

OCTOBER TERM, 1932

STATISTICS

	Original	Appellate	Total
Number of cases on docket.....	21	1, 016	1, 037
Cases disposed of.....	4	906	910
Remaining on docket.....	17	110	127

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By written opinion.....	190
By per curiam opinion.....	61
By denial or dismissal of petitions for certiorari.....	649
By motion to dismiss, per stipulation or under 35th rule.....	10

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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 Earl Smith, of Rochester, N. Y.; Arnold J. Brock, of Scarsdale, N. Y.; Sol M. Selig, of New York City; Meyer Stein, of New York City; Oscar Codier, of Houston, Tex.; Edwin O. Saunders, of Washington, D. C.; Thomas Henry Moffatt, of Columbia, S. C.; Fred DuPre Townsend, of Columbia, S. C.; M. Casewell Heine, of Maplewood, N. J.; Frank A. Bull, of New York City; George McLean Curtis, of Elkins, W. Va.; Theodore Hall, of Washington, D. C.; Charles C. Berkeley, of Newport News, Va.; Thomas J. Herbert, of Columbus, Ohio; William P. MacCracken, jr., of Washington, D. C.; and Greek L. Rice, of Jackson, Miss., were admitted to practice.

ORDER

No. 424. Walker Wood, Secretary of State of the State of Mississippi, et al., *v.* Stewart C. Broom. It is ordered that this case be advanced and assigned for argument on Wednesday, October 12 next, at the head of the call for that day. The clerk of this Court is directed to notify the parties, by telegrams, of this order and the appellants are also directed to give immediate notice to the appellee of the assignment of this case for argument. Briefs of the parties may be filed on or before the day the case is called for argument.

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

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

No. 9, original. State of New York, complainant, *v.* State of Illinois et al. Motion of complainants, The States of Wisconsin, Minnesota, Ohio, and Michigan, for the appointment of an officer to carry out the decree of April 21, 1930, submitted by Mr. Gilbert Bettman in that behalf.

No. 157. Continental Oil Company, petitioner, *v.* The Osage Oil and Refining Company; and

No. 305. Continental Oil Company et al., petitioners, *v.* The Osage Oil & Refining Company et al. Leave granted petitioners to file reply brief on or before Friday next on motion of Mr. Chester I. Long for the petitioners.

No. 400. John P. H. Chandler, appellant, *v.* The State of Maine. Leave granted to file statement as to jurisdiction on motion of Mr. John P. Deering for the appellant.

No. —, original. *Ex parte*: W. S. Miles, petitioner. Motion for leave to file petition for writ of habeas corpus submitted by Mr. W. S. Miles, *pro se*.

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

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

No. 9, original. State of New York, complainant, *v.* State of Illinois et al. Semiannual report of defendant Sanitary District dated July 1, 1932, presented.

No. 13, original. State of New Jersey, complainant, *v.* City of New York. Semiannual report of defendant dated September 30, 1932, presented.

No. 19, original. *Ex Parte*: The United States, petitioner. Return to rule to show cause presented.

No. 299. Aero Mayflower Transit Company, appellant, *v.* E. A. Conway, Secretary of State of the State of Louisiana and Louisiana Highway Commission. Appeal from the District Court of the United States for the Eastern District of Louisiana. Dismissed on motion of counsel for appellant.

No. 349. F. C. Henderson, Inc., appellant, *v.* Railroad Commission of Texas et al. Appeal from the District Court of the United States for the Western District of Texas. Dismissed on motion of counsel for the appellant.

No. 360. Mrs. Mary Belle Heavner, appellant, *v.* The Town of Lincolnton and Maryland Casualty Company et al. Appeal from the Supreme Court of the State of North Carolina. Dismissed on motion of counsel for appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 10, will be as follows: Nos. 43, 97, 55, 98 (99 and 100), 81, 96, 1, 3, 21, and 4.

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.

Fred Berthold, of St. Louis, Mo.; Henry I. Quinn, of Washington, D. C.; William R. Dennison, of Washington, Pa.; James M. Douglas, of St. Louis, Mo.; Emery William Chase, of St. Louis, Mo.; Henry Nathan Camp, jr., of Knoxville, Tenn.; Charles Edward Royer, of Erie, Pa.; Calvin W. Rawlings, of Salt Lake City, Utah; Thos. Seay Lawson, of Montgomery, Ala.; Guerra Everett, of New York City; Hervey Files Crenshaw, of Montgomery, Ala.; John C. Cooper, jr., of Jacksonville, Fla.; Harvey L. McGlothlin, of St. Petersburg, Fla.; Donald J. Hoskins, of Columbus, Ohio; Robert J. Odell, of Columbus, Ohio; Charles Metcalfe Spence, of Dallas, Tex.; John H. Peach, of Sheffield, Ala.; Joe C. Barrett, of Jonesboro, Ark.; Will C. Hurst, of Long View, Tex.; Powell Clayton Freeman, of Little Rock, Ark.; and John Randolph Neal, of Knoxville, Tenn., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. **300**, October term, 1931. Southern Railway Company, appellant, *v.* Commonwealth of Kentucky; and

No. **301**, October term, 1931. Andrew W. Mellon, Director General of Railroads, appellant, *v.* Commonwealth of Kentucky.

Appeals from the Court of Appeals of the State of Kentucky. In these cases the parties have made and lodged with the Clerk a stipulation as follows:

“It is stipulated and agreed between the parties that, due to a mutual mistake of fact, not discovered by either party until after the judgment of affirmance in this Court, there is no tax involved herein due the Commonwealth of Kentucky, and that the judgment of affirmance in these causes as shown in the opinion of this Court rendered January 4, 1932, be set aside and the cases be dismissed, and that such mandate of this Court go down as will effectuate this agreement. It is further agreed that the appellants pay all taxable costs not heretofore paid.”

It is ordered that the stipulation be filed; that in each case the judgment of this Court affirming the judgment appealed from is hereby set aside and the case is dismissed; that appellant pay all taxable costs not heretofore paid and that the case be remanded to the Court of Appeals of Kentucky for such proceedings as will effectuate the above-quoted agreement.

No. 34. William H. Rhodes, Roy Hammer, and R. Y. Darnell, appellants, *v.* E. L. Twing et al. 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. *Godchaux v. Estopinal*, 251 U. S. 179, 181; *Jett Bros. Co. v. City of Carrollton*, 252 U. S. 1, 6, 7; *Citizens National Bank v. Durr*, 257 U. S. 99, 106; *Rooker v. Fidelity Trust Co.*, 261 U. S. 114, 116, 117; *Live Oak Water Users Association v. Railroad Commission*, 269 U. S. 354, 357.

No. 35. G. I. Williams, W. B. Wilson, and W. B. Powers, appellants, *v.* H. C. Speer & Sons Company et al. 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. *Godchaux v. Estopinal*, 251 U. S. 179, 181; *Jett Bros. Co. v. City of Carrollton*, 252 U. S. 1, 6, 7; *Citizens National Bank v. Durr*, 257 U. S. 99, 106; *Rooker v. Fidelity Trust Co.*, 261 U. S. 114, 116, 117; *Live Oak Water Users Association v. Railroad Commission*, 269 U. S. 354, 357.

No. 44. B. G. Savelle, appellant, *v.* The State Board of Dental Examiners of the State of Colorado et al. Appeal from the Supreme Court of the State of Colorado. *Per curiam*: The appeal herein is dismissed for the want of a final judgment. *Haseltine v. Central Bank of Springfield*, 183 U. S. 130, 131; *Schlosser v. Hemphill*, 198 U. S. 173, 175, 176; *Louisiana Navigation Co. v. Oyster Commission*, 226 U. S. 99, 101; *California National Bank v. Stateler*, 171 U. S. 447, 449; *Bruce v. Tobin*, 245 U. S. 18, 19, 20; *Grays Harbor Logging Co. v. Coats-Fordney Logging Co.*, 243 U. S. 251, 255, 256; *Ornstein v. Chesapeake & Ohio Ry. Co.*, 284 U. S. 572.

No. 45. John H. Miller, appellant, *v.* The State Board of Dental Examiners of the State of Colorado et al. Appeal from the Supreme Court of the State of Colorado. *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; *Sprouls v. Binford*, 286 U. S. 374, 393; *Lavine v. California*, 286 U. S. 528. In so far as the papers whereon the appeal was allowed seek review of the ruling of

the Supreme Court of Colorado upon the asserted denial of rights under the Federal Constitution by the proceedings before the State Board in 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.

No. 46. Mrs. L. L. Brown et al., appellants, *v.* Bank of Commerce & Trust Company and Yocona-Tallahatchie Drainage District. Appeal from the Supreme Court of the State of Mississippi. *Per curiam*: The motion of the appellees to affirm the decree herein, and for an award of damages pursuant to section 878, Title 28, U. S. Code, is denied. The appeal in this cause is dismissed for the want of a substantial Federal question. *Missouri Pacific R. R. Co. v. Western Crawford Road Improvement District*, 266 U. S. 187; *Miller & Lux v. Sacramento and San Joaquin Drainage District*, 256 U. S. 129; *Houck v. Little River Drainage District*, 239 U. S. 254.

No. 64. Roy Thomas and Annie Thomas, appellants, *v.* B. B. Rabb. Appeal from the County Court of Rains County, 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. 243. Anna Bartsch Dunne, appellant, *v.* The State of Maryland. Appeal from the Court of Appeals of the State of Maryland. *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. 266. Robert B. Stearns, Receiver of Massachusetts Northeastern Street Railway, et al., etc., appellants, *v.* Fred Lorenz, John M. Armington, W. E. Lanch, et al. Appeal from the Supreme Court of the State of New Hampshire. *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. 123. S. S. Kresge Company, appellant, *v.* John J. Bennett, Attorney General of the State of New York, et al., etc. Appeal

from the District Court of the United States for the Southern District of New York. *Per curiam*: Decree affirmed. Gorham Mfg. Co. v. State Tax Commission, 266 U. S. 265, 269, 270.

No. 135. American Airways, Inc., appellant, v. Roy C. Wallace, Comptroller for the State of Tennessee, et al., etc. Appeal from the District Court of the United States for the Middle District of Tennessee. *Per curiam*: The order denying inerlocutory 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. 593; Binford v. J. H. McLeaish & Co., 284 U. S. 598; South Carolina Power Co. v. South Carolina Tax Commission, 286 U. S. 525; Odgen & Moffett Co. v. Michigan Public Utilities Commission, 286 U. S. 525.

No. 231. L. S. Brannan, M. N. Carroll, D. O. Hamby, et al., appellants, v. William B. Harrison, as Comptroller General and Ex Officio Insurance 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. State Board of Tax Commissioners v. Jackson, 283 U. S. 527, 537, 542; Brown-Forman Co. v. Kentucky, 217 U. S. 563, 573; Singer Sewing Machine Co. v. Brickell, 233 U. S. 304, 315; Bradley v. City of Richmond, 227 U. S. 477.

No. 238. New York Dock Company, appellant, v. New York and Cuba Mail Steamship Company. Appeal from the Supreme Court of the State of New York. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. Homer Ramsdell Transportation Co. v. LaCompagnie Generale Transatlantique, 182 U. S. 406.

No. 253. Lincoln Fireproof Warehouse Company, appellant, v. The City of Milwaukee, John I. Drew, Treasurer of the City of Milwaukee, et al., etc. Appeal from the Supreme Court of the State of Wisconsin. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. Tidal Oil Co. v. Flanagan, 263 U. S. 444, 450, 451, 455, 456; American Ry. Express Co. v. Kentucky, 273 U. S. 269, 273; Brinkerhoff-Faris Co. v. Hill, 281 U. S. 673, 680.

No. 285. Walter Harnischfeger, Marie E. Harnischfeger, et al., Executors under the Last Will and Testament of Henry Harnischfeger, deceased, et al., appellants, v. Wisconsin Tax Commission. Appeal from the Supreme Court of the State of Wisconsin. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. Mobile, Jackson & Kansas City R. R. Co. v. Turnipseed, 219 U. S. 35, 43; Bandini Petroleum Co. v. Supe-

rior Court, 284 U. S. 8, 18, 19; *Wabash R. R. Co. v. Flannigan*, 192 U. S. 29.

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*: W. S. Miles, petitioner. The motion for leave to file petition for writ of habeas corpus is denied, without prejudice to proper application to the appropriate District Court of the United States or to the Judge of said Court.

No. 5, original. *State of Wisconsin et al., complainants, v. State of Illinois and Sanitary District of Chicago et al.*;

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

No. 9, original. *State of New York et al., complainants, v. State of Illinois and Sanitary District of Chicago et al.* The report of the defendant, Sanitary District of Chicago, dated July 1, 1932, is received. Upon consideration of the complainants' motion,

It is ordered that a rule issue to the defendants in the above entitled causes to show cause, by printed return, on or before Monday, November 7 next, why they have not taken appropriate steps to effect compliance with the requirements of the decree of this Court in these causes dated April 21, 1930 (281 U. S. 696);

And it is further ordered that these causes be set for oral argument upon the return of such rule upon Monday, November 14 next, at the head of the call for that day, briefs to be filed by the parties at the time of such argument.

No. 13, original. *The State of New Jersey, complainant, v. The City of New York.* The report of defendant dated September 30, 1932, is received.

No. 15, original. *The State of Wyoming, complainant, v. The State of Colorado.* The State of Wyoming is granted until and including the first day of November, 1932, within which to present and file a replication to the answer of the State of Colorado to the amended bill filed herein.

No. 19, original. *Ex parte*: The United States, petitioner. It is ordered that this case be set for argument on the return to the rule to show cause on Monday, November 7 next. Further briefs, if desired by the parties, to be filed at the time of the argument.

No. —. *Mrs. Antoinette Cherami et al., petitioners, v. William Cantrelle et al.*; and

No. —. *Mrs. Antoinette Cherami et al., petitioners, v. Ernest Guidroz et al.* The petition of Charles D. Breaux et al. for an exten-

sion of time within which to apply for writs of certiorari in the above entitled matters is denied. *Finn v. Railroad Commission*, 286 U. S. 559; *Cresswell v. Tillinghast*, 286 U. S. 560.

In re disbarment of Harold Van Riper :

Upon its being shown to the Court that Harold Van Riper, a member of the Bar of this Court, has been convicted of a felony in the District Court of the United States for the Southern District of New York,

It is ordered that the said Harold Van Riper be, and he hereby is, forthwith suspended from practice before this Court;

And it is further ordered that a rule issue to the said Van Riper to show cause, within 40 days after the service of such rule upon him, why he should not be disbarred from the practice of the law in this Court.

No. 218. *Kroger Grocery and Baking Company v. Minnie J. Yount*; and

No. 220. *Rocco Catagrone v. The United States of America*. It is ordered that these cases be advanced and assigned for argument on Monday, November 7, next.

No. 128. *Wabash Valley Electric Company, appellant, v. Frank T. Singleton, John W. Mc Ardle, Howell Ellis, et al., etc.* Upon suggestion of the expiration of the term of office of Frank T. Singleton, an appellee in this cause, as a member of the Public Service Commission of the State of Indiana, and upon consideration of the motion of the appellant herein for the substitution of Ralph M. Young, successor in office of the said Singleton, and it appearing that the said Young and the counsel for the appellees herein consent to such substitution, it is ordered that the said motion be, and it is hereby, granted, and that the said Ralph M. Young, as a member of the Public Service Commission of the State of Indiana, be, and he is hereby, substituted in the place and stead of Frank T. Singleton as a party appellee in this cause.

No. 176. *The Nashville, Chattanooga & St. Louis Railway, appellant, v. Roy C. Wallace, Comptroller of the Treasury of the State of Tennessee, et al., etc.* Further consideration of the jurisdiction of this Court is postponed to the hearing upon the merits. The attention of counsel is invited to the question whether a case or controversy is presented, in view of the nature of the proceedings in the state courts.

Upon suggestion of the resignation of Charles M. McCabe, an appellee in this cause, as Commissioner of Finance and Taxation of the State of Tennessee, and upon consideration of the motion of the appellant herein for the substitution of George R. Dempster, successor in office of the said McCabe, and it appearing that the said

Dempster and the counsel for the appellees herein consent to such substitution, it is ordered that the said motion be, and it is hereby, granted, and that the said George R. Dempster, as Commissioner of Finance and Taxation of the State of Tennessee, be, and he is hereby, substituted in the place and stead of Charles M. McCabe as a party appellee in this cause.

No. 51. Detroit International Bridge Company, appellant, *v.* Corporation Tax Appeal Board of the State of Michigan;

No. 128. Wabash Valley Electric Company, appellant, *v.* Ralph M. Young et al.;

No. 171. Mrs. J. H. Pobreslo, appellant, *v.* Joseph M. Boyd Company, Clarence E. Karn, et al.;

No. 194. Atlantic Coast Line Railroad Company and William Smith, appellants, *v.* Katherine H. Ford;

No. 260. Elizabeth Coyne, as Secretary of State, etc., et al., appellants, *v.* Charles M. Prouty, et al.;

No. 264. The United States of America, appellant, *v.* Chicago, North Shore and Milwaukee Railroad Company;

No. 301. Louis K. Liggett Company et al., appellants, *v.* Ernest Amos, as Comptroller of the State of Florida, et al.;

No. 424. Walker Wood, Secretary of State of the State of Mississippi, et al., appellants, *v.* Stewart C. Broom. In these cases probable jurisdiction is noted.

No. 217. The Guaranty Trust Company of New York, as Executor etc., appellant, *v.* William H. Blodgett, Tax Commissioner. In this case probable jurisdiction is noted. Further consideration of the motion to affirm is postponed to the hearing of the case on the merits.

No. 282. Helen C. Johnson et al., etc., appellants, *v.* Arthur Star. In this case probable jurisdiction is noted and the case is advanced and assigned for argument immediately following No. 171.

No. 387. Albert Fouts, J. C. Fouts, Emmett Fouts, and Charlie Fouts, appellants, *v.* The State of Georgia. Appeal from the Supreme Court of the State of Georgia. *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, as required by section 237 (c) Judicial Code as amended (43 Stat. 936, 938), certiorari is denied.

No. 136. Henry Hawks, petitioner, *v.* The State of Iowa. On petition for writ of certiorari to the Supreme Court of the State of Iowa. 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. 201. Adele T. Salisbury, petitioner, *v.* George R. Salisbury. 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 be granted. The petition for writ of certiorari is therefore also denied.

No. 209. Charles Morris, 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 be granted. The petition for writ of certiorari is therefore also denied.

No. 239. Marion Beebe, petitioner, *v.* Moormack Gulf Lines, Inc., et al. 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 granted. The petition for writ of certiorari is therefore also denied.

No. 294. Jacob D. Posner, 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. *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 granted. The petition for writ of certiorari is, therefore, also denied.

No. 295. Bert M. Densmore, 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. 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 a writ of certiorari is, therefore, also denied.

No. 363. Bruce B. Johnson, petitioner, *v.* The People of the State of California. On petition for writ of certiorari to the Appellate Division of the Superior Court of Los Angeles County, State of California.

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 a writ of certiorari is, therefore, also denied.

No. 371. Fred Berg, petitioner, *v.* The State of Iowa. On petition for writ of certiorari to the Supreme Court of the State of Iowa. 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 a writ of certiorari is, therefore, also denied.

No. 375. August Swarz, petitioner, *v.* Sigmund Loeffler. On petition for writ of certiorari to the Appellate Court of the State of Illinois, First District. 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 a writ of certiorari is therefore also denied.

No. 138. Joseph F. Miller, petitioner, *v.* A. C. Aderhold, Warden, United States Penitentiary, Atlanta, Georgia. The motion for leave to proceed further herein *in forma pauperis* is granted. The Clerk is directed to cause the petition and record to be printed and to serve copies thereof when printed upon counsel for the respondent. Brief for the respondent may be filed within twenty days after such service.

No. 315. Karl F. Voehl, petitioner, *v.* Indemnity Insurance Company of North America. The motion for leave to proceed further herein *in forma pauperis* is granted. The Clerk is directed to cause the petition and record to be printed. Petitioner shall serve copies thereof upon counsel for respondent when the printing has been completed; and brief for the respondent may be filed within twenty days after such service.

