel M. Lefkowitz and Pauline Paris. Argument commenced by Mr. Solicitor General Thacher for the petitioner and continued by Mr. David P. Siegel for the respondent.

Adjourned until Tuesday next at 12 o'clock.

The day call for Tuesday, February 23, will be as follows: Nos. 466, 468, 469 (and 470), 471, 475, 477, 487 (488 and 489), 504, 513, 506 (and 507), and 514.

SUPREME COURT OF THE UNITED STATES

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

Frances Gash-Sosin, of Newark, N. J.; Maxwell Sosin, of Newark, N. J.; Mary B. Linkins, of Washington, D. C.; Harold Lee, of New York City; Ireland Graves, of Austin, Tex.; M. C. Hammond, of Welch, W. Va.; Michael J. J. Watman, of Lynn, Mass.; Ignatius K. Werwinski, of South Bend, Ind.; Everett S. White, of Taunton, Mass.; Frederick C. Oien, of Chicago, Ill.; Nat S. Ruvell, of Chicago, Ill.; and B. G. Carson, of Washington, D. C., were admitted to practice.

No. 457. Patrick J. Hurley et al., petitioners, *v.* R. Foster Kincaid, Sr. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed and cause remanded to the District Court of the United States for the Western District of Louisiana with direction to dismiss the bill without prejudice. Opinion by Mr. Justice Brandeis.

No. 357. The Packer Corporation, appellant, *v.* The State of Utah. Appeal from the Supreme Court of the State of Utah. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 311. St. Paul Fire & Marine Insurance Company, petitioner, *v.* Sophia C. Bachmann. 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 Northern District of West Virginia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Mr. Justice McReynolds thinks the judgment should be affirmed.

No. 378. David Burnet, Commissioner of Internal Revenue, petitioners *v.* Chicago Portrait Company. On writ of certiorari to the the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed, and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Chief Justice Hughes.

No. 19. Letus N. Crowell, as Deputy Commissioner for the Seventh Compensation District of the United States Employees' Compensation Commission, petitioner, *v.* Charles Benson; and

No. 20. Letus N. Crowell, as Deputy Commissioner for the Seventh Compensation District of the United States Employees' Compensation Commission, and J. B. Knudsen, petitioners, *v.* Charles Benson. On writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decrees affirmed, and cases remanded to the District Court of the United States for the Southern District of Alabama. Opinion by Mr. Chief Justice Hughes. Dissenting opinion by Mr. Justice Brandeis, in which Mr. Justice Stone and Mr. Justice Roberts concur.

The Chief Justice announced the following orders of the Court:

No. 593. R. A. Vose, appellant, *v.* U. S. Cities Corporation. Appeal from the Supreme Court of the State of Oklahoma. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. Sec. 237 (a), Judicial Code as amended by the Act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari, as required by Sec. 237 (c), Judicial Code as amended (43 Stat. 936, 938), certiorari is denied.

No. 654. Gulbang Nalbantian, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

The Chief Justice said:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the Clerk of the Court.

No. —, original. *Ex Parte*: The State of Colorado, petitioner. A rule is ordered to issue requiring the respondent to show cause on or before March 14th next why leave to file the petition for writ of mandamus should not be granted.

No. 694. The United States of America *v.* George Otis Smith. The joint motion to bring up the entire record and cause and the joint motion to advance are granted and the case is assigned for

argument on Monday, March 21 next, after the case heretofore assigned for that day.

The motion of the Attorney General and Solicitor General of the United States for leave to participate in the oral argument of this case is granted as prayed.

No. 576. John T. Callahan, petitioner, *v.* The United States of America;

No. 590. Herman O. Hagner and Julia C. Hagner, petitioners, *v.* The United States of America; and

No. 158. Amos Shriver, appellant, *v.* Woodbine Savings Bank of Woodbine, Iowa. It is ordered that these cases be reassigned for argument on Monday, March 14 next.

No. 265. L. A. Nixon, petitioner, *v.* James Condon and C. H. Kolle. It is ordered that this case be assigned for reargument on Monday, March 14 next, after the cases heretofore assigned for that day.

No. 118. Fox Film Corporation, appellant, *v.* Paul H. Doyal, State Tax Commissioner; and

No. 341. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Coronado Oil and Gas Company. It is ordered that these cases be restored to the docket and assigned for reargument on Monday, March 14 next, after the cases heretofore assigned for that day.

No. 270. The Pacific Co., Ltd., appellant, *v.* Charles G. Johnson, State Treasurer of the State of California. It is ordered that this case be assigned for reargument on Monday, March 14 next, after the cases heretofore assigned for that day.

No. 568. The United States of America, appellant, *v.* Swift & Company et al.;

No. 569. American Wholesale Grocers Association et al., appellants, *v.* Swift & Company et al.; and

No. 570. National Wholesale Grocers Association, appellant, *v.* Swift & Company et al. It is ordered that these cases be reassigned for argument on Monday, March 14 next, after the cases heretofore assigned for that day.

No. 528. Peirce Coombes, petitioner, *v.* Milton E. Getz. It is ordered that this case be reassigned for argument on Monday, March 21 next.

No. 485. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al.;

No. 486. Corporation Commission of the State of Oklahoma et al., appellants, *v.* Champlin Refining Company; and

No. 122. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al., etc. It is ordered that

these cases be reassigned for argument on Wednesday, March 23 next.

No. 542. South Carolina Power Company, appellant, *v.* South Carolina Tax Commission et al.; and

No. 616. The Southwest Utility Ice Company, appellant, *v.* Ernest A. Liebmann. In these cases probable jurisdiction is noted.

No. 649. Adams Grease Gun Corporation, petitioner, *v.* The Bas-sick Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. The Chief Justice took no part in the consideration or decision of this application.

No. 639. L. J. Blakey (Successor to R. E. Schumacher), Receiver, etc., petitioner, *v.* Charles J. Brinson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 594. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, petitioner, *v.* Campbell River Mills Company, Ltd., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 596. Arkansas Power & Light Company, petitioner, *v.* West Memphis Power & Water Company et al. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 601. Katie E. Thomas, petitioner, *v.* Archie C. McFall. Petition for writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 606. United States Fidelity & Guaranty Company, petitioner, *v.* Leong Dung Dye. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 613. Des Moines Terminal Company, petitioner, *v.* Des Moines Union Railway Company et al.; and

No. 614. Chicago Great Western Railroad Company et al., petitioners, *v.* Des Moines Union Railway Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 618. Edmund D. Adcock, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 623. Thomas A. Grigg, petitioner, *v.* Tom Bolton, United States Marshal, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 624. The United States, petitioner, *v.* Bonwit Teller & Co. Petition for writ of certiorari to the Court of Claims denied.

No. 626. Wisconsin Coca Cola Bottling Company et al., petitioners, *v.* E. L. Husting Company. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin denied.

No. 628. American Bond and Mortgage Company and Trianon, Inc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 629. William Lowenstein, as Trustee in Bankruptcy of Meyer Reikes, Bankrupt, petitioner, *v.* Annie Reikes et al.; and

No. 630. William Lowenstein, as Trustee in Bankruptcy of Meyer Reikes, Bankrupt, petitioner, *v.* I. N. Platt & Co., Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 632. J. Z. Wright 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 denied.

No. 633. James A. Tillman, petitioner, *v.* Russo-Asiatic Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 635. Frank L. Speakman, Ancillary Receiver, etc., petitioner, *v.* Thomas W. Bryan, as State Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 637. Seaboard Air Line Railway Company, petitioner, *v.* C. M. Spencer. Petition for writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 638. Erie Railroad Company, petitioner, *v.* Richard W. Didsbury. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 640. L. E. Dulion, Doing Business as Mason & Dulion, petitioner, *v.* S. A. Lynch Enterprise Finance Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 641. Inez B. Crandall, petitioner, *v.* William Habbe, Sheriff, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 648. Glenn E. Wolfe, petitioner, *v.* The Prudential Insurance Company of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 651. F. G. Corker, petitioner, *v.* W. K. Howard, as Receiver of the First National Bank of Dublin. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 653. Bankers Utilities Company, Inc., et al., petitioners, *v.* National Bank Supply Company, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 662. Smith-Hamburg Scott Welding Co. of New York, Inc., et al., petitioners, *v.* Charles Henry Bickell et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 663. Robert W. Hurt and Elmer R. Hurt, petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

The Chief Justice announced the following order:

The Court will take a recess from Monday, February 29, to Monday, March 14, next.

No. 617. W. Yale Smiley, petitioner, *v.* Mike Holm, as Secretary of State, etc. Joint motion to advance submitted by Mr. Frank Clague in behalf of counsel.

No. 574. General Motors Acceptance Corporation et al. *v.* The United States of America. Leave granted to file brief of Joseph G. Myerson, as *amicus curiae*, on motion of Mr. Joseph G. Myerson in that behalf.

No. 619. The Atlantic Refining Company, petitioner, *v.* The United States. Motion to remand submitted by Mr. Ira Jewell Williams and Mr. John H. Stone for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. J. Frank Staley, Mr. H. Brian Holland, and Mr. W. Marvin Smith for the respondent.

No. 566. Broad River Power Company, appellant, *v.* Walter G. Query et al., etc. Statement as to jurisdiction submitted by Mr. George M. LePine and Mr. W. C. McLain for the appellant.

No. 567. Lexington Water Power Company, appellant, *v.* Walter G. Query et al., etc. Statement as to jurisdiction submitted by Mr. George M. LePine and Mr. W. C. McLain for the appellant.

No. 578. Charlie Reeves, appellant *v.* The Louisville & Nashville Railroad Company. Statement as to jurisdiction submitted by Mr. David F. Anderson for the appellant.

No. 621. The United States of America, appellant, *v.* William Randolph Scharton. Statement as to jurisdiction submitted by Mr.

Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, and Mr. John Henry McEvers for the appellant.

No. 619. The Atlantic Refining Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Ira Jewell Williams, Mr. Ira Jewell Williams, jr., Mr. Charles L. Guerin, and Mr. John H. Stone for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. J. Frank Staley, Mr. H. Brian Holland, and Mr. W. Marvin Smith for the respondent.

No. 631. Chicago, Milwaukee, St. Paul & Pacific Railroad Company, petitioner, *v.* Bert Nellis. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin submitted by Mr. Rodger M. Trump, Mr. C. S. Jefferson, and Mr. Walter H. Bender for the petitioner, and by Mr. Joseph Very Quarles for the respondent.

No. 647. Aetna Life Insurance Company, petitioner, *v.* Mrs. Ethel V. Hagemyer et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Harry P. Lawther for the petitioner.

No. 652. Vincent Kerens, petitioner, *v.* Gladys Kerens Colket et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James A. Reed and Mr. Arnold Just for the petitioner, and by Mr. Luther Ely Smith, Mr. Elmer E. Percy, Mr. Fred L. Williams, and Mr. Earl F. Nelson for the respondents.

No. 655. Florence N. Rodgers et al., petitioners, *v.* H. L. Bromberg et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Allen Wright for the petitioners.

No. 692. James C. Davis, Director General of Railroads, etc., petitioner, *v.* Francis M. Reed, as Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Louis L. Waters for the petitioner, and by Mr. Paul Shipman Andrews for the respondent.

No. 466. The United States of America, petitioner, *v.* Daniel M. Lefkowitz and Pauline Paris. Argument continued by Mr. David P. Siegel for the respondents, and concluded by Mr. Solicitor General Thacher for the petitioner.

No. 468. Robert M. Leach, Executor, etc., petitioner, *v.* Malcolm E. Nichols, Formerly Collector of Internal Revenue. Argued by

Mr. O. Walker Taylor for the petitioner and by Mr. Assistant Attorney General Rugg for the respondent.

No. **469**. George L. Shearer, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. **470**. William A. W. Stewart, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Argument commenced by Mr. M'Cready Sykes for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 24, will be as follows: Nos. **469** (and **470**), **471**, **475**, **477**, **487** (**488** and **489**), **504**, **513**, **506** (and **507**), **514**, and **546**.

SUPREME COURT OF THE UNITED STATES

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

Norris E. Pierson, of Stamford, Conn., and Henry Gilligan, of Washington, D. C., were admitted to practice.

No. 514. D. B. Heiner, Collector of Internal Revenue, *v.* John H. Donnan et al. Leave granted to file brief of Wayne Johnson, as *amicus curiae*, on motion of Mr. B. G. Carson in that behalf.

No. 469. George L. Shearer, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 470. William A. W. Stewart, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Argument continued by Mr. M'Cready Sykes for the petitioners and Mr. Whitney North Seymour for the respondent, and concluded by Mr. M'Cready Sykes for the petitioners.

No. 471. Public Service Commission of Montana et al., etc., appellants, *v.* Great Northern Utilities Company. Argued by Mr. Francis A. Silver for the appellants and by Mr. E. G. Toomey for the appellee.

No. 475. New York Title and Mortgage Company, appellant, *v.* W. A. Tarver et al., etc. Argued by Mr. Nathan L. Miller for the appellants, and by Mr. Ireland Graves and Mr. Albert DeLange for the appellees.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. Argument commenced by Mr. Philip N. Jones for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 25, will be as follows: Nos. 477, 487 (488 and 489), 504, 513, 506 (and 507), 514, and 546.

SUPREME COURT OF THE UNITED STATES

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

Grady Lewis, of Muskogee, Okla., and Henry Lawlor, of Boston, Mass., were admitted to practice.

No. 514. D. B. Heiner, Collector of Internal Revenue, etc., *v.* John H. Donnan et al. Leave granted to file brief of James Marshall, as *amicus curiae*, on motion of Mr. H. Stanley Hinrichs in that behalf.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. Leave granted to file brief of John M. Gibbons, Eugene J. Phillips, and Henry Lawlor, as *amici curiae*, on motion of Mr. Henry Lawlor in that behalf.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. Argument continued by Mr. Philip N. Jones for the petitioner, and concluded by Mr. Clarence W. Rowley for the respondent.

No. 487. Canada Malting Company, Ltd., petitioner, *v.* Paterson Steamships, Ltd.;

No. 488. British Empire Grain Company, Ltd., petitioner, *v.* Paterson Steamships, Ltd.; and

No. 489. Henry K. Starnes, Doing Business as H. K. Starnes & Company, petitioner, *v.* Paterson Steamships, Ltd. Argued by Mr. D. Roger Englar for the petitioners, and by Mr. Ray M. Stanley for the respondent.

No. 504. Eastern Air Transport, Inc., appellant, *v.* South Carolina Tax Commission and W. G. Query et al., etc. Argument commenced by Mr. William Henry White, jr., for the appellant. The Court declined to hear further argument. Leave granted appellant to file reply brief within one week.

No. 513. The United States of America, appellant, *v.* O. B. Limehouse. Argument commenced by Mr. Claude R. Branch for the appellant and continued by Mr. William C. Wolfe for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 26, will be as follows: Nos. 513, 506 (and 507), 514, and 546.

SUPREME COURT OF THE UNITED STATES

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

Paul Kolisch, of New York City; Alton A. Vosburg, of Scranton, Pa.; A. Floyd Vosburg, of Scranton, Pa.; Elmer G. Van Name, of Camden, N. J.; John B. Borden, sr., of Chicago, Ill.; Bennet Nooe, jr., of Leaksville, N. C.; and Paul L. Lindsay, of Atlanta, Ga., were admitted to practice.

The Chief Justice announced the following order of the court:
 No. 617. W. Yale Smiley, petitioner, *v.* Mike Holm, as Secretary of State, etc. The joint motion to advance this case is granted and the case is assigned for argument on Monday, March 14 next, as the seventh case for that day.

No. 514. D. B. Heiner, Collector of Internal Revenue, etc., *v.* John H. Donnan et al. Leave granted to file brief of the St. Louis Union Trust Company and Andrew W. Johnson, as executors, as *amici curiae* on motion of Mr. Henry J. Richardson in that behalf.

No. 514. D. B. Heiner, Collector of Internal Revenue, etc., *v.* John H. Donnan et al. Leave granted to file brief of Continental Illinois Bank & Trust Company, as executor, etc., et al., as *amici curiae*, on motion of Mr. Wilton Wallace in that behalf.

No. 513. The United States of America, appellant, *v.* O. B. Limehouse. Argument concluded by Mr. John P. Grace for the appellee.

No. 506. American Trading Company, petitioner, *v.* H. E. Heacock Co.; and

No. 507. Wm. A. Rogers, Ltd., et al., *v.* H. E. Heacock Co. Argued by Mr. Harry D. Nims for the petitioners, and by Mr. Edward S. Rogers for the respondent.

No. 514. D. B. Heiner, Collector of Internal Revenue, etc., *v.* John H. Donnan et al. Argued by Mr. Assistant Attorney General Yongquist for Heiner, Collector, and by Mr. William G. Heiner for Donnan et al.

No. 546. Wallace S. Handy, Collector of Internal Revenue, etc., *v.* Delaware Trust Company, Executor, etc., et al. Argued by Mr. Assistant Attorney General Youngquist for Handy, Collector, and by Mr. James H. Hughes, jr., for Delaware Trust Company, Executor, et al.

Adjourned until Monday, February 29 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, and Mr. Justice Roberts.

Kyle Rucker, of Denver, Colo.; Elwin E. Hadlick, of Minneapolis, Minn.; Frank C. Olive, of Indianapolis, Ind.; James G. Johnson, of Knoxville, Tenn.; Lee I. Park, of Chicago, Ill.; and M. Maurice Parshall, of Savannah, Ga., were admitted to practice.

No. 337. Western Distributing Company, appellant, *v.* The Public Service Commission of the State of Kansas et al. Appeal from the District Court of the United States for the District of Kansas. Decree affirmed with costs. Opinion by Mr. Justice Roberts.

The Chief Justice announced the following orders of the Court:

No. 471. Public Service Commission of Montana et al., etc., appellants, *v.* Great Northern Utilities Company. Appeal from the District Court of the United States for the District of Montana. *Per curiam*: The order granting interlocutory injunction is affirmed, without prejudice to the consideration and determination at final hearing of all questions of law and fact, including the question of the reasonableness, in the circumstances disclosed, of the order which is the subject of the suit. *Alabama v. The United States*, 279 U. S. 229, 230, 231.

No. 475. New York Title and Mortgage Company, appellant, *v.* W. A. Tarver, W. S. Pope, and J. W. Deweese, et al., etc. Appeal from the District Court of the United States for the Western District of Texas. *Per curiam*: The order denying interlocutory injunction is affirmed, without prejudice to the consideration and determination at final hearing of all questions of law and fact, including the question of the standing of the complainant to maintain this suit. *Alabama v. The United States*, 279 U. S. 229, 230, 231.

No. 578. Charlie Reeves, appellant, *v.* The Louisville & Nashville Railroad Company. Appeal from the Supreme Court of the State of Ohio. *Per curiam*: The appeal herein is dismissed for the want of a substantial federal question. *Loftus v. Pennsylvania R. R. Co.*, 107 Ohio State 352, 363; *Douglas v. New York, New Haven and Hartford Railroad Company*, 279 U. S. 377; *LaTourette v. McMaster*, 248 U. S. 465.

The Chief Justice said:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the Clerk of the Court.

No. —, original. *Ex parte*; Gordon Dover, petitioner. The motions for leave to proceed *in forma pauperis* and for leave to file petition for writ of mandamus are denied.

No. 566. Broad River Power Company, appellant, *v.* Walter G. Query et al., etc.; and

No. 567. Lexington Water Power Company, appellant, *v.* Walter G. Query et al., etc. In these cases probable jurisdiction is noted and the cases are assigned for argument immediately following No. 542.

No. 621. The United States of America, appellant, *v.* William Randolph Scharton. In this case probable jurisdiction is noted and the case is advanced and assigned for argument on Monday, March 21 next, after the cases heretofore assigned for that day.

No. 597. Mike Chetkovich, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 647. Aetna Life Insurance Company, petitioner, *v.* Mrs. Ethel V. Hagemyer (nee Killingsworth) and Husband, George Hagemyer. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 655. Florence N. Rodgers and A. N. Rodgers, petitioners, *v.* H. L. Bromberg et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 692. James C. Davis, Director General of Railroads, etc., petitioner, *v.* Francis M. Reed, as Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 619. The Atlantic Refining Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied. The motion to remand to the Court of Claims for further findings of fact is also denied.

No. 668. Lincoln Bank & Trust Company et al., etc., petitioners, *v.* Commissioner of Internal Revenue. Submission of petition for writ of certiorari deferred until March 14 next, on motion of Mr. Solicitor General Thacher for the respondent.

No. —. *Ex parte*: Pocono Pines Assembly Hotels Company, petitioner. Motion for leave to file petition for writ of prohibition or for writ of mandamus submitted by Mr. Hiram B. Calkins for the petitioner and memorandum thereon submitted by Mr. Solicitor General Thacher in behalf of the United States.

No. 658. Gene G. Oliver, petitioner, *v.* The United States of America. Leave granted to file brief of Frank K. Nebeker, as *amicus curiae*, on motion of Mr. Frank K. Nebeker in that behalf.

No. —, original. *Ex parte*: John W. Keogh, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. John W. Keogh in that behalf.

No. 670. William P. Deppe and Deppe Motors Corporation, petitioners, *v.* General Motors Corporation. Leave granted petitioner to file reply brief within one week on motion of Mr. Wm. J. Hughes, jr., in behalf of counsel for the petitioner.

No. 11, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana. Report No. 4, of the defendant, State of Indiana, presented.

No. 721. Ugo Ferroni, petitioner, *v.* The United States of America. Motion for leave to proceed *in forma pauperis* submitted by Mr. Leslie P. Whelan for the petitioner.

No. 599. McCormick & Company, Inc., and Durham Bros., Inc., appellants, *v.* W. G. Brown, State Commissioner of Prohibition, etc. Statement as to jurisdiction submitted by Mr. H. D. Rummel and Mr. Philip C. Friese for the appellants.

No. 609. Alice Slattery, etc., et al., appellants, *v.* Roual L. Cochran et al. Statement as to jurisdiction submitted by Mr. Allen G. Fisher for the appellants in support thereof, and by Mr. C. A. Sorenson, Mr. E. D. Crites, and Mr. T. F. Neighbors for the appellees in opposition thereto.

No. 620. Southern Cities Distributing Company, appellant, *v.* B. E. Carter et al. Statement as to jurisdiction submitted by Mr. William H. Arnold, Mr. W. H. Arnold, jr., and Mr. David C. Arnold for the appellant in support thereof, and by Mr. Benjamin E. Carter for the appellees.

No. 657. Edward A. Thompson, Inc., appellant, *v.* Lumber Mutual Casualty Insurance Company of New York. Statement as to jurisdiction submitted by Mr. Leo C. Weiler for the appellant.

No. 722. Utah Power and Light Company, appellant, *v.* Emmitt Pfost, Commissioner, etc., et al. Statement as to jurisdiction submitted by Mr. John F. MacLane for the appellant.

No. 620. Southern Cities Distributing Company, petitioner, *v.* B. E. Carter et al. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. William H. Arnold, Mr. W. H. Arnold, jr., and Mr. David C. Arnold for the petitioner, and by Mr. Benjamin E. Carter for the respondents.

No. 622. William King Richardson, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. A. V. Cushman, Mr. T. T. Ansberry, and Mr. George E. Tew for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Melville D. Church, and Mr. H. Brian Holland for the respondent.

No. 658. Gene G. Oliver, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William J. Hughes, jr., Mr. George N. Murdock, Mr. William E. Leahy, and Mr. Edward J. Callahan for the petitioner.

No. 659. Northern Life Insurance Company, petitioner, *v.* Emman C. King. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John L. McNab for the petitioner, and by Mr. Ray T. Coughlin for the respondent.

No. 661. Pearl Bellman Klein, petitioner, *v.* United States Fidelity and Guaranty Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Lawrence Koenigsberger for the petitioner, and by Mr. Edwin C. Brandenburg and Mr. Louis M. Denit for the respondent.

No. 664. Piedmont and Northern Railway Company, petitioner, *v.* Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. W. S. O'B. Robinson, jr., and Mr. H. J. Haynsworth for the petitioner, and by Mr. Nelson Thomas and Mr. Daniel W. Knowlton for the respondents, Interstate Commerce Commission, and by Mr. F. B. Grier, Mr. S. R. Prince, Mr. Carl H. Davis, and Mr. Sidney S. Alderman for the respondent carriers.

No. 665. Leo Brennen, petitioner, *v.* Court Smith, Warden, etc. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. Leo Brennen *pro se*.

No. 666. Lehigh Valley Railroad Company, petitioner, *v.* Delbert Russell. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Howard Cobb and Mr. Harold E. Simpson for the petitioner, and by Mr. Ephraim J. Page for the respondent.

No. 669. Frigidaire Sales Corporation, petitioner, *v.* R. M. Marks. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Elwood H. Seal for the petitioner, and by Mr. Henry Gilligan for the respondent.

No. 670. William P. Deppe and Deppe Motors Corporation, petitioners, *v.* General Motors Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Atlee Pomerene and Mr. Wm. J. Hughes for the petitioners, and by Mr. J. L. Stackpole and Mr. Melville Church for the respondent.

No. 673. The Mantle Lamp Company of America, petitioner, *v.* The Geo. H. Bowman Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George I. Haight and Mr. Thomas G. Steward for the petitioner.

No. 674. St. Louis Southwestern Railway Company, petitioner, *v.* Effie K. Simpson, as Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Harold R. Small and Mr. A. L. Adams for the petitioner, and by Mr. Frank Pace for the respondent.

No. 678. Morgan Lithograph Company, petitioner, *v.* Wezel & Naumann Aktiengesellschaft. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Drury W. Cooper for the petitioner, and by Mr. Wm. Houston Kenyon for the respondent.

No. 679. The Goodyear Tire & Rubber Company, petitioner, *v.* Overman Cushion Tire Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. F. O. Richey, Mr. William B. Cockley, and Mr. Spencer Gordon for the petitioner and by Mr. Robert W. Byerly and Mr. William L. Day for the respondents.

No. 680. Jack Guzik, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William F. Waugh for the petitioner and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Carlton Fox for the respondent.

No. 682. Erie Railroad Company, petitioner, *v.* Reginald Steele. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Welles V. Moot for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 683. Wabash Railway Company, petitioner, *v.* Irene R. Whitcomb, Administratrix, etc. Petition for writ of certiorari to the Appellate Court of the State of Indiana submitted by Mr. Charles H. Stuart for the petitioner, and by Mr. Henry M. Dowling for the respondent.

No. 684. Leonard Jabczynski and Max Gurovich, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. George K. Bowden for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondent.

No. 685. A. F. McFee, Indicted as A. F. McPhee, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Harry H. Parsons for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. A. E. Gottshall, and Mr. W. Marvin Smith for the respondent.

No. 690. The State Bank and Trust Company, petitioner, *v.* Robert C. Lee, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Louis S. Posner for the petitioner, and by Mr. David Haar for the respondent.

Adjourned until Monday, March 14 next, at 12 o'clock.

The day call for Monday, March 14, will be as follows: Nos. 576, 590, 158, 265, 118, 341, 617, 270, 568 (569 and 570), and 526.

SUPREME COURT OF THE UNITED STATES

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

Sydney C. Perell, of Stamford, Conn.; Lucian H. Vandoren, of Washington, D. C.; Elmer P. Bromley, of Los Angeles, Calif.; Milton R. Kroopf, of New York City; Robert H. Winn, of Washington, D. C.; Max Turner, of New York City; Thos. D. Aitken, of San Francisco, Calif.; William H. Gurnee, of St. Paul, Minn.; Alfred Wellford Bowen, of Minneapolis, Minn.; Chester E. Stiles, of Washington, D. C.; George A. Spiegelberg, of New York City; Joseph M. Paley, of New York City; William H. Freese, of New York City; Roy E. Willy, of Sioux Falls, S. Dak.; John H. Miley, of Oklahoma City, Okla.; Daniel Anderson, of Chicago, Ill.; William E. Wallace, of Williamsburg, Iowa; Harold B. Claypool, of Williamsburg, Iowa; and John A. Murray, of Logan, Iowa, were admitted to practice.

The Chief Justice said: "The Court is advised that Judge Benjamin N. Cardozo, for many years Chief Judge of the Court of Appeals of the State of New York, has been appointed an Associate Justice of this Court to fill the vacancy caused by the resignation of Mr. Justice Holmes. Judge Cardozo is present. The Clerk will read his Commission. Judge Cardozo will then take the oath of office, and the Marshal will escort him to the Bench."

The Clerk then read the commission as follows:

"HERBERT HOOVER

PRESIDENT OF THE UNITED STATES OF AMERICA

To all who shall see these Presents, Greeting:

Know Ye; That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Benjamin Nathan Cardozo, of New York, I have nominated, and, by and with the advice and consent of the Senate, do appoint him an Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to

Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining unto Him, the said Benjamin Nathan Cardozo, during his good behavior.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Done at the City of Washington this second day of March, in the year of our Lord one thousand nine hundred and thirty-two and of the Independence of the United States of America the one hundred and fifty-sixth.

HERBERT HOOVER.

By the President:

WILLIAM D. MITCHELL,
Attorney General.

The oath of office was then administered by the Clerk, and Mr. Justice Cardozo was escorted by the Marshal to his seat on the bench.

No. 339. Southern Pacific Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment reversed and cause remanded to the said Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts.

No. 413. The Aetna Casualty and Surety Company, petitioner, *v.* Phoenix National Bank and Trust Company of Lexington. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment reversed with costs and cause remanded to the District Court of the United States for the Eastern District of Kentucky for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 432. William E. Lamb, petitioner, *v.* Sterling B. Cramer et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the Northern District of Mississippi. Opinion by Mr. Justice Stone.

No. 433. William E. Lamb, petitioner, *v.* William A. Schmitt, Receiver, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the Northern District of Mississippi. Opinion by Mr. Justice Stone.

No. 469. George L. Shearer, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 470. William A. W. Stewart, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgments affirmed and cases remanded to the said United States Circuit Court of Appeals. Opinion by Mr. Justice Stone.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. On writ of certiorari to the Municipal Court of the City of Boston, County of Suffolk, Commonwealth of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 355. Frank Collis Bowers, as Executor of the Estate of Frank K. Bowers, Formerly United States Collector, etc., petitioner, *v.* Lawyers Mortgage Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion by this Court. Opinion by Mr. Justice Butler.

No. 356. The United States of America, petitioner, *v.* Home Title Insurance Company. 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 Eastern District of New York. Opinion by Mr. Justice Butler.

No. 217. William Stevens, petitioner, *v.* The Vessel "White City," her engines, tackle, apparel, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Butler.

No. 429. D. Ginsberg & Sons, Inc., petitioner, *v.* Joseph Popkin. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Butler.

No. 179. Herbert S. Daniel, Trustee of Peters Trust Company, Bankrupt, petitioner, *v.* Guaranty Trust Company of New York. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Nebraska. Opinion by Mr. Justice McReynolds.

No. 468. Robert M. Leach, Executor, etc., petitioner, *v.* Malcolm E. Nichols, Formerly Collector of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Judgment affirmed with costs, and cause remanded

to the District Court of the United States for the District of Massachusetts. Opinion by Mr. Justice McReynolds.

No. 333. Hartford Accident & Indemnity Company, appellant, *v.* O. L. Bunn, Doing Business as Bunn Electric Company, et al. Appeal from the Supreme Court of the State of Mississippi. Motion to dismiss sustained and appeal dismissed with costs. Opinion by Mr. Justice McReynolds.

No. 411. Galveston Wharf Company et al., petitioners, *v.* Galveston, Harrisburg & San Antonio Railway Company et al. On writ of certiorari to the Supreme Court of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 426. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Charles P. Leininger. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree of the Circuit Court of Appeals reversed and order of the Board of Tax Appeals affirmed and cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Hughes.

No. 453. Atlantic Coast Line Railroad Company, petitioner, *v.* Hannah R. Temple, Administratrix of the Estate of Joseph R. Temple, deceased. On writ of certiorari to the Supreme Court of the State of South Carolina. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Hughes.

No. 504. Eastern Air Transport, Inc., appellant, *v.* South Carolina Tax Commission and W. G. Query, J. P. Derham, and Frank C. Robinson, etc. Appeal from the District Court of the United States for the Eastern District of South Carolina. Decree affirmed with costs. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 609. Alice Slattery, Patrick Slattery, etc., et al., appellants, *v.* Roual L. Cochran, Robert H. Willis, et al. Appeal from the Supreme Court of the State of Nebraska. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. Section 237(a) Judicial Code as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by section 237(c), Judicial Code as amended (43 Stat. 936, 938), the petition for writ of certiorari is denied.

No. 620. Southern Cities Distributing Company, appellant, *v.* B. E. Carter, A. B. Clark, Mayor, etc., et al. Appeal from and on petition for writ of certiorari to the Supreme Court of the State of Arkansas. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. Section 237(a), Judicial Code, as amended by the Act of February 12, 1925 (43 Stat. 936, 937); *Wabash R. R. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191. The petition for writ of certiorari is denied.

The Chief Justice said:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the Clerk of this Court.

No. —. In Re Disbarment of George D. Collins, Senior.

It having been shown to the Court that George D. Collins, Senior, a member of the Bar of this Court, was disbarred from the practice of the law by the Supreme Court of the State of California upon July 19, 1909, upon receipt by that court of a certified copy of the record of the conviction of the said Collins of a felony involving moral turpitude; and it appearing that the Supreme Court of California on May 8, 1922, denied, after hearing, the application of the said Collins for revocation of the said order of disbarment of July 19, 1909; and this Court having received and considered the return and response of the said Collins to a rule issued to him January 26, 1932, by this Court to show cause why he should not be disbarred from the practice of the law in this Court,

It is ordered that the said George D. Collins, Senior, be, and he is hereby, disbarred from the practice of the law in this Court, and that his name be stricken from the roll of attorneys admitted to practice in this Court.

No. 721. Ugo Ferroni, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon inspection of the unprinted record submitted herein, finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

No. —. Ex Parte: Pocono Pines Assembly Hotels Company, petitioner. The motion for leave to file petition for writ of mandamus and/or prohibition is denied.

No. —. *Ex Parte*: John W. Keogh, petitioner. The motion for leave to file petition for writ of mandamus is denied.

No. 11, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Report No. 4 of defendant, The State of Indiana, is received and ordered to be filed.

No. 401. American Surety Company of New York, petitioner, *v.* The Creek Catholic Union. In this cause it is ordered that the word "then" be deleted from the first line of the third paragraph of the opinion announced on February 15, 1932; otherwise the opinion will stand as heretofore announced.

No. 599. McCormick & Company, Inc., and Durham Bros., Inc., appellants, *v.* W. G. Brown, State Commissioner of Prohibition, etc. In this case probable jurisdiction is noted.

No. 722. Utah Power and Light Company, appellant, *v.* Emmitt Pfof, Commissioner of Law Enforcement of the State of Idaho et al. In this case probable jurisdiction is noted, and the case is advanced and assigned to follow No. 567.

No. 657. Edward A. Thompson, Inc., appellant, *v.* Lumber Mutual Casualty Insurance Company of New York. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits.

No. 664. Piedmont and Northern Railway Company, petitioner, *v.* Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted. The Chief Justice took no part in the consideration or decision of this application.

No. 674. St. Louis Southwestern Railway Company, petitioner, *v.* Effie K. Simpson, as administratrix etc. Petition for writ of certiorari to the Supreme Court of the State of Arkansas granted.

No. 631. Chicago, Milwaukee, St. Paul & Pacific Railroad Company, petitioner, *v.* Bert Nellis. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin denied.

No. 652. Vincent Kerens, petitioner, *v.* Gladys Kerens Colket et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 622. William King Richardson, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 658. Gene G. Oliver, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 659. Northern Life Insurance Company, petitioner, *v.* Emma C. King. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 661. Pearl Bellman Klein, petitioner, *v.* United States Fidelity and Guaranty Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 665. Leo Brennen, petitioner, *v.* Court Smith, Warden of the California State Prison, etc. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 666. Lehigh Valley Railroad Company, petitioner, *v.* Delbert Russell. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 669. Frigidaire Sales Corporation, petitioner, *v.* R. M. Marks. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 670. Willam P. Deppe and Deppe Motors Corporation, petitioners, *v.* General Motors Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 673. The Mantle Lamp Company of America, petitioner, *v.* The Geo. H. Bowman Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 678. Morgan Lithograph Company, petitioner, *v.* Wezel-Naumann Aktiengesellschaft. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 679. The Goodyear Tire & Rubber Company, petitioner, *v.* Overman Cushion Tire Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 680. Jack Guzik, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 682. Erie Railroad Company, petitioner, *v.* Reginald Steele. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 683. Wabash Railway Company, petitioner, *v.* Irene R. Whitcomb, Administratrix, etc. Petition for writ of certiorari to the Appellate Court of the State of Indiana denied.

No. 684. Leonard Jabczynski and Max Gurovich, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 685. A. F. McFee, Indicted as A. F. McPhee, petitioner, *v.* The United States of America. Petition for writ of certiorari to

the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 690. The State Bank and Trust Company, petitioner, *v.* Robert C. Lee, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 790. Thomas C. Edwards *v.* The United States. Joint motion to advance submitted by Mr. Solicitor General in that behalf.

No. 693. John Vance Taylor, petitioner, *v.* The United States of America. Submission of petition for writ of certiorari deferred for one week on motion of Mr. Solicitor General Thacher in that behalf.

No. 731. Samuel S. Koenig et al., petitioners, *v.* Edward J. Flynn, Secretary, etc. Motion to advance submitted by Mr. Benjamin L. Fairchild for the petitioners.

No. 568. The United States of America, appellant, *v.* Swift & Company et al.;

No. 569. American Wholesale Grocers Association, appellants, *v.* Swift & Company et al.; and

No. 570. National Wholesale Grocers Association, appellant, *v.* Swift & Company et al. Leave granted to file brief of The Texas & Southwestern Cattle Raisers' Association and others as *amici curiae*, on motion of Mr. R. C. Fulbright in that behalf.

No. 568. The United States of America, appellant, *v.* Swift & Company et al.;

No. 569. American Wholesale Grocers Association, appellants, *v.* Swift & Company et al.; and

No. 570. National Wholesale Grocers Association, appellant, *v.* Swift & Company et al. Leave granted to file brief of American National Live Stock Association and others as *amici curiae*, on motion of Mr. R. C. Fulbright in that behalf.

No. 581. George J. Adams et al., petitioners, *v.* Andrew W. Mellon, Director General of Railroads, etc. Ogden L. Mills, present Director General of Railroads, substituted as a party respondent in place of Andrew W. Mellon, former Director General, on motion of Mr. Sidney F. Andrews in that behalf.

No. 158. Amos Shriver, appellant, *v.* Woodbine Savings Bank of Woodbine, Iowa. Leave granted Mr. Earl F. Wisdom to file brief of L. A. Andrew, Superintendent of Banking of the State of Iowa, as *amicus suriae*, and to participate in the oral argument, on motion of Mr. Earl F. Wisdom in that behalf.

No. 581. George J. Adams et al., petitioners, *v.* Ogden L. Mills, Director General of Railroads, etc. Leave granted to file brief of the Interstate Commerce Commission, as *amicus curiae*, on motion of Mr. J. Stanley Payne in that behalf.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector, etc. Leave granted to file brief of the Western Pacific Railroad Corporation and Utah Fuel Company, as *amici curiae*, on motion of Mr. Albert S. Lisenby in that behalf.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector, etc. Leave granted to file brief of Alfred S. Weill, Hugh Satterlee, and Albert S. Lisenby, as *amici curiae*, on motion of Mr. Albert S. Lisenby in that behalf.

No. —, original. Ex Parte: Harry Joseph Ryan, petitioner. Motion for leave to file petition for writ of mandamus and for leave to proceed *in forma pauperis* submitted by Mr. Harry Joseph Ryan *pro se*.

No. —, original. Ex Parte: State of Colorado, petitioner. Response to the rule to show cause presented.

No. 738. Margaret M. McCarthy, petitioner, *v.* The United States Shipping Board Merchant Fleet Corporation, Garnishee. Motion for leave to proceed *in forma pauperis* submitted by Margaret M. McCarthy, *pro se*.

No. 782. Herman Taylor et al., petitioners, *v.* State of Louisiana. Motion for leave to proceed *in forma pauperis* submitted by Mr. Moses C. Scharff for the petitioners.

No. 783. People of the State of Michigan ex rel. Fred Palm, by A. Stanley Copeland, as Friend, petitioner, *v.* Harry H. Jackson, Warden, etc. Motion for leave to proceed *in forma pauperis* submitted by Mr. A. Stanley Copeland, *pro se*.

No. 789. Gertrude C. Solez, petitioner, *v.* Zurich General Accident and Liability Insurance Company, Ltd., etc. Motion for leave to proceed *in forma pauperis* submitted by Mr. Frederic R. Coudert and Mr. Percy A. Shay for the petitioner.

No. 627. George P. Porter, auditor and ex officio Investment Commissioner of the State of Montana, appellant, *v.* Investors Syndicate. Statement as to jurisdiction submitted by Mr. L. A. Foot for the appellant.

No. 646. George W. Streit, Doing Business under the name of G. W. Streit & Co., appellant, *v.* J. M. Lujan, State Comptroller of the State of New Mexico, et al. Statement as to jurisdiction sub-

mitted by Mr. Charles Fahy for the appellant in support thereof, and by Mr. E. K. Neumann and Mr. Sam G. Bratton for the appellees in opposition thereto.

No. 650. DePauw University, appellant, *v.* Larry Brunk, Treasurer of the State of Missouri, et al. Statement as to jurisdiction submitted by Mr. Justin D. Bowersock for the appellant in support thereof, and by Mr. John T. Barker and Mr. George W. Meyer for the appellees in opposition thereto.

No. 667. Atlantic Cleaners and Dyers, Inc., et al., appellants, *v.* The United States of America. Statement as to jurisdiction submitted by Mr. Dale D. Drain and Mr. Alvin L. Newmyer for the appellant.

No. 642. Mills Novelty Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Weymouth Kirkland and Mr. Willis D. Nance for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. H. Brian Holland, and Mr. William H. Riley, jr., for the respondent.

No. 643. Martin M. Philipsborn, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Clarence N. Goodwin for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. Bradley B. Gilman, and Mr. William H. Riley, jr., for the respondent.

No. 645. F. Couthoui, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Charles H. LeFevre and Mr. Howard S. LeRoy for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. H. Brian Holland, and Mr. William H. Riley, Jr., for the respondent.

No. 656. Army and Navy Club of America, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Benjamin B. Pettus, Mr. E. F. Colladay, and Mr. George W. Burleigh for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. Fred K. Dyar, Mr. H. Brian Holland, and Mr. William H. Riley, jr., for the respondent.

No. 668. Lincoln Bank & Trust Company et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Elwood Hamilton for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, Mr. A. H. Conner, Mr. William H. Riley, jr., and Mr. C. M. Charest for the respondent.

No. 672. Planters Cotton Oil Company, Inc., of Waxahachie, Texas, et al., petitioners, *v.* George C. Hopkins, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joe A. Worsham and Mr. J. L. Gammon for the petitioners, and Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, Mr. Norman D. Keller, and Mr. Wilbur H. Friedman for the respondent.

No. 675. George M. Ford, petitioner, *v.* The New York, New Haven and Hartford Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas J. O'Neill and Mr. Charles D. Lewis for the petitioner, and by Mr. John M. Gibbons, and Mr. Edward R. Brumley for the respondent.

No. 681. Ricy W. Jones et al., petitioners, *v.* Box Elder County et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Dan B. Shields for the petitioners, and by Mr. Lewis Jones for the respondents.

No. 686. The Clifton Highland Company et al., petitioners, *v.* The City of Lakewood, Ohio, et al., etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Miles E. Evans for the petitioners.

No. 687. Carl Czarlinsky, alias C. Czarlinsky, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. A. T. Hannett for the petitioner, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 688. Societe Enfants Gombault et Cie., petitioner, *v.* The Lawrence-Williams Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Lanier McKee and Mr. James R. Garfield for the petitioner, and by Mr. John F. Oberlin for the respondent.

No. 691. City of Buffalo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Herbert A. Hickman for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Richardson, Mr. Claude R. Branch, and Mr. William H. Riley, jr., for the respondent.

No. 695. John G. Faircloth, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. T.

Morris Wampler for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 696. James Trombetta, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Benjamin L. Stein for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. F. Cadmus Damrell, and Mr. W. Marvin Smith for the respondent.

No. 697. Tess Ard, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Philip D. Beall for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. A. E. Gottschall, and Mr. W. Marvin Smith for the respondent.

No. 698. Jules C. L'Hote et al., petitioners, *v.* Letus N. Crowell, Deputy Commissioner, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Arthur A. Moreno for the petitioners, and by Mr. Solicitor General Thacher for the respondent, Letus N. Crowell.

No. 699. James Akeroyd & Son, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. J. Stuart Tompkins for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Lawrence, Mr. Claude R. Branch, and Mr. William H. Riley, jr., for the respondent.

No. 700. John H. Page, Trustee, etc., petitioner, *v.* Arkansas Natural Gas Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank J. Looney, Mr. Judson M. Grimmet, and Mr. Yandell Boatner for the petitioner, and by Mr. Robert S. Sloan for the respondent.

No. 701. Minneapolis, St. Paul and Sault Ste. Marie Railway Company, petitioner, *v.* Joseph Galvin. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Henry S. Mitchell for the petitioner, and by Mr. Werner W. Schroeder for the respondent.

No. 702. Mrs. Alpha L. Tolbert, petitioner, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Erskine R. Myer and Mr. Norton Montgomery for the petitioner, and by Mr. Louis H. Cooke and Mr. Henry McAllister for the respondent.

No. 703. The Baltimore & Ohio Railroad Company, petitioner, *v.* Ray Berry. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Rudolph J. Kramer, Mr. Bruce A. Campbell, Mr. Morison R. Waite, and Mr. William A. Eggers for the petitioner, and by Mr. William H. Allen for the respondent.

No. 704. The United States, petitioner, *v.* Barnim Kombst et al. Petition for writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Clarence W. DeKnight and Mr. Frederick Schwertner for the respondents.

No. 708. Florida East Coast Railway Company, petitioner, *v.* Alfred Acheson. Petition for writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. Robert H. Anderson for the petitioner, and by Mr. H. H. Taylor for the respondent.

No. 709. J. G. Tyson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. Forrest McCutcheon for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 710. The Chas. H. Phillips Chemical Company, Inc., petitioner, *v.* McKesson & Robbins, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edward S. Rogers, Mr. William J. Hughes, and Mr. William J. Hughes, jr., for the petitioner, and by Mr. Harry D. Nims and Mr. Minturn DeS. Verdi for the respondent.

No. 711. Abraham Franco et al., petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Richard T. Rives for the petitioners, and by Mr. Ray Rushton for the respondent.

No. 714. Walter J. MacDonald, Trustee, etc., petitioner, *v.* Plymouth County Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Robert A. B. Cook for the petitioner, and by Mr. Joseph B. Jacobs for the respondent.

No. 715. Frank Shore, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. James F. Reilly, Mr. William E. Leahy, and Mr. Wm. J. Hughes, jr., for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. John J. Byrne, and Mr. Wilbur H. Friedman for the respondent.

No. 718. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Arthur F. Hall; and

No. 719. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Arthur F. Hall. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. John A. Selby and Mr. Henry Ravenel for the respondent.

No. 730. Frederick S. Lang, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Dickerman Williams for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. Wilbur H. Friedman for the respondent.

No. 734. The United States of America, petitioner, *v.* Commercial Credit Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Duane R. Dills and Mr. Berthold Muecke, jr., for the respondent.

No. 743. Saul Steinman, petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Samuel B. Kaufman for the petitioner, and by Mr. Robert Carey and Mr. Harry Lane for the respondent.

No. 777. The Aleograph Company, petitioner, *v.* Electrical Research Products, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. B. Lewright for the petitioner, and by Mr. W. L. Matthews for the respondent.

No. 576. John T. Callahan, petitioner, *v.* The United States of America. Argued by Mr. Louis Halle for the petitioner, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 590. Herman O. Hagner et al., petitioners, *v.* The United States of America. Argued by Mr. William E. Leahy for the petitioners, and by Mr. Solicitor General Thacher for the respondent.

No. 158. Amos Shriver, appellant, *v.* Woodbine Savings Bank of Woodbine, Iowa. Reargument commenced by Mr. H. B. Claypool for the appellant.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 15, will be as follows: Nos. 158, 265, 118, 341, 617, 270, 568 (569 and 570), 526, 521, and 525.

SUPREME COURT OF THE UNITED STATES

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

Albert E. Maves, of New York City; Donald O. Wright, of Minneapolis, Minn.; Frederic Ullmann, of Chicago, Ill.; Henry Epstein, of New York City; Karl A. Blaustein, of Brooklyn, N. Y.; Ben R. Howell, of El Paso, Tex.; Harry L. Siegel, of Lewistown, Pa.; and Leon F. de Fremery, of San Francisco, Calif., were admitted to practice.

No. 731. Samuel S. Koenig et al, petitioners, *v.* Edward J. Flynn, Secretary of State of the State of New York, et al. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Abraham S. Gilbert and Mr. Benjamin L. Fairchild for the petitioners, and by Mr. John J. Bennett, jr., Mr. John Godfrey Saxe, and Mr. Henry Epstein for the respondents.

The Chief Justice announced the following order of the Court:
No. 731. Samuel S. Koenig et al, petitioners, *v.* Edward J. Flynn, Secretary of State of the State of New York, et al. Petition for writ of certiorari to the Supreme Court of the State of New York granted. The motion to advance is granted and the case is assigned for argument on Thursday, March 24 next, at the head of the call for that day.

No. 158. Amos Shriver, appellant, *v.* Woodbine Savings Bank of Woodbine, Iowa. Reargument continued by Mr. J. A. Murray for the appellee; by Mr. Earl F. Wisdom for L. A. Andrew, Superintendent of Banking of the State of Iowa as *amicus curiae*, by special leave of Court, and concluded by Mr. W. E. Wallace for the appellant.

No. 265. L. A. Nixon, petitioner, *v.* James Condon et al. Re-argued by Mr. James Marshall and Mr. Nathan R. Margold for the petitioner, and by Mr. Ben R. Howell for the respondents.

No. 118. Fox Film Corporation, appellant, *v.* Paul H. Doyal et al., etc. Reargument commenced by Mr. William A. Sutherland for the appellant, and continued by Mr. Orville A. Park for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 16, will be as follows: Nos. 118, 341, 617, 270, 568 (569 and 570), 526, 521, 525, 529, and 530.

SUPREME COURT OF THE UNITED STATES

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

M. B. Byington, of Washington, D. C.; F. Eberhart Haynes, of Washington, D. C.; John A. Weeks, of Minneapolis, Minn.; and C. G. Gilliland, of Washington, D. C., were admitted to practice.

No. 341. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Coronado Oil and Gas Company. Leave granted to file brief of the Attorney General of the State of Illinois and Counsel for the Board of Trustees of the University of Illinois, as *amici curiae*, on motion of Mr. D. A. Richardson in that behalf.

No. 118. Fox Film Corporation, appellant, *v.* Paul H. Doyal et al., etc. Reargument continued by Mr. Orville A. Park for the appellees, and concluded by Mr. William A. Sutherland for the appellant.

No. 341. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Coronado Oil and Gas Company. Reargued by Mr. Solicitor General Thacher for the petitioner, and by Mr. D. A. Richardson and Mr. Thomas P. Gore for the respondent.

No. 617. W. Yale Smiley, petitioner, *v.* Mike Holm, as Secretary of State of the State of Minnesota. Argument commenced by Mr. George T. Simpson for the petitioner, continued by Mr. Alfred W. Bowen for the petitioner, and by Mr. Henry N. Benson for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 17, will be as follows: Nos. 617, 270, 568 (569 and 570), 526, 521, 525, 529, 530, 503, and 537 (538 and 539).

SUPREME COURT OF THE UNITED STATES

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

No. 617. W. Yale Smiley, petitioner, *v.* Mike Holm, as Secretary, etc. Argument continued by Mr. Henry N. Benson for the respondent and concluded by Mr. William H. Gurnee for the respondent.

No. 270. The Pacific Company, Ltd., appellant, *v.* Charles G. Johnson, State Treasurer, etc. Reargued by Mr. Stuart Chevalier for the appellant, and by Mr. H. H. Linney and Mr. U. S. Webb for the appellee.

No. 568. The United States of America, appellant, *v.* Swift & Company et al.;

No. 569. American Wholesale Growers Association et al., appellants, *v.* Swift & Company et al.; and

No. 570. National Wholesale Grocers Association, appellant, *v.* Swift & Company et al. Four hours allowed for the oral argument of these cases. Argument commenced by Mr. Assistant to the Attorney General O'Brian for the appellant in No. 568;

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, March 18, will be as follows: Nos. 568, (569 and 570), 526, 521, 525, 529, 503, 537 (538 and 539), 547, 548, and 553.

SUPREME COURT OF THE UNITED STATES

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

Charles M. Thomson, of Chicago, Ill.; Charles F. Ayer, of New York City; Carroll Searls, of New York City; Wm. S. Allen, of New York City; and Irving B. Goldsmith, of Chicago, Ill., were admitted to practice.

No. 729. Luther H. Reichelderfer et al., etc., petitioners, *v.* Henry I. Quinn et al. Leave granted respondent to file brief on or before March 28 next, on motion of Mr. George E. Sullivan for the respondent.

No. 568. The United States of America, appellant, *v.* Swift & Company et al.;

No. 569. American Wholesale Grocers Association et al., appellants, *v.* Swift & Company et al.; and

No. 570. National Wholesale Grocers Association, appellant, *v.* Swift & Company et al. Argument continued by Mr. Edgar Watkins for the appellants in No. 569; by Mr. William C. Breed for the appellant in No. 570; by Mr. Frank J. Hogan for the appellees; and concluded by Mr. Assistant to the Attorney General O'Brian for the appellant in No. 568.

No. 526. Thomas K. Glenn, appellant, *v.* Paul H. Doyal et al., etc. Argument commenced by Mr. John A. Sibley for the appellant. The Court declined to hear further argument.

No. 521. Kansas City Public Service Company, appellant, *v.* John R. Ranson, as Collector, etc. Argument commenced by Mr. Powell C. Groner for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 21, will be as follows: Nos. 521, 528, 694, 621, 529, 525, 547, 548, 553, and 557.

SUPREME COURT OF THE UNITED STATES

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

Wilbur C. Davidson, of New York City; George R. Hemenway, of Elmira, N. Y.; Henry T. Hornidge, of New York City; William J. Dowd, of New York City; Maurice Palais, of Boston, Mass.; Reginald S. Hemingway, of Bloomsburg, Pa.; Lansing B. Lee, of Augusta, Ga.; Agatha O. LaLonde, of Fredericksburg, Va.; Byron K. Elliott, of Indianapolis, Ind.; Samuel H. Kaufman, of New York City; Simon E. Sobeloff, of Baltimore, Md.; Joseph L. Lewinson, of Los Angeles, Calif.; Eugene M. Prince, of San Francisco, Calif.; Abraham Wilson, of New York City; and Donald Meyer Newman, of New York City, were admitted to practice.

No. 463. *New State Ice Company, appellant, v. Ernest A. Liebmann.* Appeal from the United States Circuit Court of Appeals for the Tenth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Oklahoma. Opinion by Mr. Justice Sutherland. Dissenting opinion by Mr. Justice Brandeis, in which Mr. Justice Stone concurs. Mr. Justice Cardozo took no part in the consideration or decision of this case.

No. 514. *D. B. Heiner, Collector of Internal Revenue, Twenty-third District of Pennsylvania, v. John H. Donnan, Sidney B. Donnan, Alvan E. Donnan, et al., etc.* On certificate from the United States Circuit Court of Appeals for the Third Circuit. First question answered in the affirmative. The answer to the first question makes an answer to the second question unnecessary. Opinion by Mr. Justice Sutherland. Dissenting opinion by Mr. Justice Stone, in which Mr. Justice Brandeis concurs. Mr. Justice Cardozo took no part in the consideration or decision of this case.

No. 546. *Wallace S. Handy, Collector of Internal Revenue for the District of Delaware, v. Delaware Trust Company, Executor under the Last Will and Testament of William du Pont, deceased, et al.* On certificate from the United States Circuit Court of Appeals for the Third Circuit. The question is answered in the affirmative.

Opinion by Mr. Justice Sutherland. Mr. Justice Brandeis and Mr. Justice Stone dissent. Mr. Justice Cardozo took no part in the consideration or decision of this case.