No. 53. Great Northern Railway Company, petitioner, *v.* Sunburst Oil & Refining Company. Petition for writ of certiorari to the Supreme Court of the State of Montana granted.

No. 63. A. P. Dickson et al., petitioners, *v.* Uhlmann Grain Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 82. Frank Cook, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 90. Anna S. Bainbridge, petitioner, *v.* Merchants & Miners Transportation Company. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania granted.

No. 110. Alberto Costanzo, petitioner, *v.* Anna C. M. Tillinghast, United States Commissioner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 131. American Surety Company of New York, petitioner, *v.* Teresa Marotta. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 137. Aetna Life Insurance Company, etc., et al., petitioners, *v.* Samuel D Moses. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 141. The United States, petitioner, *v.* Factors & Finance Co. Petition for writ of certiorari to the Court of Claims granted.

No. 147. Sam Hawks, J. F. McKeel, et al., etc., petitioners, *v.* Charles H. Hamill, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 163. Atlantic City Electric Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 166. Johnson & Higgins of California, petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 182. Pinellas Ice and Cold Storage Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 191. The United States of America, petitioner, *v.* Clarence P. Arzner. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 192. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Aluminum Goods Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 104. Bankers Pocahontas Coal Company, petitioner, *v.* Commissioner of Internal Revenue; and

No. 105. D. J. F. Stother, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted and cases assigned for argument immediately following No. 80.

No. 177. C. V. Sorrells, 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 limited to the question whether the evidence was sufficient to go to the jury upon the issue of entrapment. Case is advanced and assigned for argument on Monday, November 7 next, after the cases heretofore assigned for that day.

No. 180. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* R. P. Clark. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted and the case is assigned for argument immediately following No. 95.

No. 234. The United States of America, petitioner, *v.* Henry Prentiss & Company, Inc. 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. 141.

No. 314. Fairmount Glass Works, petitioner, *v.* Cub Fork Coal Company et al. Petition for writ of certiorari to the Seventh Circuit granted, and case assigned for argument immediately following No. 218 heretofore assigned for Monday, November 7 next.

No. 89. Vick Pantaze and Arthur Kaye Sykes, Administrators of the Estate of Charles D. Pantaze, deceased, petitioners, *v.* John F. Murphy, Trustee of Nugrape Bottling Company of Texas, Inc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Motion of Christo Jebeles and Angelick Pantaze to be made parties petitioners granted. The petition for writ of certiorari is denied.

No. 107. Fidelity Union Casualty Company, petitioner, *v.* P. E. Hanson et al. Petition for writ of certiorari to the Supreme Court of the State of Texas denied, upon the ground that the judgment sought here to be reviewed is joint and the record fails to disclose summons and severance. *Hartford Accident & Indemnity Co. v. Bunn*, 285 U. S. 169; *Capital National Bank v. Board of Supervisors*, 286 U. S. 550.

No. 109. Chicago, Burlington & Quincy Railroad 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. 37. Maggie McHarg, petitioner, *v.* Grimes Savings Bank. Petition for writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 47. The Utah Idaho Central Railroad Company, petitioner, *v.* L. H. Swaner. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 50. Union Indemnity Company et al., petitioners, *v.* Florida Bank and Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 291. Graham C. Woodward, Receiver of Bethlehem and Nazareth Passenger Railway Company, petitioner, *v.* The Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 54. George W. Crile, 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. 56. Texas Gulf Sulphur Company et al., petitioners, *v.* Portland Gas Light Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 59. Frederick G. Crane et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 60. Eddy's Steam Bakery, Inc., petitioner, *v.* C. A. Rasmusson, as Collector of Internal Revenue for the District of Montana. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 61. Grayson V. Heidt, 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. 62. The Palmolive Company, petitioner, *v.* W. J. Conway, Charles D. Rosa et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 65. Don T. Haynes, Trustee of Quicksilver Brothers, Bankrupt, petitioner, *v.* Edward Quicksilver. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 66. Bartlesville Zinc Company, petitioner, *v.* Ogden L. Mills, Director General of Railroads, as Agent. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 67. Farmers Bank, petitioner, *v.* Lynn A. Hayes, Board of Trust of Alvin C. York Agriculture Institute and National Surety Company, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 68. A. Ten Eyck Brown, 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. 69. H. O. Kane, Trustee in Bankruptcy of the Estate of Ware-Remy Co., Bankrupt, et al., petitioners, *v.* S. O. Pottorff, Receiver of the First National Bank of El Paso, Texas, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 70. Roy C. Farnum, petitioner, *v.* Public Utilities Commission of Rhode Island. Petition for writ of certiorari to the Supreme Court of the State of Rhode Island denied.

No. 71. Bentley M. McMullin, petitioner, *v.* R. F. Graeber and M. E. Latta. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 72. Bentley M. McMullin, petitioner, *v.* Samuel G. Martin. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 73. Liberty National Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 74. A. W. Higgins, as Trustee in Bankruptcy of the Estate of Faget Engineering Company, petitioner, *v.* G. W. Brainard et al. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 75. Rosa A. Vogel and Josephine E. Vogel, petitioners, *v.* New York Life Insurance Company and Theodore H. Thiesing. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 76. The Provident Savings Bank and Trust Company, petitioner, *v.* County of Shelby, Texas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 77. Maxwell H. Goldstein, as Trustee in Bankruptcy of Morris B. Horowitz, petitioner, *v.* Adolph Rusch, Henry A. Rusch, Henry Iselin, et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 78. Charles R. Edwards, petitioner, *v.* Johnston Formation Testing Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 79. Peabody Coal 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. 83. Ethel Clawans, petitioner, *v.* Roger J. Whiteford, Mina Van Winkle, John Fowler, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 84. Ethel Clawans, petitioner, *v.* Sarah Carrick, Trading as The Whalen Shop, and Mary E. Clarke, etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 85. William Hertzmark, petitioner, *v.* Eugene A. Lynch, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 86. Herman Kramer, petitioner, *v.* General Paint Corporation and Hill, Hubbell & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 87. Grand Trunk Western Railway Company, petitioner, *v.* Anya Carpenter, Administratrix of the Estate of John J. Carpenter, deceased. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 88. Fred L. Dickey, Kenneth McMullen Dickey, and William Lawrence Dickey, Executors, etc., petitioners, *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. 134. Camille M. Parker, Executrix of Estate of John J. Parker, deceased, petitioner, *v.* C. F. Routzahn, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 91. The Texas & Pacific Railway Company, petitioner, *v.* C. C. Baldwin. Petition for writ of certiorari to the Supreme Court of the State of Texas denied.

No. 93. Hazel F. Self and Cora A. Self, petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 94. The Central Railroad Company of New Jersey, petitioner, *v.* Sophie Halges, as Administratrix of the Goods, Chattels, and Credits of John Halges, deceased. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 101. United States of America *ex rel.* August Yokinen or Augustus Jokinen, petitioner, *v.* Commissioner of Immigration, Ellis Island, New York Harbor. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 102. Companhia DeNavegacao Lloyd Brasileiro, petitioner, *v.* The Royal Mail Steam Packet Company, Owner of the S. S. "Silarus" and as Bailee of her cargo. Petition for writ of certiorari

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

No. 103. R. H. Macy & Co., Inc., petitioner, *v.* Michele G. De-Simone. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 106. Jessie M. Van Senden, Otto G. Van Senden, and National Savings and Trust Company, etc., petitioners, *v.* Bessie A. O'Brien and Myrtle E. Elgin, Administratrices C. T. A. of the Estate of Irvin E. Jones, deceased. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 108. Brampton Woolen Company, petitioner, *v.* John H. Field, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 111. Moran Towing & Transportation Company, Inc., petitioner, *v.* P. Sanford Ross, Inc., and Astoria Light, Heat & Power Company; and

No. 112. Moran Towing & Transportation Company, Inc., petitioner, *v.* P. Sanford Ross, Inc., and Astoria Light, Heat & Power Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 113. Dunbar A. Rosenthal, petitioner, *v.* West Disinfecting Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 114. Oroville-Wyandotte Irrigation District, petitioner, *v.* J. E. Rutherford. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 115. Mary Louis K. Perry, petitioner, *v.* Ella L. Wiggins. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 116. Westmoreland Specialty Company, 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. 117. J. Clarendon McClure, as Administrator of the Estate of Nathaniel D. McClure, deceased, 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. 118. National Mortgage and Investment Company, petitioner, *v.* Henry I. Quinn and Joseph Button, Receivers of the Provident Relief Association. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 119. Missouri Pacific Railroad Company, petitioner, *v.* Will Harville. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 120. Missouri Pacific Railroad Company, petitioner, *v.* Bartholomus Jonas. Petition for writ of certiorari to the Kansas City Court of Appeals of the State of Missouri denied.

No. 121. The Baltimore and Ohio Railroad Company and Western Maryland Railway Company, petitioners, *v.* Honorable William E. Baker, United States District Judge for the Northern District of West Virginia. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 122. One Buick Sedan, etc., Hertz-Driv-Ur-Self Stations, Inc., Intervenor, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 124. First National Bank of Woodbine, Iowa, et al., petitioners, *v.* Harrison County, Iowa, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 125. James R. Duffin, petitioner, *v.* Robert H. Lucas, Formerly Collector of Internal Revenue for the District of Kentucky. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 126. Tamiami Investment Company, etc., petitioner, *v.* I. L. Berk. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 127. Robert B. McClellan, petitioner, *v.* State of California. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, State of California, denied.

No. 129. George Mueller, 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. 130. Pan American Petroleum Company, 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. 132. New England Trust Company, petitioner, *v.* John Farr, Jr., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 133. Peytona Lumber Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 139. S. A. Woods Machine Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 140. St. Louis-San Francisco Railway Company, petitioner, *v.* Mrs. Zetta Holt, Administratrix of the Estate of J. A. Holt, deceased. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 142. Memphis Union Station Company and Missouri Pacific Railroad Company, petitioners, *v.* M. Hartman, Judge of the Circuit Court of the City of St. Louis, Missouri. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 143. Consolidated Indemnity and Insurance Company, petitioner, *v.* W. A. Smoot & Co., Inc.; Clarence A. Heagey, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 144. Philip A. Lewis, petitioner, *v.* Leonard Daniel Ingram, and

No. 145. Philip A. Lewis, petitioner, *v.* Leonard Daniel Ingram. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 146. Frank E. Altemus and District of Columbia, petitioners, *v.* Henry Hobart Talmadge, Executor of the Estate of Maude Talmadge Jones, deceased. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 148. Orville E. Babcock, William F. Prindel, Robert J. Dunham, et al., petitioners, *v.* Chicago Railways Company, Henry A. Blair, and Frederick H. Rawson, etc., et al.;

No. 149. Sidney F. Tyler, Land Title & Trust Company, etc., et al., petitioners, *v.* Chicago Railways Company et al.;

No. 150. Harrison B. Riley, Abel Davis, Frank G. Gardner, et al., petitioners, *v.* Chicago Railways Company, Henry A. Blair, and Frederick H. Rawson, etc., et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 151. Rosslyn Steel and Cement Company, Lorenzo Bruno, etc., et al., petitioners, *v.* Howard M. Etchison et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 152. The Blue Diamond Company, Inc., petitioner, *v.* Charles M. Allen & Son, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 153. Trademens National Bank, petitioner, *v.* Midland Savings & Loan Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 154. Yates-American Machine Company, petitioner, *v.* W. U. Jury, Trustee of Newport Planing Mill Company, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 155. American Viscose Corporation, 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. 156. Louis Michel, petitioner, *v.* Nicholas Solimine, doing business as N. Solimine Co. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 157. Continental Oil Company, petitioner, *v.* The Osage Oil and Refining Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 305. Continental Oil Company, a Maine Corporation, and Continental Oil Company, a Delaware Corporation, petitioners, *v.* The Osage Oil & Refining Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 159. H. C. Rorick and Harry S. Kelsey, Individually and as Copartners, doing business under the firm name and style of Home Acres Land Corporation, petitioners, *v.* Central Farmers Trust Company, as Substitute Trustee. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 160. American Surety Company of New York, petitioner, *v.* City of Santa Barbara and Municipal Band Company; and

No. 161. American Surety Company of New York, petitioner, *v.* City of Santa Barbara and Municipal Bond Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 162. Clift and Goodrich, 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. 164. The Central Railroad Company of New Jersey, petitioner, *v.* Harriet M. Miller, Administratrix of the Goods, Chattels, and Credits which were of Ira V. Miller, deceased. Petition for

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

No. 165. Southern Surety Company of New York and Ernest D. Davis, Receiver for the Southern Surety Company of New York, petitioners, *v.* The Macmillan Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 167. N. O. Nelson Manufacturing Company, petitioner, *v.* F. E. Myers & Bro. Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 168. Ollie Brown, George McCowan, and Mahaley Henry, etc., petitioners, *v.* J. M. Mayer and Hattie Mayer; and

No. 169. Ollie Brown, George McCowan, and Mahaley Henry, etc., petitioners, *v.* Magnolia Petroleum Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 170. Investors Syndicate, petitioner, *v.* L. M. Willcuts, as United States Collector of Internal Revenue for the Collection District of Minnesota. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 172. Charles S. Stumpf, 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. 173. S. T. Swenson, Executor of the Estate of Mrs. Christina Swenson, deceased, 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. 174. Maurice G. Clarke, Henry T. Clarke, John T. Clarke, et al., petitioners, *v.* The Hot Springs Electric Light and Power Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 175. Harry C. Howard, 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. 178. James Ross Scott, Successor to J. H. McCallum, Trustee etc., petitioner, *v.* Hamilton National Bank; and

No. 179. James Ross Scott, Successor to J. H. McCallum, Trustee etc., petitioner, *v.* Chattanooga Finance Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 181. Thomas J. Brady, petitioner, *v.* Wabash Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 183. Stone & Downer 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. 184. The Moffat Tunnel Improvement District et al., petitioners, *v.* Herbert F. Boynton, MacMillan Hoopes, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 185. Missouri-Kansas-Texas Railroad Company, petitioner, *v.* Cora Elnora Demaray, Administratrix of the Estate of Theodore Charles Demaray, deceased. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 186. Newtown Creek Towing Company, petitioner, *v.* James Baldwin, as Owner of the Barge "Harold L." Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 187. Van Rensselaer Halsey, Gerald V. Hollins, et al., petitioners, *v.* Clinton D. Winant and W. A. Harriman & Co., Inc. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 188. American Automobile Insurance Company, petitioner, *v.* Lillian Benedetto, by her next friend, Patsy Benedetto, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 189. Edwin J. Marshall, 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. 190. H. J. Spurway, as Receiver of the City National Bank, petitioner, *v.* M. P. Lehman, as Sheriff of Dade County, Florida. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 193. New York Trap Rock Corporation, petitioner, *v.* The Long Island Railroad Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 195. The Atchison, Topeka and Santa Fe Railway Company petitioner, *v.* Leona J. Moran, as Administratrix of the Estate of Joe E. Moran, deceased. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 196. United States Fidelity & Guaranty Company, petitioner, *v.* Dwight Bassinger. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 197. Lula D. Hutto, petitioner, *v.* Atlantic Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 198. Woodrow W. Jenkins, 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. 200. U. S. Industrial Alcohol Company, petitioner, *v.* Calmar Steamship Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

The Chief said:

“The attention of the Bar is directed to the importance of complying with Rule 38, paragraph 2, and Rule 27, paragraph 2, in presenting petitions for writs of certiorari. Such compliance is essential as an appropriate aid to the Court in acting on such applications. Failure to comply with these Rules will be deemed sufficient ground for a denial of the petition.”

No. 1. Texas and Pacific Railway Company et al., appellants, *v.* The United States of America et al. Motion of Gaston L. Porterie, as Attorney General for the State of Louisiana, to substitute his name for that of Percy Saint, formerly Attorney General, as solicitor for the State of Louisiana and Louisiana Public Service Commission, interveners, granted, on motion of Mr. Wylie M. Barrow in that behalf.

No. 326. J. H. Stephenson et al., appellants, *v.* T. Binford et al. Joint motion to advance submitted by Mr. R. C. Fullbright in that behalf.

No. —, original. Ex parte: Charles Clay James, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. John Randolph Neal for the petitioner.

No. 11, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Report No. 5 of the defendant State of Indiana presented.

No. 43. William Grau, petitioner, *v.* The United States of America. Argued by Mr. Charlton B. Thompson for the petitioner, and by Mr. Solicitor General Thacher for the respondent.

No. 97. Jack Gebardi et al., petitioners, *v.* The United States of America. Argued by Mr. William F. Waugh for the petitioners and by Mr. Assistant Attorney General Richardson for the respondent.

No. 55. Cesaro Sgro, petitioner, *v.* The United States of America. Argued by Mr. Irving K. Baxter for the petitioner, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 98. Ozie Powell et al., petitioners, *v.* State of Alabama;

No. 99. Haywood Patterson, petitioner, *v.* State of Alabama; and

No. 100. Charlie Weems et al., petitioners, *v.* State of Alabama. Argued by Mr. Walter H. Pollack for the petitioners, and by Mr. Thomas E. Knight, jr., for the respondent.

No. 81. The Alton Railroad Company, appellant, *v.* The United States of America et al. Argument commenced by Mr. Frank H. Towner for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 11, will be as follows: Nos. 81, 96, 1, 3, 21, 4, 5, 6, 7, and 9.

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.

W. Wallace Fry, of Mexico, Mo.; David E. Hume, of Eagle Pass, Tex.; Edgar G. Braun, of Detroit, Mich.; Rollin W. Meeker, of Binghamton, N. Y.; Dix H. Rowland, of Tacoma, Wash.; David S. Atkinson, of Savannah, Ga.; Harris L. Danner, of Oklahoma City, Okla.; Michael J. Evansha, of Washington, D. C.; William J. Fitzgerald, of Scranton, Pa.; Dennis A. Dooley, of Boston, Mass.; Charles D. Atkinson, of Fayetteville, Ark.; Orin J. Wardwell, of Northwood, Iowa; Hugh V. Wall, of Brookhaven, Miss.; James E. King, of St. Louis, Mo.; Sybil H. Holmes, of Boston, Mass.; Eleanor S. Burr, of Boston, Mass.; George M. Wallace, of Baton Rouge, La.; Elmer W. Voorheis, of Detroit, Mich.; John Horace Mariano, of New York City; Umberto D'Alessandro, of New York City; Lester D. Summerfield, of Reno, Nev.; Peter James Keane, of New York City; Joseph P. Blechman, of New York City; Eugene E. Brossard, of Madison, Wis.; Francis Thornton Bartlett, of Cincinnati, Ohio; Solomon Weiss, of New Orleans, La.; Albert W. McCollough, of Laramie, Wyo.; Robert K. Bell, of Philadelphia, Pa.; T. Millet Hand, of Cape May, N. J.; Charles E. Wells, of Shawnee, Okla.; William Ernest Wells, of Prague, Okla.; Edward P. Dougherty, of Dallas, Tex.; Fletcher Riley, of Lawton, Okla.; and Frank E. Tressler, of New Bloomfield, Pa., were admitted to practice.

No. 1. The Texas and Pacific Railway Company et al., appellants, *v.* The United States of America et al. Motion for leave to file brief of Western Pennsylvania Coal Traffic Bureau, as *amicus curiae*, submitted by Mr. August L. Gutheim in that behalf, and the motion denied.

No. 81. The Alton Railroad Company, appellant, *v.* The United States of America et al. Argument continued by Mr. Frank H. Towner for the appellant, and concluded by Mr. J. Stanley Payne for the appellees.

No. 96. The United States of America, petitioner, *v.* Great Northern Railway Company. Argued by Mr. Solicitor General Thacher for the petitioner, and by Mr. F. G. Dorety for the respondent.

No. 1. 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. Charles M. Spence for the appellants, Texas and Pacific Railway Company et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 12, will be as follows: Nos. 1, 424, 3, 21, 4, 5, 6, 7, 9, and 10.

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 E. Tuthill, of New York City; Morgan F. Jones, of Jacksonville, Fla.; Edward A. Donnelly, of Baltimore, Md.; Joseph J. Gravely, of St. Louis, Mo.; H. Edmund Rodgers, of Wilmington, N. C.; Clarence R. Innis, of Seattle, Wash.; William M. Allen, of Seattle, Wash.; John Kirkland Clark, of New York City; Truman Sunderland Safford, of New York City; George Thornburg, of St. Clairsville, Ohio; Grace Elmore Gibson, of Tulsa, Okla.; Milton William Baer, of Milwaukee, Wis.; U. Andrew Bell, of Lake Charles, La.; Lilian M. B. Rodgers, of Wilmington, N. C.; Rolla N. Carter, of Washington, D. C.; Henry S. Boynton, of Washington, D. C.; Frank Driscoll, of Baltimore, Md.; William Harvey Marshall, of Baltimore, Md.; Mary-Chase Clark, of New York City; Dora Jungman, of Yonkers, N. Y.; Clarice Margoles Baright, of New York City; John C. Kelley, of Honolulu, Hawaii; Harry Reynolds Hewitt, of Honolulu, Hawaii; Herbert Emerson Munro, of Detroit, Mich.; Claud C. Westerfeld, of Dallas, Tex.; Ralph William Liddy, of Detroit, Mich.; John E. Coates, jr., of Little Rock, Ark.; Harry L. Fogg, of El Reno, Okla.; Wm. P. McGinnis, of Tulsa, Okla.; Raphael Tourover, of Washington, D. C.; Lincoln L. Kellogg, of Asheville, N. C.; Joseph Fischer, of Yonkers, N. Y.; Eustace W. Tomlinson, of New York City; and Leo Brewer, of San Antonio, Tex., were admitted to practice.

No. 424. Walker Wood, Secretary of State of the State of Mississippi et al., appellants, *v.* Stewart C. Broom. Leave granted to file brief of the Commonwealth of Virginia, as *amicus curiae*, on motion of Mr. Edwin H. Gibson in that behalf.

No. 1. The Texas and Pacific Railway Company et al., appellants, *v.* The United States of America et al. Reargument continued by Mr. Charles M. Spence for the appellants, Texas and Pacific Railway

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

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 13, will be as follows: Nos. **1, 424, 3, 21, 4, 5, 6 (and 7), 9, 10, and 13.**

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.

Edgar S. McKaig, of Philadelphia, Pa.; Edwin R. Bentley, of Lakeland, Fla.; Thomas H. Fogerty, of Binghamton, N. Y.; Glenn C. Beechler, of New York City; W. I. Evans, of Miami, Fla.; Murray Sams, of De Land, Fla.; Adolph R. Janecky, of Racine, Wis.; Lloyd Z. Morgan, of Jacksonville, Fla.; C. B. Peeler, of Jacksonville, Fla.; William R. Strickland, of Newark, N. J.; Francis J. Carney, of Boston, Mass.; John A. Canavan, of Winthrop, Mass.; Charles S. Reed, of Omaha, Nebr.; H. P. Osborne, of Jacksonville, Fla.; Louis S. Ashman, of Baltimore, Md.; Wm. H. Lawrence, of Baltimore, Md.; Homer Hummel Strickler, of Hummelstown, Pa.; William C. Pettit, of Greenville, Pa.; Milford L. McBride, of Grove City, Pa.; Robert A. Hefner, of Oklahoma City, Okla.; Charles E. Clark, of New Haven, Conn.; H. Kay George, of Chicago, Ill.; Ernest J. Torregano, of San Francisco, Calif.; Ella J. Sullivan, of Washington, D. C.; Greenberry Simmons, of Louisville, Ky.; Robert L. Stearns, of Boulder, Colo.; Lawrence Wheeler De Muth, of Boulder, Colo.; George Schuyler Tarbell, of Ithaca, N. Y.; George Schuyler Tarbell, jr., of New York City, N. Y.; William P. Cary, of San Diego, Calif.; Claude S. Hale, of St. Louis, Mo.; Wilson W. Wyatt, of Louisville, Ky.; William G. Griffith, of Santa Barbara, Calif.; Harry N. Pritzker, of Chicago, Ill.; Abram N. Pritzker, of Chicago, Ill.; Jack N. Pritzker, of Chicago, Ill.; Carl V. Essery, of Detroit, Mich.; J. E. Holmes, of Memphis, Tenn.; Harry A. Silsbee, of Lansing, Mich.; Benjamin Bulmer, of Chester, N. Y.; Clayton F. Jennings, of Lansing, Mich.; Charles W. Kehl, of New Orleans, La.; Joel Reaves Wells, of Orlando, Fla.; Raymond D. Knight, of Jacksonville, Fla.; Samuel Jesse Buzzell, of New York City; Albert L. Wardlaw, of Columbia, S. C.; Frank E. Trobaugh, of West Frankfort, Ill.; Samuel A. Montgomery, of Media, Pa.; Thomas C. Egan, of Philadelphia, Pa.; Jerome E. Wideman, of West Palm Beach, Fla.; J. Field Wardlaw, of West Palm Beach, Fla.; James C. Crumlish, of Philadelphia, Pa.; David F. Maxwell, of Philadelphia, Pa.; Rudolph M. Hirschwald, of Philadelphia, Pa.; David D. Goff, of Philadelphia, Pa.; David Kimmel, of Paterson, N. J.; Sam Men-

delsohn, of Paterson, N. J.; Michael Levin, of Milwaukee, Wis.; Wesley H. Bengel, of Newport, Ark.; Wm. H. Rogers, of Jacksonville, Fla.; Bertrand H. Smyers, jr., of Pittsburgh, Pa.; Charles A. Wilson, of Superior, Wis.; John H. Sweberg, of Rhineland, Wis.; J. T. McGill, of Bentonville, Ark.; Harry C. Shull, of Sioux City, Iowa; Thos. J. Guthrie, of Des Moines, Iowa; Lawrence S. Camp, of Fairburn, Ga.; Lewis M. Poe, jr., of Tulsa, Okla.; Allen Wood Rigsby, of Oklahoma City, Okla.; Nadia Williams, of Los Angeles, Calif.; William T. Pridmore, of Chicago, Ill.; Delbert J. White, of Chicago, Ill.; Samuel E. Kresch, of Bayonne, N. J.; Donald C. McCarthy, of Hartford, Conn.; Benjamin Miller, of New York City; Thomas L. Marcaccio, of Providence, R. I.; David L. Morse, of Blue Earth, Minn.; C. Edmund Worth, of Tampa, Fla.; Robert A. Henderson, jr., of Fort Myers, Fla.; Alfred L. McCarthy, of Miami, Fla.; Lewis Twyman, of Miami, Fla.; Herbert C. Hirschboeck, of Milwaukee, Wis.; Leland Hyzer, of Miami, Fla.; Max Raskin, of Milwaukee, Wis.; Frank C. Haymond, of Fairmont, W. Va.; David E. Bane, of Uniontown, Pa.; Arthur J. Kause, of Dayton, Ohio; Hamilton Murray, of San Francisco, Calif.; Frank M. Drake, of Louisville, Ky.; Charles H. Eyster, of Decatur, Ala.; and Robert E. Cowden, of Dayton, Ohio, were admitted to practice.

No. 1. The Texas and Pacific Railway Company et al., appellants, *v.* The United States of America et al. Reargument concluded by Mr. Charles M. Spence for the appellants, The Texas and Pacific Railway Company et al., and case submitted by Mr. A. L. Burford and Mr. R. E. Milling, jr., for appellants, Louisiana and Arkansas Railway Company et al., and by Mr. Edward R. Schowalter for appellant, Louisiana Public Service Commission.

No. 424. Walker Wood, Secretary of State of the State of Mississippi et al., appellants, *v.* Stewart C. Broom. Argument commenced by Mr. J. A. Lauderdale for the appellants, continued by Mr. Hugh V. Wall and Mr. Cleon K. Calvert for the appellee, and concluded by Mr. William H. Watkins for the appellants.

No. 3. American Surety Company of New York, petitioner, *v.* Vivian F. Baldwin and E. R. Baldwin; and

No. 21. Vivian F. Baldwin and E. R. Baldwin, petitioners, *v.* American Surety Company of New York. Argument commenced by Mr. William Marshall Bullitt for the American Surety Company of New York.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 14, will be as follows: Nos. 3 (and 21), 4, 5, 6 (and 7), 9, 10, 13, 14, 15, and 16.

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.

Gus O. Nations, of St. Louis, Mo.; Margaret Mary Pierce, of Chicago, Ill.; Frank H. Mancill, of Philadelphia, Pa.; Percival H. Granger, of Philadelphia, Pa.; J. C. Hannum, of Cleveland, Ohio; Max M. Braun, of Detroit, Mich.; Anne M. Evans, of St. Louis, Mo.; Ernest Everett Goodrich, of Randolph, Vt.; John U. Loomis, of Cheyenne, Wyo.; Arthur T. Vanderbilt, of Newark, N. J.; John T. Dwyer, of Norwalk, Conn.; Cyrus W. Lunn, of Union City, N. J.; Wm. DeLorenzo, of Hackensack, N. J.; Harry Truax, of Freehold, N. J.; Leighton P. Stradley, of Philadelphia, Pa.; James F. Armstrong, of Providence, R. I.; Charles H. Stewart, of Newark, N. J.; I. Leonard Aronson, of Pittsburgh, Pa.; Harry M. Aronson, of Pittsburgh, Pa.; Harvey Morton Aronson, of Pittsburgh, Pa.; George J. Campbell, of Pittsburgh, Pa.; Schofield Andrews, of Philadelphia, Pa.; Max J. Spann, of Pittsburgh, Pa.; Joseph H. Sundheim, of Philadelphia, Pa.; W. Norman Morris, of Philadelphia, Pa.; Ralph Wesley Wescott, of Camden, N. J.; Stewart Nase, of Lansdale, Pa.; Thos. R. Clevenger, of Camden, N. J.; Wm. Chas. Brown, of Philadelphia, Pa.; Francis Lyttleton Maguire, of Philadelphia, Pa.; Vitold E. Balukiewicz, of Philadelphia, Pa.; Martin Feldman, of Philadelphia, Pa.; Albert Smith Faught, of Philadelphia, Pa.; Hildah Alden Johnson, of Chicago, Ill.; Ada M. Chivvis, of St. Louis, Mo.; John Martin Doyle, of Philadelphia, Pa.; Geo. P. Williams, jr., of Philadelphia, Pa.; L. Leroy Deininger, of Philadelphia, Pa.; G. Herbert Jenkins, of Norristown, Pa.; George Boochever, of New York City; W. A. Lybrand, of Oklahoma City, Okla.; Irving Schwed, of Somerville, N. J.; Thomas B. K. Ringe, of Philadelphia, Pa.; John B. Gest, of Philadelphia, Pa.; Frank L. Shallow, of Philadelphia, Pa.; William Horenstein, of Philadelphia, Pa.; Leo Weinrott, of Philadelphia, Pa.; Louis E. Levinthal, of Philadelphia, Pa.; Robert M. Bernstein, of Philadelphia, Pa.; Leon H. Rose, of Camden, N. J.; Carl M. Gray, of Petersburg, Ind.; Kenneth B. Cope, of Canton, Ohio; Genevieve R. Cline, of New York City; Mary B.

Grossman, of Cleveland, Ohio; Victor C. Mieher, of Tulsa, Okla.; and Edward S. Delaplaine, of Frederick, Md., were admitted to practice.

No. 362. Wallace B. Davis et al., petitioners, *v.* The State of North Carolina. Leave granted to file reply brief of petitioners on or before Thursday next on motion of Mr. Henry B. Morrow in behalf of counsel for petitioners.

No. 3. American Surety Company of New York, petitioner, *v.* Vivian F. Baldwin and E. R. Baldwin; and

No. 21. Vivian F. Baldwin and E. R. Baldwin, petitioners, *v.* American Surety Company of New York. Argument continued by Mr. William Marshall Bullitt for the American Surety Company of New York; by Mr. James P. Ailshie, jr., for Baldwin et al.; and concluded by Mr. Allan C. Rowe for the American Surety Company of New York.

No. 4. Seaboard Air Line Railway Company, appellant, *v.* A. W. Watson. Argued by Mr. W. J. Oven for the appellant, and case submitted by Mr. John E. Mathews for the appellee.

No. 5. The New York Central Securities Corporation, appellant, *v.* The United States of America et al. Three hours allowed for the oral argument of this case. Argument commenced by Mr. Frederick A. Henry for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 17, will be as follows: Nos. 5, 6 (and 7), 9, 10, 13, 14, 15, 16, 18, and 19.

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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.

Dean Alfange, of New York City; George E. Phillis, of Buffalo, N. Y.; Cyril D. Hill, of Seattle, Wash.; F. Bascom Smith, of Washington, D. C.; Leo Guzik, of New York City; Thomas N. Tappy, of Daytona Beach, Fla.; Ernest F. Jenkins, of Stillwater, Okla.; James T. Guy, of Milwaukee, Wis.; D. Lynch Younger, of Washington, D. C.; S. King Funkhouser, of Roanoke, Va.; Clive C. Handy, of White Plains, N. Y.; Saul Schein, of Pittsburgh, Pa.; James E. Shifflette, of Washington, D. C.; Samuel Diamond, of Philadelphia, Pa.; Alvin D. Blieden, of Chicago, Ill.; William Mitchell, of St. Paul, Minn.; and Walter L. Rice, of New York City, were admitted to practice.

The Chief Justice said:

“The 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. 627, October Term, 1931. George P. Porter, Auditor, etc., appellant, *v.* Investors Syndicate. The petition for a rehearing is granted and the cause is assigned for reargument on Monday, November 14, next after the cases heretofore assigned for that day.

No. —, original. *Ex Parte*: Charles Clay James, petitioner. A rule is ordered to issue returnable within ten days from this date requiring the respondent to show cause why leave to file the petition for a writ of mandamus should not be granted.

No. 11, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Report No. 5 of the defendant, State of Indiana, is received and ordered filed.

No. 417. Gertrude D. Reed, petitioner, *v.* Occidental Building & Loan Association et al. On petition for writ of certiorari to the Supreme Court of the State of Nebraska. 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, finds no ground upon which a writ of certiorari should

be granted. The petition for writ of certiorari is therefore also denied.

No. 326. J. H. Stephenson et al., appellants, *v.* T. Binford et al. In this case probable jurisdiction is noted. The joint motion to advance is granted and the case is assigned for argument on Monday, November 14, next after the cases heretofore assigned for that day.

No. 378. Jimmie Burns, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted and the case assigned for argument on Monday, November 14, next after the cases heretofore assigned for that day.

No. 308. The United States, petitioner, *v.* Memphis Cotton Oil Company. Petition for writ of certiorari to the Court of Claims granted and the case assigned for argument immediately following No. 234.

No. 202. Third National Bank and Trust Company of Springfield et al., executors, petitioners, *v.* Thomas W. White, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 215. E. G. Palmer, petitioner, *v.* Mrs. Agnes B. McGraw Bender, Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 227. Richard Reid Rogers, petitioner, *v.* Guaranty Trust Company of New York et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 228. George A. Ohl & Company, petitioner, *v.* The A. L. Smith Iron Works; and

No. 229. George A. Ohl & Company, petitioner, *v.* The A. L. Smith Iron Works. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 272. Norwegian Nitrogen Products Company, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals granted.

No. 278. Fort Smith Suburban Railway Company et al., petitioners, *v.* The Kansas City Southern Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Arkansas granted.

No. 283. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Murry Guggenheim. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 286. The New York Central Railroad Company, as Owner, etc., petitioner, *v.* Tug "Talisman" et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 304. The People of the State of New York, petitioner, *v.* Irving Trust Company, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 316. The United States of America, petitioner, *v.* Dubilier Condenser Corporation;

No. 317. The United States of America, petitioner, *v.* Dubilier Condenser Corporation; and

No. 318. The United States of America, petitioner, *v.* Dubilier Condenser Corporation. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 335. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* The United States of America ex rel. Chestatee Pyrites & Chemical Corporation. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 319. The United States, petitioner, *v.* Acme Operating Corporation et al. Petition for writ of certiorari to the Court of Claims granted.

No. 346. Union Bank & Trust Company, petitioner, *v.* R. C. Phelps, Individually, etc. Petition for writ of certiorari to the Supreme Court of the State of Alabama granted.

No. 359. Mary Rocco, as Executrix, etc., petitioner, *v.* Lehigh Valley Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of New York granted.

No. 379. The Pennsylvania Railroad Company, petitioner, *v.* Margaret V. Chamberlain, as Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 236. Romeo D. Wilson and M. N. Floyd, 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. *Husty v. United States*, 282 U. S. 694, 702; *David v. United States*, 283 U. S. 859.

No. 203. The Philip Carey Manufacturing Company, petitioner, *v.* Charles M. Dean, Former United States Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 204. Leroy V. Scheurholz, petitioner, *v.* L. G. Roach, Trading and Doing Business under and in the name of the Coca Cola Bottling Works. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 205. Lionel J. Ansardi, 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. 206. Fred Thorm and Lewis Friedman, 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. 207. Valentine N. Maginnis et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 208. Yasuji Fujita, Alias Yota Shima, alias Mogan Y. Fijuta, petitioner, *v.* John D. Nagle, Commissioner of Immigration, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 210. La Salle Cement Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue; and

No. 211. Alpha Portland Cement Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 212. The United States of America, petitioner, *v.* Zack T. Miller et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 213. The United States of America, petitioner, *v.* George W. Miller et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 214. The United States of America, petitioner, *v.* George W. Miller, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 216. Rust Engineering Company, petitioner, *v.* The Chapman-Stein Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 219. Judah Lehman, petitioner, *v.* Galen L. Tait, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 221. Christian P. Jensen et al., petitioners, *v.* New York Life Insurance Company;

No. 222. Christian P. Jensen, petitioner, *v.* New York Life Insurance Company; and

No. 223. Antomine Christensen, petitioner, *v.* New York Life Insurance Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 224. Lehigh Structural Steel Company, petitioner, *v.* The Rust Engineering Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 225. State of Ohio, on relation of William H. Millikan, petitioner, *v.* Thomas C. Cook, Clerk of the Court of Common Pleas of Cuyahoga County, Ohio. Petition for writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 226. Wabash Railway Company, petitioner, *v.* Georgie Jarrett, Individually, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 230. Robert I. Flynn, 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. 232. Arthur F. McCormick et al., petitioners, *v.* East Coast Enterprises, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 233. Agnes Gliwa, Katie Gliwa, et al., petitioners, *v.* United States Steel Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 235. Charles D. Kenney, Trading as the "Washington Electric Co., etc., petitioner, *v.* North Capitol Savings Bank. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 237. Wilson Jenkins and Mary M. Thompson, 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. 240. Erie Railroad Company, petitioner, *v.* Jeremiah P. Healy, as Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 241. Harry Blandamer, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 261. S. Leon & Co., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 262. Fox River Butter Company, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 242. Edward F. Webster, 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. 244. Walter S. Franklin et al., petitioners, *v.* J. V. DeLaney. Petition for writ of certiorari to the Appellate Court of the State of Illinois, First District, denied.

No. 245. The Procter & Gamble Manufacturing Co., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 246. James Orabona, petitioner, *v.* William M. Clark, United State Immigration Inspector. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 247. William L. Hughson, 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. 248. Tony LaFatcha, Liboria Percocco, et al., petitioners, *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. 249. The Royal Mail Steam Packet Company, petitioner, *v.* Franklin Fire Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 250. C. K. Logan, 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. 251. C. H. Smith, petitioner, *v.* The United States of America; and

No. 252. C. H. Smith, 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. 255. John R. Ihrie, petitioner, *v.* Luther Reichelderfer, J. C. Gotwals, et al., etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 256. Walter Winne and William J. Casey, Receivers, etc., petitioners, *v.* Charles Silberberg. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 257. R. L. Heflin, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 258. Gilbert S. Johnson, 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. 263. Loiza Sugar Company, petitioner, *v.* The People of Porto Rico. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 265. Joseph Warner, petitioner, *v.* Tennessee Products Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 267. Thomas H. Tracy, petitioner, *v.* Commissioner of Internal Revenue; and

No. 268. The Huron Building Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 269. Emil J. Simon, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 270. National Shirt Shops, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 271. State of Missouri *ex rel.* Louisville and Nashville Railroad Company, petitioner, *v.* Moses Hartman, Judge of the Circuit Court of the City of St. Louis, Mo. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 273. Alton L. Jordan, 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. 274. The Louisville & Nashville Railroad Company, petitioner, *v.* Eleanor Reverman, Administratrix, etc. Petition for writ of certiorari to the Court of Appeals of the State Kentucky denied.