No. 506. American Trading Company, petitioner, *v.* H. E. Heacock Co.; and

No. 507. Wm. A. Rodgers, Ltd., and American Trading Company, petitioners, *v.* H. E. Heacock Co. On writs of certiorari to the Supreme Court of the Philippine Islands. Decrees modified and as so modified affirmed with costs. Opinion by Mr. Chief Justice Hughes. Mr. Justice Cardozo took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 526. Thomas K. Glenn, appellant, *v.* Paul H. Doyal, State Tax Commissioner. Appeal from the Supreme Court of the State of Georgia. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. *Moffitt v. Kelly*, 218 U. S. 400, 404, 405; *Nickel v. Cole*, 256 U. S. 222, 226; *Iowa Central Ry. Co. v. Iowa*, 160 U. S. 389, 393; *Castillo v. McConnico*, 168 U. S. 674, 683; *Lombard v. West Chicago Park Commissioners*, 181 U. S. 33, 42, 43; *French v. Taylor*, 199 U. S. 274, 277; *Rawlins v. Georgia*, 201 U. S. 638, 639, 640; *Hannis Distilling Co. v. Baltimore*, 216 U. S. 285, 294; *deBearn v. Safe Deposit & Trust Co.*, 233 U. S. 24, 34; *McDonald v. Oregon Navigation Co.*, 233 U. S. 665, 669, 670; *St. Louis Land Co. v. Kansas City*, 241 U. S. 419, 427; *Hebert v. Louisiana*, 272 U. S. 312, 316, 317; *Sandel v. South Carolina*, 269 U. S. 532; *Boyd v. Smythe*, 270 U. S. 635.

No. 646. George W. Streit, Doing Business under the name of G. W. Streit & Co., appellant, *v.* J. M. Lujan, State Comptroller of the State of New Mexico, et al., etc. Appeal from the Supreme Court of the State of New Mexico. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. *Guaranty Trust Co. v. New York & Queens County Ry. Co.*, 282 U. S. 803; *Wabash R. R. Co. v. Flannigan*, 192 U. S. 29; *Erie R. R. Co. v. Solomon*, 237 U. S. 427; *C. A. King & Co. v. Horton*, 276 U. S. 600; *Bank of Indianola v. Miller*, 276 U. S. 605; *Roe v. Kansas*, 278 U. S. 191.

No. 650. DePauw University, appellant, *v.* Larry Brunk, Treasurer of the State of Missouri, et al. Appeal from the District Court of the United States for the Western District of Missouri. *Per curiam*: The Court being of opinion that there is no jurisdiction in equity, the order of the District Court dismissing the bill of complaint in this cause is affirmed. *First National Bank of Greely v.*

Board of County Commissioners of the County of Weld, 264 U. S. 450; Gorham Mfg. Co. v. State Tax Commission, 266 U. S. 265, 269, 270; Henrietta Mills v. Rutherford County, 281 U. S. 121.

The Chief Justice said:

“In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the clerk of this Court.”

No. —, original. *Ex parte*: The State of Colorado, petitioner. Upon consideration of the motion of the petitioner for leave to file petition for a writ of mandamus directed to the Hon. J. Foster Symes, Judge of the District Court of the United States for the District of Colorado and to the said District Court of the United States, and of the response to the rule heretofore issued to show cause why leave to file such petition should not be granted,

It is ordered that leave to file the said petition for writ of mandamus be, and it is hereby, granted;

And it is further ordered that a rule issue to the said respondents, returnable on Monday, April 11 next, to show cause upon printed briefs why the writ of mandamus should not issue as prayed. All questions presented are reserved until the return of such rule.

No. —, original. *Ex parte*: Harry Joseph Ryan, petitioner. The motions for leave to proceed *in forma pauperis* and for leave to file petition for writ of mandamus in this cause are denied.

No. 738. Margaret M. McCarthy, petitioner, v. The United States Shipping Board Merchant Fleet Corporation, Garnishee. On petition for writ of certiorari to the Court of Appeals of the District of Columbia. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

No. 782. Herman Taylor et al., petitioners, v. State of Louisiana. On petition for writ of certiorari to the Supreme Court of the State of Louisiana. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

No. 783. People of the State of Michigan, *ex rel.* Fred Palm, by A. Stanley Copeland, as Friend, petitioner, *v.* Harry H. Jackson, Warden of Michigan State Prison, Jackson, Michigan. On petition for writ of certiorari to the Circuit Court of Jackson County, State of Michigan. *Per curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

No. 789. Gertrude C. Solez, petitioner, *v.* Zurich General Accident and Liability Insurance Company, Ltd., etc. The motion for leave to proceed further herein *in forma pauperis* is granted. A copy of the petition, brief, and record shall be served upon respondent or its counsel as soon as the same shall have been printed. Brief for the respondent may be filed within two weeks of the date of such service. On the first motion day following the filing of brief for the respondent or the expiration of the time herein allowed for such filing the petition shall be submitted to the Court for consideration.

No. 790. Thomas C. Edwards *v.* The United States. The joint motion to advance this case is granted, and the case is advanced and assigned for argument on Monday, April 11 next.

No. 627. George P. Porter, Auditor, etc., appellant, *v.* Investors Syndicate; and

No. 667. Atlantic Cleaners and Dyers, Inc., et al., appellants, *v.* The United States of America. In these cases probable jurisdiction is noted.

No. 700. John H. Page, Trustee, etc., petitioner, *v.* Arkansas Natural Gas Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 703. The Baltimore & Ohio Railroad Company, petitioner, *v.* Ray Berry. Petition for writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 704. The United States, petitioner, *v.* Barnim Kombst et al. Petition for writ of certiorari to the Court of Claims granted.

No. 672. Planters Cotton Oil Company, Inc., etc., et al., petitioners, *v.* George C. Hopkins, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted and case assigned for argument immediately following No. 582.

No. 698. Jules C. L'Hote et al., petitioners, *v.* Letus N. Crowell, Deputy Commissioner, et al. Petition for writ of certiorari to the

United States Circuit Court of Appeals for the Fifth Circuit granted limited to the question raised by the review of the Deputy Commissioner's finding as to the dependency of Zeb Payne.

No. 714. Walter J. MacDonald, Trustee, etc., petitioner, *v.* Plymouth County Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted and the case assigned for argument immediately following No. 700.

No. 730. Frederick S. Lang, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted and the case is advanced and assigned for argument on Monday, April 11 next, after the case heretofore assigned for that day.

No. 734. The United States of America, petitioner, *v.* Commercial Credit Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted and the case assigned for argument immediately following No. 574.

No. 642. Mills Novelty Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 643. Martin M. Philipsborn, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 645. F. Couthoui, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 656. Army and Navy Club of America, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 668. Lincoln Bank & Trust Company et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 675. George M. Ford, petitioner, *v.* The New York, New Haven and Hartford Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 686. The Clifton Highland Company et al., petitioners, *v.* The City of Lakewood, Ohio, et al., etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 687. Carl Czarlinsky, *alias* C. Czarlinsky, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 688. Societe Enfants Gombault Et Cie, petitioner, *v.* The Lawrence-Williams Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 691. City of Buffalo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 695. John G. Fairecloth, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 696. James Trombetta, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 697. Tess Ard, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 699. James Akeroyd & Son, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 701. Minneapolis, St. Paul and Sault Ste. Marie Railway Company, petitioner, *v.* Joseph Galvin. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 702. Mrs. Alpha L. Tolbert, petitioner, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 708. Florida East Coast Railway Company, petitioner, *v.* Alfred Acheson. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 709. J. G. Tyson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 710. The Chas. H. Phillips Chemical Company, Inc., petitioner, *v.* McKesson & Robbins, Incorporated. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 711. Abraham Franco and Matilda Franco, as Trustee, etc., petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 715. Frank Shore, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 718. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Arthur F. Hall; and

No. 719. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Arthur F. Hall. Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied.

No. 743. Saul Steinman, petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 777. The Aleograph Company, petitioner, *v.* Electrical Research Products, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

The Chief Justice also announced the following order :

The Court will take a recess from Monday, March 28, to Monday, April 11 next.

No. 717. Arthur L. Whitmer, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue, et al., etc. Suggestion of abatement submitted by Mr. Solicitor General Thacher for the respondents.

No. 805. John J. Carroll, petitioner, *v.* Charles U. Becker, Secretary, etc. Motion to advance submitted by Mr. E. F. Colladay for the petitioner.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector, etc. Leave granted to file brief of Robert N. Miller and John G. Buchanan as *amici curiae*, on motion of Mr. F. O. Graves in that behalf.

No. 726. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al.; and

No. 727. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al. Submission of petitions for writs of certiorari deferred for one week on motion of Mr. Charles B. McInnis in behalf of counsel for the respondents.

No. 644. George H. Lamb, as Deputy Sheriff, etc., et al., appellants, *v.* People of the State of New Jersey, *ex rel.* Frank T. Tierney. Statement as to jurisdiction submitted by Mr. Max Rhoades for the appellants.

No. 677. Continental Baking Company et al., appellants, *v.* Harry H. Woodring, as Governor, etc., et al. Statement as to jurisdiction submitted by Mr. Charles R. Wilke and Mr. John C. Grover for the appellants.

No. 693. John Vance Taylor, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. R. Palmer Ingram for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Mahlon D. Kiefer, and Mr. W. Marvin Smith for the respondent.

No. 712. The P. McGraw Wool Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. Harry S. Mesirov, Mr. John G. Frazer, Mr. Samuel M. Richardson, and Mr. Albert MacC. Barnes for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Lawrence, Mr. Claude R. Branch, Mr. William H. Riley, jr., and Mr. Ralph Folks for the respondent.

No. 713. James W. Sconyers, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. Forrest McCutcheon for the petitioner, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. Wilbur H. Friedman for the respondent.

No. 717. Arthur L. Whitmer, petitioner, *v.* Robert H. Lucas, Commissioner, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Lee D. Mathias for the petitioner.

No. 720. Ralph Scala et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Elwood G. Godman for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, and Mr. W. Marvin Smith for the respondent.

No. 728. Raymond E. Gidley, petitioner, *v.* Chicago Short Line Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Charles C. Spencer for the petitioner.

No. 732. M. Bernstein & Sons, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals submitted by Mr. Albert MacC. Barnes and Mr. Robert Szold for the petitioners, and by Mr. Solici-

tor General Thacher, Mr. Assistant Attorney General Lawrence, Mr. Claude R. Branch, and Mr. Ralph Folks for the respondent.

No. 735. Brandywine Hundred Realty Company, petitioner, *v.* Anthony Cotillo. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles F. Curley for the petitioner.

No. 736. I. Rude, petitioner, *v.* Joseph Buchhalter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Ernest Morris for the petitioner, and by Mr. Henry E. Lutz for the respondent.

No. 795. The United States of America, petitioner, *v.* Two Masted Auxiliary Schooner "Ruth Mildred," etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Louis Halle for the respondent.

No. 811. General Import and Export Co., Inc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Louis Halle for the petitioner.

No. 805. John J. Carroll, petitioner, *v.* Charles U. Becker, Secretary, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. E. F. Colladay for the petitioner.

No. 521. Kansas City Public Service Company, appellant, *v.* John R. Ranson, as Collector, etc. Argument continued by Mr. Powell C. Groner for the appellant. The Court declined to hear further argument.

No. 528. Peirce Coombes, petitioner, *v.* Milton E. Getz. Argued by Mr. Joseph L. Lewinson for the petitioner, and by Mr. Alfred Sutro for the respondent.

No. 694. The United States of America, *v.* George Otis Smith. Argument commenced by Mr. John W. Davis for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 22, will be as follows: Nos. 694, 621, 529, 547, and 548.

SUPREME COURT OF THE UNITED STATES

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

Ernest F. Williams, of Washington, D. C.; Chester E. McCarty, of Portland, Oreg.; and James R. Claiborne, of St. Louis, Mo., were admitted to practice.

The Chief Justice announced the following order of the Court:

No. 805. John J. Carroll, petitioner, *v.* Charles U. Becker, Secretary, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri granted and the case is advanced and assigned for argument on Thursday, March 24, next, immediately following the argument of No. 731.

No. 485. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al.; and

No. 486. Corporation Commission of the State of Oklahoma et al., appellants, *v.* Champlin Refining Company. Leave granted to file brief of Philip Kates, as *amicus curiae*, on motion of Mr. Philip Kates in that behalf.

No. 514. D. B. Heiner, Collector of Internal Revenue, etc., *v.* John H. Donnan et al.; and

No. 546. Wallace S. Handy, Collector, etc., *v.* Delaware Trust Company, Executor, etc. Mandates granted on motion of Mr. Frank S. Bright in that behalf.

No. 694. The United States of America *v.* George Otis Smith. Argument continued by Mr. John W. Davis for the United States; by Mr. Attorney General Mitchell as *amicus curiae*, by special leave of Court; by Mr. George Wharton Pepper for George Otis Smith; and concluded by Mr. John W. Davis for the United States.

No. 621. The United States of America, appellant, *v.* William Randolph Scharton. Argued by Mr. Assistant Attorney General

Youngquist for the appellant, and by Mr. E. Mark Sullivan for the appellee.

No. 529. Dayton C. Thomson et al., appellants, *v.* Marshall N. Dana et al. Argued by Mr. W. Y. Masters for the appellants, and by Mr. Chester E. McCarty for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 23, will be as follows: Nos. 485 (and 486), and 122.

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SUPREME COURT OF THE UNITED STATES

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

Robert H. Hardwicke, of Fort Worth, Tex.; Albert B. Donworth, of Houlton, Me.; Forrest E. Single, of New York City; and Max P. Zall, of Denver, Colo., were admitted to practice.

No. 485. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al.; and

No. 486. Corporation Commission of the State of Oklahoma et al., appellants, *v.* Champlin Refining Company. Leave granted to file brief of the Oil States Advisory Committee, as *amicus curiae*, on motion of Mr. Cicero I. Murray in that behalf.

No. 485. Champlin Refining Company, appellant, *v.* Corporation Commission of the State of Oklahoma et al.; and

No. 486. Corporation Commission of the State of Oklahoma et al., appellants, *v.* Champlin Refining Company. Four hours allowed for the oral argument of these cases. Argument commenced by Mr. Harry O. Glasser for the Champlin Refining Company, continued by Mr. W. P. Z. German and Mr. John H. Miley for the Corporation Commission of the State of Oklahoma et al., and concluded by Mr. James M. Beck for the Champlin Refining Co.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 24, will be as follows: Nos. 731 and 805.

SUPREME COURT OF THE UNITED STATES

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

William J. O'Shea, jr., of New York, N. Y.; Edward G. Robison, of Maysville, Mo.; Hyman G. Stein, of St. Louis, Mo.; Harry P. Rosecan, of St. Louis, Mo.; Joel S. Estes, of Oklahoma City, Okla.; Harry S. Stearns, of St. Paul, Minn.; Joseph C. Sibley, of Chicago, Ill.; Wingate Waring, of Richmond, Va.; and Butler B. Hare, of Saluda, S. C., were admitted to practice.

No. 817. Washington Fidelity National Insurance Company, petitioner, *v.* Winnie Burton. Leave granted to file brief of Metropolitan Life Insurance Company and others, as *amici curiae*, on motion of Mr. Benjamin S. Minor in that behalf.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General, etc., appellant, *v.* Commonwealth of Kentucky. Mandate stayed for 30 days from this date, on motion of Mr. S. R. Prince in that behalf.

No. 731. Samuel S. Koenig et al., petitioners, *v.* Edward J. Flynn, Secretary, etc. Argument commenced by Mr. Abraham S. Gilbert for the petitioner, continued by Mr. Benjamin L. Fairchild for the petitioner and by Mr. Henry Epstein for the respondent. Argument suspended temporarily.

No. 805. John J. Carroll, petitioner, *v.* Charles U. Becker, Secretary, etc. Argued by Mr. Hyman G. Stein and Mr. Edward F. Colladay for the petitioner, and by Mr. Ray Weightman for the respondent.

No. 731. Samuel S. Koenig et al., petitioners, *v.* Edward J. Flynn, Secretary, etc. Argument concluded by Mr. Henry Epstein for the respondents.

Adjourned until Monday, March 28 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

W. Arthur Roseborough, of Portland, Oreg.; Joseph T. Lieblich, of Paterson, N. J.; Abner J. Swanson, of St. Paul, Minn.; Max Kabatznick, of Boston, Mass.; Edward A. Sargoy, of New York City; Arthur Xavier Erickson, of Denver, Colo.; Albert E. Sherlock, of Denver, Colo.; Emory L. O'Connell, of Denver, Colo.; and Raymond E. Durham, of Newark, N. J., were admitted to practice.

The Chief Justice announced the following orders of the Court:
No. 521. Kansas City Public Service Company, appellant, *v.* John R. Ranson, as Collector of Revenue of Jackson County, Missouri. Appeal from the Supreme Court of the State of Missouri. *Per curiam:* The appeal herein is dismissed for the want of a substantial federal question. *Glenn v. Doyal*, 284 U. S. —; *Moffitt v. Kelly*, 218 U. S. 400, 404, 405; *Nickel v. Cole*, 256 U. S. 222, 226; *Castillo v. McConnico*, 168 U. S. 674, 683; *Lombard v. West Chicago Park Commissioners*, 181 U. S. 33, 42, 43; *Rawlings v. Georgia*, 201 U. S. 638, 639, 640; *Hebert v. Louisiana*, 272 U. S. 312, 316, 317.

No. 529. Dayton C. Thomson, Milo Thomson, et al., etc., appellants, *v.* Marshall N. Dana, N. T. Corrigan et al., etc. Appeal from the District Court of the United States for the District of Oregon. *Per curiam:* Decree affirmed. *Manchester v. Massachusetts*, 139 U. S. 240; *Lawton v. Steele*, 152 U. S. 133; *Miller v. McLaughlin*, 281 U. S. 261; *Wampler v. LeCompte*, 282 U. S. 172; *Lindsley v. Natural Carbonic Gas Co.*, 220 U. S. 61, 79, 80; *Crescent Cotton Oil Co. v. Mississippi*, 257 U. S. 129, 137; *Heisler v. Thomas Colliery Co.*, 260 U. S. 245, 255; *Whitney v. California*, 274 U. S. 357, 369, 370.

No. 717. Arthur L. Whitmer, petitioner, *v.* Robert H. Lucas, Commissioner of Internal Revenue, and Myrtle Tanner Blackledge, Collector of Internal Revenue. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. *Per curiam:* The petition for writ of certiorari in this cause is granted. On consideration of the suggestion of the United States that this cause has abated, it is ordered that the decrees of the United States Circuit Court of Appeals for the Seventh Circuit

and of the District Court of the United States for the Northern District of Illinois in this cause, be, and the same are hereby, vacated, and the cause is remanded to the District Court with directions to dismiss the proceeding as abated. United States, *ex rel.* Claussen *v.* Curran, 276 U. S. 590; Matheus, U. S. Marshal, *v.* United States, *ex rel.* Cunningham, 282 U. S. 802.

No. 644. George H. Lamb, as Deputy Sheriff of the County of Queens, State of New York et al., etc., appellants, *v.* People of the State of New Jersey, *ex rel.* Frank T. Tierney. Appeal from the Court of Common Pleas of Hudson County, State of New Jersey. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. Section 237 (a), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by section 237 (c), Judicial Code, as amended (43 Stat. 936, 938), certiorari is denied.

The Chief Justice said:

“In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the clerk of this Court.”

No. 677. Continental Baking Company, et al., appellants, *v.* Harry H. Woodring, as Governor, etc., et al. In this case probable jurisdiction is noted.

No. 693. John Vance Taylor, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted and the case is assigned for argument on Monday, April 11 next, after the cases heretofore assigned for that day.

No. 795. The United States of America, petitioner, *v.* Two-Masted Auxiliary Schooner “Ruth Mildred,” etc.; and

No. 811. General Import & Export Company, Inc., petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted and the cases assigned for argument immediately following No. 734.

No. 736. I. Rude, petitioner, *v.* Joseph Buchhalter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 636. Thomas W. White, Collector of Internal Revenue, petitioner, *v.* John L. Hall et al., Executors. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 689. Charles W. Anderson, Collector of Internal Revenue, petitioner, *v.* Harold K. Guinzburg et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 712. The P. McGraw Wool Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 713. James W. Sconyers, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 720. Ralph Scala et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 728. Raymond E. Gidley, petitioner, *v.* Chicago Short Line Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 732. M. Bernstein & Sons, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 735. Brandywine Hundred Realty Company, petitioner, *v.* Anthony Cotillo. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

The Chief Justice also announced the following order :

ORDER OF ALLOTMENT OF JUSTICES

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the circuits, agreeably to the acts of Congress in such case made and provided, and that such allotment be entered of record, viz :

For the First Circuit, Louis Dembitz Brandeis, Associate Justice.

For the Second Circuit, Harlan Fiske Stone, Associate Justice.

For the Third Circuit, Owen J. Roberts, Associate Justice.

For the Fourth Circuit, Charles Evans Hughes, Chief Justice.

For the Fifth Circuit, Benjamin N. Cardozo, Associate Justice.

For the Sixth Circuit, James C. McReynolds, Associate Justice.

For the Seventh Circuit, Willis Van Devanter, Associate Justice.

For the Eighth Circuit, Pierce Butler, Associate Justice.

For the Ninth Circuit, George Sutherland, Associate Justice.

For the Tenth Circuit, Willis Van Devanter, Associate Justice.

No 676. Hart Glass Manufacturing Company, petitioner, *v.* The United States. Leave granted respondent to file briefs in opposition to the petition for writ of certiorari and motion to remand on or before April 8 next, on motion of Mr. Claude R. Branch in that behalf.

No. 739. United States of America *ex rel.* Leo Stapf, petitioner, *v.* Edward Corsi, Commissioner of Immigration at the Port of New York. Suggestion of abatement submitted by Mr. Claude R. Branch for the respondent.

No. 726. National Surety Company et al., petitioners. *v.* Valeria E. Coriell et al.; and

No. 727. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al. Submission of petitions for writs of certiorari deferred until April 11 next, on motion of Mr. Charles B. McInnis in that behalf.

No. 477. Boston and Maine Railroad, petitioner, *v.* Fred Armburg. Mandate granted on motion of Mr. Clarence W. Rowley for the respondent.

No. 17, original. The State of Washington, complainant, *v.* The State of Oregon. Motion to strike affirmative defenses in answer submitted by Mr. Blaine Mallon in behalf of counsel for the complainant in support of the motion, and by Mr. I. H. VanWinkle, Mr. George T. Cochran, and Mr. James A. Fee for the defendant in opposition thereto.

No. 826. Ed Sproles, appellant, *v.* T. Binford, Sheriff, et al. Advanced and assigned for argument on Monday April 25 next, on motion of Mr. R. C. Fulbright in that behalf.

No. 676. Hart Glass Manufacturing Company, petitioner, *v.* The United States. Motion to remand to the Court of Claims for further findings submitted by Mr. Alan E. Gray for the petitioner.

No. 827. John Logan, petitioner, *v.* The United States of America. Motion for leave to proceed *in forma pauperis* submitted by Mr. James A. O'Shea for the petitioner.

No. 660. Peter Farrington, appellant, *v.* The People of the State of California. Statement as to jurisdiction submitted by Mr. Roland Becsey for the appellant in support thereof, and by Mr. U. S. Webb for the appellee in opposition thereto.

No. 826. Ed Sproles, appellant, *v.* T. Binford, Sheriff, et al. Statement as to jurisdiction submitted by Mr. R. C. Fulbright for the appellant.

No. 671. George Endicott, Trustee, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Merrill S. June for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Claude R. Branch, Mr. Joseph H. Sheppard, Mr. Bradley B. Gilman, and Mr. William H. Riley, jr., for the respondent.

No. 676. Hart Glass Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Charles D. Hamel, Mr. John Enrietto, Mr. Frank C. Olive, and Mr. Alan E. Gray for the petitioner.

No. 723. H. L. Mosher, petitioner, *v.* City of Phoenix. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John W. Ray for the petitioner.

No. 724. H. L. Mosher, petitioner, *v.* City of Phoenix. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John W. Ray for the petitioner.

No. 729. Luther H. Reichelderfer et al., etc., petitioners, *v.* Henry I. Quinn et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Robert E. Lynch, Mr. William W. Bride, and Mr. Vernon E. West for the petitioners, and by Mr. Joseph A. Burkart, Mr. Henry I. Quinn, and Mr. George E. Sullivan for the respondent.

No. 733. Welch Insurance Agency, petitioner, *v.* Edwin A. Brast, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. M. C. Hammond for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. J. Louis Monarch, Mr. John Mac C. Hudson, and Mr. William H. Riley, jr., for the respondent.

No. 737. Richard Nash et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles H. Tuttle for the petitioners, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 739. United States of America *ex rel.* Leo Stapf, petitioner, *v.* Edward Corsi, Commissioner of Immigration at the Port of New York. Petition for writ of certiorari to the United States Circuit

Court of Appeals for the Second Circuit submitted by Mr. Harold Van Riper for the petitioner.

No. 740. The New York Trust Company, Trustee, etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. J. Du Pratt White for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Francis H. Horan for the respondent.

No. 741. Osaka Shosen Kaisha, Individually, etc., petitioner, *v.* Habicht Braun & Company et al.; and

No. 742. Osaka Shosen Kaisha, Individually, etc., petitioner, *v.* Habicht Braun & Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George C. Sprague for the petitioner, and by Mr. Horace T. Atkins for the respondent.

No. 744. John Wanamaker New York, Inc., petitioner, *v.* Walter R. Comfort et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. K. Miller for the petitioner, and by Mr. Boykin Wright, Mr. A. Pratt Adams, and Mr. Lansing B. Lee for the respondents.

No. 745. W. J. Cutcliff, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Paul L. Lindsay for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. A. E. Gottschall, and Mr. W. Marvin Smith for the respondent.

No. 747. Rosa, Monserrate Rafaela, et al., petitioners, *v.* Manuel Diaz Mediavilla et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Henry G. Molina for the petitioners, and by Mr. Gabriel I. Lewis for the respondent.

No. 750. Chester R. Bunker, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Will C. Austin for the petitioner, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. Wilbur H. Friedman for the respondent.

No. 751. Charles T. Gibson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles T. Gibson, *pro se*, and by Mr. Solicitor General Thacher,

Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 752. Rafael Cortes, as Administrator, etc., petitioner, *v.* Baltimore Insular Line, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Basil O'Connor for the petitioner, and by Mr. George Whitefield Betts, jr., for the respondent.

No. 755. The State of Florida on the relation of Woods-Young Company, petitioner, *v.* Honorable George W. Tedder, Judge, etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. Carl A. Hiaasen for the petitioner, and by Mr. Cary D. Landis for the respondents.

No. 756. Martha Briggs Phelps, Executrix, etc., petitioner, *v.* Commissioner of Internal Revenue;

No. 757. The Northern Trust Company, Trustee, etc., petitioner, *v.* Commissioner of Internal Revenue; and

No. 758. Martha Briggs Phelps, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Herbert Pope and Mr. Benjamin M. Price for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. A. H. Connor, and Mr. F. Edward Mitchell for the respondent.

No. 759. Dominic DeBonis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Union C. DeFord for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. John J. Byrne, and Mr. Wilbur H. Friedman for the respondent.

No. 760. People *ex rel.* Alfred J. Neve, petitioner, *v.* Raymond J. Mulligan, United States Marshal, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. W. H. Crichton-Clarke for the petitioner, and by Mr. Francis L. Kohlman, Mr. Carl J. Austrian, and Mr. Saul J. Lance in behalf of Irving Trust Company, Trustee.

No. 761. Sol Kogen, petitioner, *v.* People of the State of Illinois, *ex rel.* George F. Harding, etc. Petition for writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. John J. Kelly for the petitioner, and by Mr. J. Kent Greene for the respondent.

No. 763. State of Missouri, at the relation of Louisville and Nashville Railroad Company, petitioner, *v.* Erwin G. Ossing et al. Petition for writ of certiorari to the Supreme Court of the State of

Missouri submitted by Mr. Harold R. Small and Mr. Ashby M. Warren for the petitioner, and by Mr. Chilton Atkinson for the respondents.

No. 764. Joseph E. Illick et al., petitioners, *v.* Trust Company of Florida et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Henry K. Gibson and Mr. Henry W. Anderson for the petitioners, and by Mr. Mitchell D. Price, Mr. Robert S. Florence, Mr. D. H. Redfearn, Mr. Cary D. Landis, and Mr. H. P. Adair for the respondents.

No. 767. Morris Schoenthal and Fannie R. Schoenthal, petitioners, *v.* Irving Trust Co., as Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Horace London for the petitioners, and by Mr. Saul J. Lance for the respondent.

No. 768. The Mahoning Coal Railroad Company et al., petitioners, *v.* The United States of America;

No. 769. The Mahoning Coal Railroad Company, petitioner, *v.* The United States of America;

No. 770. The Mahoning Coal Railroad Company, petitioner, *v.* C. F. Routzahn, as Collector, etc.; and

No. 771. The Mahoning Coal Railroad Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles C. Paulding and Mr. William Mann for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Andrew D. Sharpe for the respondent.

No. 772. George Colletti, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. E. O. Ricketts for the petitioner, and by Mr. Solicitor General Thacher, Mr. Claude R. Branch, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 793. William F. Kingston, petitioner, *v.* American Car and Foundry Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Jacob Chasnoff and Mr. George C. Willson for the petitioner, and by Mr. William R. Gentry and Mr. Noah A. Stancliffe for the respondents.

Adjourned until Monday, April 11 next, at 12 o'clock.

The day call for Monday, April 11, will be as follows: Nos. 790, 730, 693, 503, 530, 537 (538 and 539), 542, 566, 567, and 722.

SUPREME COURT OF THE UNITED STATES

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

Helen Elizabeth Brown, of Baltimore, Md.; Alexander Seclow, of Bayonne, N. J.; Maley P. Caldwell, of West Palm Beach, Fla.; Jerome A. Strauss, of New York City; Frank Peter Keenan, of Portland, Oreg.; Samuel S. Levin, of Baltimore, Md.; James Barclay Smith, of Lawrence, Kans.; William E. Stevenson, of New York City; Alvah M. Shumaker, of New Castle, Pa.; Fred J. Babcock, of Boise, Idaho; Jesse L. Rogers, of LaFollette, Tenn.; Sidman I. Barber, of Boise, Idaho; Frank Corrin Hodgson, of St. Paul, Minn.; and Edward G. Bothwell, of Pittsburgh, Pa., were admitted to practice.

No. 430. Spencer Kellogg & Sons, Inc., as Owner of the Motorboat "Linseed King," etc., petitioner, *v.* Hilda M. Hicks, as Administratrix etc.; and

No. 444. Vera Alexander, Administratrix of the Estate of James Alexander, deceased, et al., petitioners, *v.* Spencer Kellogg & Sons, Inc. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed in part and reversed in part 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 Roberts. Mr. Justice Brandeis and Mr. Justice Stone join in part and concur in part. Mr. Justice Sutherland is of opinion that the petition in No. 444 is not well founded and that the decree should be affirmed. Mr. Justice Cardozo took no part in the consideration or decision of this cause.

No. 576. John T. Callahan, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the District of Delaware. Opinion by Mr. Justice Roberts.

No. 621. The United States of America, appellant, *v.* William Randolph Scharton. Appeal from the District Court of the United

States for the District of Massachusetts. Judgment affirmed. Opinion by Mr. Justice Roberts.

No. 158. Amos Shriver, appellant, *v.* Woodbine Savings Bank of Woodbine, Iowa. Appeal from the Supreme Court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 270. The Pacific Co., Ltd., appellant, *v.* Charles G. Johnson, State Treasurer of the State of California. Appeal from the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Stone. Dissenting opinion by Mr. Justice Sutherland in which Mr. Justice Van Devanter and Mr. Justice Butler concur.

No. 466. United States of America, petitioner, *v.* Daniel M. Lefkowitz and Pauline Paris. 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 Butler. Mr. Justice Cardozo took no part in the consideration or decision of this case.

No. 590. Herman O. Hagner and Julia C. Hagner, petitioners, *v.* The United States of America. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 528. Peirce Coombes, petitioner. *v.* Milton E. Getz. On writ of certiorari to the Supreme Court of the State of California. Decree reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Sutherland. Dissenting opinion by Mr. Justice Cardozo in which Mr. Justice Brandeis and Mr. Justice Stone concur.

No. 487. Canada Malting Company, Ltd., petitioner, *v.* Paterson Steamships, Ltd.;

No. 488. British Empire Grain Company, Ltd., petitioner, *v.* Paterson Steamships, Ltd.; and

No. 489. Henry K. Starnes, doing business as H. K. Starnes & Company, petitioner, *v.* Paterson Steamships, Ltd. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decrees affirmed with costs, and cases remanded to the District Court of the United States for the Western District of New York. Opinion by Mr. Justice Brandeis. Mr. Justice Cardozo took no part in the consideration or decision of these cases.

No. 513. The United States of America, appellant, *v.* O. B. Limehouse. Appeal from the District Court of the United States for the Eastern District of South Carolina. Judgment reversed and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Mr. Justice McReynolds thinks the judgment should be affirmed. Mr. Justice Cardozo took no part in the consideration or decision of this case.

No. 454. Claiborne-Annapolis Ferry Company, appellant, *v.* The United States of America, Chesapeake Beach Railway Company, and Interstate Commerce Commission. Appeal from the Supreme Court of the District of Columbia. Decree affirmed. Opinion by Mr. Justice McReynolds. Mr. Justice Cardozo took no part in the consideration or decision of this case.

No. 341. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Coronado Oil and Gas Company. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment affirmed. Opinion by Mr. Justice McReynolds. Dissenting opinion by Mr. Justice Stone in which Mr. Justice Brandeis, Mr. Justice Roberts, and Mr. Justice Cardozo concur. Dissenting opinion by Mr. Justice Brandeis, in which Mr. Justice Stone and Mr. Justice Roberts concur.

No. 617. W. Yale Smiley, petitioner, *v.* Mike Holm, as Secretary of State of The State of Minnesota, St. Paul, Minnesota. On writ of certiorari to the Supreme Court of the State of Minnesota. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Chief Justice Hughes. Mr. Justice Cardozo took no part in the consideration and decision of this case.

No. 731. Samuel S. Koenig, John J. Knewitz, and William L. Ward, petitioners, *v.* Edward J. Flynn, Secretary of State of The State of New York, et al. On writ of certiorari to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Chief Justice Hughes. Mr. Justice Cardozo took no part in the consideration and decision of this case.

No. 805. John J. Carroll, petitioner, *v.* Charles U. Becker, Secretary of State of the State of Missouri, Jefferson City, Missouri. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Chief Justice Hughes. Mr. Justice Cardozo took no part in the consideration and decision of this case.

The Chief Justice announced the following orders of the Court:

No. 660. Peter Farrington, appellant, *v.* The People of the State of California. Appeal from the Supreme Court of the State of California. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction. Section 237 (a) Judicial Code as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari, as required by Sec. 237 (c) Judicial Code, as amended (43 Stat. 936, 938), certiorari is denied.

No. 827. John Logan, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals of the District of Columbia. The motion for leave to proceed further herein in *forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

The Chief Justice said:

"In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the clerk of this Court."

No. 17, original. The State of Washington, complainant, *v.* The State of Oregon. The motion of the complainant to strike the affirmative defenses in the answer is denied, without prejudice to further consideration at the final hearing, on the merits, of the matters now sought to be presented. The complainant shall have twenty-five days from this date within which to file a reply to the answer. Upon the filing of the reply, and when the cause is at issue, the Court will entertain a motion for the appointment of a Special Master to take the evidence, and report his findings of fact, conclusions of law, and recommendations for a decree.

No. 333. Hartford Accident & Indemnity Company, appellant, *v.* O. L. Bunn, doing business as Bunn Electric Company, et al. The motion to tax damages in this case is denied.

No. 826. Ed Sproles et al., appellants, *v.* T. Binford, Sheriff, et al. In this case probable jurisdiction is noted.

No. 723. H. L. Mosher, petitioner, *v.* City of Phoenix; and

No. 724. H. L. Mosher, petitioner, *v.* City of Phoenix. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted, limited to the question of the jurisdiction of the District Court as a Federal Court.

No. 729. Luther H. Reichelderfer et al., etc., petitioners, *v.* Henry I. Quinn et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 739. United States of America *ex rel.* Leo Stapf, petitioner, *v.* Edward Corsi, Commissioner of Immigration at the Port of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 752. Rafael Cortes, as Administrator, etc., petitioner, *v.* Baltimore Insular Line, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 767. Morris Schoenthal et al., petitioners, *v.* Irving Trust Co., as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 681. Ricy W. Jones et al., petitioners, *v.* Box Elder County et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 671. George Endicott, Trustee, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 733. Welch Insurance Agency, petitioner, *v.* Edwin A. Brast, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 737. Richard Nash et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 740. The New York Trust Company, Trustee, etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 741. Osaka Shosen Kaisha, Individually, etc., petitioner, *v.* Habicht Braun & Company et al.; and

No. 742. Osaka Shosen Kaisha, Individually, etc., petitioner, *v.* Habicht Braun & Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 745. W. J. Cutcliff, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 747. Rosa, Monserrate Rafaela et al., petitioners, *v.* Manuel Diaz Mediavilla et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 750. Chester R. Bunker, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 751. Charles T. Gibson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 755. The State of Florida on the relation of Woods-Young Company, petitioner, *v.* Honorable Geo. W. Tedder, Judge, etc., et al. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 756. Martha Briggs Phelps, Executrix, etc., petitioner, *v.* Commissioner of Internal Revenue;

No. 757. The Northern Trust Company, Trustee, etc., petitioner, *v.* Commissioner of Internal Revenue; and

No. 758. Martha Briggs Phelps, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 759. Dominic DeBonis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 760. People *ex rel.* Alfred J. Neve, petitioner, *v.* Raymond J. Mulligan, United States Marshal, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 761. Sol Kogen, petitioner, *v.* People of the State of Illinois *ex rel.* George F. Harding, etc. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 763. State of Missouri, at the relation of Louisville and Nashville Railroad Company, petitioner, *v.* Erwin G. Ossing et al. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 764. Joseph E. Illick et al., petitioners, *v.* Trust Company of Florida et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 768. The Mahoning Coal Railroad Company et al., petitioners, *v.* The United States of America;

No. 769. The Mahoning Coal Railroad Company, petitioner, *v.* The United States of America;

No. 770. The Mahoning Coal Railroad Company, petitioner, *v.* C. F. Routzahn, as Collector of Internal Revenue, etc.; and

No. 771. The Mahoning Coal Railroad Company, petitioner, *v.* The United States of America. Petition for writs of certiorari to

the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 772. George Colletti, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 793. William F. Kingston, petitioner, *v.* American Car and Foundry Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 744. John Wanamaker New York, Inc., petitioner, *v.* Walter R. Comfort et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. Mr. Justice Roberts took no part in the consideration or decision of this application.

No. 790. Thomas C. Edwards *v.* The United States. Leave granted Mr. Hatton W. Sumners to appear and present oral argument on behalf of the Judiciary Committee of the House of Representatives as *amicus curiae*, on motion of Mr. Solicitor General Thacher in that behalf.

No. 824. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Henry Harmel. Leave granted to file brief of Walter E. Barton as *amicus curiae*, on motion of Mr. Walter E. Barton in that behalf.

No. 553. Board of Commissioners of the County of Allen, etc., et al., appellants, *v.* The State of Ohio *ex rel.* J. Charles Bowman. Leave granted to file brief of the State of Ohio as *amicus curiae* on motion of Mr. Frederic D. McKenney in that behalf.

No. 726. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al.; and

No. 727. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al. Submission of petitions for writs of certiorari deferred for two weeks on motion of Mr. Gregory Hankin in that behalf.

No. 13, original. The State of New Jersey, complainant, *v.* The City of New York. Report of the City of New York of April 1, 1932, presented.

No. 19, original. Ex Parte: State of Colorado, petitioner. Return to the rule to show cause submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Mahlon D. Kiefer, and Mr. John J. Byrne.

No. 856. N. E. Joyner, as Temporary Administrator, etc., petitioner, *v.* Jefferson Standard Life Insurance Company. Motion for leave to proceed *in forma pauperis* submitted by Mr. Carl H. Richmond and Mr. John W. Bennett for the petitioner.

No. 863. United States of America *ex rel.* Frank Jackson, petitioner, *v.* William D. Meyering, Sheriff, etc. Motion for leave to proceed *in forma pauperis* submitted by Mr. Richard E. Westbrooks for the petitioner.

No. 864. C. A. Lindgren, Administrator, etc., petitioner, *v.* United State Shipping Board Merchant Fleet Corporation. Motion for leave to proceed *in forma pauperis* submitted by Mr. Jacob L. Morewitz for the petitioner.

No. 706. Seaboard Air Line Railway Company, appellant, *v.* A. W. Watson. Statement as to jurisdiction submitted by Mr. W. J. Oven for the appellant.

No. 707. The New York Central Securities Corporation, appellant, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. Wm. J. Hughes, jr., and Mr. Wm. E. Leahy for the appellant.

No. 716. Atlanta Laundries, Inc., et al., appellants, *v.* City of Newman et al. Statement as to jurisdiction submitted by Mr. B. J. Mayer for the appellants in support thereof, and by Mr. H. A. Hall for the appellees in opposition thereto.

No. 705. John M. Enright et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. James D. Carpenter, jr., Mr. John M. Enright, and Mr. George R. Shields for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, and Mr. Bradley B. Gilman for the respondent.

No. 748. Isojiro Kitagawa, petitioner, *v.* Oliver T. Shipman, Treasurer, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Carl S. Carlsmith for the petitioner.

No. 749. Mana Transportation Company, Limited, a Hawaiian Corporation, petitioner, *v.* Oliver T. Shipman, Treasurer, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Carl S. Carlsmith for the petitioner.

No. 753. Louisville & Nashville Railroad Company, petitioner, *v.* Roxie Parker, as Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Alabama submitted by Mr.

Robert E. Steiner, jr., for the petitioner, and by Mr. W. A. Denson for the respondent.

No. 754. Monte Rico Milling and Mining Company et al., petitioners, *v.* The United States Fidelity and Guaranty Company. Petition for writ of certiorari to the Supreme Court of the State of New Mexico submitted by Mr. O. N. Marron and Mr. Francis E. Wood for the petitioners, and by Mr. E. R. Wright for the respondent.

No. 762. Trust No. 5833, Security-First National Bank of Los Angeles, etc., petitioner, *v.* Galen H. Welch, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Stuart Chevalier and Mr. Melvin D. Wilson for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Younquist, Mr. Claude R. Branch, Mr. Sewall Key, and Mr. Wm. Cutler Thompson for the respondent.

No. 773. Interstate Commerce Commission, petitioner, *v.* The New York, New Haven & Hartford Railroad Company et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Thomas M. Ross, Mr. Charles W. Needham, Mr. Robert E. Freer, and Miss Mary B. Linkins for the petitioner, and by Mr. John L. Hall and Mr. Charles O. Pengra for the respondents.

No. 774. The Industrial Commissioner of the State of New York, petitioner, *v.* Irving Trust Company, as Trustee etc.; and

No. 775. The Industrial Commissioner of the State of New York, petitioner, *v.* Samuel C. Duberstein, as Trustee, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph A. McLaughlin for the petitioner, and by Mr. Godfrey Goldmark for the respondent in No. 774.

No. 776. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Jacob F. Brown; and

No. 797. Jacob F. Brown, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Miss Helen Carlross for the petitioner in No. 776 and respondent in No. 797, and by Mr. James Craig Peacock for the respondent in No. 776 and petitioner in No. 797.

No. 778. Robert Ladow, Administrator, etc., petitioner, *v.* The Baltimore and Ohio Railroad Company. Petition for writ of cer-

tiorari to the Court of Appeals of the State of Ohio, First Appellate District, submitted by Mr. Charles P. Taft 2d for the petitioner, and by Mr. Benton S. Oppenheimer for the respondent.

No. 780. Independent Oil Well Cementing Company, petitioner, *v.* Erle P. Halliburton et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit submitted by Mr. Arthur C. Brown and Mr. C. E. Hall for the petitioner, and by Mr. Leonard S. Lyon and Mr. Henry S. Richmond for the respondents.

No. 781. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Paulina Norkevich, Administratrix, etc. Petition for writ of certiorari to the Appellate Court of the State of Illinois, First District, submitted by Mr. E. E. McInnis and Mr. Homer W. Davis for the petitioner, and by Mr. John K. Murphy for the respondent.

No. 787. Southern Railway Company and Southern Railway-Carolina Division, petitioners, *v.* Mary Elizabeth Dantzler, as Administratrix, etc.; and

No. 788. Southern Railway Company and Southern Railway-Carolina Division, petitioners, *v.* Mary O. Youngblood, as Administratrix, etc. Petitions for writs of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. H. O'B. Cooper, Mr. S. R. Prince, Mr. Frank G. Tompkins, and Mr. Sidney S. Alderman for the petitioners, and by Mr. William C. Wolfe for the respondents.

No. 791. John P. Owen, petitioner, *v.* Kingsport Press, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. O. Ellery Edwards for the petitioner, and by Mr. Samuel H. Kaufman for the respondents.

No. 792. Uncasville Manufacturing Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John E. Hughes for the petitioner, and by Mr. Solicitor General Thacher for the respondent.

No. 794. Ostrander-Seymour Company, petitioner, *v.* Powers-Tyson Corporation et al. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Wm. J. Hughes, jr., Mr. Wm. E. Leahy, and Mr. Meyer Abrams for the petitioner, and by Mr. Benn M. Corwin for the respondents.

No. 799. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* J. Rogers Flannery & Company;

No. 800. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Flannery Bolt Company; and

No. 801. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Vanadium Metals Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, and Mr. Norman D. Keller for the petitioner, and by Mr. Kenneth N. Parkinson and Mr. David A. Pine for the respondents.

No. 803. A. N. Gossett, Administrator, etc., et al., petitioners, *v.* Edward F. Swinney et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Alfred N. Gossett, Mr. Wm. S. Allen, Mr. John T. Harding, and Mr. Henry L. Jost for the petitioners, and by Mr. Arthur Mag, Mr. Roy B. Thomson, and Mr. Wm. S. Hogsett for the respondents.

No. 804. John Bela Martin, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Talma L. Smith for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Louis, Mr. Whitney North Seymour, Mr. W. Clifton Stone, and Mr. Wm. H. Riley, jr., for the respondent.

No. 806. Nat J. Muir, Administrator, etc., petitioner, *v.* Fidelity & Deposit Company of Maryland. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Eugene Hubbard for the petitioner, and by Mr. Wm. Marshall Bullitt for the respondent.

No. 808. Fire Companies Building Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James L. Fort and Mr. O. H. B. Bloodworth, jr., for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. John Henry McEvers, and Mr. Wilbur H. Friedman for the respondent.

No. 809. Earle & Stoddart, Inc., et al., etc., petitioners, *v.* Ellerman's Wilson Line, Ltd., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. Catesby Jones and Mr. James W. Ryan for the petitioners, and by Mr. Cletus Keating for the respondent.

No. 810. Louisville & Nashville Railroad Company, petitioner, *v.* Annie Long. Petition for writ of certiorari to the Supreme Court

of the State of Tennessee submitted by Mr. James G. Johnson, Mr. James B. Wright, and Mr. Williston M. Cox for the petitioner, and by Mr. James A. Fowler and Mr. Jesse L. Rogers for the respondent.

No. 819. Washington Fidelity National Insurance Company, petitioner, *v.* Winnie Burton. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Walter C. Clephane, Mr. J. Wilmer Latimer, and Mr. Gilbert L. Hall for the petitioner, and by Mr. W. Gwynn Gardiner and Mr. George A. Maddox for the respondent.

No. 824. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Henry Harmel. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Robert Ash for the respondent.

No. 832. A. B. Leach & Company, Inc., petitioner, *v.* Hugh W. Grant, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Conrad H. Poppenhusen, Mr. Edward R. Johnston, and Mr. Floyd E. Thompson for the petitioner, and by Mr. James P. Wilson and Mr. Andrew M. Henderson for the respondent.

No. 790. Thomas C. Edwards *v.* The United States. Argument commenced by Mr. Attorney General Mitchell for the United States, continued by Mr. M. Walton Hendry for Edwards, and concluded by Mr. Hatton W. Sumners on behalf of the Judiciary Committee of the House of Representatives, as *amicus curiæ* by special leave of Court.

No. 693. John Vance Taylor, petitioner, *v.* The United States of America. Argument commenced by Mr. R. Palmer Ingram for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 12, will be as follows: Nos. 693, 730, 503, 530, 537 (538 and 539), 542 (566 and 567), 722, 547, 548, and 553.

SUPREME COURT OF THE UNITED STATES

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

A. Yates Dowell, of New York City; Morris Simon, of Washington, D. C.; Selig C. Brez, of Washington, D. C.; Charles Lyon Russell, of Rahway, N. J.; Arthur P. Curran, of Boston, Mass.; Henry S. Miller, of New York City; Giles F. Clark, of Wauwatosa, Wis.; Hans C. Nelson, of Eureka, Calif.; Lester C. Leonard, of Red Bank, N. J.; James Wilfred McKinley, jr., of Los Angeles, Calif.; Harry Fisher Sewell, of Whittier, Calif.; and Darold D. DeCoe, of Sacramento, Calif., were admitted to practice.

No. 693. John Vance Taylor, petitioner, *v.* The United States of America. Argument continued by Mr. R. Palmer Ingram for the petitioner, and concluded by Mr. Solicitor General Thacher for the respondent.

No. 730. Frederick S. Lang, petitioner, *v.* The United States of America. Argument commenced by Mr. Charles Dickerman Williams for the petitioner, continued by Mr. Solicitor General Thacher for the respondent, and concluded by Mr. Jerome A. Strauss for the petitioner. Leave granted petitioner to file reply brief by Thursday next.

No. 503. Jack Hardeman, petitioner, *v.* Albert T. Witbeck. Argued by Mr. Patrick H. Loughran for the petitioner, and by Mr. Sidney L. Herold for the respondent.

No. 530. Girard Trust Company, as Trustee, etc., appellant, *v.* Ocean & Lake Realty Company. Argument commenced by Mr. Frank J. Wideman for the appellant. The Court declined to hear further argument.

No. 537. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Wilson Lumber Company;

No. 538. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Moore Lumber Company; and

No. 539. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Byrnes Lumber Company. Argument commenced by Mr. Whitney North Seymour for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 13, will be as follows: Nos. 537 (538 and 539), 542 (566 and 567), 722, 547, 548, 553, 557, 634, 560 and 574.

SUPREME COURT OF THE UNITED STATES

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

Hugh E. Lillie, of Grand Haven, Mich.; Ernest W. Hotchkiss, of Detroit, Mich.; Bartley C. Crum, of San Francisco, Calif.; Larry I. Moore, of New Bern, N. C.; Benjamin Bernstein, of New York, N. Y.; Max Jacob Wolff, of New York, N. Y.; George W. Armstrong, of Fort Worth, Tex.; Arthur C. Jones, of Gastonia, N. C.; Frank Funkhouser, of Spokane, Wash.; Stephen B. Dolley, of Gastonia, N. C.; Robert H. O'Brien, of New York, N. Y.; and John Jordan Wicker, jr., of Richmond, Va., were admitted to practice.

No. 537. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Wilson Lumber Company;

No. 538. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Moore Lumber Company;

No. 539. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Byrnes Lumber Company. Argument continued by Mr. Whitney North Seymour for the petitioner, by Mr. Sidney L. Herold and John B. Files for the respondents, and concluded by Mr. Whitney North Seymour for the petitioner. Leave granted respondents to file supplemental brief by Friday next.

No. 542. South Carolina Power Company, appellant, *v.* South Carolina Tax Commission et al.;

No. 566. Broad River Power Company, appellant, *v.* Walter G. Query et al.; and

No. 567. Lexington Water Power Company, appellant, *v.* Walter G. Query et al. Argument commenced by Mr. Arthur R. Young for the appellant in No. 542; continued by Mr. George M. LePine for the appellants in Nos. 566 and 567. The Court declined to hear further argument.

No. 722. Utah Power and Light Company, appellant, *v.* Emmitt Pfost, Commissioner, etc., et al. Argued by Mr. John F. MacLane for the appellant and by Mr. Sidman I. Barber for the appellees.

No. 547. The Insurance Company of the State of Pennsylvania *v.* Joseph S. MacLaughlin, Collector, etc.; and

No. 548. Joseph S. MacLaughlin, Collector, etc., *v.* Alliance Insurance Company of Philadelphia. Argument commenced by Mr. Robert T. McCracken for the Insurance Company of the State of Pennsylvania et al.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 14, will be as follows: Nos. 547 (and 548), 553, 557, 634, 560, 574, 734, 795, 811, and 580.

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SUPREME COURT OF THE UNITED STATES

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

William J. Byrne, of Washington, D. C.; John M. Baber, jr., of Washington, D. C.; Paul G. Rodewald, of Pittsburgh, Pa.; C. B. Wilson, of Flagstaff, Ariz.; W. T. Kendrick, jr., of Los Angeles, Calif.; Marion H. Eustace, of Caldwell, Idaho; Herman Woodward Winburn, of Greensboro, N. C.; Robert F. Denison, of Cleveland, Ohio; Herbert F. Koch, of Cincinnati, Ohio; and Rufus B. Hall, jr., of Cincinnati, Ohio, were admitted to practice.

No. 547. The Insurance Company of the State of Pennsylvania *v.* Joseph S. MacLaughlin, Collector, etc.; and

No. 548. Joseph S. MacLaughlin, Collector, etc., *v.* Alliance Insurance Company of Philadelphia. Argument continued by Mr. Robert T. McCracken for The Insurance Company of Pennsylvania et al., and concluded by Mr. Solicitor General Thacher for MacLaughlin, Collector.

No. 553. Board of Commissioners of the County of Allen, etc., et al., appellants, *v.* The State of Ohio *ex rel.* J. Charles Bowman. Argument commenced by Mr. H. E. Garling for the appellants. The Court declined to hear further argument.

No. 557. Ogden & Moffett Company et al., appellants, *v.* Michigan Public Utilities Commission et al. Argument commenced by Mr. Percy J. Donovan for the appellants. The Court declined to hear further argument.

No. 634. The Texas & Pacific Railway Company, petitioner, *v.* The United States. Argument commenced by Mr. John W. Davis for the petitioner, continued by Mr. Assistant Attorney General Rugg for the respondent, and concluded by Mr. Newton K. Fox for the petitioner.

No. 560. Continental Tie and Lumber Company, petitioner, *v.* The United States. Argued by Mr. George E. H. Goodner for the petitioner, and by Mr. Assistant Attorney General Rugg for the respondent.

No. 574. General Motors Acceptance Corporation et al., *v.* The United States of America. Argument commenced by Mr. Assistant Attorney General Youngquist for the United States.

Adjourned until tomorrow at 12 o'clock.

The day call Friday, April 15, will be as follows: Nos. 574,, 734, 795, 811, 581, 600, 580, 525, 585, and 598.

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SUPREME COURT OF THE UNITED STATES

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

Franklin J. Stransky, of Chicago, Ill.; William G. Fitzpatrick, of Detroit, Mich.; George C. Gertman, of Washington, D. C.; Sveinbjorn Johnson, of Champaign, Ill.; Argelo Cianciarulo, of Providence, R. I.; Morton C. Steinberg, of New York City; Thomas G. McConnell, of Knoxville, Tenn.; and James V. Allred, of Austin, Tex., were admitted to practice.

No. 574. General Motors Acceptance Corporation et al. *v.* The United States of America. Motion of Joseph G. Myerson for leave to appear and present oral argument as *amicus curiae* denied.

No. 574. General Motors Acceptance Corporation et al. *v.* The United States of America; and

No. 734. The United States of America, petitioner, *v.* Commercial Credit Company, Inc. Argument continued by Mr. Assistant Attorney General Youngquist for the United States in No. 574 and petitioner in No. 734, by Mr. Duane R. Dills for the respondent in No. 734, and submitted by Mr. John Thomas Smith for the General Motors Acceptance Corporation in No. 574.

No. 795. The United States of America, petitioner, *v.* Two-masted Auxiliary Schooner "Ruth Mildred," etc. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Milton R. Kroopf for the respondent.

No. 811. General Import & Export Company, Inc., petitioner, *v.* The United States of America. Argued by Mr. Milton R. Kroopf for the petitioner, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 581. George J. Adams, et al., etc., petitioners, *v.* Andrew W. Mellon, Director General of Railroads, et al. Argument commenced by Mr. Franklin J. Stransky for the petitioners, and continued by Mr. Frank H. Towner for the respondent, Union Stock Yard & Transit Company.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 18, will be as follows: Nos. 581, 600, 580, 525, 585, 598, 582, 672, 608, and 575.