No. 275. Detroit Fidelity and Surety 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. 276. E. W. Bliss Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 277. Central Florida Lumber Company, petitioner, *v.* R. A. Gray, as Secretary of State of the State of Florida. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 279. Parks & Woolson Machine Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 280. Missouri Pacific Railroad Company, petitioner, *v.* Jules Remel. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 281. Jim Ellis, 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. 284. R. L. Fooshee, J. C. Fooshee, et al., petitioners, *v.* Ruby S. Snively. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 287. Robert B. Dresser and Sinclair Richardson, Administrators, etc., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 288. Southern Railway Company, petitioner, *v.* Lucy Wilkins, Administratrix, etc. Petition for writ of certiorari to the Appellate Court of the State of Indiana denied.

No. 289. Carl Moring, 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. 290. Healdton Oil & Gas Company, petitioner, *v.* Acel C. Alexander, Collector, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 292. Wallace L. Redwine, petitioner, *v.* Clarence E. Knox and Lewis Stanley Wetmore. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 296. Benjamin Carroll Taber, petitioner, *v.* The United States of America; and

No. 297. Edward Carroll Taber, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 298. First National Bank in Wichita, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 300. Anthony J. Marinovich, 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. 302. Lewis Luster and J. W. Brownlow, Executors, etc., petitioners, *v.* Adolph L. Martin and David S. Runnels. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 303. B. F. Gradwohl, petitioner, *v.* Levi M. Willcuts, Collector of Internal Revenue, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 306. Frank J. Foran, petitioner, *v.* John P. McLaughlin, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 309. Twin Falls Canal Company, petitioner, *v.* American Falls Reservoir District No. 2, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 310. Mobile & Ohio Railroad Company, petitioner, *v.* Tennie Brock, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 311. Myrtle E. Leiby, as Administratrix, etc., petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 312. Constance Ryan Donnelly, petitioner, *v.* Northwestern Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 313. Missouri Pacific Railroad Company, petitioner, *v.* Whelen Springs Gravel Company et al. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 320. Fidelity and Deposit Company of Maryland, petitioner, *v.* The United States of America; and

No. 321. Fidelity and Deposit Company of Maryland, petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied.

No. 323. Frank L. Speakman, Trustee, etc., petitioner, *v.* Fannie Bernstein et al., Executors, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 325. Clarion River Power Co., petitioner, *v.* George Otis Smith et al., etc. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 327. The Chicago, Rock Island and Pacific Railway Company, petitioner, *v.* John O. Matthews. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 328. Boyd Hammond, petitioner, *v.* A. C. Sittel, United States Marshal, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 334. William Ainslie Colston, 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. 336. Rebecca Silverman, 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. 337. Alexander Hursh, Lucile M. Head, et al., petitioners, *v.* Honorable John M. Killits, United States District Judge, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 339. Chicago Great Western Railroad Company, petitioner, *v.* Public Service Commission of the State of Missouri et al., etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 340. Estelle Keusch, Albert Falck, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 342. Rieker Brewing Company, Claimant, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 343. James E. Bistor et al., petitioners, *v.* Joseph B. McDonough, County Treasurer, etc. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 345. Irving Berlin, 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. 352. Fruit Growers Express Company, petitioner, *v.* Plate Ice Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 355. Radio Corporation of America, petitioner, *v.* Hazeltine Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 370. United Fruit Company, petitioner, *v.* Joseph Gerradiu. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 307. Mt. Vernon, Alexandria & Washington Railway Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 324. D. Arkalian, 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. 329. Clinton Heskett and Peter J. Pirotte, 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. 333. The Chickasaw Nation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 341. H. Leslie Parker, petitioner, *v.* Harry F. Sinclair. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 344. Howard Sheep Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 347. Kansas City Bridge Company, petitioner, *v.* Alabama State Bridge Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 348. B. F. Kelly, jr., petitioner, *v.* The Texas & Pacific Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Texas denied.

No. 350. Continental Leather Company, petitioner, *v.* Lamport & Holt, Ltd. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 354. Anna H. Rosenberg, 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. 358. Phoenix Insurance Company of Hartford et al., petitioners, *v.* The New York & Harlem Railroad Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 361. Wallace B. Davis, petitioner, *v.* The State of North Carolina. Petition for writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 365. Estate of Angus Park, William G. Park, Executor, 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. 366. The Island Petroleum Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 367. Dallas W. Dietrich, Doing business under the firm name and style of Atlantic Seaboard Flour Mills, petitioner, *v.* United States Shipping Board Merchant Fleet Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 368. The Chesapeake and Ohio Railway Company, petitioner, *v.* Emma Wood, Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 369. William J. Cotton, Trustee in Bankruptcy of Agra B. McKinley, Bankrupt, petitioner, *v.* Sallie M. Bennett. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 373. Atlantic Life Insurance Company, petitioner, *v.* Blanche Rhyne Pharr. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 376. Edward D. Untermyer, 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. 380. The Pennsylvania Railroad Company, petitioner, *v.* Alpine Forwarding Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 381. W. H. Wyer, petitioner, *v.* United States Fidelity and Guaranty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 384. Isaac E. Simons et al., Executors, petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 389. The Huntington National Bank of Columbus et al., petitioners, *v.* Karl H. Hoenig, as County Treasurer of Franklin County, Ohio. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

The Chief Justice announced the following order:

ORDER

The Court will take a recess from Monday, October 24, until Monday, November 7, next.

No. 453. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al. Leave granted to file statement as to jurisdiction, and the case consolidated for hearing with No. 11 on motion of Mr. John W. Ray in behalf of counsel for appellants. Joint motion to advance granted and the cause assigned for argument on Monday, November 14, next after the cases heretofore assigned for that day.

No. —, original. State of Wisconsin, complainant *v.* State of Michigan. Motion for leave to file bill of complaint submitted by Mr. J. E. Messerschmidt for the complainant.

No. —, Original. *Ex Parte*: International Safety Razor Corporation et al., petitioners. Motion for leave to file petition for writ of prohibition or mandamus submitted by Mr. Martin A. Schenk for the petitioners.

No. 5. The New York Central Securities Corporation, appellant, *v.* The United States of America et al. Argument continued by Mr. Daniel W. Knowlton, for the appellees, United States and Interstate Commerce Commission; by Mr. Jacob Aaronson for the appellees, New York Central Railroad Company et al.; and concluded by Mr. Frederick A. Henry for the appellant.

No. 6. H. L. Mosher, petitioner, *v.* City of Phoenix; and

No. 7. H. L. Mosher, petitioner, *v.* City of Phoenix. Argued by Mr. John W. Ray for the petitioner. No brief filed for respondent.

No. 9. Luther H. Reichelderfer et al., etc., petitioners, *v.* Henry I. Quinn et al. Argued by Mr. Robert E. Lynch for the petitioners, and by Mr. George E. Sullivan for the respondents.

No. 10. United States of America, *ex rel.* Leo Stapf, petitioner, *v.* Edward Corsi, Commissioner of Immigration at the Port of New York. Argued by Mr. Assistant Attorney General Rugg for the respondent and case submitted by Mr. Leo Stapf, *pro se*.

No. 13. Louisville & Nashville Railroad Company, petitioner, *v.* Roxie Parker, as Administratrix, etc. Argument commenced by Mr. Charles H. Eyster for the petitioner. Argument suspended.

No. 15. Interstate Commerce Commission, petitioner, *v.* New York, New Haven & Hartford Railroad Company et al. Argument commenced by Mr. Thomas M. Ross for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 18, will be as follows: Nos. 15, 13, 14, 16, 18, 19, 20, 22, 24, and 25.

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.

Jacob Stewart Seidman, of New York City; Henry W. Toll, of Denver, Colo.; George C. Levin, of New York City; and M. H. Goldsmith, of Austin, Tex., were admitted to practice.

No. 424. Walker Wood, Secretary of State of the State of Mississippi, et al., appellants, *v.* Stewart C. Broom. Appeal from the District Court of the United States for the Southern District of Mississippi. Decree reversed with costs and the cause remanded to the said District Court with directions to dismiss the bill of complaint. Mandate ordered to issue forthwith. Opinion by Mr. Chief Justice Hughes. Mr. Justice Brandeis, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo are of opinion that the decree should be reversed and the bill dismissed for want of equity.

No. 15. Interstate Commerce Commission, petitioner, *v.* The New York, New Haven & Hartford Railroad Company et al. Argument continued by Mr. Thomas M. Ross for the petitioner, by Mr. John L. Hall and Mr. Charles O. Pengra for the respondents, and concluded by Mr. Thomas M. Ross for the petitioner.

No. 13. Louisville & Nashville Railroad Company, petitioner, *v.* Roxie Parker, as Administratrix, etc. Argument continued by Mr. Charles H. Eyster for the petitioner. The Court declined to hear further argument.

No. 14. Morris Schoenthal and Fannie R. Schoenthal, petitioners, *v.* Irving Trust Company, as Trustee, etc. Argued by Mr. Leo Guzik for the petitioners, and by Mr. George C. Levin for the respondent.

No. 16. Asbury Truck Company, appellant, *v.* Railroad Commission of the State of California. Argument commenced by Mr. Warren E. Libby for the appellant. The Court declined to hear further argument.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 19, will be as follows: Nos. 18, 19, 20, 22, 24, 25, 26, 27 (28, 29, and 30), 36, and 39.

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.

George E. Mueller, of Chicago, Ill.; M. C. Countryman, jr., of St. Paul, Minn.; John F. Moore, of Washington, D. C.; James H. Herbert, of New York City; Arthur M. Geary, of Portland, Oreg.; and Richard L. Sullivan, of New York City, were admitted to practice.

No. 18. Norfolk & Western Railway Company, appellant, *v.* The United States of America et al. Argument commenced by Mr. D. Lynch Younger for the appellant, continued by Mr. Assistant to the Attorney General O'Brian for the appellees, and concluded by Mr. F. Markoe Rivinus for the appellant.

No. 19. The United States of America, appellant, *v.* Shreveport Grain & Elevator Company. Argued by Mr. Solicitor General Thacher for the appellant, and by Mr. Yandell Boatner for the appellee.

No. 20. Earle & Stoddart, Inc., et al., etc., petitioners, *v.* Ellerman's Wilson Line, Ltd., etc. Argument commenced by Mr. T. Catesby Jones for the petitioners, and continued by Mr. Cletus Keating for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 20, will be as follows: Nos. 20, 22, 24, 25, 26, 27 (28, 29, and 30), 36, 39, 42, and 48.

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 Gerdes, of New York City; Kenneth S. Neal, of New York City; Del W. Harrington, of El Paso, Tex.; Francis M. Burke, of Frankfort, Ky.; Edmund P. Wood, of Cincinnati, Ohio; and S. H. Brown, of Frankfort, Ky., were admitted to practice.

No. 20. Earle & Stoddard, Inc., et al., etc., petitioners, *v.* Ellerman's Wilson Line, Ltd., etc. Argument concluded by Mr. T. Catesby Jones for the petitioners.

No. 22. Washington Fidelity National Insurance Company, petitioner, *v.* Winnie Burton. Argued by Mr. Gilbert L. Hall for the petitioner, and by Mr. W. Gwynn Gardiner for the respondent.

No. 24. Gulf States Steel Company et al., petitioners, *v.* The United States of America. Argued by Mr. John W. Drye, jr., for the petitioners, and by Mr. Whitney North Seymour for the respondent.

No. 25. The New York Central Railroad Company, petitioner, *v.* Gladys Rose Farmer, as Administratrix, etc. Argued by Mr. Clive C. Handy for the petitioner, and by Mr. Henry S. Miller for the respondent.

No. 26. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Henry Harmel. Argument commenced by Mr. Solicitor General Thacher for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 21 will be as follows: Nos. 26, 27 (28, 29, and 30), 36, 39, 42, and 48.

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.

Harry Kasfir, of Cincinnati, Ohio; Eugene Quay, of Chicago, Ill.; Leslie W. Morris, of Frankfort, Ky.; Ralph E. Svoboda, of Omaha, Nebr.; Leonard J. Ganse, of Washington, D. C.; Andrew J. Vlachos, of Chicago, Ill.; Charles A. Bellows, of Chicago, Ill.; John J. Priestley, of Chicago, Ill.; Richard H. Hildebrant, of Wilmington, Ohio; and Lambert E. Gwinn, of Memphis, Tenn., were admitted to practice.

No. 362. Wallace B. Davis et al., petitioners, *v.* The State of North Carolina. Motion to defer consideration of petition for writ of certiorari submitted by Mr. Lambert E. Gwinn for the petitioners.

No. 26. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Henry Harmel. Argument continued by Mr. Solicitor General Thacher for the petitioner; by Mr. Robert Ash and Mr. A. H. Britain for the respondent; and concluded by Mr. Solicitor General Thacher for the petitioner.

No. 27. The Stewart Dry Goods Company, appellant, *v.* John B. Lewis et al.;

No. 28. Fred Levy et al., appellants, *v.* John B. Lewis et al.;

No. 29. J. C. Penney Company, appellant, *v.* John B. Lewis et al.; and

No. 30. Kroger Grocery & Baking Company, appellant, *v.* John B. Lewis et al. Argued by Mr. Robert S. Marx for the appellants and by Mr. S. H. Brown for the respondents.

No. 36. Girard Life Insurance Company, appellant, *v.* The Commonwealth of Pennsylvania. Argued by Mr. Ira Jewell Williams, jr., for the appellant. The court declined to hear further argument.

No. 39. Brooklyn Eastern District Terminal, petitioner, *v.* The United States of America. Argued by Mr. Leonard J. Matteson for the petitioner and by Mr. Solicitor General Thacher for the respondent.

Adjourned until Monday, October 24 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

George D. Wick, of Pittsburgh, Pa.; Charles H. Stoddard, of New York City; Maurice L. Praissman, of Camden, N. J.; William E. Anderson, of Chicago, Ill.; Albert V. Bryan, of Alexandria, Va.; Michel Provosty, of New Orleans, La.; and Hugh Webster, of Tulsa, Okla., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 13. Louisville & Nashville Railroad Company, petitioner, *v.* Roxie Parker, as Administratrix of the Estate of Samuel D. Parker, deceased. On writ of certiorari to the Supreme Court of the State of Alabama. *Per curiam*: The writ of certiorari herein is dismissed, upon the ground that the judgment sought here to be reviewed is joint and the record fails to disclose summons and severance. *Hartford Accident and Indemnity Co. v. Bunn*, 285 U. S. 169; *Capital National Bank v. Board of Supervisors*, 286 U. S. 550; *Fidelity Union Casualty Co. v. Hanson*, 287 U. S. —.

No. 16. Asbury Truck Company, appellant, *v.* Railroad Commission of the State of California. Appeal from the District Court of the United States for the Southern District of California. *Per curiam*: Decree affirmed. *Castillo v. McConnico*, 168 U. S. 674, 683; *McDonald v. Oregon Navigation Co.*, 233 U. S. 665, 669, 670; *Iowa Central Ry. Co. v. Iowa*, 160 U. S. 389, 392, 393; *Hebert v. Louisiana*, 272 U. S. 312, 316, 317; *Kansas City Public Service Co. v. Ranson*, 285 U. S. 528.

No. 25. The New York Central Railroad Company, petitioner, *v.* Gladys Rose Farmer, as Administratrix of the Goods, Chattels, and Credits of John Austin Farmer, deceased. On writ of certiorari to the Supreme Court of the State of New York. *Per curiam*: Judgment reversed. *Southern Ry. Co. v. Moore*, 284 U. S. 581; *Atchison, Topeka & Santa Fe Ry. Co. v. Saxon*, 284 U. S. 458; *Atchison, Topeka & Santa Fe Ry. Co. v. Toops*, 281 U. S. 351; *New York Central R. R. Co. v. Ambrose*, 280 U. S. 486. Mr. Justice Cardozo took no part in the consideration and decision of this case.

No. 27. The Stewart Dry Goods Co., appellant, *v.* John B. Lewis, Selden R. Glenn, et al.;

No. 28. Fred Levy et al., appellants, *v.* John B. Lewis, Selden R. Glenn, et al.;

No. 29. J. C. Penney Co., appellant, *v.* John B. Lewis, Selden R. Glenn, et al. Appeals from the District Court of the United States for the Western District of Kentucky; and

No. 30. Kroger Grocery & Baking Co., appellant, *v.* John B. Lewis, Selden R. Glenn, et al. Appeal from the District Court of the United States for the Eastern District of Kentucky. *Per curiam:* After interlocutory injunction had been granted, these cases went, respectively, to final hearing upon motions to dismiss the bills of complaint, and these were dismissed solely upon the ground that plaintiffs had an adequate remedy at law. The Court is of the opinion that the decision can not be sustained merely upon the face of the statute invoked (Kentucky acts of 1930, chap. 149, sec. 10) in view of the allegations of the bills of complaint that the only remedy provided is to obtain warrants upon the general fund of the State in the hands of the State treasurer to be paid if and when funds are available for the payment of such warrants in the usual and orderly course; that there are now outstanding many such warrants drawn by the auditor of public accounts upon the general fund in the hands of the State treasurer which have been outstanding since June, 1927, and can not be collected by the owners or holders for lack of funds in the treasury; and that there were at the time of the beginning of these suits outstanding warrants aggregating \$9,880,502.76 drawn by the auditor of public accounts upon the State treasurer, presented for payment but not paid for lack of funds. (See *State Budget Commission v. Lebus*, 244 Ky. 700, 703, 714, as to warrants outstanding.) Defendants' answers denied the above-mentioned allegations, but it does not appear that there has been a hearing upon evidence of the issue tendered and no findings of fact upon the subject have been made by the courts below.

The decrees are reversed and the causes remanded to the District Courts of three judges for final hearing upon the merits, without prejudice to a determination upon evidence with respect to the questions of the status of outstanding warrants upon the general fund in the State treasury, and whether warrants of the sort contemplated by section 10 of the act in question are accorded preference in payment over other warrants and the basis, if any, for the assurance that such preference will be continued, so that in the event of actions by the plaintiffs at law under section 10 they would be afforded a certain, reasonably prompt, and efficacious remedy. *Davis v. Wakelee*, 156 U. S. 680, 688; *Atlantic Coast Line Railroad Company v. Daughton*, 262 U. S. 413, 426.

No. 36. Girard Life Insurance Company, appellant, *v.* The Commonwealth of Pennsylvania. Appeal from the Supreme Court of the State of Pennsylvania. *Per curiam*: Judgment affirmed. Louisville Gas Co. *v.* Coleman, 277 U. S. 32, 37, 40; Bell's Gap R. R. Co. *v.* Pennsylvania, 134 U. S. 232, 237; Ohio Oil Co. *v.* Conway, 281 U. S. 146, 159; State Board of Tax Commissioners *v.* Jackson, 283 U. S. 527, 537, 538.

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. —. 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 been received and filed in this Court; and a rule having been ordered to issue May 23, 1932, directing the said Baff to show cause, on or before Monday, October 3, 1932, 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; and question having arisen as to the service of the said rule,

It is now ordered that a copy of the said report and recommendation of the said Committee be served 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, December 5, 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. —, original. The State of Wisconsin, complainant, *v.* The State of Michigan. The motion for leave to file the bill of complaint is granted and process is ordered to issue returnable within sixty days from this date.

No. —, original. *Ex Parte*: International Safety Razor Corporation et al., petitioners. The motion for leave to file petition for writ of prohibition or mandamus is denied. The Chief Justice and Mr. Justice Roberts took no part in the consideration and decision of this application.

No. 362. Wallace B. Davis, Luke Lea, and Luke Lea, jr., petitioners, *v.* The State of North Carolina. The motion to defer consideration of the petition for writ of certiorari and to consolidate with a petition to be filed hereafter is denied.