SUPREME COURT OF THE UNITED STATES

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

Paul H. Mitchell, of Cleveland, Ohio; Frank D. Strader, of Clarendon, Va.; Lee M. Kenyon, of Galveston, Tex.; W. R. Ashburn, of Norfolk, Va.; Richard Cecil Kelly, of Greensboro, N. C.; Beatrice A. Clephane, of Chevy Chase, Md.; Tazewell Taylor, jr., of Norfolk, Va.; Fred A. Smith, of Chicago, Ill.; Kenneth W. Coulter, of Little Rock, Ark.; Edwin A. Riley, of Macon, Mo.; Gustave Schwartz, of Brooklyn, N. Y.; H. E. Lindersmith, of Los Angeles, Calif.; Erwin N. Griswold, of Cleveland, Ohio; Jacob Weinstein, of Philadelphia, Pa.; Harold P. Small, of Springfield, Mass.; Robert W. Williams, of Baltimore, Md.; John B. Hollister, of Cincinnati, Ohio; Achilles Catsonis, of Washington, D. C.; William S. Coulter, of Burlington, N. C.; and Edward H. Coulter, of El Dorado, Ark., were admitted to practice.

The Chief Justice announced the following orders of the Court.

No. 730. Frederick S. Lang, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. *Per curiam:* The writ of certiorari herein is dismissed as having been improvidently granted.

No. 530. Girard Trust Company, as Trustee, etc., appellant, *v.* Ocean & Lake Realty Company. Appeal from the Supreme Court of the State of Florida. *Per curiam:* The appeal herein is dismissed for the reason that the judgment of the State court sought here to be reviewed was based upon a non-Federal ground adequate to support it. *Broad River Power Co. v. South Carolina*, 281 U. S. 537, 540, 541; *Cross Lake Club v. Louisiana*, 224 U. S. 632, 639, 640; *Long Sault Development Co. v. Call*, 242 U. S. 272, 277, 278; *Hardin-Wyandot Lighting Co. v. Village of Upper Sandusky*, 251 U. S. 173, 178, 179; *McCoy v. Shaw*, 277 U. S. 302, 303.

No. 537. David Burnet, Commissioner of Internal Revenue, petitioner *v.* Peavy-Wilson Lumber Company;

No. 538. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Peavy-Moore Lumber Company; and

No. 539. David Burnet, Commissioner of Internal Revenue, petitioner, *v. Peavy-Byrnes Lumber Company*. On writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: The judgments of the Circuit Court of Appeals in these cases are reversed and the cases remanded to the Circuit Court of Appeals with instructions to remand to the Board of Tax Appeals for further proceedings in conformity with the opinion of this Court in *Handy & Harman v. Burnet, Commissioner of Internal Revenue*, 284 U. S. 136.

No. 799. David Burnet, Commissioner of Internal Revenue, petitioner, *v. J. Rogers Flannery & Company*;

No. 800. David Burnet, Commissioner of Internal Revenue, petitioner, *v. Flannery Bolt Company*; and

No. 801. David Burnet, Commissioner of Internal Revenue, petitioner, *v. Vanadium Metals Company*. On petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. *Per curiam*: The petition for writs of certiorari in these cases is granted. The judgments of the Circuit Court of Appeals are reversed and the cases remanded to the Circuit Court of Appeals with instructions to remand to the Board of Tax Appeals for further proceedings in conformity with the opinion of this Court in *Handy & Harman v. Burnet, Commissioner of Internal Revenue*, 284 U. S. 136.

No. 542. South Carolina Power Company, appellant, *v. South Carolina Tax Commission, Walter G. Query, et al.*;

No. 566. Broad River Power Company, appellant, *v. Walter G. Query, et al., etc.*; and

No. 567. Lexington Water Power Company, appellant, *v. Walter G. Query et al., etc.* Appeals from the District Court of the United States for the Eastern District of South Carolina. *Per curiam*: The orders denying interlocutory injunctions are affirmed. *Alabama v. United States*, 279 U. S. 229, 231; *United Fuel Gas Co. v. Public Service Commission*, 278 U. S. 322, 326; *National Fire Insurance Co. v. Thompson*, 281 U. S. 331, 338; *United Drug Co. v. Washburn*, 284 U. S. —; *Binford v. J. H. McLeaish & Co.*, 284 U. S. —.

No. 557. Ogden & Moffett Company et al., appellants, *v. Michigan Public Utilities Commission et al.* Appeal from the District Court of the United States for the Eastern District of Michigan. *Per curiam*: The order denying interlocutory injunction is affirmed. *Alabama v. United States*, 279 U. S. 229, 231; *United Fuel Gas Co. v. Public Service Commission*, 278 U. S. 322, 326; *National Fire Insurance Co. v. Thompson*, 281 U. S. 331, 338; *United Drug Co. v. Washburn*, 284 U. S. —; *Binford v. J. H. McLeaish & Co.* 284 U. S. —.

No. 553. Board of Commissioners of the County of Allen in the State of Ohio et al., appellants *v.* The State of Ohio *ex rel.* J. Charles Bowman. Appeal from the Supreme Court of the State of Ohio. *Per curiam:* The appeal herein is dismissed for the want of a substantial Federal question. (1) County of Mobile *v.* Kimball, 102 U. S. 691, 703, 704; Houck *v.* Little River Drainage District, 239 U. S. 254, 262; Joslin Mfg. Co. *v.* City of Providence, 262 U. S. 668, 674; Memphis & Charleston Ry. Co. *v.* Pace, 282 U. S. 241, 245, 246; (2) Doyle *v.* Atwell, 261 U. S. 590, 591, 592; McCoy *v.* Shaw, 277 U. S. 302, 303; Howat *v.* Kansas, 258 U. S. 181, 185, 186.

No. 716. Atlanta Laundries, Inc., and B. E. Deck, appellants, *v.* City of Newman et al. Appeal from the Supreme Court of the State of Georgia. *Per curiam:* The appeal herein is dismissed for the want of a final decree. Gibbons *v.* Ogden, 6 Wheat. 448; Verden *v.* Coleman, 18 How. 86; Moses *v.* The Mayor, 15 Wall, 387; Reddall *v.* Bryan, 24 How. 420; Brannan *v.* Harrison, 284 U. S. —; Augusta Power Co. *v.* Savannah River Electric Co., 284 U. S. —; Gant *v.* City of Oklahoma City, 284 U. S. —.

The Chief Justice said:

In view of the large number of such orders, the other orders of the Court made this day, upon motions submitted, upon examination of jurisdictional statements, and upon applications for writs of certiorari, as shown upon the list certified by the Chief Justice, will not be announced orally and are filed with the clerk of this Court.

No. 856. N. E. Joyner, as Temporary Administrator, etc., petitioner *v.* Jefferson Standard Life Insurance Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon examination of the unprinted record herein submitted finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

No. 863. United States of America *ex rel.* Frank Jackson, petitioner, *v.* William D. Meyering, Sheriff, etc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon examination of the unprinted record herein submitted finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

No. 864. C. A. Lindgren, Administrator, etc., petitioner, *v.* United States Shipping Board Merchant Fleet Corporation. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon examination of the unprinted record herein submitted finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

No. 13, original. The State of New Jersey, complainant, *v.* The City of New York. The report of the defendant City of New York is received and ordered to be filed.

No. 706. Seaboard Air Line Railway Company, appellant, *v.* A. W. Watson. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits.

No. 707. The New York Central Securities Corporation, appellant, *v.* The United States of America et al. In this case probable jurisdiction is noted.

No. 773. Interstate Commerce Commission, petitioner, *v.* The New York, New Haven & Hartford Railroad Company et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. The Chief Justice took no part in the consideration or decision of this application.

No. 753. Louisville & Nashville Railroad Company, petitioner, *v.* Roxie Parker, as Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Alabama granted.

No. 787. Southern Railway Company et al., petitioners, *v.* Mary Elizabeth Dantzler, as Administratrix, etc.; and

No. 788. Southern Railway Company et al., petitioners, *v.* Mary O. Youngblood, as Administratrix, etc. Petitions for writs of certiorari to the Supreme Court of the State of South Carolina granted.

No. 809. Earle & Stoddart, Inc., et al., petitioners, *v.* Ellerman's Wilson Line, Ltd., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 819. Washington Fidelity National Insurance Company, petitioner, *v.* Winnie Burton. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 824. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Henry Harmel. Petition for writ of certiorari to the

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

No. 774. The Industrial Commissioner of the State of New York, petitioner, *v.* Irving Trust Company, as Trustee, etc.; and

No. 775. The Industrial Commissioner of the State of New York, petitioner, *v.* Samuel C. Duberstein, as Trustee, etc. The petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit in the above-entitled cases is denied, the claimants not being parties to the application for the writs and it not appearing that petitioner has capacity to prosecute the application.

No. 705. John M. Enright et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 748. Isojiro Kitagawa, petitioner, *v.* Oliver T. Shipman, Treasurer, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 749. Mana Transportation Company, Limited, petitioner, *v.* Oliver T. Shipman, Treasurer, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 754. Monte Rico Milling and Mining Company et al, petitioners, *v.* The United States Fidelity and Guaranty Company. Petition for writ of certiorari to the Supreme Court of the State of New Mexico denied.

No. 762. Trust No. 5833, Security-First National Bank of Los Angeles, etc., petitioner, *v.* Galen H. Welch, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 778. Robert Ladow, Administrator, etc., petitioner, *v.* The Baltimore and Ohio Railroad Company. Petition for writ of certiorari to the Court of Appeals of the State of Ohio, 1st Appellate District, denied.

No. 780. Independent Oil Well Cementing Company, petitioner, *v.* Erle P. Halliburton et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 781. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Paulina Norkevich, Administratrix, etc. Petition for writ of certiorari to the Appellate Court of the State of Illinois, 1st District, denied.

No. 791. John P. Owen, petitioner, *v.* Kingsport Press, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 792. Uncasville Manufacturing Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 794. Ostrander-Seymour Company, petitioner, *v.* Powers-Tyson Corporation et al. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 803. A. N. Gossett, Administrator, etc., et al., petitioners, *v.* Edward F. Swinney et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 804. John Bela Martin, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 806. Nat J. Muir, Administrator, etc., petitioner, *v.* Fidelity & Deposit Company of Maryland. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 808. Fire Companies Building Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 810. Louisville & Nashville Railroad Company, petitioner, *v.* Annie Long. Petition for writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 832. A. B. Leach & Company, Inc., petitioner, *v.* Hugh W. Grant, Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 574. General Motors Acceptance Corporation et al., *v.* The United States of America. Leave granted to file supplemental brief of Joseph G. Myerson as *amicus curiae*, on motion of Mr. Joseph G. Myerson in that behalf.

No. 880. J. C. Isenberg et al., petitioners, *v.* George Sherman et al. Motion to print abbreviated record and for an extension of time to make service submitted by Mr. Bartley C. Crum for the petitioners, in support of the motion and by Mr. Oscar Sutro, Mr. Alfred Sutro, Mr. W. H. Lawrence, and Mr. Eugene M. Prince for the respondents in opposition thereto.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector, etc. Leave granted to file brief of Kingman Brewster, James S. Y. Ivins, and Percy W. Phillips, as *amici curiae*, on motion of Mr. J. S. Y. Ivins in that behalf.

No. 649. Adams Grease Gun Corporation, petitioner, *v.* The Bassick Manufacturing Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed with costs and mandate granted on motion of Mr. Henry T. Hornidge for the petitioner.

No. —, original. *Ex Parte*: John W. Keogh, petitioner. Motion that writ of mandamus issue submitted by Mr. John W. Keogh *pro se* with leave to file supplemental brief within ten days.

No. 872. Neil McConlogue, petitioner, *v.* A. C. Aderhold, Warden, etc. Motion for leave to proceed *in forma pauperis* submitted by Mr. Neil McConlogue *pro se*.

No. 779. Asbury Truck Company, appellant, *v.* Railroad Commission of the State of California. Statement as to jurisdiction submitted by Mr. Warren E. Libby for the appellant.

No. 786. Morris Lavine et al., appellants, *v.* The People of the State of California. Statement as to jurisdiction submitted by Mr. Morris Lavine *pro se* and Mr. Francis Forrest Murray for appellant Leontine Johnson in support thereof, and by Mr. U. S. Webb for the appellee in opposition thereto.

No. 765. Union Trust Company of Detroit, Michigan, Trustee, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Frederic D. McKenney, Mr. John S. Flannery, Mr. G. Bowdoin Craighill, and Mr. Caesar L. Aiello for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. H. Brian Holland, and Mr. Erwin N. Griswold for the respondent.

No. 812. First Union Trust and Savings Bank, Trustee, petitioner, *v.* Consumers Company et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Rush C. Butler and Mr. Frank E. Harkness for the petitioner, and by Mr. Edwin W. Sims, Mr. Franklin J. Stransky, and Mr. Cassius Prout for the respondents.

No. 814. Vivian F. Baldwin et al., petitioners, *v.* American Surety Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit sub-

mitted by Mr. James F. Ailshie, jr., for the petitioners, and by Mr. Oliver O. Haga and Mr. Frank Martin for the respondent.

No. 815. The Aetna Casualty & Surety Company, petitioner, *v.* Independent Bridge Company, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Edwin W. Smith and Mr. John C. Bane, jr., for the petitioner, and by Mr. Edward G. Bothwell for the respondent.

No. 816. Speers Sand and Clay Works, Inc., petitioner, *v.* American Trust Company of New York, Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mary W. F. Speers *pro se*, and by Mr. Edward P. Keech, jr., for the respondent.

No. 817. Kentucky and Indiana Terminal Railroad Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Edward P. Humphrey and Mr. Robert N. Miller for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Morton K. Rothschild, and Mr. Erwin N. Griswold for the respondent.

No. 821. Gulf States Steel Company and National Surety Company, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John M. Perry, Mr. Augustus Benners, and Mr. John W. Drye, jr., for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. A. H. Conner, and Mr. W. Marvin Smith for the respondent.

No. 822. The New York Central Railroad Company, petitioner, *v.* Gladys Rose Farmer, as Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. William Mann for the petitioner, and by Mr. Henry S. Miller for the respondent.

No. 823. Hugh Wourdack, petitioner, *v.* Louis J. Becker, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Lon O. Hocker for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Wm. Cutler Thompson, and Mr. William H. Riley, jr., for the respondent.

No. 825. The United States of America, petitioner, *v.* Wilfred Corriveau. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Solicitor General Thacher for the petitioner.

No. 833. The Jackson Iron & Steel Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Richard S. Doyle and Mr. Charles D. Hamel for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Andrew D. Sharpe, and Mr. William H. Riley, jr., for the respondent.

No. 834. Hugh Wells, Trustee in Bankruptcy, etc., petitioner, *v.* Beckie Siegel. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Albert A. Jones for the petitioner, and by Mr. Milton Koblitz for the respondent.

No. 840. The Sovereign Camp of the Woodmen of the World, petitioner, *v.* Willie Neff. Petition for writ of certiorari to the Kansas City Court of Appeals of the State of Missouri submitted by Mr. John T. Harding and Mr. David A. Murphy for the petitioner, and by Mr. John G. Parkinson for the respondent.

No. 873. Missouri-Kansas-Texas Railroad Company, petitioner, *v.* Thomas Tschreppel. Petition for writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Joseph M. Bryson, Mr. C. S. Burg, Mr. W. W. Brown, and Mr. Douglas Hudson for the petitioner, and by Mr. John A. Hall for the respondent.

No. 581. George J. Adams et al., petitioners, *v.* Ogden L. Mills, Director General, etc., et al. Argument continued by Mr. Frank H. Towner for the respondent Union Stock Yard and Transit Company, by Mr. Sidney F. Andrews and Mr. A. A. McLaughlin for the respondent Mills, Director General of Railroads, and concluded by Mr. Franklin J. Stransky for the petitioners.

No. 600. Keziah Reed et al., petitioners, *v.* Lorenzo Allen. Argued by Mr. George C. Gertman for the respondent, and case submitted by Mr. J. Wilmer Latimer, Mr. Walter C. Clephane, and Mr. Gilbert L. Hall for the petitioners.

No. 580. S. B. Lawrence et al., appellants, *v.* State Tax Commission of the State of Mississippi. Argued by Mr. Wm. H. Watkins for the appellants, and by Mr. J. A. Lauderdale for the appellee.

No. 525. Hartford Accident & Indemnity Company, appellant, *v.* F. E. McPherson, Administrator, etc. Argument commenced by Mr. R. M. Robinson for the appellant. The Court declined to hear further argument.

No. 585. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* James M. Borum. Argument commenced by Mr. Henry S. Mitchell for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 19, will be as follows: Nos. 585, 598, 582, 672, 608, 575, 639, 657, 599, and 627.

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SUPREME COURT OF THE UNITED STATES

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

Jack Rinzler, of Passaic, N. J.; E. Burke Finnerty, of Jersey City, N. J.; John Rabb Emison, of Indianapolis, Ind.; Ralph E. Cooper, of Newark, N. J.; William Robert Burns, of Oklahoma City, Okla.; Edward A. Bilitzke, of Lansing, Mich.; and Joseph M. Burford, of Dallas, Tex., were admitted to practice.

No. 672. Planters Cotton Oil Company, Inc., etc., et al., petitioners, *v.* George C. Hopkins, Collector of Internal Revenue, etc. Leave granted to file brief of Frederick H. Wood, Hoyt A. Moore, and A. James Slater as *amici curiae*, on motion of Mr. Richard H. Wilmer in that behalf.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue, etc. Leave granted to file brief of Frederick L. Pearce and George M. Morris as *amici curiae*, on motion of Mr. Frederick L. Pearce in that behalf.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue, etc. Leave granted to file brief of Louis Titus and Henry M. Ward as *amici curiae*, on motion of Mr. Henry M. Ward in that behalf.

No. 585. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* James M. Borum. Argument continued by Mr. Henry S. Mitchell for the petitioner, and concluded by Mr. Ernest A. Michel for the respondent.

No. 598. People of the State of Michigan, by John S. Haggerty, Secretary of State, etc., petitioners, *v.* Michigan Trust Company, Receiver, etc. Argued by Mr. Edward A. Bilitzke for the petitioner, and by Mr. Benjamin R. Perrick for the respondent.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue, etc. Argument commenced by Mr. William A. Sutherland for the petitioner, and continued by Mr. Whitney North Seymour for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 20, will be as follows: Nos. 582, 672, 608, 575, 639, 657, 599, 627, 664, and 674.

SUPREME COURT OF THE UNITED STATES

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

Meredith M. Daubin, of Washington, D. C.; Thomas Linwood Lawrence, of Washington, D. C.; Roland K. Wilde, of Milwaukee, Wis.; Frank H. Rawlings, of Fort Worth, Tex.; James C. Walsh, of Oakland, Calif.; Gerald Donovan, of New York City; Pierre F. Goodrich, of Indianapolis, Ind.; Mae Helm, of Morgantown, Ky.; and Buenaventura C. Lopez, of Manila, P. I., were admitted to practice.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue, etc. Argument continued by Mr. Whitney North Seymour for the respondent, and concluded by Mr. William A. Sutherland for the petitioner.

No. 672. Planters Cotton Oil Company, Inc., of Waxahachie, Texas, et al., petitioner, *v.* George C. Hopkins, Collector of Internal Revenue, etc. Argument commenced by Mr. J. M. Burford for the petitioners, continued by Mr. Whitney North Seymour for the respondent, and concluded by Mr. William A. Sutherland for the petitioners.

No. 608. Erie Railroad Company, petitioner, *v.* Michael Duplak, by his next friend, etc. Argument commenced by Mr. Ralph E. Cooper for the petitioner, continued by Mr. Jack Rinzler for the respondent, and concluded by Mr. George S. Hobart for the petitioner.

No. 575. North American Oil Consolidated, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Argument commenced by Mr. Herbert W. Clark for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 21, will be as follows: Nos. 575, 639, 657, 599, 627, 664, 674, 677, 698, and 700.

SUPREME COURT OF THE UNITED STATES

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

Edw. N. Heiser, of Akron, Ohio; T. H. MacDonald, of Helena, Mont.; James W. Van Dyke, of Paris, Tenn.; Walter T. Griffin, of Marysville, Kans.; W. G. Brown, of Charleston, W. Va.; R. Dennis Steed, of Charleston, W. Va.; Maurice Epstein, of Houston, Tex.; Barry S. Murphy, of Dayton, Ohio; and Harry N. Routzohn, of Dayton, Ohio, were admitted to practice.

No. 575. North American Oil Consolidated, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Argument continued by Mr. Herbert W. Clark for the petitioner, and concluded by Mr. Assistant Attorney General Youngquist for the respondent.

No. 639. L. J. Blakey (Successor to R. E. Schumacher), Receiver, etc., petitioner, *v.* Charles J. Brinson. Argument commenced by Mr. Henry Eastman Hackney for the petitioner, continued by Mr. L. I. Moore for the respondent, and concluded by Mr. George P. Barse for the petitioner.

No. 657. Edward A. Thompson, Inc., appellant, *v.* Lumber Mutual Casualty Insurance Company of New York. Argument commenced by Mr. Leo C. Weiler for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 22, will be as follows: Nos. 657, 599, 627, 664, 674, 677, 698, 700, 714, and 703.

SUPREME COURT OF THE UNITED STATES

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

Alex. J. Ashen, of Sacramento, Calif.; Edward J. Brunenkant, of Cleveland, Ohio; and Henry M. Isaacs, of Portland, Oreg., were admitted to practice.

No. 676. Hart Glass Manufacturing Company, petitioner, *v.* The United States. Time for filing respondent's brief extended to May 20 next on motion of Mr. Solicitor General Thacher in that behalf.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. Mandate stayed until May 28 next on motion of Mr. S. R. Prince for the appellants.

No. 698. Jules C. L'Hote et al., petitioners, *v.* Letus M. Crowell, Deputy Commissioner, United States Compensation Commission, et al. Submitted by Mr. Arthur A. Moreno for the petitioners; by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Lewis, Mr. Claude R. Branch, and Mr. W. Clifton Stone for the respondent, Letus N. Crowell, Deputy Commissioner, etc.; and by Mr. H. W. Robinson for the respondent, Zeb Payne.

No. 657. Edward A. Thompson, Inc., appellant, *v.* Lumber Mutual Casualty Insurance Company of New York. Argument continued by Mr. Leo C. Weiler for the appellant. The Court declined to hear further argument.

No. 599. McCormick & Company, Inc., et al., appellants, *v.* W. G. Brown, State Commissioner of Prohibition of the State of West Virginia, et al., etc. Argument commenced by Mr. Philip C. Friese for the appellants, continued by Mr. W. G. Brown and Mr. R. Dennis Steed for the appellees, and concluded by Mr. H. D. Rummel for the appellants.

No. 627. George P. Porter, Auditor and Ex-Officio Investment Commissioner of the State of Montana, appellant, *v.* Investors Syn-

dicate. Argued by Mr. T. H. MacDonald for the appellant, and by Mr. M. S. Gunn for the appellee.

No. 664. Piedmont and Northern Railway Company, petitioner, *v.* Interstate Commerce Commission et al. Argument commenced by Mr. W. S. O'B. Robinson, jr., for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 25, will be as follows: Nos. 664, 674, 677, 700, 714, 703, 704, 725, 826, and 667.

SUPREME COURT OF THE UNITED STATES

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

William Dee Becker, of St. Louis, Mo.; Victor S. Beam, of New York City; John S. Marsalek, of St. Louis, Mo.; Beverly W. Howe, of Chicago, Ill.; and Thomas D. McBride, of Philadelphia, Pa., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 525. Hartford Accident & Indemnity Company, appellant, *v.* F. E. McPherson, Administrator of Willie Gant, Deceased. Appeal from the Supreme Court of the State of North Carolina. *Per curiam*: The appeal is dismissed for the want of a properly presented federal question. Hartford Life Insurance Company *v.* Johnson, 249 U. S. 490, 493; Nevada-California-Oregon Railway *v.* Burrus, 244 U. S. 103, 104, 105; Atlantic Coast Line R. R. Co. *v.* Mims, 242 U. S. 532, 535; Louisville & Nashville R. R. Co. *v.* Woodford, 234 U. S. 46, 51.

No. 657. Edward A. Thompson, Inc., appellant, *v.* Lumber Mutual Casualty Insurance Company of New York. Appeal from the City Court of the City of New York, State of New York. *Per curiam*: The appeal herein is dismissed for the want of a substantial federal question. Wabash R. R. Co. *v.* Flannigan, 192 U. S. 29, 38; C. A. King & Co. *v.* Horton, 276 U. S. 600; Bank of Indianola *v.* Miller, 276 U. S. 605; Roe *v.* Kansas, 278 U. S. 191.

No. 698. Jules C. L'Hote et al., petitioners, *v.* Letus N. Crowell, Deputy Commissioner, United States Compensation Commission, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: The judgment of the Circuit Court of Appeals herein is reversed and the cause is remanded to the District Court with directions to affirm the order of the Deputy Commissioner rejecting the claim of Zeb Payne. Crowell *v.* Benson, 284 U. S. —.

No. 786. Morris Lavine and Leontine Johnson, appellants, *v.* The People of the State of California. Appeal from the District Court of Appeal, 2d Appellate District, State of California. *Per curiam*: The appeal herein is dismissed for the want of a substantial federal question. *Waters-Pierce Oil Co. v. Texas* (No. 1), 212 U. S. 86, 108-111; *Fox v. Washington*, 236 U. S. 273, 277, 278; *Miller v. Strahl*, 239 U. S. 426, 434; *Omaechevarria v. Idaho*, 246 U. S. 343, 348; *Hygrade Provision Co. v. Sherman*, 266 U. S. 497, 501, 502, 503. In so far as the papers whereon the appeal was allowed seek review of the rulings of the District Court of Appeal upon questions of the asserted denial of rights under the Federal Constitution by the proceedings at the trial of this cause, not involving the validity of any statute of the state, such papers are treated as a petition for writ of certiorari (Sec. 237 (c), Judicial Code, as amended by the act of February 13, 1925, 43 Stat. 936, 938), and certiorari is denied.

The Chief Justice said:

The other orders of the Court appear upon the list certified to by the Chief Justice and filed with the Clerk and will not be announced orally.

No. 779. Asbury Truck Company, appellant, *v.* Railroad Commission of the State of California. In this case probable jurisdiction is noted.

No. —, original. *Ex Parte*: John W. Keogh, petitioner. The petition for the issue of a writ of mandamus herein is denied for the want of jurisdiction. *Luther v. Borden*, 7 How. 1, 42; *Pacific States Telephone & Telegraph Co. v. Oregon*, 223 U. S. 118, 150; *Marshall v. Dye*, 231 U. S. 250, 256, 257; *Massachusetts v. Mellon*, 262 U. S. 447, 483, 488.

No. 880. J. C. Isenberg, Mrs. Paul Isenberg, et al., petitioners, *v.* George Sherman, Richard A. Cooke, et al. On petition for writ of certiorari to the Supreme Court of the State of California. The motion of the petitioner for leave to print an abbreviated record herein is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that the application for writ of certiorari was not made within the time provided by law. (Act of Feb. 13, 1925, Sec. 8 (a), 43 Stat. 936, 940). The petition for a writ of certiorari is therefore also denied. Mr. Justice Stone took no part in the consideration or decision of this application.

No. 872. Neil McConlogue, petitioner, *v.* A. C. Aderhold, Warden of the United States Penitentiary, Atlanta, Georgia. On petition for writ of certiorari to the United States Circuit Court of Appeals for

the Fifth Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied.

No. 494. American Surety Company, of New York, petitioner, *v.* Vivian F. Baldwin and E. R. Baldwin. Petitioner for writ of certiorari to the Supreme Court of the State of Idaho granted.

No. 821. Gulf States Steel Company and National Surety Company, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 822. The New York Central Railroad Company, petitioner, *v.* Gladys Rose Farmer, as Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of New York granted.

No. 814. Vivian F. Baldwin et al., petitioners, *v.* American Surety Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted and the case assigned for argument immediately following the argument in No. 494.

No. 765. Union Trust Company of Detroit, Michigan, Trustee, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 812. First Union Trust and Savings Bank, Trustee, petitioner, *v.* Consumers Company et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 815. The Aetna Casualty & Surety Company, petitioner, *v.* Independent Bridge Company, Now for Use of Alpha Portland Cement Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 816. Speers Sand and Clay Works, Inc., petitioner, *v.* American Trust Company of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 823. Hugh Wourdack, petitioner, *v.* Louis J. Becker, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 833. The Jackson Iron & Steel Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 834. Hugh Wells, Trustee in Bankruptcy, etc., petitioner, *v.* Beckie Siegel. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 840. The Sovereign Camp of the Woodmen of the World, petitioner, *v.* Willie Neff. Petition for writ of certiorari to the Kansas City Court of Appeals, State of Missouri, denied.

No. 873. Missouri-Kansas-Texas Railroad Company, petitioner, *v.* Thomas Tschreppel. Petition for writ of certiorari to the Supreme Court of the State of Kansas denied.

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

ORDER

It is ordered by the Court that the call of the docket be suspended for the term on Friday, April 29 next, and that the Court will take a recess from Monday, May 2, until Monday, May 16 next.

It is further ordered that no petitions for writs of certiorari or other motions, except motions for admission to practice, will be received after Monday, May 23, next.

No. 892. The United States of America, appellant, *v.* Thomas W. Sowell. Appeal from the District Court of the United States for the Northern District of Texas. Appeal dismissed and mandate granted on motion of Mr. Solicitor General Thacher for the appellant.

No. 837. Philip Godfrey, appellant, *v.* James J. Godfrey, Executor, etc., et al. Motion for leave to proceed *in forma pauperis* submitted by Mr. Joseph W. Robinson for the appellant.

No. 883. United States of America *ex rel.* Joseph C. Moran, petitioner, *v.* Major Henry Hill, Warden, etc. Motion for leave to proceed *in forma pauperis* submitted by Mr. Eugene McCaffrey for the petitioner.

No. 746. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al. Statement as to jurisdiction submitted by Mr. E. F. Smith and Mr. Dan Moody for the appellants.

No. 807. The United States of America, appellant, *v.* Shreveport Grain & Elevator Company. Statement as to jurisdiction submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Lewis, and Mr. W. Clifton Stone for the appellant.

No. 837. Philip Godfrey, appellant, *v.* James J. Godfrey, Executor, etc., et al. Statement as to jurisdiction submitted by Mr. Joseph W. Robinson for the appellant.

No. 726. National Surety Company et al., petitioners, *v.* Valeria E. Coriell, Morris White, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles H. Tuttle, Mr. Saul S. Myers, Mr. Selden Bacon, and Mr. Gregory Hankin for the petitioner, and by Mr. Charles B. McInnis for the respondents.

No. 727. National Surety Company et al., petitioners, *v.* Valeria E. Coriell, Morris White, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles H. Tuttle, Mr. Saul S. Myers, Mr. Selden Bacon, and Mr. Gregory Hankin for the petitioners, and by Mr. Charles B. McInnis for the respondents.

No. 798. Nathan Burnstein and George McNeil, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Otto Christensen for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Martin A. Morrison, Mr. Paul D. Miller, and Mr. W. Marvin Smith for the respondent.

No. 813. J. Chr. G. Hupfel Company, Inc., petitioner, *v.* Charles W. Anderson, as United States Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. L. L. Hamby for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. John G. Remy for the respondent.

No. 835. Capital National Bank, petitioner, *v.* Board of Supervisors of Hinds County; and

No. 836. Capital National Bank, petitioner, *v.* City of Jackson. Petition for writs of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. R. H. Thompson for the petitioner, and by Mr. Wm. H. Watkins and Mr. P. H. Eager, jr., for the respondents.

No. 838. Chicago & Northwestern Railway Company, petitioner, *v.* State Board of Equalization and Assessment of Nebraska. Petition for writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. Wymer Dressler and Mr. Samuel H. Cady for the petitioner, and by Mr. C. A. Sorensen and Mr. Hugh LaMaster for the respondent.

No. 839. Tony Milyonico and Phillip Abbacco, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harold J. Bandy for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Young-

quist, Mr. Paul D. Miller, Mr. A. E. Gottshall, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 842. Security National Bank, a Corporation of Watertown, South Dakota, petitioner, *v.* Ralph Young, as County Treasurer, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Perry F. Loucks for the petitioner, and by Mr. Ray F. Drewry for the respondents.

No. 846. J. H. Johnson, F. W. Weaver, et al., petitioners, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Harry C. Weeks for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Wm. Cutler Thompson, and Mr. William H. Riley, jr., for the respondent.

No. 848. 169 Bales Containing Wool marked CC 1-169, Robert W. A. Wood, Claimant, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Carl E. Whitney and Mr. Francis C. Lowthorp for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Lewis, Mr. Whitney North Seymour, and Mr. Wilbur H. Friedman for the respondent.

No. 850. The Chicago, Rock Island and Pacific Railway Company, petitioner, *v.* B. H. Squire, Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. John Barry, Mr. M. L. Bell, Mr. W. F. Dickinson, Mr. Thos. P. Littlepage, and Mr. W. R. Bleakmore for the petitioner, and by Mr. R. R. Bell, Mr. W. A. Ledbetter, and Mr. H. L. Stuart for the respondent.

No. 852. St. Louis-San Francisco Railway Company et al., petitioners, *v.* Lewis Fine. Petition for writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Edward T. Miller, Mr. Harry P. Warner, and Mr. Cecil R. Warner for the petitioners, and by Mr. David S. Partain for the respondent.

No. 868. Albert Pick-Barth Company, Inc., petitioner, *v.* Mitchell Woodbury Company, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Edward F. McClennen and Mr. Jacob J. Kaplan for the petitioner, and by Mr. Edward O. Proctor for the respondents.

No. 891. Alphonse Capone, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Cir-

cuit Court of Appeals for the Seventh Circuit submitted by Mr. Michael J. Ahern, Mr. Albert Fink, and Mr. Frank K. Nebeker for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Sewall Key, Mr. John H. McEvers, Mr. Paul D. Miller, and Mr. W. Marvin Smith for the respondent.

No. 664. Piedmont and Northern Railway Company, petitioner, *v.* Interstate Commerce Commission, Southern Railway Company et al. Argument continued by Mr. W. S. O'B. Robinson, jr., for the petitioner, by Mr. Nelson Thomas for respondent Interstate Commerce Commission, and concluded by Mr. Sidney S. Alderman for the respondents Southern Railway Company et al.

No. 674. St. Louis Southwestern Railway Company, petitioner, *v.* Effie K. Simpson, as Administratrix, etc. Argued by Mr. Harold R. Small for the petitioner and by Mr. Frank Pace for the respondent.

No. 677. Continental Baking Company et al., appellants, *v.* Harry H. Woodring, as Governor of the State of Kansas, et al., etc. Argued by Mr. Walter T. Griffin for the appellees, and case submitted by Mr. Charles R. Wilks and Mr. John C. Grover for the appellants.

No. 700. John H. Page, Trustee, etc., petitioner, *v.* Arkansas Natural Gas Corporation. Argument commenced by Mr. Frank J. Looney for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 26, will be as follows: Nos. 700, 714, 703, 704, 725, 826, 667, 736, and 787 (and 788).

SUPREME COURT OF THE UNITED STATES

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

Edmond I. Foley, of Chicago, Ill.; Walter J. McDonald, of Brockton, Mass.; John D. Fearhake, of New Canaan, Conn.; W. McIver Streetman, of Houston, Tex.; Sidney E. Smith, of Philadelphia, Pa.; and James F. Kemp, of Atlanta, Ga., were admitted to practice.

No. 700. John H. Page, Trustee, etc., petitioner, *v.* Arkansas Natural Gas Corporation. Argument continued by Mr. Frank J. Looney for the petitioner, by Mr. John W. Davis for the respondent, and concluded by Mr. Yandell Boatner for the petitioner.

No. 714. Walter J. MacDonald, Trustee, etc., petitioner, *v.* Plymouth County Trust Company. Argued by Mr. Robert A. B. Cook for the petitioner, and by Mr. Joseph B. Jacobs for the respondent.

No. 703. The Baltimore & Ohio Railroad Company, petitioner, *v.* Ray Berry. Argued by Mr. Rudolph J. Kramer for the petitioner, and by Mr. John S. Marsalek for the respondent.

No. 704. The United States, petitioner, *v.* Barnim Kombst et al. Argument commenced by Mr. Assistant Attorney General Rugg for the petitioner, and continued by Mr. Frederick Schwertner for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 27, will be as follows: Nos. 704, 725, 826, 667, 736, and 787 (and 788).

SUPREME COURT OF THE UNITED STATES

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

John M. Campbell, of Chicago, Ill.; Sam R. Merrill, of Houston, Tex.; Benjamin D. Tarlton, of Corpus Christi, Tex.; Charles F. Kelley, of Philadelphia, Pa.; James W. Tracey, jr., of Philadelphia, Pa.; Vincent A. Carroll, of Philadelphia, Pa.; John A. Boyle, of Philadelphia, Pa.; and Claude J. Bartlett, of Columbus, Ohio, were admitted to practice.

No. 726. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al.; and

No. 727. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al. Leave granted respondents to file a supplemental brief within five days on motion of Mr. Charles B. McInnis in that behalf.

No. 704. The United States, petitioner, *v.* Barnim Kombst et al. Argument concluded by Mr. Frederick Schwertner for the respondent.

No. 725. Frederick B. Wells *v.* Commissioner of Internal Revenue. Argued by Mr. James S. Y. Ivins for Wells, and by Mr. Solicitor General Thacher for the Commissioner of Internal Revenue.

No. 826. Ed Sproles et al., appellants, *v.* T. Binford, Sheriff, et al. Argument commenced by Mr. Charles I. Francis for the appellants, continued by Mr. Frank H. Rawlings for the appellants, and by Mr. Elbert Hooper for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 28, will be as follows: Nos. 826, 677, 736 and 787 (and 788).

79704—32—95

SUPREME COURT OF THE UNITED STATES

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

Edward K. Campbell, of Birmingham, Ala.; John C. Evans, of Detroit, Mich.; Samuel Brezner, of Detroit, Mich.; James A. Dixon, of Miami, Fla.; and John Wheeler Cleaton, of Atlanta, Ga., were admitted to practice.

No. 826. Ed Sproles et al., appellants, *v.* T. Binford, Sheriff, et al. Argument continued by Mr. Elbert Hooper for the appellees and concluded by Mr. LaRue Brown for the appellants.

No. 667. Atlantic Cleaners and Dyers, Inc., et al., appellants, *v.* The United States of America. Argued by Mr. Dale D. Drain for the appellants, and by Mr. Assistant to the Attorney General O'Brian for the appellee.

No. 736. I. Rude, petitioner, *v.* Joseph Buchhalter. Argued by Mr. Ernest Morris for the petitioner and by Mr. Henry E. Lutz for the respondent.

No. 787. Southern Railway Company et al., petitioners, *v.* Mary Elizabeth Dantzler, as Administratrix, etc.; and

No. 788. Southern Railway Company et al., petitioners, *v.* Mary O. Youngblood, as Administratrix, etc. Submitted by Mr. H. O'B. Cooper, Mr. S. R. Prince, Mr. Frank G. Tompkins, and Mr. Sidney S. Alderman for the petitioners and by Mr. William C. Wolfe for the respondents.

Adjourned until Monday, May 2, next, at 12 o'clock.

79704—32—96

X

SUPREME COURT OF THE UNITED STATES

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

Robert J. Blum, of New York City; William C. Brewer, of Washington, D. C.; Addison L. Gardner, jr., of Chicago, Ill.; Helmer M. Feroe, of Minneapolis, Minn.; Mark N. Turner, of Buffalo, N. Y.; John W. Mahan, of Helena, Mont.; Abe Collins, of De Queen, Ark.; Herbert U. Feibelman of Miami, Fla.; Ferdinand Tunnell, of Edwardsville, Ill.; Will Shafroth, of Denver, Colo.; and A. L. Scott, of Pioche, Nev., were admitted to practice.

No. 574. General Motors Acceptance Corporation et al., *v.* The United States of America. On certificate from the United States Circuit Court of Appeals for the Ninth Circuit. The first question is answered "No," and the second, third, and fourth questions are not answered. Opinion by Mr. Justice Cardozo. Mr. Justice Stone took no part in the consideration and decision of this case.

No. 734. The United States of America, petitioner, *v.* Commercial Credit Company, Inc. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree of the Circuit Court of Appeals reversed and the decree of the District Court of the United States for the Southern District of Texas affirmed and the cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo. Mr. Justice Stone took no part in the consideration and decision of this case.

No. 795. The United States of America, petitioner, *v.* Two-Masted Auxiliary Schooner "Ruth Mildred," etc. On writ or certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed and the 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 Cardozo.

No. 811. General Import & Export Company, Inc., petitioner, *v.* The United States of America. On writ of certiorari to the United

States Circuit Court of Appeals for the Second Circuit. Decree affirmed and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Cardozo.

No. 265. L. A. Nixon, petitioner, *v.* James Condon and C. H. Kollé. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs and cause remanded to the District Court of the United States for the Western District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo. Separate opinion by Mr. Justice McReynolds, in which Mr. Justice Van Devanter, Mr. Justice Sutherland, and Mr. Justice Butler concur.

No. 568. The United States of America, appellant, *v.* Swift & Company et al.;

No. 569. American Wholesale Grocers Association et al., appellants, *v.* Swift & Company et al.; and

No. 570. National Wholesale Grocers Association, appellant, *v.* Swift & Company et al. Appeals from the Supreme Court of the District of Columbia. Decree reversed and cause remanded to the said Supreme Court with direction to dismiss the petitions. Opinion by Mr. Justice Cardozo. Dissenting opinion by Mr. Justice Butler, in which Mr. Justice Van Devanter concurs.

No. 694. The United States of America *v.* George Otis Smith. On certificate from the Court of Appeals of the District of Columbia. Judgment of the Supreme Court of the District of Columbia affirmed. Opinion by Mr. Justice Brandeis.

No. 693. John Vance Taylor, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment reversed and cause remanded to the District Court of the United States for the District of Maryland for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds, announced by the Chief Justice.

The Chief Justice announced the following orders of the Court:

No. 725. Frederick B. Wells *v.* Commissioner of Internal Revenue. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: The certificate is dismissed upon the ground that the questions are not properly framed and that the statement in the certificate is inadequate. *United States v. Mayer*, 235 U. S. 55, 66; *White v. Johnson*, 282 U. S. 367, 371; *United States v. Worley*, 281 U. S. 339, 340.

No. 837. Philip Godfrey, appellant, *v.* James J. Godfrey, Executor, etc. Appeal from the Supreme Court of the State of Washington. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied. The appeal is dismissed for the want of jurisdiction. Section 237 (a) Judicial Code as amended by the act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari (sec. 237 (c), Judicial Code, as amended (43 Stat. 936, 938)), certiorari is denied.

The Chief Justice said:

“The other orders of the Court appear upon the list certified to by the Chief Justice and filed with the clerk and will not be announced orally.”

No. 883. United States of America, *ex rel.* Joseph C. Moran, petitioner, *v.* Major Henry Hill, Warden, etc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari should be granted. The petition for writ of certiorari is therefore also denied.

No. 835. Capital National Bank, petitioner, *v.* Board of Supervisors of Hinds County; and

No. 836. Capital National Bank, petitioner, *v.* City of Jackson.

On petitions for writs of certiorari to the Supreme Court of the State of Mississippi. The petitions for writs of certiorari in these cases are severally denied, upon the ground that the judgments sought here to be reviewed are joint and the records fail to disclose summons and severance. *Hartford Accident & Indemnity Co. v. Bunn*, 284 U. S. —; section 237 (b), Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 937).

No. 746. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al.; and

No. 807. The United States of America, appellant, *v.* Shreveport Grain & Elevator Company. In these cases probable jurisdiction is noted.

No. 798. Nathan Burnstein and George McNeil, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 813. J. Chr. G. Hupfel Company, Inc., petitioner, *v.* Charles W. Anderson, as United States Collector, etc. Petition for writ of

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

No. 838. Chicago & Northwestern Railway Company, petitioner, *v.* State Board of Equalization and Assessment of Nebraska. Petition for writ of certiorari to the Supreme Court of the State of Nebraska denied.

No. 839. Tony Milyonico and Phillip Abbacco, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 842. Security National Bank, a Corporation of Watertown, South Dakota, petitioner, *v.* Ralph Young, as County Treasurer, etc., et al. Petition for writ of certiorari to United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 846. J. H. Johnson, F. W. Weaver, et al., petitioners, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 848. 169 Bales Containing Wool, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 850. The Chicago, Rock Island and Pacific Railway Company, petitioner, B. H. Squire, Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 852. St. Louis-San Francisco Railway Company et al., petitioners, *v.* Lewis Fine. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 868. Albert Pick-Barth Company, Inc., petitioner, *v.* Mitchell Woodbury Company, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 891. Alphonse Capone, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

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

ORDER

The Court will take a recess from to-day until Monday, May 16; from that day until Monday, May 23; and from that day until Tuesday, May 31, upon which day it will adjourn for the term.

No. 885. Philip Elting, Collector of Customs, Port of New York, petitioner, *v.* North German Lloyd. Leave granted petitioner to file supplemental brief on or before May 13 next, on motion of Mr. Solicitor General Thacher in that behalf.

No. —, original. *Ex parte*: Winfield A. Green, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Frederick W. Dallinger in behalf of counsel for the petitioner.

No. 796. Norfolk & Western Railway Company, appellant, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. Theodore W. Reath, Mr. Harvey B. Apperson, and Mr. D. Lynch Younger for the appellant.

No. 844. The Railroad Commission of Texas et al., appellants, *v.* Alfred Macmillan, Individually, et al. Statement as to jurisdiction submitted by Mr. Robert E. Hardwicke for the appellants.

No. 766. Erie Railroad Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. M. B. Pierce for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. Joseph H. Sheppard, and Mr. Bradley B. Gilman for the respondent.

No. 784. Chang Chow, *alias* Chang Sau Mung, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Chauncey F. Eldridge for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. Wilbur H. Friedman for the respondent.

No. 785. Yim Kim Lau, *alias* Yim Lee Keaw, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Chauncey F. Eldridge for the petitioner, and by Mr. Solicitor General Thacher, Mr. Whitney North Seymour, Mr. Harry S. Ridgely, and Mr. Wilbur H. Friedman for the respondent.

No. 841. J. H. Gwinn, Beneficiary, etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas A. Thatcher for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. Erwin N. Griswold for the respondent.

No. 843. Consolidated Book Publishers, Inc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United

States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Edw. W. Everett for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant to the Attorney General O'Brian, Mr. Whitney North Seymour, Mr. Charles H. Weston, Mr. William H. Riley, jr., Mr. Robert E. Healy, and Mr. Martin A. Morrison for the respondent.

No. 845. Roxana Petroleum Corporation, etc., petitioner, *v.* A. C. Bollinger, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Truman P. Young, Mr. Guy A. Thompson, and Mr. S. A. Mitchell for the petitioner, and by Mr. Oscar E. Carlstrom and Mr. Montgomery Winning for the respondents.

No. 847. Otis W. Rowe et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph A. Cantrel for the petitioners, and by Mr. Solicitor General Thacher, Mr. Paul D. Miller, Mr. Harry S. Ridgely, and Mr. W. Marvin Smith for the respondent.

No. 851. Frank E. Cooper, as Trustee, etc., petitioner, *v.* Joseph W. Taylor. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Herbert S. Phillips for the petitioner, and by Mr. N. B. K. Pettin-gill for the respondent.

No. 853. Walter Kolis, petitioner, *v.* Charles Mosden. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Robert F. Cogswell for the petitioner.

No. 854. Edwards H. Childs, as Trustee, etc., petitioner, *v.* Empire Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Moses Cohen for the petitioner, and by Mr. Stuart McNamara and Mr. Leonard B. Smith for the respondent.

No. 855. Dorothy Baker Stimpson, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. George H. Moore and Mr. William M. Fitch for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Norman D. Keller, and Mr. William H. Riley, jr., for the respondent.

No. 858. John C. Winston Company, petitioner, *v.* Warren Trimble et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Marcellus

Green, Mr. William H. Watkins, and Mr. Garner W. Green for the petitioner, and by Mr. L. T. Kennedy for the respondents.

No. 860. Great Northern Railway Company, petitioner, *v.* W. G. Shellenbarger. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles A. Hart, Mr. Charles H. Carey, and Mr. Charles E. McCulloch for the petitioner, and by Mr. Dan J. Malarkey for the respondent.

No. 861. Atascosa County State Bank of Jourdanton, Texas, petitioner, *v.* M. Coppard, Trustee, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Victor Keller for the petitioner, and by Mr. Sylvan Lang for the respondents.

No. 878. Cornell Steamboat Company, petitioner, *v.* Shamrock Towing Company; and

No. 879. Cornell Steamboat Company, petitioner, *v.* James A. Meenan, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert S. Erskine for the petitioner, and by Mr. Edward Ash for the respondent in No. 878 and Mr. John W. Griffin for the respondent in No. 879.

No. 881. Bernard L. Shapiro, petitioner, *v.* Horace B. Wilgus et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Jacob Weinstein and Mr. Francis Biddle for the petitioner, and by Mr. Sidney E. Smith for the respondents.

Adjourned until Monday, May 16 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Joyce S. Lewis, of Long Prairie, Minn.; William S. Kleinman, of Chicago, Ill.; Frederick W. Greene, of Fort Wayne, Ind.; Earle Farwell, of New York City; Warwick M. Dowling, of Denver, Colo.; Geo. B. Boland, of Omaha, Nebr.; Miles Elliott, of St. Joseph, Mo.; Tom C. Clark, of Dallas, Tex.; Grover Adams, of Dallas, Tex.; Wm. H. Glover, of Malvern, Ark.; Joseph Saslaw, of Cleveland, Ohio; Gentry Lee, of Tulsa, Okla.; Hatton Lovejoy, of LaGrange, Ga.; Lawrence Lafayette Gourley, of Washington, D. C.; William P. Chapman, jr., of New York City; Spearman Webb, of Sherman, Tex.; J. S. Callicutt, of Corsicana, Tex.; Edmund M. Toland, of Washington, D. C.; Frank Bird, of Little Rock, Ark.; S. B. Schein, of Madison, Wis.; and G. P. Seibert, of Urbana, Ohio, were admitted to practice.

No. 582. Woolford Realty Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue for the District of Georgia. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of Georgia. Opinion by Mr. Justice Cardozo.

No. 672. Planters Cotton Oil Company, Inc., of Waxahachie, Texas, et al., petitioners, *v.* George C. Hopkins, Collector of Internal Revenue for the Second District of Texas. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of Texas. Opinion by Mr. Justice Cardozo.

No. 598. People of the State of Michigan, by John S. Haggerty, Secretary of State, petitioners, *v.* Michigan Trust Company, Receiver of Worden Grocer Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree of the Circuit Court of Appeals reversed with costs, and the

decree of the District Court of the United States for the Western District of Michigan affirmed and cause remanded to the said District Court. Opinion by Mr. Justice Cardozo. Mr. Justice McReynolds is of opinion that the decree of the Circuit Court of Appeals should be affirmed.

No. 674. St. Louis Southwestern Railway Company, petitioner, *v.* Effie K. Simpson, as Administratrix of the Estate of A. E. Simpson, deceased. On writ of certiorari to the Supreme Court of the State of Arkansas. Judgment reversed with costs and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Cardozo.

No. 634. The Texas & Pacific Railway Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Roberts.

No. 560. Continental Tire and Lumber Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Roberts.

No. 664. Piedmont and Northern Railway Company, petitioner, *v.* Interstate Commerce Commission, Southern Railway Company, Charleston & Western Carolina Railway Company, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decree of the District Court of the United States for the Western District of South Carolina affirmed, and cause remanded to said District Court. Opinion by Mr. Justice Roberts. The Chief Justice took no part in the consideration or decision of this case.

No. 788. Southern Railway Company and Southern Railway, Carolina Division, petitioners, *v.* Mary O. Youngblood, as Administratrix of the Estate of Cleveland J. Youngblood, deceased. On writ of certiorari to the Supreme Court of the State of South Carolina. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Roberts.

No. 787. Southern Railway Company and Southern Railway, Carolina Division, petitioners, *v.* Mary Elizabeth Dantzler, as Administratrix of the Estate of Lawrence Keitt Dantzler, deceased. On writ of certiorari to the Supreme Court of the State of South Carolina. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Roberts.

No. 548. Joseph S. MacLaughlin, Collector of Internal Revenue for the First District of Pennsylvania, *v.* Alliance Insurance Company of Philadelphia; and

No. 547. *The Insurance Company of the State of Pennsylvania v. Joseph S. MacLaughlin, Collector of Internal Revenue for the First District of Pennsylvania.* On certificates from the United States Circuit Court of Appeals for the Third Circuit. Both questions answered "No." Opinion by Mr. Justice Stone. Mr. Justice Roberts took no part in the consideration or decisions of these cases.

No. 639. *L. J. Blakey (Successor to R. E. Schumacher), Receiver of the First National Bank of New Bern, New Bern, North Carolina, petitioner, v. Charles J. Brinson.* On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of North Carolina for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 714. *Walter J. MacDonald, Trustee in Bankruptcy of Craig, Reed & Emerson, Inc., petitioner, v. Plymouth County Trust 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 said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 700. *John H. Page, Trustee, etc., petitioner, v. Arkansas Natural Gas Corporation.* On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Arkansas. Opinion by Mr. Justice Stone.

No. 703. *The Baltimore & Ohio Railroad Company, petitioner, v. Ray Berry.* On writ of certiorari to the Supreme Court of the State of Missouri. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 580. *S. B. Lawrence et al., appellants, v. State Tax Commission of the State of Mississippi.* Appeal from the Supreme Court of the State of Mississippi. Decree affirmed with costs. Opinion by Mr. Justice Stone. Mr. Justice Van Devanter dissents from so much of the opinion as concerns the equal protection clause of the Fourteenth Amendment.

No. 122. *Champlin Refining Company, appellant, v. Corporation Commission of the State of Oklahoma et al., etc.;*

No. 485. *Champlin Refining Company, appellant, v. Corporation Commission of the State of Oklahoma et al.; and*

No. 486. *Corporation Commission of the State of Oklahoma et al., appellants, v. Champlin Refining Company.* Appeals from the Dis-

trict Court of the United States for the Western District of Oklahoma. Appeal in No. 122 dismissed. Decree in No. 485 affirmed with costs and decree in No. 486 modified and affirmed with costs. Opinion by Mr. Justice Butler.

No. 722. Utah Power and Light Company, appellant, *v.* Emmitt Pfof, Commissioner of Law Enforcement of the State of Idaho et al. Appeal from the District Court of the United States for the District of Idaho. Decree affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 600. Keziah Reed, Georgiana R. Simpson, Lillian M. H. Redding, etc., et al., petitioners, *v.* Lorenzo Allen. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed with costs, and cause remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Sutherland. Dissenting opinion by Mr. Justice Cardozo in which Mr. Justice Brandeis and Mr. Justice Stone concur.

No. 423. Bradford Electric Light Company, Inc., petitioner, *v.* Jennie M. Clapper, Administratrix. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the District of New Hampshire for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Concurring opinion by Mr. Justice Stone.

No. 118. Fox Film Corporation, appellant, *v.* Paul H. Doyal et al., Members of the State Revenue Commission. Appeal from the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 599. McCormick & Company, Inc., and Durham Bros. Inc., appellants, *v.* W. G. Brown, State Commissioner of Prohibition of the State of West Virginia. Appeal from the District Court of the United States for the Southern District of West Virginia. Decree affirmed with costs. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:
No. 825. The United States of America, petitioner, *v.* Wilfred Corriveau. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. *Per curiam:* The petition for writ of certiorari herein is granted. The decree of the Circuit Court of Appeals is reversed, and the cause is remanded to the District Court for further proceedings in conformity with the opinions of this Court in *United States of America v. Two-Masted Auxiliary Schooner "Ruth Mildred,"* 286 U. S. —; General

Import and Export Co. v. United States, 286 U. S. —; General Motors Acceptance Corporation v. United States, 286 U. S. —; and United States v. Commercial Credit Co., 286 U. S. —.

No. 784. Chang Chow, alias Chang Sau Mung, petitioner, v. The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. *Per curiam*: The appeal to the Circuit Court of Appeals having been dismissed by that Court for want of a bill of exceptions, and it appearing, and being conceded by the Government, that the review of the Circuit Court of Appeals was by appeal according to the applicable practice prior to the Act of January 31, 1928, as amended (45 Stat. 54, 466), and that no bill of exceptions was necessary but that a duly authenticated record was required, the petition for writ of certiorari herein is granted, the judgment of the Circuit Court of Appeals is reversed and the cause is remanded to that Court with directions to consider the sufficiency of the authentication of the record, and, if the record be found defective in this respect, to exercise its discretion, if proper application be made to determine whether an opportunity should be afforded for authentication of the record so that the decision of the District Court may be reviewed by the Circuit Court of Appeals.