No. 330. Peter L. McDonnell, petitioner, *v.* The United States; and

No. 331. Dominic A. Truda, petitioner, *v.* The United States. Petitions for writs of certiorari to the Court of Claims granted limited to the question of the validity of the waiver under Section 278(e) of the Revenue Act of 1924.

No. 364. St. Louis Southwestern Railway Company, petitioner, *v.* Missouri Pacific Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Arkansas granted.

No. 374. The People of the State of New York, petitioner, *v.* Mark M. Maclay and Charles E. McWilliams, Receivers, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 388. Letcher Spicer, by Sam Spicer, Guardian and Committee, petitioner, *v.* J. Bryan Smith, Special Deputy Banking Commissioner, etc. Petition for writ of certiorari to the Court of Appeals of the State of Kentucky granted.

No. 393. Federal Trade Commission, petitioner, *v.* Royal Milling Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 396. Dubilier Condenser Corporation et al., petitioners, *v.* Radio Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied because of failure to file the petition within the time prescribed by the statute.

No. 332. Peter L. McDonnell and Dominic A. Truda, former partners of the partnership of McDonnell & Truda, petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. **338.** Glenn H. Curtiss, C. Horace Connor, Chester W. Cuthell et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. **362.** Wallace B. Davis, Luke Lea, and Luke Lea, jr., petitioners, *v.* The State of North Carolina. Petition for writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. **372.** Hugo L. Goetz, 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. **383.** A/S Ivarans Rederi, etc., et al., petitioners, *v.* William Wrigley, jr., & Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. **385.** Frischer & Company, Inc., et al., petitioners, *v.* Philip Elting. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. **392.** Patrick McGovern, 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. **397.** Dubilier Condenser Corporation and Francis W. Dunmore, petitioners, *v.* Radio Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. **398.** The Reeves Brothers Company, petitioner, *v.* Carl Routzahn, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. **399.** David B. Gann, 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. **408.** Kelly-Springfield Tire Company, petitioner, *v.* Overman Cushion Tire Company, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. **199.** Sam Hawks, J. F. McKeal, and Lew Went, etc., et al., appellants, *v.* Charles H. Hamill and Willoughby G. Walling. Appeal from the United States Circuit Court of Appeals for the Tenth Circuit. Dismissed with costs on motion of counsel for appellants.

Adjourned until Monday, November 7th next, at 12 o'clock.

The day call for Monday, November 7, will be as follows: Nos. **19**, original, **218, 314, 220, 177, 12, 23, 31, 32**, and **33**.

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. Fryer, of San Francisco, Calif.; Saul Wilchins, of New York City; Murry A. Weekley, of Washington, D. C.; Norma Hardy Britton, of Washington, D. C.; Philip Chipman, of Portland, Oreg.; William A. Moore, of Trenton, N. J.; Robert L. Ward, of Caruthersville, Mo.; William A. Zalesak, of Washington, D. C.; Lynn M. Laney, of Phoenix, Ariz.; Paul Y. Davis, of Indianapolis, Ind.; John Y. Jordan, jr., of Asheville, N. C.; and Connor Hall, of Huntington, W. Va., were admitted to practice.

No. 96. The United States of America, petitioner, *v.* Great Northern Railway Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice Cardozo.

No. 43. William Grau, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment reversed and cause remanded to the District Court of the United States for the Eastern District of Kentucky for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts. Mr. Justice Stone and Mr. Justice Cardozo are of opinion that the judgment should be affirmed.

No. 10. United States of America *ex rel.* Leo Stapf, petitioner, *v.* Edward Corsi, Commissioner of Immigration at the Port of New York. 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 Roberts.

No. 18. Norfolk & Western Railway Company, appellant, *v.* The United States of America and Interstate Commerce Commission. Appeal from the District Court of the United States for the Western District of Virginia. Decree affirmed. Opinion by Mr. Justice Roberts. Mr. Justice Butler took no part in the consideration or decision of this case.

No. 26. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Henry Harmel. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment 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 Stone.

No. 97. Jack Gebardi and Louise Rolfe Gebardi, petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment reversed and cause remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone. Mr. Justice Cardozo concurs in the result.

No. 4. Seaboard Air Line Railway Company, appellant, *v.* A. W. Watson. Appeal from the Supreme Court of the State of Florida. Appeal dismissed with costs. Opinion by Mr. Justice Butler. Mr. Justice Brandeis took no part in the consideration or decision of this case.

No. 14. Morris Schoenthal and Fannie R. Schoenthal, petitioners, *v.* Irving Trust Co., as Trustee in Bankruptcy of Leonard H. Smith, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 22. Washington Fidelity National Insurance Company, petitioner, *v.* Winnie Burton. 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 Butler. Separate opinion by Mr. Justice Stone in which Mr. Justice Brandeis concurs.

No. 98. Ozie Powell, Willie Roberson, Andy Wright, and Olen Montgomery, petitioners, *v.* State of Alabama;

No. 99. Haywood Patterson, petitioner, *v.* State of Alabama; and

No. 100. Charley Weems and Clarence Norris, petitioners, *v.* State of Alabama. On writs of certiorari to the Supreme Court of the State of Alabama. 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 Sutherland. Dissenting opinion by Mr. Justice Butler in which Mr. Justice McReynolds concurs.

No. 19. The United States of America, appellant, *v.* Shreveport Grain & Elevator Company. Appeal from the District Court of the United States for the Western District of Louisiana. 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 Sutherland. Mr. Justice Brandeis, Mr. Justice Stone, and Mr. Justice Cardozo concur in the result.

No. 24. Gulf States Steel Company and National Surety Company, petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed and cause remanded to the District Court of the United States for the Northern District of Alabama. Opinion by Mr. Justice McReynolds.

No. 5. The New York Central Securities Corporation, appellant, *v.* The United States of America, The Interstate Commerce Commission, The New York Central Railroad Company, et al. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Chief Justice Hughes.

No. 6. H. L. Mosher, petitioner, *v.* City of Phoenix; and

No. 7. H. L. Mosher, petitioner, *v.* City of Phoenix. On writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decrees reversed with costs and cases remanded to the District Court of the United States for the District of Arizona for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 452. Lawrence A. Wagner, appellant, *v.* John H. Leenhouts, etc., et al. Appeal from the Supreme Court of the State of Wisconsin. *Per curiam:* The motion of the appellee to dismiss the appeal herein is granted, and the appeal is dismissed for the reason that the judgment 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; *Arneson v. United Irrigation Co.*, 284 U. S. 592, 593; *Potter v. Maybury*, 284 U. S. 593, 594; *Ellison Ranching Co. v. Bartlett*, 284 U. S. 598.

No. 400. John P. H. Chandler, appellant, *v.* The State of Maine. Appeal from the Supreme Judicial Court of the State of Maine. *Per curiam:* The appeal herein is dismissed for the want of a substantial Federal question. *Storaasli v. Minnesota*, 283 U. S. 57, 62, 63, 64; *Sprouls v. Binford*, 286 U. S. 374, 396; *Hendrick v. Maryland*, 285 U. S. 610; *Wabash R. R. Co. v. Flannigan*, 192 U. S. 29, 38.

No. 462. Hibernia Bank & Trust Company and Canal Bank & Trust Company, appellants, *v.* Stanley L. Maxwell. Appeal from the Supreme Court of the State of Louisiana. *Per curiam*: The motion of the appellee to dismiss the appeal herein is granted, and 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 as required by section 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 by the Chief Justice and filed with the clerk and will not be announced orally.”

No. —, original. *Ex Parte*: Charles Clay James, petitioner. Upon consideration of the return of the respondent to the rule to show cause heretofore issued in this matter, it is ordered that the motion of the petitioner for leave to file a petition for a writ of mandamus to require the respondent to call to his assistance two other Federal judges, in the manner provided by section 380, title 28, U. S. Code, to hear and determine the applications for interlocutory and final injunction in a cause entitled Charles Clay James *v.* Horace Frier-son, jr., et al., be, and the same is hereby, denied, in view of the fact that it would be entirely impracticable to convene the specially constituted District Court and to procure a hearing in time to make any decree effective prior to the general election.

No. —, original. *Ex Parte*: Joseph Williams, petitioner. The motion for leave to file a petition for a writ of habeas corpus is denied without prejudice to appropriate application to the proper District Court of the United States or Judge.

No. 586, October Term, 1927. Lulu Mignon Murphy, petitioner, *v.* Eugene R. Bird, Administratrix, etc., et al. Motion for leave to file petition for a rehearing denied. Motion of petitioner in the matter of proposed disbarment is denied.

No. 356. Indian Territory Illuminating Oil Company, appellant, *v.* Board of Equalization of Tulsa County, Oklahoma; and

No. 357. Indian Territory Illuminating Oil Company, appellant, *v.* Board of County Commissioners of Payne County, Oklahoma. Appeals from the Supreme Court of the State of Oklahoma. *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); Citizens National Bank *v.* Durr, 257 U. S. 99, 106, 107; Jett Bros. Distilling Co. *v.* Carrollton, 252

U. S. 1, 4, 5, 6. Treating the papers whereon the appeals in these causes were allowed as petitions for writs of certiorari, Sec. 237 (c), Judicial Code, as amended (43 Stat. 936, 938), consideration thereof is postponed and leave is granted to petitioners to file briefs supporting applications for certiorari within fifteen days, with ten days for opposing counsel to reply.

No. **293.** First National Bank of Shreveport, Louisiana, et al., appellants, *v.* Louisiana Tax Commission et al. Further consideration of the question of the jurisdiction of this Court and of the motion to dismiss is postponed to the hearing of the case on the merits.

No. **395.** C. A. Bradley, Doing Business as Wolverine Motor Freight Lines, appellant, *v.* The Public Utilities Commission of Ohio;

No. **412.** Los Angeles Gas and Electric Corporation, appellant, *v.* Railroad Commission of the State of California et al.; and

No. **453.** R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al. In these cases probable jurisdiction is noted.

No. **423.** Levering & Garrigues Company, et al., petitioners, *v.* Paul J. Morrin, Individually, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted limited to the question of Federal jurisdiction other than questions relating to diversity of citizenship.

No. **322.** The Massachusetts Mutual Life Insurance Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. **407.** George B. Munroe, Receiver, petitioner, *v.* Louis Raphael. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. **254.** Martin Hotel Company, M. & M. Hotel 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 Eighth Circuit denied.

No. **351.** The Denver Rock Drill Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. **386.** George F. Hanrahan, as Trustee in Bankruptcy of Julius H. Reiter, Bankrupt, petitioner, *v.* Julius H. Reiter. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. **394.** Mary C. Young and Mary Young Moore, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari

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

No. 403. Henry R. Adams and E. C. Mullendore, etc., petitioners, *v.* The United States of America et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 404. Henry R. Adams and E. C. Mullendore, petitioners, *v.* Osage Tribe of Indians et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 405. E. C. Mullendore, Beatrice Whitewing, et al., petitioners, *v.* Osage Tribe of Indians et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 406. Charles F. Yarbrough, E. C. Mullendore, et al., petitioners, *v.* Osage Tribe of Indians et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 259. Maryland Casualty Company, petitioner, *v.* County Court of Morgan County et al.; and

No. 409. County Court of Morgan County, petitioner, *v.* Maryland Casualty Company et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 410. United States Steel Products Company, et al., petitioners, *v.* Navigazione Libera Triestina Societa Anonima et al., and

No. 411. American Printing Ink Co., et al., petitioner, *v.* Navigazione Libera Triestina Societa Anonima, et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 420. Clara Sielcken-Schwarz, petitioner, *v.* American Factors, Limited; and

No. 421. Beta Isenberg, petitioner, *v.* American Factors, Limited. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 422. Insurance Building Corporation, petitioner, *v.* Luckenbach Steamship Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 425. Frank N. Kaiser and Thomas W. McCormick, 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. 353. James F. Lane, petitioner, *v.* Paul W. Voorhies, Attorney General of the State of Michigan. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 382. James Telfer, petitioner, *v.* Aaron Boulton. Petition for writ of certiorari to the Supreme Court of the State of Idaho denied.

No. 413. Frank Burkis and Peter Starr, petitioners, *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. 416. John Gray, petitioner, *v.* G. H. Hecke, W. C. Jacobson, et al. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 418. School District No. 22, Osage County, Oklahoma, et al., petitioners, *v.* Paul P. Prudden, Harry L. Hutchinson, et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 419. Shevlin Land Company and Fred Evans, petitioners, *v.* County of Becker, in the State of Minnesota. Petition for writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 427. W. L. Shore, petitioner, *v.* Shell Petroleum Corporation et al.;

No. 428. William C. Mason, petitioner, *v.* Shell Petroleum Corporation et al.;

No. 429. Winfred C. Churchill et al., petitioners, *v.* Shell Petroleum Corporation, et al.; and

No. 430. Otto B. Wenrich, et al., petitioners, *v.* Shell Petroleum Corporation. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 431. Frank Gadek, 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. 432. John Shirley Ward et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 435. John Strogan, 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. 436. John Strogan, 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. 473. Abraham & Straus, Inc., petitioner, *v.* Art Metal Works, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 40. Bernard L. Shapiro, petitioner, *v.* Horace B. Wilgus et al. Appearance of Francis Biddle withdrawn on motion of Mr. Francis Biddle in that behalf.

No. 335. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* The United States of America, *ex rel.* Chestatee Pyrites & Chemical Corporation. Motion to advance submitted by Mr. Levi Cooke in behalf of counsel for the respondent.

No. —, original. State of New Jersey, complainant, *v.* The Commonwealth of Pennsylvania. Motion for leave to file bill of complaint submitted by Mr. Duane E. Minard for the complainant.

No. 495. Ethel M. Dorrance, George Morris Dorrance, et al., etc., petitioners, *v.* The Commonwealth of Pennsylvania. Motion of the State of New Jersey for leave to intervene as a party petitioner submitted by Mr. Duane E. Minard for the State of New Jersey in support of the motion, and by Mr. William A. Schnader for the Commonwealth of Pennsylvania in opposition thereto.

No. 5, original. 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.;

No. 9, original. State of New York et al., complainants, *v.* State of Illinois et al. Return of the defendants, the Sanitary District of Chicago and the State of Illinois, to the rule to show cause presented.

No. 15, original. State of Wyoming, complainant, *v.* State of Colorado. Replication of complainant presented.

No. 426. Carl Arkwright, Robert B. Arkwright, James Arkwright et al., petitioners, *v.* C. A. Gonser, as Executor of the Estate of L. W. Hutton, deceased, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Petition dismissed for failure to comply with the rules.

No. 19, original. *Ex Parte*: The United States, petitioner. Argued on the return to the rule to show cause by Mr. Solicitor General Thacher for the petitioner, and by Mr. Francis Biddle for the respondents.

No. 218. Kroger Grocery and Baking Company *v.* Minnie J. Yount. Argued by Mr. Walter H. Saunders for Kroger Grocery and Baking Company, and by Mr. R. L. Ward for Yount.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 8, will be as follows: Nos. 314, 220, 177, 23, 31, 33, 40, 41, 42, and 48.

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.

Henry P. Connor, of Washington, D. C., was admitted to practice.

No. 432. John Shirley Ward et al., etc., petitioners, *v.* Commissioner of Internal Revenue. Order denying petition for certiorari stayed on motion of Mr. Patrick H. Loughran in behalf of counsel for petitioners.

No. 314. Fairmount Glass Works, petitioner, *v.* Cub Fork Coal Company and Paragon Colliery Company. Argued by Mr. Paul Y. Davis for the petitioner and by Mr. Connor Hall for the respondent.

No. 220. Rocco Catagrone *v.* The United States of America. Argued by Mr. Anthony P. Nugent for Catagrone and by Mr. Assistant Attorney General Youngquist for the United States.

No. 177. C. V. Sorrells, petitioner, *v.* The United States of America. Argued by Mr. John Y. Jordan, jr., for the petitioner and by Mr. Solicitor General Thacher for the respondent.

No. 23. Interstate Commerce Commission et al., appellants, *v.* Oregon-Washington Railroad & Navigation Company et al. Argument commenced by Mr. J. Stanley Payne for the Interstate Commerce Commission.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 9, will be as follows: Nos. 23, 31, 33, 40, 41, 42, 48, 51, 52, and 95.

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.

Samuel Lipschultz, of St. Paul, Minn.; Victor Walter Klein, of Detroit, Mich.; C. Powell Fordyce, of St. Louis, Mo.; Charles B. Belknap, of Detroit, Mich.; and Palmèr L. Fales, of Portland, Oreg., were admitted to practice.

No. 96. The United States of America, petitioner, *v.* Great Northern Railway Company. Mandate granted on motion of Mr. R. E. L. Smith on behalf of counsel for the respondent.

No. 23. Interstate Commerce Commission et al., appellants, *v.* Oregon-Washington Railroad & Navigation Company et al. Argument continued by Mr. J. Stanley Payne for the appellant, Interstate Commerce Commission; by Mr. William C. McCulloch for the appellant, Public Utility Commissioner of Oregon; by Mr. James M. Thompson for the appellant, Public Utilities Commission of Idaho; by Mr. Arthur C. Spencer for the appellee, Oregon-Washington Railroad & Navigation Company; by Mr. Ben C. Dey for the appellee, Southern Pacific Company; and concluded by Mr. J. Stanley Payne for the appellant, Interstate Commerce Commission.

No. 31. J. H. Gwinn, Beneficiary of the Estate of M. A. Gwinn, deceased, petitioner, *v.* Commissioner of Internal Revenue. Argument commenced by Mr. Assistant Attorney General Youngquist for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 10, will be as follows: Nos. 31, 33, 40, 41, 42, 48, 51, 52, 95, and 180.

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.

Joel W. Josephson, of Detroit, Mich.; Alice E. Alexander, of Lansing, Mich.; Lloyd O. Hart, of Washington, Pa.; John C. Judson, of East Washington, Pa.; and Meyer Goldfarb, of Washington, Pa., were admitted to practice.

No. 31. J. H. Gwinn, Beneficiary of the Estate of M. A. Gwinn, deceased, petitioner, *v.* Commissioner of Internal Revenue. Argument concluded by Mr. Assistant Attorney General Youngquist for the respondent, and case submitted by Mr. Thomas A. Thatcher, Mr. Llewellyn A. Luce, Mr. Ralph W. Davis, and Mr. R. W. Smith for the petitioner.

No. 33. Advance-Rumely Thresher Company, Inc., appellant, *v.* A. M. Jackson. Argued by Mr. Howard G. Fuller for the appellant, and case submitted by Mr. William Lemke for the appellee.

No. 40. Bernard L. Shapiro, petitioner, *v.* Horace B. Wilgus and David Bachman, Receivers of Miller Robinson Company. Argued by Mr. Jacob Weinstein for the petitioner, and by Mr. Sidney E. Smith for the respondents.

No. 41. Sevier Commission Company et al., petitioners, *v.* Wallowa National Bank. Argued by Mr. John F. Reilly for the petitioners, and by Mr. Palmer L. Fales for the respondent.

No. 42. Philip Elting, Collector of Customs, etc., petitioner, *v.* North German Lloyd. Argument commenced by Mr. Assistant Attorney General Rugg for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 11, will be as follows: Nos. 42, 48, 51, 52, 95, 180, 53, 57, 63, and 38.

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. 42. Philip Elting, Collector of Customs, etc., petitioner, *v.* North German Lloyd. Argument continued by Mr. Assistant Attorney General Rugg for the petitioner, and concluded by Mr. Melville J. France for the respondent.

No. 48. Lloyd Sabaudo Societa Anonima Per Azioni, petitioner, *v.* Philip Elting, Collector of Customs of the Port of New York. Argued by Mr. Delbert M. Tibbetts for the petitioner, and by Mr. Assistant Attorney General Rugg for the respondent.

No. 51. Detroit International Bridge Company, appellant, *v.* Corporation Tax Appeal Board of the State of Michigan. Argued by Mr. Victor W. Klein for the appellant, and by Mrs. Alice E. Alexander for the appellee.