No. 785. Yim Kim Lau, alias Yim Lee Keau, petitioner, v. The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. *Per curiam*: The appeal to the Circuit Court of Appeals having been dismissed by that Court for the want of a bill of exceptions, and it appearing, and being conceded by the Government, that the review of the Circuit Court of Appeals was by appeal according to the applicable practice prior to the act of January 31, 1928, as amended (45 Stat. 54, 466), and that no bill of exceptions was necessary but that a duly authenticated record was required, the petition for writ of certiorari herein is granted, the judgment of the Circuit Court of Appeals is reversed, and the cause is remanded to that court with directions to consider the sufficiency of the authentication of the record, and, if the record be found defective in this respect, to exercise its discretion, if proper application be made, to determine whether an opportunity should be afforded for authentication of the record so that the decision of the District Court may be reviewed by the Circuit Court of Appeals.

The Chief Justice said: The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.

No. 796. Norfolk & Western Railway Company, appellant, *v.* The United States of America and Interstate Commerce Commission; and

No. 844. The Railroad Commission of Texas et al., appellants, *v.* Alfred Macmillan, Individually, etc. In these cases probable jurisdiction is noted.

No. 727. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 841. J. H. Gwinn, Beneficiary etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 881. Bernard L. Shapiro, petitioner, *v.* Horace B. Wilgus, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 726. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 766. Erie Railroad Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 843. Consolidated Book Publishers, Inc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 845. Roxana Petroleum Corporation, etc., petitioner, *v.* A. C. Bollinger, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 847. Otis W. Rowe et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 851. Frank E. Cooper, as Trustee of the Estate of Joseph W. Taylor, Bankrupt, petitioner, *v.* Joseph W. Taylor. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 853. Walter Kolis, petitioner, *v.* Charles Mosden. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 854. Edward H. Childs, as Trustee in Bankruptcy of the Estate of Singer Furniture Corporation, Bankrupt, petitioner, *v.* Empire Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 855. Dorothy Baker Stimpson, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 858. John C. Winston Company, petitioner, *v.* Warren Trimble et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 860. Great Northern Railway Company, petitioner, *v.* W. G. Shellenbarger. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 861. Atascosa County State Bank of Jourdanton, Texas, petitioner, *v.* M. Coppard, Trustee of the Estate of Hurley Mercantile Company et. al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 878. Cornell Steamboat Company, petitioner, *v.* Shamrock Towing Company; and

No. 879. Cornell Steamboat Company, petitioner, *v.* James A. Meenan, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. —, original. *Ex Parte*: United States of America, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Solicitor General Thacher for the petitioner.

No. —, original. *Ex Parte*: Krentler-Arnold Hinge Last Co., petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Otto F. Barthel for the petitioner.

No. —. In the Matter of the Disbarment of William E. Baff. Report of the Committee of the Bar submitted by Mr. Frederic D. McKenney, Mr. Reeve Lewis, and Mr. Joseph H. Milans.

No. —, original. *Ex Parte*: John W. Keogh, petitioner. Motion that jurisdiction be assumed submitted by Mr. John W. Keogh *pro se*.

No. 952. Jacob Nachman, petitioner, *v.* The United States of America. Motion for leave to proceed *in forma pauperis* submitted by Mr. Jacob Nachman *pro se*.

No. 802. Israel Lazar, appellant, *v.* Commonwealth of Pennsylvania. Statement as to jurisdiction submitted by Mr. Allen S. Olmsted, 2d, Mr. Walter Biddle Saul, Mr. Ira Jewell Williams, and Mr. Ira Jewell Williams, jr., for the appellant in support thereof, and by Mr. James W. Tracey, jr., and Mr. Charles F. Kelley for the appellee in opposition thereto.

No. 818. Kerr Glass Manufacturing Corporation, appellant, *v.* Superior Court of the State of Washington for Kings County et al. Statement as to jurisdiction submitted by Mr. W. B. Tanner, Mr.

John T. Garvin, and Mr. A. E. Clark for the appellant, in support thereof, and by Mr. Samuel B. Bassett for the appellees, in opposition thereto.

No. 820. Interstate Commerce Commission et al., appellants, *v.* Oregon-Washington Railroad and Navigation Company et al. Statement as to jurisdiction submitted by Mr. Daniel W. Knowlton, Mr. J. Stanley Payne, Mr. I. H. Van Winkle, Mr. William C. McCulloch, Mr. William P. Ellis, and Mr. J. M. Thompson for the appellants in support thereof, and by Mr. Henry W. Clark, Mr. James M. Souby, and Mr. Arthur C. Spencer for the appellees in opposition thereto.

No. 828. Stewart Drygoods Company, appellant, *v.* John B. Lewis et al. Statement as to jurisdiction submitted by Mr. Robert S. Marx, Mr. John C. Doolan, Mr. James Stites, and Mr. Frank E. Wood for the appellant.

No. 829. Fred Levy, appellant, *v.* John B. Lewis et al. Statement as to jurisdiction submitted by Mr. Robert S. Marx, Mr. John C. Doolan, Mr. James Stites, and Mr. Frank E. Wood for the appellant.

No. 830. J. C. Penny Company, appellant, *v.* John B. Lewis et al. Statement as to jurisdiction submitted by Mr. Robert S. Marx, Mr. John C. Doolan, Mr. James Stites, and Mr. Frank E. Wood for the appellant.

No. 831. Kroger Grocery & Baking Company, appellant, *v.* John B. Lewis et al. Statement as to jurisdiction submitted by Mr. Robert S. Marx, Mr. John C. Doolan, Mr. James Stites, and Mr. Frank E. Wood for the appellant.

No. 849. Advance-Rumley Thresher Company, Inc., appellant, *v.* A. M. Jackson. Statement as to jurisdiction submitted by Mr. M. W. Murphy and Mr. Howard G. Fuller for the appellant.

No. 867. Girard Life Insurance Company, appellant, *v.* Commonwealth of Pennsylvania. Statement as to jurisdiction submitted by Mr. Ira Jewell Williams for the appellant.

No. 789. Gertrude C. Solez, petitioner, *v.* Zurich General Accident & Liability Insurance Company, Ltd., of Zurich, Switzerland. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederic R. Coudert and Mr. Percy A. Shay for the petitioner, and by Mr. Russell T. Mount for the respondent.

No. 859. State of Florida *ex rel.* Fred H. Davis, etc., et al., petitioners, *v.* Atlantic Coast Line Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. Theodore T. Turnbull and Mr. Carry D. Landis for the petitioners, and by Mr. F. B. Grier, Mr. William E. Kay, Mr.

Thomas B. Adams, Mr. J. L. Doggett, and Mr. Carl H. Davis for the respondent.

No. 870. Mrs. Rose Cooke Morse, petitioner, *v.* Jennie G. Lewis, Administratrix, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Henry Simms for the petitioner, and by Mr. George E. Price and Mr. Robert S. Spillman for the respondents.

No. 874. Sun Oil Company, petitioner, *v.* Dalzell Towing Co., Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Russell T. Mount for the petitioner, and by Mr. Chauncey I. Clark for the respondent.

No. 875. Dry Ice Corporation of America et al., petitioners, *v.* Louisiana Dry Ice Corporation et al.; and

No. 876. Dry Ice Corporation of America et al., petitioners, *v.* Joseph S. Belt, Individually, etc., et al. Petition for writs of certiorari to the United States Circuit Court of the Fifth Circuit submitted by Mr. George F. Thompson for the petitioners, and by Mr. Robert A. Hunter for the respondent in No. 875 and by Mr. Joseph S. Belt for respondent in No. 876.

No. 877. Brooklyn Eastern District Terminal, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Oscar R. Houston and Mr. Leonard J. Matteson for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Lewis, Mr. Whitney North Seymour, Mr. J. Frank Staley, and Mr. William H. Riley, jr., for the respondent.

No. 882. Henry W. Putnam, etc., petitioner, *v.* Lea M. Christie, as Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Oscar R. Houston and Mr. George S. Brengle and Mr. Leonard J. Matteson for the petitioner, and by Mr. Russell T. Mount for the respondent.

No. 885. Philip Elting, Collector of Customs, etc., petitioner, *v.* North German Lloyd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Bradley B. Gilman for the petitioner, and by Mr. Melville J. France for the respondent.

No. 886. E. C. Warner Company, petitioner, *v.* W. B. Foshay Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John C. Benson and Mr. J. B. Faegre for the petitioner, and by Mr. F. H. Stinchfield for the respondent.

No. 887. Lighting Fixture Supply Inc., petitioner, *v.* Fidelity Union Fire Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. St. Clair Adams for the petitioner.

No. 888. William Grau, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Stephen L. Blakely for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Paul D. Miller, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 893. Boston Iron & Metal Company et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Sylvan Hayes Lauchheimer for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General St. Lewis, Mr. Whitney North Seymour, Mr. J. Frank Staley, and Mr. Wilbur H. Friedman for the respondent.

No. 894. Mandel-Witte Company, Inc., et al., petitioners, *v.* Frederick W. Brooks, Jr., Sole Continuing Partner of the Firm of Brooks and Brooks. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Nathan Ballin for the petitioner, and by Mr. Addison S. Pratt for the respondent.

No. 895. Mason L. Dean, Individually, etc., et al., petitioners, *v.* The Jones Store Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Samuel W. Sawyer for the petitioners, and by Mr. Arthur Miller, Mr. Maurice H. Winger, and Mr. Charles W. German for the respondent.

No. 902. Lloyd Sabaudo Societa Anonima Per Azioni, petitioner, *v.* Philip Elting, Collector of Customs of the Port of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Delbert M. Tibbetts for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Bradley B. Gilman for the respondent.

No. 912. Motor Tug "Haakonsen No. 2," etc., petitioner, *v.* New York Trap Rock Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George V. A. McCloskey for the petitioner, and by Mr. Frederick W. Park and Mr. Edward Ash for the respondent.

Adjourned until Monday, May 23, next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Kendrick Johnson, Reno, Nev.; Irving Berkelhammer, of New York City; Albert Blumenstiel, of New York City; John H. Gabriel, of Denver, Colo.; Henry C. Vidal, of Denver, Colo.; Herve Racivitch, of New Orleans, La.; J. Haviland Tompkins, of Jersey City, N. J.; John J. Welsh, of Brooklyn, N. Y.; Howard R. Eccleston, of Washington, D. C.; Wilbur J. Eccleston, of Washington, D. C.; Philip N. Landa, of Tulsa, Okla.; Carl Bertram Shelley, of Steelton, Pa.; J. J. Goshkin, of Chicago, Ill.; Edward M. Auslender, of Los Angeles, Calif.; Robert J. Evans, of Detroit, Mich.; William L. Tierney, of Greenwich, Conn.; James H. Howard, of Los Angeles, Calif.; Earl B. Dickerson, of Chicago, Ill.; Charles P. Moriarty, of Seattle, Wash.; Belle Bortin Rupp, of Milwaukee, Wis.; Alfred N. Bushnell, of Madison, Wis.; Suzanne V. Bolles, of San Francisco, Calif.; and Harry J. Ten Hoor, of Chicago, Ill. were admitted to practice.

No. 627. George P. Porter, Auditor and Ex Officio Investment Commissioner of the State of Montana, appellant, *v.* Investors Syndicate. Appeal from the District Court of the United States for the District of Montana. Decree reversed with costs, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts.

No. 503. Jack Hardeman, petitioner, *v.* Albert T. Witbeck. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Louisiana. Opinion by Mr. Justice Butler.

No. 585. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* James M. Borum. On writ of certiorari to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 736. I. Rude, petitioner, *v.* Joseph Buchhalter. On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. Decree modified and as so modified affirmed, costs in this Court to be taxed against respondent, and cause remanded

to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 667. Atlantic Cleaners and Dyers, Inc.; Globe Dry Cleaners and Dyers; Arcade-Sunshine Co. et al., appellants, *v.* The United States of America. Appeal from the Supreme Court of the District of Columbia. Decree affirmed. Opinion by Mr. Justice Sutherland.

No. —, original. *Ex parte*: Winfield A. Green, petitioner. Motion for leave to file petition for writ of mandamus denied without prejudice. Opinion by Mr. Justice Sutherland.

No. 608. Erie Railroad Company, petitioner, *v.* Michael Duplak, by his next friend, Steve Duplak, and Steve Duplak and Annie Duplak, Individuals. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the District of New Jersey for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Sutherland.

No. 581. George J. Adams and A. W. Kitchen, Copartners, etc., petitioners, *v.* Andrew W. Mellon, Director General of Railroads, and Union Stock Yard & Transit Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Northern District of Illinois with direction to enter judgment for the amount of reparation awarded, with interest, and for reasonable attorney's fees to be fixed by it. Opinion by Mr. Justice Brandeis. Mr. Justice Butler is of opinion that the judgment should be affirmed.

No. 575. North American Oil Consolidated, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed, and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Brandeis.

No. 704. The United States, petitioner, *v.* Barnim Kombst, Gertrude Luckhardt, Ilka Wichmann, et al. On writ of certiorari to the Court of Claims. Judgment reversed, and cause remanded to the Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 677. Continental Baking Company, General Baking Company, Schulze Baking Company, et al., appellants, *v.* Harry H. Woodring, as Governor of the State of Kansas, et al., etc., et al. Appeal from the District Court of the United States for the District of Kansas. Decree affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 826. Ed Sproles et al., appellants, *v.* T. Binford, Sheriff; O'Brien Stevens, District Attorney; R. J. Martin, Constable, etc., et al. Appeal from the District Court of the United States for the Southern District of Texas. Decree affirmed with costs. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 802. Israel Lazar, appellant, *v.* The Commonwealth of Pennsylvania. Appeal from the Court of Quarter Sessions of the Peace of Philadelphia County, Commonwealth of Pennsylvania. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. *Whitney v. California*, 274 U. S. 357, 371; *Fiske v. Kansas*, 274 U. S. 380; *Stromberg v. California*, 283 U. S. 359, 368, 369.

No. 818. Kerr Glass Manufacturing Corporation, appellant, *v.* The Superior Court of the State of Washington for Kings County and Wm. J. Steiner, One of the Judges thereof. Appeal from the Supreme Court of the State of Washington. *Per curiam*: The appeal herein is dismissed for the want of a properly presented Federal question. *Manhattan Life Insurance Company v. Cohen*, 234 U. S. 123, 134; *Cleveland & Pittsburgh R. R. Co. v. Cleveland*, 235 U. S. 50, 53; *Hiawassee River Power Co. v. Carolina-Tennessee Power Co.*, 252 U. S. 341, 344; *White River Company v. Arkansas*, 279 U. S. 692, 700. Treating the papers whereon the appeal was allowed as a petition for writ of certiorari (sec. 237 (c), Judicial Code as amended, 43 Stat. 936, 938), certiorari is denied.

No. 952. Jacob Nachman, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon examination of the unprinted record herein submitted, finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

No. —, original. *Ex parte*: The United States of America, petitioner. The motion for leave to file petition for writ of mandamus herein is granted and a rule is ordered to issue returnable on Monday, October 3 next.

No. —, original. *Ex parte*: Krentler-Arnold Hinge Last Company, petitioner. Motion for leave to file petition for writ of mandamus. The decree of this Court in *Leman v. Krentler-Arnold Hinge Last Company*, 284 U. S. 448, reversed the final decree of the United States Circuit Court of Appeals for the First Circuit in this cause only in so far as it related to the allowance of profits. The decree of the Circuit Court of Appeals modifying that of the District Court in matters other than in relation to the allowance of profits remains unaffected by the decree or mandate of this Court. In this view it remains for the District Court, in its decree upon the mandate of this Court, to carry into effect so much of the decree of the Circuit Court of Appeals as is unaffected by the decree and mandate of this Court. The Circuit Court of Appeals has full authority, upon appropriate application to it, to secure enforcement of its decree to the extent that it was affirmed by this Court. In view of the existence of that remedy, the motion for leave to file petition for writ of mandamus in this Court is denied without prejudice.

No. —. In re Disbarment of William E. Baff. The report and recommendation of the committee of the bar of this Court, appointed February 15, 1932, in the above-entitled matter, is received and filed, and the committee is discharged with the thanks of the Court.

No. —. In re Disbarment of William E. Baff. A rule having issued, November 2, 1931, against William E. Baff to show cause why he should not be disbarred from the practice of the law in this Court upon the ground of misconduct as shown by proceedings in the United States Patent Office which resulted in his disbarment, March 18, 1921, from the practice of the law before the Patent Office and the denial of his application to be reregistered, March 28, 1929, as a member of the Patent Office bar; and the said Baff, in response to that rule, having filed an answer, January 29, 1932, challenging the regularity and validity of the proceedings in connection with his disbarment in the United States Patent Office and the denial of his application for reregistration; and this Court, in view of this challenge, being desirous to be advised of the state of the record of the proceedings in the Patent Office, having appointed, by order of February 15, 1932, a committee of the bar of this Court to examine and report upon specific inquiries as to the state of the record of the Patent Office in relation to said disbarment and subsequent proceedings, as set forth in said order, and to submit its recommendation as to the final action of this Court; and the report and recommendation of the said committee having this day been received and filed in this Court.

It is ordered that a copy of the said report and recommendation of the said committee be served by the clerk of this Court upon the

said William E. Baff, together with this rule; and that the said Baff be, and he is hereby, directed to show cause, on or before Monday, October 3 next, why, upon the record of his disbarment in the United States Patent Office and of the denial of his application for reregistration, his name should not be stricken from the roll of attorneys admitted to practice before the bar of this Court.

No. 820. Interstate Commerce Commission et al., appellants, *v.* Oregon-Washington Railroad & Navigation Company et al. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing on the merits.

No. 828. The Stewart Dry Goods Company, appellant, *v.* John B. Lewis et al.;

No. 829. Fred Levy et al., appellants, *v.* John B. Lewis et al.;

No. 830. J. C. Penney Company, appellant, *v.* John B. Lewis et al.;

No. 831. Kroger Grocery & Baking Company, appellant, *v.* John B. Lewis et al.;

No. 849. Advance-Rumely Thresher Company, Inc., appellant, *v.* A. M. Jackson; and

No. 867. Girard Life Insurance Company, appellant, *v.* The Commonwealth of Pennsylvania. In these cases probable jurisdiction is noted.

No. 789. Gertrude C. Solez, petitioner, *v.* Zurich General Accident and Liability Insurance Company, Ltd., of Zurich Switzerland. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 874. Sun Oil Company, petitioner, *v.* Dalzell Towing Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 877. Brooklyn Eastern District Terminal, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 885. Philip Elting, Collector of Customs, Port of New York, petitioner, *v.* North German Lloyd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 888. William Grau, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 902. Lloyd Sabauo Societa Anonima Per Azioni, petitioner, *v.* Philip Elting, Collector of Customs of the Port of New York. Petition for writ of certiorari to the United States Circuit Court

of Appeals for the Second Circuit granted, and the case is assigned for argument immediately following No. 885.

No. 676. Hart Glass Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied. The motion to remand for further findings is also denied.

No. 776. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Jacob F. Brown; and

No. 797. Jacob F. Brown, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 817. Kentucky and Indiana Terminal Railroad Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 859. State of Florida, *ex rel.* Fred H. Davis, etc., et al., petitioners, *v.* Atlantic Coast Line Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 870. Mrs. Rose Cooke Morse, petitioner, *v.* Jennie G. Lewis, Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 875. Dryice Corporation of America et al., petitioners, *v.* Louisiana Dry Ice Corporation et al.; and

No. 876. Dryice Corporation of America et al., petitioners, *v.* Joseph S. Belt, Individually, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 882. Henry W. Putnam, for Limitation of and Exemption from Liability as Owner, etc., petitioner, *v.* Lea M. Christie, as Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 886. E. C. Warner Company, petitioner, *v.* W. B. Foshay Co. et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 887. Lighting Fixture Supply, Inc., petitioner, *v.* Fidelity Union Fire Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 893. Boston Iron and Metal Company et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 894. Mandel-Witte Company, Inc., and Max Keve, petitioners, *v.* Frederick W. Brooks, Jr., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 895. Mason L. Dean, Individually and as Trustee, etc., et al., petitioners, *v.* The Jones Store Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 912. Motor Tug Haakonsen No. 2, etc., petitioner, *v.* New York Trap Rock Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

The Solicitor General waived the right to oppose petitions for writs of certiorari in criminal cases docketed up to and including Friday, May 27, next.

ORDER

The Court directs that all petitions for writs of certiorari in criminal prosecutions filed on or before Friday, May 27, next, to which the Government's waiver applies, shall be deemed to be submitted to the Court at the time of the filing of the petition, and the clerk is directed thereupon to distribute the petitions and accompanying papers to the members of the Court.

No. 865. William H. Rhodes et al., appellants, *v.* E. L. Twing et al.; and

No. 866. G. I. Williams et al., appellants, *v.* H. C. Speer et al. Leave granted to file statements as to jurisdiction on motion of Mr. Oliver J. Todd for the appellants.

No. 981. Ozie Powell et al., petitioners, *v.* The State of Alabama;
No. 982. Haywood Patterson, petitioner, *v.* The State of Alabama; and

No. 983. Charlie Weems and Clarence Norris, petitioners, *v.* The State of Alabama. Petition for writs of certiorari ordered submitted with leave to respondent to file a brief on or before Friday next, on motion of Mr. Thomas E. Knight, jr., in that behalf.

No. 300. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. 301. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky. Mandates stayed until

the further order of the Court, on motion of Mr. John B. Hyde in that behalf.

No. 956. The Alton Railroad Company, appellant, *v.* The United States of America et al. Motion to advance submitted by Mr. George E. Hamilton, jr., for the appellant.

No. 727. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al. Suggestion of a diminution of the record and motion for writ of certiorari submitted by Mr. Gregory Hankin for the petitioners.

No. 752. Rafael Cortes, as Administrator, etc., petitioner, *v.* Baltimore Insular Line, Inc. Motion for leave to proceed further herein *in forma pauperis* submitted by Mr. Basil O'Connor for the petitioner.

No. 956. The Alton Railroad Company, appellant, *v.* The United States of America et al. Statement as to jurisdiction submitted by Mr. Silas H. Strawn and Mr. Frank H. Towner for the appellant.

No. 862. Meyer Hecht, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Herbert Smyth and Mr. Frederic C. Scofield for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. Ralph C. Williamson, Mr. Bradley B. Gilman, and Mr. William H. Riley, jr., for the respondent.

No. 871. Colonial Trust Company, Executor, etc., petitioner, *v.* the United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. C. C. Cochran, jr., for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, and Mr. H. Brian Holland for the respondent.

No. 884. Sevier Commission Company et al., petitioners, *v.* Wallowa National Bank, etc. Petition for writ of certiorari to the Supreme Court of the State of Oregon submitted by Mr. James G. Wilson and Mr. John F. Reilly for the petitioners, and by Mr. Robert Treat Platt and Mr. Harrison G. Platt for the respondent.

No. 896. Grace S. Arkenburgh, Individually, etc., petitioner, *v.* The Bank of Vass. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Donald Meyer Newman for the petitioner.

No. 898. City National Bank of Wichita Falls, Texas, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John B. King for the petitioner, and by

Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. J. P. Jackson, and Mr. W. Marvin Smith for the respondent.

No. 899. Elliot C. Grandin, Administrator, etc., petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Maynard Teall for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. J. Louis Monarch, and Mr. Erwin N. Griswold for the respondent.

No. 901. Van Camp Sea Food Co., Inc., petitioner, *v.* Cohn-Hopkins et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Albert J. Fihe for the petitioner, and by Mr. William S. Graham for the respondents.

No. 903. Doane-Commercial Towing Company, petitioner, *v.* Mexican Petroleum Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Albert T. Gould for the petitioner, and by Mr. Edward S. Dodge and Mr. Nathan W. Thompson for the respondent.

No. 904. Oscar M. Gwin, Trading as O. M. Gwin Construction Company, petitioner, *v.* Peter Jung, Sr., et al. Petition for writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. Purnell M. Milner for the petitioner, and by Mr. Peter Jung, sr., et al., *pro se*.

No. 905. St. Louis-San Francisco Railway Company, petitioner, *v.* Harry L. Martin. Petition for writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Edward T. Miller and Mr. Alexander P. Stewart for the petitioner, and by Mr. W. H. Douglass for the respondent.

No. 906. Texas Steel Company, petitioner, *v.* Railroad Commission of Texas et al. Petition for writ of certiorari to the Court of Civil Appeals, Third Supreme Judicial District, State of Texas, submitted by Mr. George W. Armstrong for the petitioner, and by Mr. Fred L. Wallace for the respondent railway companies.

No. 909. Angelus Building & Investment Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George Bouchard and Mr. Joseph B. Brady for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr.

Sewall Key, Mr. A. H. Conner, and Mr. William H. Riley, jr., for the respondent.

No. 910. The City of South Norfolk et al., petitioners, *v.* Maryland Casualty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. E. A. Bilisoly, Mr. Tazewell Taylor, jr., and Mr. James G. Martin for the petitioners, and by Mr. Braden Vandeventer and Mr. J. W. Eggleston for the respondent.

No. 911. Hubert Dalton and Florence W. Dalton, petitioners, *v.* Frank C. Bowers, as Executor, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Arnold Lichtig for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. John Henry McEvers for the respondent.

No. 914. Arthur J. Stevens, as Sole Receiver, etc., petitioner, *v.* Compania Petrolera Capuchinas et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Francis L. Kohlman, Mr. Martin Conboy, and Mr. Saul J. Lance for the petitioner, and by Mr. William M. Chadbourne for the respondents.

No. 915. Mary M. Lee, Executrix, etc., petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John E. Laskey for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, Mr. Hayner N. Larson, and Mr. Wilbur H. Friedman for the respondent.

No. 917. Illinois Terminal Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Adrian C. Humphreys and Mr. Newton K. Fox for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Rugg, Mr. Whitney North Seymour, Mr. Joseph H. Sheppard, Mr. Bradley B. Gilman, and Mr. W. Marvin Smith for the respondent.

No. 918. Florence S. Schuette, petitioner, *v.* Charles W. Anderson, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Gerald Donovan for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Key, and Mr. F. Edward Mitchell for the respondent.

No. 919. The Chesapeake and Ohio Railway Company, petitioner, *v.* Charlie Thomas. Petition for writ of certiorari to the Supreme

Court of Appeals of the State of West Virginia submitted by Mr. C. W. Strickling for the petitioner, and by Mr. A. A. Lilly for the respondent.

No. 920. Cesaro Sgro, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Irving K. Baxter for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Paul D. Miller, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 922. General Electric Company et al., petitioners, *v.* The Marvel Rare Metals Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Lawrence Bristol and Mr. Charles Neave for the petitioners, and by Mr. Harold Elno Smith for the respondents.

No. 923. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* R. E. Huff, Individually, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Harry C. Weeks for the respondents.

No. 925. The United States, petitioner, *v.* Flensburger Dampfer-compagnie. Petition for writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Maxwell C. Katz, Mr. Otto C. Sommerich, and Mr. Edwin M. Borchard for the respondent.

No. 927. Erlanger Tremont Theatre Corporation, petitioner, *v.* Evelyn Ellsmore. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Romney Spring for the petitioner, and by Mr. George R. Farnum for the respondent.

No. 931. J. B. Davis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William J. Berne for the petitioner, and by Mr. Solicitor General Thacher, Mr. John S. Pratt, Mr. Paul D. Miller, and Mr. William H. Riley, jr., for the respondent.

No. 933. W. W. Easterday et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. W. W. Easterday *pro se*, and by Mr. Solicitor General Thacher, and Mr. Paul D. Miller and Mr. William H. Riley, jr., for the respondent.

No. 942. Frank C. Ferguson, Collector of Internal Revenue, petitioner *v.* Harry R. Nelson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit sub-

mitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. William P. Chapman, jr., for the respondent.

No. 943. Elmer Lawrence, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Edwin W. Sims, Mr. Franklin J. Stransky, and Mr. Cassius Poust for the petitioner, and by Mr. Solicitor General Thacher, Mr. Paul D. Miller, Mr. Erwin N. Griswold, and Mr. Hugh A. Fisher for the respondent.

No. 944. The Greater City Surety and Indemnity Corporation and John Kelleher, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Louis B. Boudin for the petitioners, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Paul D. Miller, Mr. John J. Byrne, and Mr. W. Marvin Smith for the respondent.

No. 949. William Finn et al., petitioners, *v.* Railroad Commission of the State of California. Petition for writ of certiorari to the Supreme Court of the State of California submitted by Mr. T. C. West for the petitioners.

No. 951. Arthur J. Fournier, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. A. Warner Parker for the petitioner, and by Mr. Solicitor General Thacher, Mr. Paul D. Miller, and Mr. W. Marvin Smith for the respondent.

No. 955. Murphy Oil Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Randolph E. Paul and Mr. Thomas R. Dempsey for the petitioner, and by Mr. Solicitor General Thacher, Mr. Assistant Attorney General Youngquist, Mr. Whitney North Seymour, Mr. Sewall Kay, Mr. J. P. Jackson, and Mr. Wilbur H. Friedman for the respondent.

No. 958. Erie Railroad Company, petitioner, *v.* Zallie N. Booth. Petition for writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Welles V. Moot for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 961. Sam Comeriato 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 Mr. J. Raymond Gordon for the petitioners.

No. 968. George Biemer, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit

Court of Appeals for the Seventh Circuit submitted by Mr. Frederick W. Greene for the petitioner.

No. 969. Standard Accident Insurance Company of Detroit, Michigan, Inc., petitioner, *v.* Lillian M. Messervey. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas R. Wheeler for the petitioner, and by Mr. William B. Mahoney for the respondent.

No. 970. Rosario Pellegrino, petitioner, *v.* A. C. Aderhold, Warden, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. K. Shipe for the petitioner.

No. 974. Morris Heller, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Giles F. Clark for the petitioner.

No. 975. Mary Roxburghe, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. George M. Morris for the petitioner.

No. 977. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Commonwealth Improvement Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. Ellis Ames Ballard for the respondent.

No. 978. The United States of America, petitioner, *v.* Great Northern Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Thacher for the petitioner, and by Mr. F. G. Dorety, Mr. R. J. Hagman, Mr. W. W. Millan, and Mr. R. E. L. Smith for the respondent.

No. 980. James A. Cresswell, *ex rel.* Philip Di Pierro, petitioner, *v.* Anna C. M. Tillinghast, United States Commissioner of Immigration. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William H. Lewis and Mr. Matthew L. McGrath for the petitioner, and right to file brief in opposition waived by Mr. Solicitor General Thacher for the respondent.

Adjourned until Tuesday, May 31, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Gaspare M. Cusumano, of New York City; Millard H. Patterson, of Miami, Fla.; Frederick G. Madara, of Ridgely, Md.; M. Leo Looney, jr., of Boston, Mass.; Harry Tabershaw, of New York City; David J. Colton, of New York City; Thomas J. Cole, of St. Louis, Mo.; Joseph L. Pinkasiewicz, of McKeesport, Pa.; Matthew J. Lyons, of New York City; J. Yandell Blakely, of Washington, D. C.; Carl L. Ristine, of Lexington, Mo.; Edward Widdifield, of Washington, D. C.; Paul S. Jones, of Marietta, Ohio; Butler L. Knight, of San Antonio, Tex.; Benjamin J. Brooks, of Washington, D. C.; Herman Wollitzer, of Jackson Heights, N. Y.; Harry G. Saunders, of Denver, Colo.; Robe Carl White, of Muncie, Ind.; Karl Miller, of Dodge City, Kans.; Nicholas J. Gantt, jr., of Pine Bluff, Ark.; Alexander H. Rowell, of Pine Bluff, Ark.; Russell Hardy, of Hyattsville, Md.; Alfred M. Barlow, of Cleveland, Ohio; Preston C. King, jr., of Washington, D. C.; Robert D. Scholes, of San Francisco, Calif.; John L. Murphy, of San Francisco, Calif.; John Kirker Sawyers, jr., of Woodsfield, Ohio; Raymond Charles Weber, of Easton, Pa.; Robert C. Simmons, of Covington, Ky.; Richard T. Von Hoene, of Covington, Ky.; Charlton B. Thompson, of Covington, Ky.; and E. R. Craig, of Winter Haven, Fla., were admitted to practice.

No. 19, original. *Ex parte*: State of Colorado, petitioner. On petition for writ of mandamus. Should the district judge deem it proper to do so, he may permit the accused by amendment to his petition and additional evidence or otherwise to show that he is entitled to removal authorized by section 33 of the Judicial Code, as amended. If such permission be denied or if, leave being granted, petitioner shall fail to meet the requirements of that section, the case is to be remanded to the State court as upon a peremptory writ of mandamus. Opinion by Mr. Justice Butler. Mr. Justice Stone and Mr. Justice Cardozo think the rule should be discharged.

No. 15, original. State of Wyoming, complainant, *v.* State of Colorado. Motion to dismiss overruled with leave to Wyoming to amend her bill within 30 days by making some of its allegations

more definite and certain, if she be so advised, and permitting Colorado to answer the bill or amended bill, as the case may be, on or before the 1st day of September, next. Opinion by Mr. Justice Van Devanter.

No. 170. Gregg Dyeing Company, appellant, *v.* W. G. Query, J. P. Derham, and F. C. Robinson, Personally and as members of South Carolina Tax Commission, and

No. 245. The City of Greenville, etc., et al., appellants, *v.* W. G. Query, J. P. Derham, and Frank C. Robinson, Constituting the State Tax Commission of the State of South Carolina. Appeals from the Supreme Court of the State of South Carolina. Decrees affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 790. Thomas C. Edwards *v.* The United States. On certificate from the Court of Claims. Question answered "Yes." Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 455. Franklin-American Trust Company, petitioner, *v.* St. Louis Union Trust Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. The writ of certiorari in this case is dismissed as improvidently granted. Mr. Justice Brandeis dissents from this order of the Court.

No. 24. The Texas and Pacific Railway et al., appellants, *v.* The United States of America et al. This cause is restored to the docket for reargument upon all questions involved, and the attention of counsel is invited to the question whether the respective relations of the Louisiana ports and the Texas ports to the export, import, and coastwise traffic affected, and to the rates condemned, by the orders in controversy are such that the Louisiana ports may be regarded as localities unduly or unreasonably preferred by such rates within the sense and meaning of sections 3 (1) and 15 (1) of the interstate commerce act and that the Texas ports may be regarded as localities unduly or unreasonably prejudiced by such rates within the sense and meaning of the same sections.

No. 949. William Finn et al., petitioners, *v.* Railroad Commission of the State of California. On petition for writ of certiorari to the Supreme Court of the State of California. The petition for writ of certiorari in this case is denied, because not filed within the time provided by law. The authority given to the Justices of this Court to extend the period for applying for a writ of certiorari not exceeding 60 days (sec. 8 (a), act of February 13, 1925, 43 Stat. 936, 940) is to be exercised upon application duly made to a Justice prior to the expiration of the statutory period, and where an extension has been granted, as provided, a further extension may be had

only upon application duly made before the expiration of the extended period.

No. 980. James A. Cresswell, *ex rel.* Philip Di Pierro, petitioner, *v.* Anna C. M. Tillinghast, United States Commission of Immigration. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. The petition for writ of certiorari in this case is denied, because not filed within the time provided by law. The authority given to the Justices of this Court to extend the period for applying for a writ of certiorari not exceeding 60 days (sec. 8 (a), act of February 13, 1925, 43 Stat. 936, 940) is to be exercised upon application duly made to a Justice prior to the expiration of the statutory period, and where an extension has been granted, as provided, a further extension may be had only upon application duly made before the expiration of the extended period.

ORDER

It is ordered that the rules of this Court be, and they are hereby, amended as follows, effective September 1, 1932, viz:

RULE 2, PARAGRAPH 5

Where it is shown to the court that any member of its bar has been disbarred from practice in any State, Territory, District, or insular possession, or has been guilty of conduct unbecoming a member of the bar of this court, he will be forthwith suspended from practice before this court, and unless, upon notice mailed to him at the address shown in the clerk's records and to the clerk of the highest court of the State, Territory, District, or insular possession to which he belongs, he shows good cause to the contrary within 40 days he will be disbarred.

RULE 7, PARAGRAPH 3

No motion by respondent to dismiss a petition for writ of certiorari will be received. Objections to the jurisdiction of the court to grant writs of certiorari may be included in briefs in opposition to petitions therefor.

A motion by appellee to dismiss an appeal will be received in advance of the court's ruling upon the jurisdictional statements only when presented in the manner provided by rule 12, paragraph 3. When such a motion is made, the appellant shall have 20 days after service upon him within which to file in this court 40 printed copies of a brief opposing the motion, except that where his counsel resides in California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, Montana, or an outlying possession, the time shall be 25 days.

A motion by respondent to dismiss a writ of certiorari or by appellee to dismiss an appeal, after the court has ruled upon the jurisdictional statements and accompanying motions, if any (rule 12, paragraph 5), will be received if not based upon grounds already advanced in opposition to the granting of the writ of certiorari or to the noting of jurisdiction of the appeal. Such motions, together with motions to dismiss certificates in case of questions certified, must be printed and 40 copies thereof must be filed with the clerk, accompanied by proof that a copy of the motion, and accompanying brief, if any, have been served upon counsel of record for the opposing party. The opposing party shall have 20 days from the date of such service within which to file a printed brief opposing the motion. When counsel for the opposing party resides in California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, Montana, or an outlying possession, the time shall be 25 days. Upon the filing of the opposing brief, or the expiration of the time allowed therefor, or express waiver of the right to file, the motion and briefs thereon shall be distributed by the clerk to the court for its consideration.

The pendency of a motion to dismiss or affirm shall not preclude the placing of the cause upon the calendar of the court for oral argument or its being called for argument when reached.

RULE 10, PARAGRAPH 1

When an appeal is allowed a citation to the appellee shall be signed by the judge or justice allowing the appeal and shall be made returnable not exceeding 40 days from the day of signing the citation, whether the return day fall in vacation or in term time, except in appeals from California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, and Montana, when the time shall be 60 days. The citation must be served before the return day.

RULE 10, PARAGRAPH 2

The clerk of the court from which an appeal to this court may be allowed, shall make and transmit to this court under his hand and the seal of the court a true copy of the material parts of the record, always including the assignment of errors, and any opinions delivered in the case.

To enable the clerk to perform such duty and for the purpose of reducing the size of transcripts and eliminating all papers not necessary to the consideration of the questions to be reviewed, it shall be the duty of the appellant, or his counsel, to file with the

clerk of the lower court, together with proof or acknowledgment of service of a copy on the appellee, or his counsel, a praecipe indicating the portions of the record to be incorporated into the transcript. Should the appellee, or his counsel, desire additional portions of the record incorporated into the transcript he or his counsel shall file with the clerk of the lower court his praecipe, within ten days thereafter (unless the time be enlarged by a judge of the lower court or a justice of this court), indicating the additional portions of the record desired to be included. See Equity Rules, 75-77, 226 U. S., Appendix, p. 23, and 286 U. S. —.

The clerk of the lower court shall transmit to this court as the transcript of the record only the portions of the record covered by such designations.

The parties or their counsel may by written stipulation filed with the clerk of the lower court indicate the portions of the record to be included in the transcript, and the clerk shall then transmit only the parts designated in such stipulation.

In all cases the clerk shall include in the transcript all papers filed under authority of rule 12. See Rule 12, paragraph 4.

If this court shall find that any portion of the record unnecessary to a proper presentation of the case has been incorporated into the transcript at the instance of either party, the whole or any part of the cost of printing and the clerk's fee for supervising the printing may be ordered to be paid by the offending party.

RULE 12

Jurisdiction of this Court to review upon appeal

1. Upon the presentation of a petition for the allowance of an appeal to this court, from any court, to any judge or justice empowered by law to allow it, there shall be presented by the applicant a separate typewritten statement particularly disclosing the basis upon which it is contended that this court has jurisdiction upon appeal to review the judgment or decree in question. The statement shall refer distinctly (*a*) to the statutory provision believed to sustain the jurisdiction, (*b*) to the statute of the state, or statute or treaty of the United States, the validity of which is involved (giving the volume and page where the statute or treaty may be found in the official edition), setting it out verbatim or appropriately summarizing its pertinent provisions; and (*c*) to the date of judgment or decree sought to be reviewed and the date upon which the application for appeal is presented. The statement shall show that the nature of the case and of the rulings of the court was such as to bring the

case within the jurisdictional provision relied on, and shall cite the cases believed to sustain the jurisdiction.

If the appeal is from an interlocutory decree of a specially constituted District Court of the United States (Judicial Code, sec. 266; U. S. C., tit. 28, sec. 380), the statement must also include a showing of the matters in which it is claimed that the court has abused its discretion in granting or denying the interlocutory injunction. (*Alabama v. United States*, 279 U. S. 229.)

2. If the appeal is allowed, the appellant shall serve upon the appellee within five days after such allowance (a) a copy of the petition for and order allowing the appeal, together with a copy of the assignments of error and of the statement required by paragraph 1 of this rule, and (b) a statement directing attention to the provisions of paragraph 3 of this rule. Proof of service of the papers required by this paragraph to be served shall be filed forthwith with the clerk of the court possessed of the record, and shall be incorporated by him in the transcript of record prepared for this court upon the appeal.

3. Within 15 days after such service the appellee may file with the clerk of the court possessed of the record, and serve upon the appellant, a typewritten statement disclosing any matter or ground making against the jurisdiction of this court asserted by the appellant. There may be included in, or filed with, such opposing statement, a motion by appellee to dismiss or affirm. Where such a motion is made, it may be opposed as provided in rule 7, paragraph 3.

4. The clerk of the court possessed of the record shall include the statements and motions, required and permitted to be filed under the provisions of this rule, in the transcript of record prepared for the use of this court on the appeal, anything in the præcipes or stipulations of the parties (rule 10, paragraph 2) to the contrary notwithstanding.

5. After the case shall have been docketed in this court by the appellant, and the transcript of record filed (rule 11, paragraph 1), the clerk of this court shall forthwith print the appellant's statement required by paragraph 1 of this rule and the opposing statement, and motions, if any, permitted by paragraph 3 of this rule, and the clerk shall thereupon distribute such printed papers to the court for its consideration.

At the time of docketing the case the appellant shall make such cash deposit with the clerk, in addition to such deposit as may be required under rule 13, paragraph 1, as shall be necessary to defray the cost of printing 40 copies of his statement filed pursuant to paragraph 1 of this rule; and the appellee, upon demand, shall forthwith

deposit with the clerk a sum sufficient to cover the cost of printing 40 copies of any statement or motions filed under paragraph 3 of this rule.

6. If either appellant or appellee fails to comply with the provisions of this rule, the clerk of this court shall report such failure to the court immediately so that this court may take such action as it deems proper.

RULE 13, PARAGRAPH 2

Immediately after the designation of the parts of the record to be printed or the expiration of the time allotted therefor (see paragraph 9 of this rule), the clerk shall make an estimate of the cost of printing the record, his fee for preparing it for the printer and supervising the printing, and other probable fees, and shall furnish the same to the party docketing the case. If such estimated sum be not paid on or before a date designated by the clerk of this court in each case, it shall be the duty of the clerk to report that fact to the court, whereupon the cause will be dismissed, unless good cause to the contrary is shown.

RULE 13, PARAGRAPH 9

When the record is filed, or within five days thereafter, the appellant shall file with the clerk a definite statement of the points on which he intends to rely and of the parts of the record which he thinks necessary for the consideration thereof, with proof of service of the same on the adverse party. The adverse party, within 10 days after service of the statement and designation required to be filed by appellant may designate in writing, filed with the clerk, additional parts of the record which he thinks material; and, if he shall not do so, he shall be held to have consented to a hearing on the parts designated by the appellant. The parts of the records so designated by one or both of the parties, and only those parts, shall be printed by the clerk. The statement of points intended to be relied upon and the designations of the parts of the record to be printed shall be printed by the clerk with the record. He shall, however, omit all duplication, all repetition of titles, and all other obviously unimportant matter, and make proper note thereof. The court will consider nothing but the points of law so stated and the parts of the record so designated. If at the hearing it shall appear that any material part of the record has not been printed, the appeal may be dismissed or such other order made as the circumstances may appear to the court to require. If either party shall have caused unnecessary parts of the record to be printed, such order as to costs may be made as the court shall think proper.

The fees of the clerk under rule 32, paragraph 6, shall be computed on the folios in the record as filed, and shall be in full for the performance of his duties in that regard.

RULE 38, PARAGRAPH 2

The petition shall contain only a summary and short statement of the matter involved and the reasons relied on for the allowance of the writ. A supporting brief may be included in the petition, but, whether so included or presented separately, it must be direct, concise, and in conformity with rules 26 and 27. A failure to comply with these requirements will be a sufficient reason for denying the petition. See *United States v. Rimer*, 220 U. S. 547; *Furness, Withy & Co. v. Yang Tze Insurance Assn.*, 242 U. S. 430; *Houston Oil Co. v. Goodrich*, 245 U. S. 440; *Layne & Bowler Corporation v. Western Well Works*, 261 U. S. 387, 392; *Magnum Import Co. v. Coty*, 262 U. S. 159, 163; *Southern Power Co. v. North Carolina Public Service Co.*, 263 U. S. 508. Forty printed copies of the petition and supporting brief shall be filed. The petition will be deemed in time when it, the record, and the supporting brief, are filed with the clerk within the period prescribed by section 8 of the act of February 13, 1925.

RULE 38, PARAGRAPH 3 (A)

If the date for filing a brief in opposition falls in the summer recess, the brief may be filed within 40 days after the service of the notice, but this enlargement shall not extend the time to a later date than September 10.

RULE 38, PARAGRAPH 4

Upon the expiration of the period for filing the respondent's brief, or upon an express waiver of the right to file or the actual filing of such brief in a shorter time, the petition, record, and briefs shall be distributed by the clerk to the court for its consideration.

RULE 41, PARAGRAPH 4

A petition to this court for a writ of certiorari to review a judgment of the Court of Claims shall be accompanied by a certified transcript of the record in that court, consisting of the pleadings, findings of fact, judgment and opinion of the court, but not the evidence. The petition shall contain only a summary and short statement of the matter involved and the reasons relied on for the allowance of the writ, but may be accompanied by a brief to conform

to rules 26 and 27 as to form. The petition, brief, and record shall be filed with the clerk and 40 copies shall be printed under his supervision. The record shall be printed in the same way and upon the same terms that records on appeal are required to be printed. The estimated costs of printing shall be paid within five days after the estimate is furnished by the clerk and if payment is not so made the petition may be summarily dismissed. When the petition, brief, and record are printed the petitioner shall forthwith serve copies thereof on the respondent, or his counsel of record, and shall file with the clerk due proof thereof.

RULE 41, PARAGRAPH 5

Within 20 days after the petition, brief, and record are served the respondent may file with the clerk 40 printed copies of an opposing brief, conforming to rules 26 and 27. Upon the expiration of that period, or upon an express waiver of the right to file or the actual filing of such brief in a shorter time, the petition, briefs, and record shall be distributed by the clerk to the court for its consideration.

The provision of subdivision (a) of paragraph 3 of rule 38 shall apply to briefs in opposition to petitions for writs of certiorari to review judgments of the Court of Claims.

RULE 46, PARAGRAPH 2

Under the act of January 31, 1928, as amended by the act of April 26, 1928, the review which theretofore could be had in this court on writ of error may now be obtained on an appeal. But the appeal thereby substituted for a writ of error must be sought, allowed, and perfected in conformity with the statutes theretofore providing for a writ of error. The appeal can be allowed only on the presentation of a petition showing that the case is one in which, under the legislation in force when the act of January 31, 1928, was passed, a review could be had in this court on writ of error. The petition must be accompanied by an assignment of errors (see rule 9), and statement as to jurisdiction (see rule 12), and the judge or justice allowing the appeal must take proper security for costs and sign the requisite citation to the appellee. See paragraph 1 of rule 10 and paragraph 1 of rule 36. The citation must be served on the appellee or his counsel and filed, with proof of service, with the clerk of the court in which the judgment to be reviewed was entered. The mode of obtaining a supersedeas is pointed out in paragraph 2 of rule 36.

ORDER

Paragraph (b) of rule 75 of the rules of practice in equity heretofore promulgated by this Court (226 U. S., Appendix) is amended to read as follows:

“(b) The evidence to be included in the record, except expert testimony, shall not be set forth in full, but shall be stated in simple and condensed form, all parts not essential to the decision of the questions presented by the appeal being omitted and the testimony of witnesses being stated only in narrative form, save that if either party desires it, and the court or judge so directs, any part of the testimony shall be reproduced in the exact words of the witness. The duty of so condensing and stating the evidence shall rest primarily on the appellant, who shall prepare his statement thereof and lodge the same in the clerk’s office for the examination of the other parties at or before the time of filing his praecipe under paragraph (a) of this rule. He shall also notify the other parties or their solicitors of such lodgment and shall name a time and place when he will ask the court or judge to approve the statement, the time so named to be at least ten days after such notice. At the expiration of the time named or such further time as the court or judge may allow, the statement, together with any objections made or amendments proposed by any party, shall be presented to the court or the judge, and if the statement be true, complete and properly prepared, it shall be approved by the court or judge, and if it be not true, complete, or properly prepared, it shall be made so under the direction of the court or judge and shall then be approved. When approved, it shall be filed in the clerk’s office and become a part of the record for the purposes of the appeal.”

ORDER

The rules of practice in equity heretofore promulgated by this Court (226 U. S., Appendix) are amended by including therein a new rule numbered 61½ and reading as follows:

“In all references to a master, either compulsorily by the court in cases where it has the power to make compulsory reference, or by consent of parties where consent is necessary, whether the reference be of all issues of law and fact, or only particular issues either of law or fact or both, the report of the master shall be treated as presumptively correct, but shall be subject to review by the court, and the court may adopt the same, or may modify or reject the same in whole or in part when the court in the exercise of its judg-

ment is fully satisfied that error has been committed: *Provided*, That when a case or any issue is referred by consent and the intention is plainly expressed in the consent order that the submission is to the master as an arbitrator, the court may review the same only in accordance with the principles governing a review of an award and decision by an arbitrator."

ORDER

The rules of practice in admiralty heretofore promulgated by this Court (254 U. S., Appendix) are amended by including therein a new rule numbered 43½ and reading as follows:

"In all references to commissioners or assessors, by consent or otherwise, whether the reference be of all issues of law and fact, or only particular issues either of law or fact or both, the report of the commissioners or assessors shall be treated as presumptively correct, but shall be subject to review by the court, and the court may adopt the same, or may modify or reject the same in whole or in part when the court in the exercise of its judgment is fully satisfied that error has been committed: *Provided*, That when a case or any issue is referred by consent and the intention is plainly expressed in the consent order that the submission is to the commissioners or assessors as arbitrators, the court may review the same only in accordance with the principles governing a review of an award and decision by an arbitrator."

ORDER

The General Orders in Bankruptcy heretofore promulgated by this Court are amended by including therein a new order, numbered XLVII, and reading as follows:

"The reports of referees in all cases and proceedings in bankruptcy shall be deemed presumptively correct, but shall be subject to review by the court, and the court may adopt the same, or may modify or reject the same in whole or in part when the court in the exercise of its judgment is fully satisfied that error has been committed: *Provided*, That when any matter is referred by consent of all parties in interest and the intention is plainly expressed in the consent order that the submission is to the referee as an arbitrator, the court may review the same only in accordance with the principles governing a review of an award and decision by an arbitrator."

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

No. —. *Ex parte*: John W. Keogh. The motion that jurisdiction be assumed is denied.

No. 752. Rafael Cortes, as Administrator, etc., petitioner, *v.* Baltimore Insular Line, Inc. The motion for leave to proceed further herein *in forma pauperis* is granted.

No. 727. National Surety Company et al., petitioners, *v.* Valeria E. Coriell et al. On suggestion of a diminution of the record the motion for a writ of certiorari is denied.

No. 956. The Alton Railroad Company, appellant, *v.* The United States of America et al. In this case probable jurisdiction is noted. The motion to advance is granted and the case is advanced and assigned for argument on Monday, October 10 next.

No. 888. William Grau, petitioner, *v.* The United States of America. It is ordered that this case be advanced and assigned for argument on Monday, October 10 next.

No. 920. Cesaro Sgro, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted and case advanced and assigned for argument on Monday, October 10 next.

No. 979. Jack Gebardi et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted and the case advanced and assigned for argument on Monday, October 10 next.

No. 981. Ozie Powell et al., petitioners, *v.* The State of Alabama;

No. 982. Haywood Patterson, petitioner, *v.* The State of Alabama; and

No. 983. Charlie Weems et al., petitioners, *v.* The State of Alabama. Petition for writs of certiorari to the Supreme Court of the State of Alabama granted and the cases advanced and assigned for argument on Monday, October 10 next.

No. 978. The United States of America, petitioner, *v.* Great Northern Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted and case advanced and assigned for argument on Monday, October 10 next.

No. 903. Doane-Commercial Towing Company, petitioner, *v.* Mexican Petroleum Corporation. Petition for writ of certiorari to

the United States Circuit Court of Appeals for the First Circuit granted and case assigned for argument immediately following No. 877.

No. 884. Sevier Commission Company et al., petitioners, *v.* Wallowa National Bank, etc. Petition for writ of certiorari to the Supreme Court of the State of Oregon granted.

No. 911. Hubert Dalton et al., petitioners, *v.* Frank C. Bowers, as Executor, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 922. General Electric Company et al., petitioners, *v.* The Marvel Rare Metals Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 923. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* R. E. Huff, Individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 955. Murphy Oil Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 977. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Commonwealth Improvement Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted and case assigned for argument immediately following No. 911.

No. 862. Meyer Hecht, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 871. Colonial Trust Company, Executor, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 896. Grace S. Arkenburgh, Individually, etc., petitioner, *v.* The Bank of Vass. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 898. City National Bank of Wichita Falls, Texas, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 899. Elliot C. Grandin, Administrator, etc., petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 901. Van Camp Sea Food Company, Inc., petitioner, *v.* Cohn-Hopkins et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 904. Oscar M. Gwin, Trading as O. M. Gwin Construction Co., petitioner, *v.* Peter Jung, Sr., et al. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 905. St. Louis-San Francisco Railway Company, petitioner, *v.* Harry L. Martin. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 906. Texas Steel Company, petitioner, *v.* Railroad Commission of Texas et al. Petition for writ of certiorari to the Court of Civil Appeals, Third Supreme Judicial District, State of Texas, denied.

No. 909. Angelus Building & Investment Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 910. The City of South Norfolk et al., petitioners, *v.* Maryland Casualty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 914. Arthur J. Stevens, as Sole Receiver of Island Oil & Transport Corporation, petitioner, *v.* Compania Petrolera Capuchinas et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 915. Mary M. Lee, Executrix of the Estate of Robert E. Lee, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 917. Illinois Terminal Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 918. Florence S. Schuette, petitioner, *v.* Charles W. Anderson, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 919. The Chesapeake and Ohio Railway Company, petitioner, *v.* Charlie Thomas. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 925. The United States, petitioner, *v.* Flensburger Dampfer-compagnie. Petition for writ of certiorari to the Court of Claims denied.

No. 927. Erlanger Tremont Theatre Corporation, petitioner, *v.* Evelyn Ellsmore. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 931. J. B. Davis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 933. W. W. Easterday et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 942. Frank C. Ferguson, Collector of Internal Revenue, petitioner, *v.* Harry R. Nelson. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 943. Elmer Lawrence, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 944. The Greater City Surety and Indemnity Corporation et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 951. Arthur J. Fournier, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 958. Erie Railroad Company, petitioner, *v.* Zallie N. Booth. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 961. Sam Comeriato 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 denied.

No. 968. George Biemer, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 969. Standard Accident Insurance Company of Detroit, Mich., Inc., petitioner, *v.* Lillian M. Messervey. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 970. Rosario Pellegrino, petitioner, *v.* A. C. Aderhold, Warden, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 974. Morris Heller, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 975. Mary Roxburghe, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 857. Beckley Water Company, appellant, *v.* Public Service Commission of West Virginia et al. Appeal from the Supreme Court of Appeals of the State of West Virginia. Dismissed pursuant to Rule 12.

ORDER

All cases submitted and all business before the Court at this term having been disposed of,

It is ordered by this Court that all cases on the docket be, and they are hereby, continued to the next term.

Adjourned to the time and place appointed by law.