No. 53. Great Northern Railway Company, petitioner, *v.* Sunburst Oil & Refining Company. Argued by Mr. J. P. Plunkett for the petitioner, and case submitted by Mr. George E. Hurd for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 14, will be as follows: Nos. 95, 52, 180, 627 of October Term, 1931, 326, 378, 11 (and 453), 12, 38, and 57.

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.

Du Val L. Purkins, of Warren, Ark., and Archer Wheatley, of Jonesboro, Ark., were admitted to practice.

No. 39. Brooklyn Eastern District Terminal, petitioner, *v.* The United States of America. 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 Cardozo.

No. 3. American Surety Company of New York, petitioner, *v.* Vivian F. Baldwin and E. R. Baldwin. On writ of certiorari to the Supreme Court of the State of Idaho; and

No. 21. Vivian F. Baldwin and E. R. Baldwin, petitioners, *v.* American Surety Company of New York. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. In No. 3, writ of certiorari dismissed with costs. In No. 21, decree reversed with costs and cause remanded to the District Court of the United States for the District of Idaho for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

The Chief Justice said:

“The 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. 218. Kroger Grocery and Baking Company *v.* Minnie J. Yount. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: The certificate herein is dismissed, *Wells v. Commissioner*, 286 U. S. 529; *White v. Johnson*,

282 U. S. 367, 371; United States *v.* Worley, 281 U. S. 339, 340; United States *v.* Mayer, 235 U. S. 55, 56.

No. 220. Rocco Catagrone *v.* The United States of America. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: The certificate herein is dismissed. Wells *v.* Commissioner, 286 U. S. 529; White *v.* Johnson, 282 U. S. 367, 371; United States *v.* Worley, 281 U. S. 339, 340; United States *v.* Mayer, 235 U. S. 55, 56.

No. 41. Sevier Commission Company, Hartford Accident and Indemnity Company of Hartford, Connecticut, petitioners, *v.* Wallowa National Bank, etc. On writ of certiorari to the Supreme Court of the State of Oregon. *Per curiam*: The writ of certiorari herein is dismissed for 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. 433. Wagner Tug Boat Company, petitioner, *v.* Harriett Meagher, as Administratrix of the Estate of George Harold Meagher, deceased. On petition for writ of certiorari to the Supreme Court of the State of Washington. The petition for writ of certiorari in this cause is denied upon the ground that the judgment sought here to be reviewed is joint and the record fails to disclose summons and severance. Hartford Accident & Indemnity Co. *v.* Bunn, 285 U. S. 169; Capital National Bank *v.* Board of Supervisors, 286 U. S. 550; Fidelity Union Casualty Co. *v.* Hanson, 287 U. S. —; Louisville & Nashville R. R. Co. *v.* Parker, 287 U. S. —.

No. 494. Augusta Ernestine Proechel, as an Individual and Administratrix of the Estate of Emil Reinhold Kronfeld, deceased, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court upon examination of the papers submitted finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

No. —, original. The State of New Jersey, complainant, *v.* The Commonwealth of Pennsylvania. A rule is ordered to issue requiring the defendant to show cause within thirty days from this date why leave to file the bill of complaint should not be granted.

No. 495. Ethel M. Dorrance, George Morris Dorrance, et al., etc., petitioners, *v.* The Commonwealth of Pennsylvania. The motion of

the State of New Jersey for leave to intervene is denied. Leave is granted to file brief as *amicus curiae* on the application for writ of certiorari.

No. 335. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* the United States of America *ex rel.* Chestatee Pyrites & Chemical Corporation. Motion to advance granted and case assigned for argument on Monday, December 5 next, after the cases heretofore assigned for that day.

No. 470. The United States of America et al., appellants, *v.* Northern Pacific Railway Company et al. In this case probable jurisdiction is noted.

No. 434. The United States, petitioner, *v.* Dakota-Montana Oil Company. Petition for writ of certiorari to the Court of Claims granted.

No. 466. Esther Jackson Porter, as Executrix, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 448. Petroleum Exploration, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted and the case assigned for argument immediately following No. 434.

No. 438. Hartford-Empire Company, petitioner, *v.* The Nivison-Weiskopf Company;

No. 439. Hartford-Empire Company, petitioner, *v.* The Kearns-Gorsuch Bottle Company;

No. 440. Hartford-Empire Company, petitioner, *v.* The Lamb Glass Company; and

No. 443. The Lamb Glass Company, petitioner, *v.* Hartford-Empire Company. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 442. The National Surety Company, petitioner, *v.* The City of Topeka. Petition for writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 444. Ephraim Banning, petitioner, *v.* Hartman Furniture & Carpet Company;

No. 445. Ephraim Banning, petitioner, *v.* Hartman Furniture & Carpet Company;

No. 446. Hartman Furniture & Carpet Company, petitioner, *v.* Ephraim Banning; and

No. 447. Hartman Furniture & Carpet Company, petitioner, *v.* Ephraim Banning. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 450. Douglas S. MacDonald and L. G. Balfour Company, petitioners, *v.* H. W. Peters Company, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 451. Leslie P. Green and Williard C. Lindsay, petitioners, *v.* John A. Sauerman et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 454. Angeline Kawacz, Individually and as Administratrix, etc., petitioner, *v.* Delaware, Lackawanna & Western Railroad Co. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

The Chief Justice announced the following order of the Court:

ORDER

The Court will take a recess from Monday, November 21, until Monday, December 5 next.

No. 138. Joseph F. Miller, petitioner, *v.* A. C. Aderhold, Warden, United States Penitentiary, Atlanta, Georgia. Leave granted to file brief for the respondent by Monday next, on motion of Mr. Solicitor General Thacher for the respondent.

No. 481. Penny Stores, Inc., et al., appellants, *v.* Greek L. Rice, Attorney General of the State of Mississippi, et al., etc. Appeal from the District Court of the United States for the Southern District of Mississippi. Appeal dismissed with costs per stipulation of counsel.

No. 95. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Commonwealth Improvement Company. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Schofield Andrews for the respondent.

No. 52. Hubert Dalton and Florence W. Dalton, petitioners, *v.* Frank C. Bowers, as Executor, etc. Argued by Mr. Arnold Lichtig

for the petitioners, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. **180**. David Burnet, Commissioner of Internal Revenue, petitioner, v. R. P. Clark. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. William S. Hammers for the respondent.

No. **627**, October Term, 1931. George P. Porter, Auditor and Ex-Officio Investment Commissioner, etc., appellant, v. Investors Syndicate. Reargued by Mr. T. H. MacDonald for the appellant, and by Mr. M. S. Gunn for the appellee.

No. **326**. J. H. Stephenson et al., appellants, v. T. Binford et al. Three hours allowed for the argument of this case. Argument commenced by Mr. John H. Crooker for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 15, will be as follows: Nos. **326, 378, 11 (and 453), 12, 38, 57, 63, 90, 110, and 128.**

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.

Patrick Henry, of Monticello, Ark., was admitted to practice.

No. **326**. J. H. Stephenson et al., appellants, *v.* T. Binford et al. Argument continued by Mr. John H. Crooker for appellants; by Mr. LaRue Brown for appellant, D. A. Beard; by Mr. Elbert Hooper for the appellees; and concluded by Mr. John H. Crooker for the appellants.

No. **378**. Jimmie Burns, petitioner, *v.* The United States of America. Argued by Mr. Otto Christensen for the petitioner, and by Mr. Solicitor General Thacher for the respondent.

No. **11**. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al.; and

No. **453**. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al. Argument commenced by Mr. E. F. Smith for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 16, will be as follows: Nos. **11** (and **453**), **12**, **38**, **57**, **63**, **90**, **110**, **128**, **131**, and **80**.

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, Mr. Justice Roberts, and Mr. Justice Cardozo.

George Cabot Ward, of New York City; Harold T. Kay, of Honolulu, Hawaii; and Fred M. Bottorff, of Los Angeles, Calif., were admitted to practice.

No. 11. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al.; and

No. 453. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al. Argument continued by Mr. Joseph W. Bailey, jr., and Mr. Luther Nickels for the appellees, and concluded by Mr. Dan Moody for the appellants.

No. 12. Rafael Cortes, as Administrator, etc., petitioner, *v.* Baltimore Insular Line, Inc. Argued by Mr. Basil O'Connor for the petitioner, and by Mr. George W. Betts, jr., for the respondent.

No. 38. Sun Oil Company, petitioner, *v.* Dalzell Towing Company, Inc. Argued by Mr. Frank A. Bull for the petitioner, and by Mr. Chauncey I. Clark for the respondent.

No. 63. A. P. Dickson et al., petitioners, *v.* Uhlmann Grain Company. Argument commenced by Mr. S. J. Jones for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, November 17, will be as follows: Nos. 63, 57, 90, 110, 131, 80, 104 (and 105), 137, and 163.

SUPREME COURT OF THE UNITED STATES

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

John J. Carmody, of Washington, D. C.; U. M. Simon, of Fort Worth, Tex.; Hastings W. Baker, of Dayton, Ohio; Howard H. Yocum, of Philadelphia, Pa.; and Paul R. Stinson, of Kansas City, Mo., were admitted to practice.

No. 63. A. P. Dickson et al., petitioners, *v.* Uhlmann Grain Company. Argument continued by Mr. S. J. Jones for the petitioners, by Mr. Paul R. Stinson for the respondent, and concluded by Mr. S. J. Jones for the petitioners.

No. 57. General Electric Company and Carboly Company, Inc., petitioners, *v.* The Marvel Rare Metals Company et al. Argued by Mr. Lawrence Bristol for the petitioners, and by Mr. William C. McCoy for the respondents.

No. 90. Anna S. Bainbridge, petitioner, *v.* Merchants & Miners Transportation Company. Leave granted Edwin J. McDermott to appear and present oral argument for the petitioner, *pro hac vice*, on motion of Mr. Thomas D. McBride.

No. 90. Anna S. Bainbridge, petitioner, *v.* Merchants & Miners Transportation Company. Argued by Mr. Edwin J. McDermott for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. Howard H. Yocum for the respondent.

No. 110. Alberto Costanzo, petitioner, *v.* Anna C. M. Tillinghast, United States Commissioner of Immigration. Argument commenced by Mr. William H. Lewis for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 18, will be as follows: Nos. 110, 80, 104 (and 105), 131, and 137.

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 Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Edmund D. Hourigan, of Union City, N. J., and James O'Donnell Moran, of Washington, D. C., were admitted to practice.

No. 110. Alberto Costanzo, petitioner, *v.* Anna C. M. Tillinghast, United States Commissioner of Immigration. Argument continued by Mr. William H. Lewis for the petitioner and concluded by Mr. Whitney North Seymour for the respondent.

No. 80. Murphy Oil Company, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Argued by Mr. Randolph E. Paul and Mr. Thomas R. Dempsey for the petitioner and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 104. Bankers Pocahontas Coal Company, petitioner, *v.* Commissioner of Internal Revenue; and

No. 105. D. J. F. Strother, petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Camden R. McAtee for the petitioner and by Mr. Assistant Attorney General Youngquist for the respondent.

Adjourned until Monday, November 21 next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Lyle M. Allen, of St. Louis, Mo.; George H. Southard, 3d, of Pittsfield, Mass.; Wm. O. Ballard, of Toledo, Ohio; Mark L. Herron, of Los Angeles, Calif.; Michael J. Anuta, of Menominee, Mich.; C. Welmore Robinson, of New York City; Gustavus Ohlinger, of Toledo, Ohio; Fred A. Ossanna, of Minneapolis, Minn.; Allen T. Klots, of New York City; Joe Nickell, of Omaha, Nebr.; Alvin C. Reis, of Madison, Wis.; and S. B. Robinson, of Los Angeles, Calif., were admitted to practice.

No. 15. Interstate Commerce Commission, petitioner, *v.* The New York, New Haven & Hartford Railroad Company, Old Colony Railroad Company, Boston & Providence Railroad Corporation, et al. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment of the Court of Appeals reversed, and the judgment of the Supreme Court of the District of Columbia affirmed and the cause remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo. Mr. Justice Van Devanter, Mr. Justice McReynolds, and Mr. Justice Sutherland are of opinion that the judgment of the Court of Appeals should be affirmed. The Chief Justice and Mr. Justice Butler took no part in the consideration and decision of this case.

The Chief Justice announced the following order of the Court:

No. 414. Mrs. Roberta F. Biggs, Administratrix and Individually, appellant, *v.* Missouri Pacific Railroad Company and Ed Lacy; and

No. 415. Nat J. Graves, Jr., appellant, *v.* Missouri Pacific Railroad Company and Ed Lacy. Appeals from the District Court of the United States for the Eastern District of Arkansas. *Per curiam*: The appeals herein are dismissed for the want of jurisdiction. Sec. 238, Judicial Code, as amended by the act of February 13, 1925 (43 Stat. 936, 938), U. S. Code, title 28, sec. 345; section 13, act of February 13, 1925 (43 Stat. 936, 941).

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. 377. Anglo-Chilean Nitrate Sales Corporation, appellant, *v.* The State of Alabama;

No. 390. Broad River Power Company, appellant, *v.* Walter G. Query et al., etc.;

No. 391. Lexington Water Power Company, appellant, *v.* Walter G. Query et al., etc.; and

No. 504. Appalachian Coals, Inc., et al., appellants, *v.* The United States of America. In these cases probable jurisdiction is noted.

No. 315. Karl F. Voehl, petitioner, *v.* Indemnity Insurance Company of North America. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 460. Charles W. Anderson, Collector of Internal Revenue, etc., petitioner, *v.* Marian Steedman Wilson et al., etc.; and

No. 461. Marian Steedman Wilson et al., etc., petitioners, *v.* Charles W. Anderson, Collector of Internal Revenue, etc. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 401. Freeport Texas Company et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 437. The Scott Lumber Company, petitioner, *v.* Suburban Improvement Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 455. Irwin T. Gilruth, petitioner, *v.* Lewis Luster et al., etc.;

No. 456. R. B. Gillette, petitioner, *v.* Lewis Luster et al., etc.; and

No. 457. Ralph W. Hutchens, petitioner, *v.* Lewis Luster et al., etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 458. United States Zinc Company, petitioner, *v.* Central States Power & Light Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 468. Harry C. Cotter et al., petitioners, *v.* The United States of America. Leave granted to file brief of the respondent by December 5 next, on motion of Mr. Solicitor General Thacher for the respondent.

No. 490. Frederick A. Sansome, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Leave granted to file brief of respondent by December 5 next, on motion of Mr. Solicitor General Thacher for the respondent.

No. 304. The People of the State of New York, petitioner, *v.* Irving Trust Company, as Trustee, etc. Motion to advance submitted by Mr. Robert P. Beyer for the petitioner.

Adjourned until Monday, December 5, next, at 12 o'clock.

The day call for Monday, December 5, will be as follows: Nos. 5, original (8, original, and 9, original), 335, 8, 32, 58, 82, 128, 131, 137, and 141.

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.

James Elden McFarland, of Los Angeles, Calif.; R. Stanley Anderson, of Chicago, Ill.; Chas. A. Trageser, of Baltimore, Md.; George Frederick Flentje, jr., of Baltimore, Md.; George F. Mulligan, of Chicago, Ill.; Eugene A. Drumm, of New York City; James N. Saye, of Longview, Tex.; W. Marshall Purvis, of Hot Springs, Ark.; Benjamin Segal, of Minneapolis, Minn.; Maurice Cheek, of Austin, Tex.; Sam J. Kroman, of Minneapolis, Minn.; Jas. E. Kinnison, of Canton, Ohio; Earl C. Shively, of Columbus, Ohio; and Fred M. Wylie, of Madison, Wis., were admitted to practice.

No. 40. Bernard L. Shapiro, petitioner, *v.* Horace B. Wilgus and David Bachman, Receivers of Miller Robinson Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo.

No. 53. Great Northern Railway Company, petitioner, *v.* Sunburst Oil & Refining Company. On writ of certiorari to the Supreme Court of the State of Montana. Judgment affirmed with costs. Opinion by Mr. Justice Cardozo.

No. 12. Rafael Cortes, as Administrator of the Goods, Chattels, and Credits of Victor Manuel Santiago, Deceased, petitioner, *v.* Baltimore Insular Line Inc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs, and cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo.

No. 110. Alberto Costanzo, petitioner, *v.* Anna C. M. Tillinghast, United States Commissioner of Immigration. On writ of certiorari to the United States Circuit Court of Appeals for the First

Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the District of Massachusetts. Opinion by Mr. Justice Roberts.

No. 627. October Term, 1931. George P. Porter, Auditor, etc., appellant, *v.* Investors Syndicate, a Corporation. Appeal from the District Court of the United States for the District of Montana. (On rehearing.) The Court adheres to the decree heretofore entered. Opinion by Mr. Justice Roberts.

No. 80. Murphy Oil Company, 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 said Circuit Court of Appeals. Opinion by Mr. Justice Stone.

No. 104. Bankers Pocahontas Coal Company, petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed, and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Stone.

No. 105. D. J. F. Strother, petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed, and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Stone.

No. 9. Luther H. Reichelderfer, Herbert B. Crosby, and John C. Gotwals, Commissioners of the District of Columbia, petitioners, *v.* Henry I. Quinn, George J. Mueller, Jr., Henry Orth, Jr., et al. On writ of certiorari to the Court of Appeals of the District of Columbia. Decree 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 Stone.

No. 42. Philip Elting, Collector of Customs, Port of New York, petitioner, *v.* North German Lloyd. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed, and cause remanded to the District Court of the United States for the Southern District of New York, for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 48. Lloyd Sabauda Societa Anonima per Azioni, petitioner, *v.* Philip Elting, Collector of Customs of the Port of New York. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed in part and affirmed in part and cause remanded to the District Court of the United

States for the Southern District of New York for further proceeding in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 33. Advance-Rumely Thresher Company, Inc., appellant, *v.* A. M. Jackson. Appeal from the Supreme Court of the State of North Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Butler. Mr. Justice Stone and Mr. Justice Cardozo concur in the result.

No. 38. Sun Oil Company, petitioner, *v.* Dalzell Towing Company, Inc. 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. 51. Detroit International Bridge Company, appellant, *v.* Corporation Tax Appeal Board of the State of Michigan. Appeal from the Supreme Court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 19, Original. *Ex parte*: The United States, petitioner. On petition for writ of mandamus. Rule made absolute. Opinion by Mr. Justice Sutherland.

No. 326. J. H. Stephenson, W. S. Finnegan, P. E. Arnett et al., appellants, *v.* T. Binford, O'Brien Stevens, R. J. Martin et al. Appeal from the District Court of the United States for the Southern District of Texas. Decree affirmed with costs. Opinion by Mr. Justice Sutherland. Mr. Justice Butler dissents.

No. 90. Anna S. Bainbridge, petitioner, *v.* Merchants & Miners Transportation Company. On writ of certiorari to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Sutherland.

No. 81. The Alton Railroad Company, appellant, *v.* The United States of America, Interstate Commerce Commission, Baltimore and Ohio Railroad Company 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 Brandeis.

No. 31. J. H. Gwinn, Beneficiary of the Estate of M. A. Gwinn, deceased, petitioner, *v.* 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 McReynolds.

No. 55. Cesaro Sgro, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed, and cause remanded to the District Court of the United States for the Northern District of New York, for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Hughes. Mr. Justice Stone and Mr. Justice Cardozo dissent. Separate opinion by Mr. Justice McReynolds.

No. 378. Jimmie Burns, 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 Southern District of California. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following order of the Court:

No. 519. Sara W. Mahan, as Secretary of State of the State of Kentucky, appellant, *v.* James J. Hume. Appeal from the District Court of the United States for the Eastern District of Kentucky. *Per curiam*: Decree reversed and cause remanded with directions to dismiss the Bill of Complaint, *Brownlow v. Schwartz*, 261 U. S. 216; *Wood v. Broom*, 287 U. S. —.

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. 304. The People of the State of New York, petitioner, *v.* Irving Trust Company, as Trustee in Bankruptcy, etc. Motion to advance denied.

No. 516. J. T. Roberts, appellant, *v.* Richland Irrigation District et al., etc. Further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the case on the merits.

No. 191. The United States of America, petitioner, *v.* Clarence P. Arzner. Leave granted respondent to proceed *in forma pauperis*.

No. 138. Joseph F. Miller, petitioner, *v.* A. C. Aderhold, Warden, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted and case assigned

for argument on Monday, January 9 next. The motion to admit petitioner to bail is denied. Dean G. Acheson, Esquire, of Washington, D. C., a member of the Bar of this Court is appointed by the Court to serve as counsel for the petitioner.

No. 475. David Burnet, Commissioner of Internal Revenue, petitioner, *v. S. & L. Building Corporation*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 469. Vancouver Steamship Company, Inc., petitioner, *v. Theresa Rice, Administratrix of the Estate of Vincent Catino, deceased*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 476. D. B. Heiner, Collector of Internal Revenue for the Twenty-third District of Pennsylvania, petitioner, *v. Diamond Alkali Co.*;

No. 477. D. B. Heiner, Collector of Internal Revenue for the Twenty-third District of Pennsylvania, petitioner, *v. Diamond Alkali Co.*; and

No. 478. C. G. Lewellyn, Formerly Collector, etc., petitioner, *v. Diamond Alkali Company*. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 492. The People of Porto Rico, petitioner, *v. Russell & Co., etc., et al.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 496. David Burnet, Commissioner of Internal Revenue, petitioner, *v. Ernest Brooks, et al.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 513. George Weems Williams, Receiver, etc., petitioner, *v. Mayor and City Council of Baltimore*; and

No. 514. George Weems Williams, Receiver, etc., petitioner, *v. Mayor, Counselor and Aldermen of the City of Annapolis*. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 495. Ethel M. Dorrance et al., etc., petitioners, *v. The Commonwealth of Pennsylvania*. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania denied upon the ground that the Federal question was not properly presented to, and was not passed upon by, the Supreme Court of Pennsylvania.

No. 459. The People of the State of California, petitioner, *v.* General Motors Acceptance Corporation. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 463. John A. McCoy et al., petitioners, *v.* Arkansas Natural Gas Company. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 464. Fred D. Townsend, Receiver for Gulf & Atlantic Insurance Company, petitioner, *v.* South Carolina Insurance Company et al. Petition for writ of certiorari to the Supreme Court of the State of South Carolina denied.

No. 467. Schloss Bros. & Co., Inc., petitioner, *v.* Monongahela National Bank et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 471. Sidney Blumenthal, petitioner, *v.* Commissioner of Internal Revenue; and

No. 472. Sidney Blumenthal, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 474. Eastern Transportation Company, petitioner, *v.* Northern Barge Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 484. Felix E. Fricke, Administrator of the Estate of Louis E. Riddle, deceased, petitioner, *v.* General Accident Fire & Life Assurance Corporation, Ltd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 488. William Webber et al., petitioners, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 491. Hare & Chase, Inc., Reorganization Company, petitioner, *v.* National Surety Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 498. Union Indemnity Company, petitioner, *v.* Thomas C. Hall. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 402. Annie Littman, petitioner, *v.* Joseph A. Broderick, Superintendent of Banks of the State of New York. Petition for writ of certiorari to the Supreme Court of the State of New York, County of New York, denied.

No. 465. Federal Trade Commission, petitioner, *v.* James S. Kirk & Company and Procter & Gamble Company. Petition for writ of

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

No. 479. Diamond Alkali Company, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc.; and

No. 480. Diamond Alkali Company, petitioner, *v.* D. B. Heiner, Collector of Internal Revenue, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 483. Marcus T. Lothrop and The Timken Roller Bearing Company, petitioners, *v.* Thomas E. Robertson. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 486. Helene M. Lafontan, petitioner, *v.* American Import & Export Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 487. Mark Boasberg, 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. 489. Donald McMurray, petitioner, *v.* Marshall S. Reynolds, Individually and as Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 493. Alonzo J. Docheney, petitioner, *v.* Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. —, original. *Ex parte*: Adolph R. Moder, et al., petitioners. Motion for leave to file petition for writ of mandamus and/or prohibition and for leave to proceed *in forma pauperis* submitted by Mr. Jesse C. Duke for the petitioners.

No. 504. Appalachian Coals, Incorporation, et al., appellants, *v.* The United States of America. Motion to advance submitted by Mr. Horace Lamb for the appellants.

No.—. *In re* Disbarment of William E. Baff. Return to rule to show cause presented.

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

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

No. 9, original. State of New York et al., complainants, *v.* State of Illinois and Sanitary District of Chicago, et al. Three hours allowed for oral argument. Argument on the return to rule to show cause commenced by Mr. Henry N. Benson for the complainants; continued by Mr. Raymond T. Jackson for the complainants; and by Mr. Joseph B. Fleming for the defendant, Sanitary District of Chicago.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 6, will be as follows: Nos. 5, Original (8, Original, and 9, Original), 335, 32, 58, 82, 128, 131, 137, 141, and 234.

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 F. Werner, of Indianapolis, Ind.; James T. Dowling, of Gary Ind.; Edward V. Buckley, of Sharon, Pa.; Arthur Gorman Gallagher, of New York City; Grover Cleveland Young, of De Land, Fla.; and Ralph K. Lowder, of Martinsville, Ind., were admitted to practice.

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. State of Michigan et al., complainants, *v.* The State of Illinois and Sanitary District of Chicago et al.; and

No. 9, original. State of New York et al., complainants, *v.* State of Illinois and Sanitary District of Chicago et al. Argument on the return to the rule to show cause continued by Mr. William Rothman for the defendant, Sanitary District of Chicago, and concluded by Mr. Gilbert Bettman for complainants, and submitted by Mr. Oscar E. Carlstrom for defendant, The State of Illinois.

No. 335. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* The United States of America *ex rel.* Chestatee Pyrites & Chemical Corporation. Argued by Mr. Assistant Attorney General Richardson for the petitioner, and by Mr. Edgar Watkins for the respondent.

No. 32. The Railroad Commission of Texas and C. V. Terrell et al., appellants, *v.* Alfred MacMillan, Individually, etc., et al. Argued by Mr. Maurice Cheek for the appellants, and by Mr. J. N. Saye for the appellees.

No. 58. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* R. E. Huff, Individually, etc., et al. Argued by Mr. Paul D. Miller for the petitioner, and by Mr. Harry C. Weeks for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 7, will be as follows: Nos. 82, 128, 131, 137, 141, 234, 308, 147, 163, and 166.

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.

Hobart F. Woodward, of London, Ky.; Frederick Schafer, of Washington, D. C.; Henry S. Rademacher, of Chicago, Ill.; Mortimer W. Newton, of Providence, R. I.; George R. Beane, of Providence, R. I.; Franklin R. Overmyer, of Chicago, Ill.; James Frederick Henderson, of Columbus, Ohio; and Joseph E. Fitzpatrick, of Providence, R. I., were admitted to practice.

No. 82. Frank Cook, petitioner, *v.* The United States of America. Argument commenced by Mr. Joseph E. Fitzpatrick for the petitioner; continued by Mr. Solicitor General Thacher for the respondent; and concluded by Mr. Edmund M. Toland for the petitioner.

No. 128. Wabash Valley Electric Company, appellant, *v.* Ralph M. Young et al., etc. Argued by Mr. John C. Lawyer for the appellant, and by Mr. Arthur L. Gilliom and Mr. George N. Hufsmith for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 8, will be as follows: Nos. 131, 137, 141, 234, 308, 147, 163, 166, 176, and 182.

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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, Mr. Justice Roberts, and Mr. Justice Cardozo.

Person E. Woodall, of Norman, Okla.; James P. Barry, of San Francisco, Calif.; Purman Wilson, of Purcell, Okla.; Edwin F. Hunt, of Nashville, Tenn.; and Frank J. Beckwith, of Charles Town, W. Va., were admitted to practice.

No. **131.** American Surety Company of New York, petitioner, *v.* Teresa Marotta. Argued by Mr. Harry LeBaron Sampson for the petitioner, and case submitted by Mr. George I. Cohen for the respondent.

No. **137.** Aetna Life Insurance Company, etc., et al., petitioners, *v.* Samuel D. Moses. Argued by Mr. Charles W. Arth and Mr. Leonard J. Ganse for the petitioners, and by Mr. H. Clay Espey for the respondents.

No. **141.** The United States, petitioner, *v.* Factors & Finance Co. Argued by Mr. Assistant Attorney General Rugg for the petitioner, and by Mr. J. Gilmer Korner, jr., for the respondent. Leave granted respondent to file supplemental brief within two days with leave to petitioner to reply thereto on or before Tuesday next.

No. **234.** The United States of America, petitioner, *v.* Henry Prentiss & Company, Inc. Argument commenced by Mr. Assistant Attorney General Rugg for the petitioner, and continued by Mr. Joseph F. Murray for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 9, will be as follows: Nos. **234, 308, 166, 147, 176, 182, 191, 163, 171, and 282.**

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.

Morton L. Fearey, of New York City; Samuel H. Horne, of Washington, D. C.; and Solomon Goldkrand, of Boston, Mass., were admitted to practice.

No. 234. The United States of America, petitioner, *v.* Henry Prentiss & Company, Inc. Argument continued by Mr. Joseph F. Murray for the respondent and concluded by Mr. Assistant Attorney General Rugg for the petitioner. Leave granted petitioner to file supplemental brief within five days.

No. 308. The United States, petitioner, *v.* Memphis Cotton Oil Company. Argued by Mr. Assistant Attorney General Rugg for the petitioner, and by Mr. Walter E. Barton for the respondent.

No. 166. John & Higgins of California, petitioner, *v.* The United States. Argued by Mr. Cletus Keating for the petitioner, and by Mr. Solicitor General Thacher for the respondent.

No. 147. Sam Hawks, et al., etc., petitioners', *v.* Charles H. Hamill et al. Argument commenced by Mr. W. C. Lewis for the petitioners; continued by Mr. Charles B. Cochran for the respondents; and concluded by Mr. Purman Wilson for the petitioners.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 12, will be as follows: Nos. 176, 182, 191, 163, 171, 282, 192, 194, 202, and 215.

SUPREME COURT OF THE UNITED STATES

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

Frank E. Tyler, of Kansas City, Mo.; Onslow S. Dodd, of Palo Alto, Calif.; Frederic Sammond, of Milwaukee, Wis.; Arthur Keith Black, of Lake City, Fla.; Christopher S. Bradley, of Groesbeck, Tex.; Kelly Brown, of Muskogee, Okla.; Frank A. Ross, of Madison, Wis.; Clifford G. Mathys, of Madison, Wis.; Obie Crocker, of Trenton, Fla.; and Wm. T. Andress, jr., of Dallas, Tex., were admitted to practice.

No. 57. General Electric Company and Carboly Company, Inc., petitioners, *v.* The Marvel Rare Metals Company, The Ohio Instrument Manufacturing Company, Charles L. Gebauer et al. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of Ohio. Opinion by Mr. Justice Butler.

No. 20. Earle & Stoddart, Inc., et al., Owners of Cargo on Steamship "Galileo," petitioners, *v.* Ellerman's Wilson Line, Ltd., Owner of Steamship "Galileo." 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 Brandeis.

No. 52. Hubert Dalton and Florence W. Dalton, petitioners, *v.* Frank C. Bowers, as Executor of the Last Will and Testament of Frank K. Bowers, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McReynolds.

No. 95. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Commonwealth Improvement Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed, and cause remanded to the said

Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 180. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* R. P. Clark. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed, and cause remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 11. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al.; and

No. 453. R. S. Sterling, Governor of the State of Texas, et al., appellants, *v.* E. Constantin et al. Appeals from the District Court of the United States for the Eastern District of Texas. No. 11, appeal dismissed. No. 453, decree affirmed with costs. Opinion by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 32. The Railroad Commission of Texas and C. V. Terrell et al., appellants, *v.* Alfred Macmillan, Individually, Alfred Macmillan, Trustee, et al. Appeal from the District Court of the United States for the Western District of Texas. *Per curiam*: Decree reversed and cause remanded with directions to dismiss the bill of complaint. *Brownlow v. Schwartz*, 261 U. S. 216; *Alejandrino v. Quezon*, 271 U. S. 528, 535, 536; U. S. *ex rel.* *Norwegian Nitrogen Products Co. v. Tariff Commission*, 274 U. S. 106, 112.

No. 449. Frank Haskell, F. M. Tibbets, H. Phelps, et al., appellants, *v.* The People of the State of California. Appeal from the Superior Court of the County of Los Angeles, Appellate Department, State of California. *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.

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*: Adolph R. Moder et al., petitioners. The motion for leave to proceed *in forma pauperis* herein is granted.

A rule is ordered to issue requiring respondents to show cause on or before Monday, January 9, next, why leave to file petition for writ of mandamus and/or prohibition should not be granted.

No. 504. Appalachian Coals, Incorporated, et al., appellants, *v.* The United States of America. The motion to advance is granted and the case assigned for argument on Monday, January 9, next, after the case heretofore assigned for that day.

No. 517. Public Service Commission of Wisconsin et al., appellants, *v.* Wisconsin Telephone Company. In this case probable jurisdiction is noted. Further consideration of the motion to affirm is postponed to the hearing of the case on the merits.

No. 356. Indian Territory Illuminating Oil Company, petitioner, *v.* Board of Equalization of Tulsa County, Oklahoma. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 357. Indian Territory Illuminating Oil Company, petitioner, *v.* Board of County Commissioners of Payne County, Oklahoma. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 534. Scranton Electric Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 158. Foreign Transport & Mercantile Corporation, petitioner, *v.* Moran Towing & Transportation Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 485. John Dillon, 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. 500. C. N. Bevan, petitioner, *v.* Gilson D. Light, as Sheriff of Lucas County, Ohio. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 501. John W. Koehrman, petitioner, *v.* Gilson D. Light, as Sheriff of Lucas County, Ohio. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 502. Robert A. Stranahan, petitioner, *v.* Gilson D. Light, as Sheriff of Lucas County, Ohio. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 511. Puritan Pharmaceutical Company and Beecher-Cale-Maxwell, Inc., petitioners, *v.* Benjamin Ansehl. 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 of the Court:

ORDER

The Court will take a recess from Monday, December 19, to Monday, January 9, 1933.

No. 518. Pacific Coast Steel Company, petitioner, *v.* John P. McLaughlin, United States Collector of Internal Revenue, etc. Leave granted respondent to file brief by December 17 next on motion of Mr. Solicitor General Thacher for the respondent.

No. 141. The United States, petitioner, *v.* Factors & Finance Company;

No. 234. The United States of America, petitioner, *v.* Henry Prentiss & Company, Inc.; and

No. 308. The United States, petitioner, *v.* Memphis Cotton Oil Company. Leave granted to file brief of Percy W. Phillips as *amicus curiae*, on motion of Mr. Percy W. Phillips in that behalf.

No. 15, original. State of Wyoming, complainant, *v.* State of Colorado. Application for appointment of Commissioners to take testimony, per stipulation of counsel, presented.

No. 176. The Nashville, Chattanooga & St. Louis Railway, appellant, *v.* Roy C. Wallace, Comptroller of the Treasury of the State of Tennessee, et al., etc. Roy H. Beeler, Attorney General successor in office of L. D. Smith, substituted as a party appellee, on motion of Mr. Fitzgerald Hall in that behalf.

No. 176. The Nashville, Chattanooga & St. Louis Railway, appellant, *v.* Roy C. Wallace, Comptroller of the Treasury of the State of Tennessee, et al., etc. Argued by Mr. Fitzgerald Hall for the appellant, and by Mr. W. F. Barry, jr., and Mr. E. F. Hunt for the appellees.

No. 182. Pinellas Ice and Cold Storage Company, petitioner, *v.* Commissioner of Internal Revenue. Argument commenced by Mr. Albert L. Hopkins 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 Tuesday, December 13, will be as follows: Nos. 182, 191, 163, 171, 282, 192, 194, 202, 215, and 217.

SUPREME COURT OF THE UNITED STATES

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

R. Robinson Chance, of Jersey City, N. J., and W. C. Davis, of Manning, S. C., were admitted to practice.

No. 182. Pinellas Ice and Cold Storage Company, petitioner, *v.* Commissioner of Internal Revenue. Argument continued by Mr. Whitney North Seymour for the respondent, and concluded by Mr. Albert L. Hopkins for the petitioner.

No. 191. The United States of America, petitioner, *v.* Clarence P. Arzner. Argued by Mr. Paul D. Miller for the petitioner, and by Mr. Samuel H. Williams for the respondent.

No. 163. Atlantic City Electric Company, petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Graham Sumner for the petitioner, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 171. Mrs. J. H. Probreslo, appellant, *v.* Joseph M. Boyd Company et al. Argued by Mr. C. G. Mathys for the appellant, and by Mr. Frank Ross for the appellees.

No. 282. Helen C. Johnson et al., appellants, *v.* Arthur Star. Argued by Mr. William T. Andress, jr., for the appellee, and case submitted by Mr. Spearman Webb for the appellants.

No. 192. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Aluminum Goods Manufacturing Company. Argument commenced by Mr. Assistant Attorney General Youngquist for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 14, will be as follows: Nos. 192, 194, 202, 215, 217, 8, 227, 228 (and 229), 264, and 272.

SUPREME COURT OF THE UNITED STATES

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

Herman J. Goldberg of Wilkes-Barre, Pa.; Burrell Wright, of Indianapolis, Ind.; Absalom W. Hoover, of Kansas City, Mo.; John S. McCampbell, of Corpus Christi, Tex.; Harold W. Lewis, of Quincy, Ill.; and Benjamin Greenspan, of New York City, were admitted to practice.

No. 192. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Aluminum Goods Manufacturing Company. Argument continued by Mr. Assistant Attorney General Youngquist for the petitioner; by Mr. Frederic Sammond for the respondent, and concluded by Mr. Assistant Attorney General Youngquist for the petitioner.

No. 194. Atlantic Coast Line Railroad Company and William Smith, appellants, *v.* Katherine H. Ford. Argued by Mr. Henry E. Davis for the appellants, and by Mr. W. C. Davis for the appellee.

No. 202. Third National Bank and Trust Company of Springfield et al., executors, petitioners, *v.* Thomas W. White, Collector of Internal Revenue. Argument commenced by Mr. Harold P. Small for the petitioners. The Court declined to hear further argument.

No. 215. E. G. Palmer, petitioner, *v.* Mrs. Agnes B. McGrawl Bender, Administratrix, etc. Argument commenced by Mr. John H. Tucker, jr., for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 15, will be as follows: Nos. 215, 217, 8, 227, 228 (and 229), 264, 272, 315, and 322.

SUPREME COURT OF THE UNITED STATES

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

Maxwell Baxter, of Fort Lauderdale, Fla.; Joseph Glass, of New York City; Jerome Weinstein, of New York City; Haskell Cohn, of Boston, Mass.; Maury Hughes, of Dallas, Tex.; Lincoln Hulley, of De Land, Fla.; Lowell W. Bassett, of Raleigh, N. C.; and Martin Witte, of Boston, Mass., were admitted to practice.

No. 215. E. G. Palmer, petitioner, *v.* Mrs. Agnes B. McGrawl Bender, Administratrix, etc. Argument continued by Mr. Assistant Attorney General Youngquist for the respondent, and concluded by Mr. John H. Tucker, jr., for the petitioner.

No. 217. The Guaranty Trust Company of New York, as Executor etc., appellant, *v.* William H. Blodgett, Tax Commissioner. Argued by Mr. Gregory Hankin for the appellant, and by Mr. Farwell Knapp for the appellee.

No. 8. National Surety Company, et al., petitioners, *v.* Valeria E. Coriell, et al. Argued by Mr. Charles H. Tuttle for the petitioners, and by Mr. John S. Sheppard for the respondents.

No. 227. Richard Reid Rogers, petitioner, *v.* Guaranty Trust Company of New York, et al. Argument commenced by Mr. Richard Reid Rogers for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 16, will be as follows: Nos. 227, 228 (and 229), 264, 272, 315, and 322.

SUPREME COURT OF THE UNITED STATES

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

Albert Edgar Stephan, of Washington, D. C.; Raymond R. Ryan, of Albuquerque, N. Mex.; John E. Nelson, of Augusta, Me.; Thomas L. Bowden, of Columbus, Ga.; and Robert L. Hogg, of Point Pleasant, W. Va., were admitted to practice.

No. **227**. Richard Reid Rogers, petitioner, *v.* Guaranty Trust Company of New York et al. Argument continued by Mr. Richard Reid Rogers for the petitioner and concluded by Mr. John W. Davis for the respondents.

No. **228**. George A. Ohl & Company, petitioner, *v.* The A. L. Smith Iron Works; and

No. **229**. George A. Ohl & Company, petitioner, *v.* The A. L. Smith Iron Works. Argued by Mr. Lee M. Friedman for the petitioner and by Mr. Martin Witte for the respondent.

No. **264**. The United States of America, appellant, *v.* Chicago, North Shore and Milwaukee Railroad Company. Argued by Mr. Assistant to the Attorney General O'Brian for the appellant and by Mr. Robert E. Quirk for the appellee.

Adjourned until Monday, December 19, 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.

A. Melrose Lamar, of West Palm Beach, Fla.; Royal Worth Vaughan, of New York City; Russell J. Burt, of Canton, Ohio; Raymond G. Barnett, of Kansas City, Mo.; and Cody Fowler, of Tampa, Fla., were admitted to practice.

No. 177. C. V. Sorrells, 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 Western District of North Carolina 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 judgment below should be affirmed. Opinion of Mr. Justice Roberts, in which Mr. Justice Brandeis and Mr. Justice Stone concur.

No. 166. Johnson & Higgins, of California, 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. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 202. Third National Bank and Trust Company of Springfield et al., executors, petitioners *v.* Thomas W. White, Collector of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. *Per curiam:* Judgment affirmed. *Tyler v. United States*, 281 U. S. 497, 504, 505; *Gwinn v. Commissioner*, 287 U. S. —.

No. 530. The Real Estate-Land Title & Trust Company, as Trustee, appellant, *v.* The City of Springfield, Ohio, The Transit Improvement Company, et al. Appeal from the Supreme Court of the State of Ohio. *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. *New Orleans Water Works Co. v. Louisiana Sugar Co.*, 125 U. S. 18, 38, 39; *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; *Girard Trust Co. v. Ocean & Lake Realty Co.*, 286 U. S. 523.

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. —. *In Re Disbarment of Harold Van Riper.*

It having been shown to the Court that Harold Van Riper of New York, New York, a member of the Bar of this Court, has been convicted of a felony in the District Court of the United States for the Southern District of New York upon a plea of guilty; and this Court having issued its order, October 10, 1932, pursuant to Rule 2, paragraph 5, of the Rules of this Court, suspending the said Van Riper from practice before this Court and requiring him to show cause why he should not be disbarred from the practice of the law in this Court; and the Court having received and considered the response of the said Van Riper to the rule aforesaid,

It is ordered that the said Harold Van Riper be, and he is hereby, disbarred and that his name be stricken from the roll of attorneys admitted to practice in this Court.

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. *State of Michigan et al., complainants, v. The State of Illinois and Sanitary District of Chicago et al.*; and

No. 9, original. *State of New York et al., complainants, v. State of Illinois and Sanitary District of Chicago et al.* Upon consideration of the return of the defendants in the above-entitled causes to the rule issued October 10, 1932, requiring them to show cause why they have not taken appropriate steps to effect compliance with the requirements of the decree of this Court in these causes dated April 21, 1930 (281 U. S. 696), and of the argument had thereon,

It is ordered that these causes be referred to Edward F. McClennen, Esquire, as a Special Master, with directions and authority to make summary inquiry and to report to the Court on or before April 1, 1933,

(1) as to the causes of the delay in obtaining approval of the construction of controlling works in the Chicago River and the steps which should now be taken to secure such approval and prompt construction;

(2) as to the causes of the delay in providing for the construction of the Southwest Side Treatment Works, and the steps which should now be taken for such construction or, in case of a change in site, for the construction of an adequate substitute;

(3) as to the financial measures on the part of the Sanitary District or the State of Illinois which are reasonable and necessary in order to carry out the decree of this Court.

The Special Master shall have authority to proceed promptly and summarily in making said inquiry and (1) to employ competent stenographic and clerical assistants, (2) to fix the times and places of taking the evidence, and (3) to issue subpoenas to secure the attendance of witnesses including those of his own selection, and to administer oaths. When the report of the Special Master is filed the Clerk of the Court shall cause the same to be printed and the Court, without the filing of exceptions, will appoint a day for hearing the parties thereon, as the Court may be advised.

The Special Master shall be allowed his actual expenses and a reasonable compensation for his services to be fixed hereafter by the Court. The allowances to him, the compensation paid to his stenographic and clerical assistants, and the cost of printing his report shall be charged against and be borne by the parties in such proportion as the Court hereafter may direct.

If the appointment herein made of a Special Master is not accepted, or if the place becomes vacant during the recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

No. 15, original. The State of Wyoming, complainant, *v.* The State of Colorado. On consideration of the joint motion and stipulation of counsel for the respective parties in this cause for the appointment of special commissioners to take and return the testimony in this cause,

It is now here ordered by the Court that E. O. Whittington be, and he is hereby, appointed special commissioner to take and return the testimony in this cause offered on behalf of the complainant, and that J. Howard Carpenter be, and he is hereby, appointed special commissioner to take and return the testimony in this cause offered on behalf of the defendant, and that each shall have the power of a master in chancery, as provided in the rules of this Court, but said commissioners shall not make any findings of fact or state any conclusions of law.

It is further ordered that the taking of testimony on behalf of the complainant shall begin on April 3, 1933, at such place as counsel for complainant may designate, ten days' notice thereof to be given to counsel for defendant, and shall be concluded within forty days

thereafter; and the taking of the testimony on behalf of the defendant shall commence on or before fifteen days after the conclusion of the testimony offered on behalf of complainant and shall be concluded within forty days thereafter; and the testimony in rebuttal shall be commenced on or before fifteen days after the conclusion of the testimony offered on behalf of the defendant, five days' notice of the place being given, and shall be concluded within fifteen days thereafter.

It is further ordered, in pursuance of said stipulation, that the said commissioners shall receive as their sole compensation for all services and for all testimony taken and transcribed the sum of twenty cents per folio for the original transcript and the further sum of five cents per folio for each carbon copy thereof, together with actual and necessary travelling expenses incurred in the taking of the testimony.

No. 535. Transit Commission and The State of New York, appellants, *v.* The United States of America et al. In this case probable jurisdiction is noted.

No. 468. Harry C. Cotter and Cotter Butte Mines, 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 denied.

No. 490. Frederick A. Sansome, 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. 497. The State of Wyoming, on the relation of Merritt Oil Corporation, petitioner *v.* The District Court of the Sixth Judicial District of the State of Wyoming, etc. Petition for writ of certiorari to the Supreme Court of the State of Wyoming denied.

No. 503. Southern Pacific Company, 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. 505. Bernard W. Brink, 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. 506. Luke Lea and Luke Lea, Jr., petitioners, *v.* The State of North Carolina; and

No. 507. Luke Lea and Luke Lea, Jr., petitioners, *v.* The State of North Carolina. Petition for writs of certiorari to the Superior Court of Buncombe County and to the Supreme Court of the State of North Carolina denied.

No. 508. General Tube Company, petitioner, *v.* Steel & Tubes, Inc.; and

No. 509. General Tube Company, petitioner, v. Steel & Tubes, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 510. Marquette Tool & Manufacturing Company et al., petitioners v. The Hooven, Ownes, Rentschler Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 512. Boris Topas, Anakei Naftanovich, et al., etc., petitioners, v. National Shawmut Bank of Boston. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 520. Lehigh and New England Railroad Company, petitioner, v. E. Burke Finnerty. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 533. Thomas J. Howard and Steamtug "William G. Howard," by Thomas J. Howard, Claimant, petitioners v. Randall & McAllister and Goodwin-Gallagher Sand & Gravel Corporation et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. —, original. Ex Parte: Adolph R. Moder et al., petitioners. Motion for bail submitted by Mr. Jesse C. Duke for the petitioners.

No. 374. The People of the State of New York, petitioner, v. Mark M. Maclay et al. Motion to advance submitted by Mr. Charles A. Schneider for the petitioner.

No. —, original. Ex Parte: John L. Lamkin et al., petitioners. Motion for leave to file petition for writ of mandamus submitted by Mr. William R. Watkins for the petitioners.

No. —, original. State of New Jersey, complainant, v. Commonwealth of Pennsylvania. Return to the rule to show cause presented.

No. 549. Edmond L. Viles, petitioner, v. The United States of America. Motion for leave to proceed *in forma pauperis* submitted by Mr. Edmond L. Viles *pro se*.

Adjourned until Monday, January 9, 1933, at 12 o'clock.

The day call for Monday, January 9, 1933, will be as follows: Nos. 138, 504, 272, 278, 283, 286, 293, 301, 304, and 315.

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.

Leonard Belford, of New York City; Edward O'Toole, of New York City; Robt. J. O'Neal, of Shreveport, La.; Edward T. Seay, of Nashville, Tenn.; Henry Clay Agnew, of Seattle, Wash.; John V. Lovitt, of Philadelphia, Pa.; Wm. Martin, of Seattle, Wash.; Charles David Ashley, of Milwaukee, Wis.; George W. Fields, of Oklahoma City, Okla.; and Frontis H. Moore, of Montgomery, Ala., were admitted to practice.

No. 147. Sam Hawks, J. F. McKeel, and Lew Wentz, Constituting the State Highway Commission of Oklahoma, et al., petitioners, *v.* Charles H. Hamill and Willoughby G. Walling. On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. Decree of the said Circuit Court of Appeals reversed with costs, and the decree of the District Court of the United States for the Western District of Oklahoma affirmed, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo.

No. 308. The United States, petitioner, *v.* Memphis Cotton Oil Company. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Cardozo.

No. 234. The United States of America, petitioner, *v.* Henry Prentiss & Company, Inc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed to the extent of the petitioner's objections thereto, 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. 141. The United States, petitioner, *v.* Factors & Finance Company. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Cardozo.

No. 264. The United States of America, appellant, *v.* Chicago North Shore and Milwaukee Railroad Company. Appeal from the District Court of the United States for the Northern District of Illinois. Decree affirmed. Opinion by Mr. Justice Roberts.

No. 23. Interstate Commerce Commission, Public Utilities Commissioner of Oregon, etc., and Public Utilities Commission of the state of Idaho, appellants, *v.* Oregon-Washington Railroad & Navigation Company, Southern Pacific Company, Great Northern Railway Company, et al. Appeal from the District Court of the United States for the District of Oregon. Decree affirmed. Opinion by Mr. Justice Roberts. Dissenting opinion by Mr. Justice Cardozo in which Mr. Justice Brandeis and Mr. Justice Stone join.

No. 137. Aetna Life Insurance Company, etc., et al., petitioners, *v.* Samuel D. Moses. 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 Stone.

No. 192. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Aluminum Goods Manufacturing Company. On writ of certiorari to 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. Justice Stone.

No. 215. E. G. Palmer, petitioner, *v.* Mrs. Agnes B. McGrawl Bender, Administratrix of the Estate of Jacob O. Bender, Late Collector of Internal Revenue for the District of Louisiana. 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 Louisiana for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 131. American Surety Company of New York, petitioner, *v.* Teresa Marotta. 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 consideration and proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 171. Mrs. J. H. Pobreslo, appellant, *v.* Joseph M. Boyd Company, Clarence E. Karn, L. D. Atkinson, et al. Appeal from the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion of Mr. Justice Butler.

No. 282. Helen C. Johnson, Herbert F. Johnson, jr., Henrietta J. Louis, et al., etc., appellants, *v.* Arthur Star. Appeal from the Supreme Court of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 128. Wabash Valley Electric Company, appellant, *v.* Ralph M. Young, John W. McArdle, Howell Ellis, et al., etc. Appeal from the District Court of the United States for the Southern District of Indiana. Decree affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 194. Atlantic Coast Line Railroad Company and William Smith, appellants, *v.* Katherine H. Ford. Appeal from the Supreme Court of the State of South Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 217. The Guaranty Trust Company of New York, as Executor of the Last Will and Testament of Harriet D. Sewell, deceased, appellant, *v.* William H. Blodgett, Tax Commissioner. Appeal from the Superior Court of Fairfield County, State of Connecticut. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 314. Fairmount Glass Works, petitioner, *v.* Cub Fork Coal Company and Paragon Colliery Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment of the said Circuit Court of Appeals reversed with costs, and the judgment of the District Court of the United States for the Southern District of Indiana affirmed and cause remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Dissenting opinion by Mr. Justice Stone and Mr. Justice Cardozo.

No. 182. Pinellas Ice and Cold Storage Company, petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice McReynolds.

No. 191. The United States of America, petitioner, *v.* Clarence P. Arzner. 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 Western District of Washington. Opinion by Mr. Justice McReynolds.

The Chief Justice announced the following order of the Court:

No. 441. Martin A. Leach, 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 a substantial Federal question. *Hall v. Gieger-Jones Co.*, 242 U. S. 539; *Caldwell v. Sioux Falls Stock Yards Co.*, 242 U. S. 559; *Merrick v. N. W. Halsey & Co.*, 242 U. S. 568; *Sloman v. Security Trust Co.*, 281 U. S. 704; *Waters-Pierce Oil Co., v. Texas (No. 1)*, 212 U. S. 86, 109; *Bandini Co. v. Superior Court*, 284 U. S. 8, 18; *Sprouls v. Binford*, 286 U. S. 374, 393.

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. The State of New Jersey, complainant, *v. The Commonwealth of Pennsylvania*. On consideration of the return to the rule to show cause it is ordered that the motion for leave to file the bill of complaint herein be, and the same hereby is, denied.

No. —, original. Ex Parte: John L. Lamkin et al., petitioners. Motion for leave to file petition for writ of mandamus denied.

No. 563. Annie Reikes, petitioner, *v. William Lowenstein*, as Trustee in Bankruptcy of Meyer Reikes, Bankrupt. 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 be issued. The petition for writ of certiorari is therefore also denied.

No. 374. The People of the State of New York, petitioner, *v. Mark M. Maclay and Charles E. McWilliams, Receivers, etc., et al.* The motion to advance this case is denied.

No. 499. The Moffat Tunnel League et al., appellants, *v. The United States of America et al.* In this case probable jurisdiction is noted.

No. 567. The United States of America, appellant, *v. Santos Flores*. In this case probable jurisdiction is noted, and the case is advanced and assigned for argument on February 6th next.

No. 518. Pacific Coast Steel Company, petitioner, *v. John P. McLaughlin, United States Collector of Internal Revenue, etc.* The petition for writ of certiorari in this case is granted, limited to the question of the effect of Section 278(e) of the Revenue Act of 1924.

No. 531. Genevieve A. Clark, petitioner, *v. The United States of America*. Petition for writ of certiorari to the United States Cir-

circuit Court of Appeals for the Eighth Circuit granted and the case advanced and assigned for argument on Monday, February 6th next, after the case heretofore assigned for that day.

No. 523. Central Transfer Company, petitioner, *v.* Terminal Railroad Association of St. Louis, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 526. The Baltimore and Ohio Railroad Company and Western Maryland Railway Company, petitioners, *v.* A. Spates Brady. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 537. Arthur C. Harvey Company, petitioner, *v.* John F. Malley and/or Malcolm E. Nichols, Former Collectors. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 538. Board of Trustees of the University of Illinois, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals granted.

No. 521. Agnes V. Birmingham, petitioner, *v.* Frank P. Graves, as State Commissioner of Education; and

No. 522. Agnes V. Birmingham, petitioner, *v.* Frank P. Graves, as State Commissioner of Education. Petition for writs of certiorari to the Supreme Court and to the Court of Appeals of the State of New York denied. Mr. Justice Cardozo took no part in the consideration or decision of this application.

No. 524. Manistique & Lake Superior Railroad Company, petitioner, *v.* Elizabeth Musgrove, Administratrix of the Estate of Thomas Musgrove, deceased. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 525. Wellington Britton, 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. 527. Charles Broadway Rouss, Inc., and International Shoe Company, petitioners, *v.* The First National Bank of Columbus, Ga., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 528. William A. Jamison, et al., doing business under the firm name and style of Arbuckle Bros., petitioners, *v.* The United States of America, as Owner of the S. S. "Lake Galera"; and

No. 529. William A. Jamison, et al., doing business under the firm name and style of Arbuckle Bros., petitioners, *v.* The United States of America, as Owner of the S. S. "Lake Pachuta." Peti-

tion for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 532. E. Ennalls Berl and Paul L. Hart, Receivers Lewis Oil Corporation, petitioners, *v.* Mrs. M. J. Crutcher, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 536. Binkley Coal Company, petitioner, *v.* James R. Henderson, as Trustee in Bankruptcy of Francisco Coal, Inc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 540. Chesapeake & Ohio Railway Company, petitioner, *v.* Alliean Howard, Administratrix of the Estate of E. C. Howard, deceased. Petition for writ of certiorari to the Court of Appeals of the State of Kentucky denied.

No. 542. Frank P. Doolittle, Executor of the Estate of George A. Hoagland, deceased, petitioner, *v.* A. B. Allen, Collector of Internal Revenue for the District of Nebraska. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 543. John F. Walsh, petitioner, *v.* The United States of America;

No. 544. William D'Agostin, petitioner, *v.* The United States of America;

No. 545. Louis Dodaro, petitioner, *v.* The United States of America; and

No. 546. Sam Capriola, 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. —, original. Ex Parte: Adolph R. Moder, et al., petitioners. Leave granted to withdraw motion for leave to file petition for writ of mandamus and/or prohibition on motion of Mr. Jesse C. Duke for the petitioners.

No. —, original. Ex Parte: Adolph R. Moder, et al., petitioners. Motion for leave to file petition for writ of habeas corpus submitted by Mr. Jesse C. Duke for the petitioners.

No. 20, original. The State of Wisconsin, complainant, *v.* The State of Michigan. Answer of the defendant presented.

No. 138. Joseph F. Miller, petitioner, *v.* A. C. Aderhold, Warden, United States Penitentiary, Atlanta, Georgia. Argued by Mr. Dean G. Acheson for the petitioner, and by Mr. Paul D. Miller for the respondent.

No. 504. Appalachian Coals, Incorporated, et al., appellants, *v.* The United States of America. Four hours allowed for oral argument. Argument commenced by Mr. William J. Donovan for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 10, will be as follows: Nos. 504, 272, 278, 283, 286, 293, 301, 304, 315, and 316 (317 and 318).

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, Mr. Justice Roberts, and Mr. Justice Cardozo.

Laurence A. Kahn, of New York City; John Shields Coleman, of Birmingham, Ala.; J. Raymond Barse, of Chicago, Ill.; and Donald B. Partridge, of Norway, Me., were admitted to practice.

No. 547. Walter H. Gant et al., appellants, *v.* The City of Oklahoma City et al. Leave granted to file statement as to jurisdiction on motion of Mr. Wesley E. Disney on behalf of counsel for appellants.

No. 504. Appalachian Coals, Inc., et al., appellants, *v.* The United States of America. Argument continued by Mr. William J. Donovan for the appellants, by Mr. John Lord O'Brian for the appellees, and concluded by Mr. E. L. Greever for the appellants. Leave granted appellants to file supplemental brief within three days on motion of Mr. E. L. Greever in that behalf.

No. 272. Norwegian Nitrogen Products Company, petitioner, *v.* The United States. Arguments commenced by Mr. Marion DeVries for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 11, will be as follows: Nos. 272, 278, 283, 286, 293, 301, 304, 315, 316 (317 and 318), and 319.

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.

Thos. G. Deering, of Chicago, Ill., was admitted to practice.

No. 272. Norwegian Nitrogen Products Company, petitioner, *v.* The United States. Argument continued by Mr. Solicitor General Thacher for the respondent, and concluded by Mr. Marion DeVries for the petitioner.

No. 278. Fort Smith Suburban Railway Company et al., petitioners, *v.* The Kansas City Southern Railway Company. Argued by Mr. Thomas B. Pryor for the petitioners, and by Mr. Frank H. Moore for the respondent.

No. 283. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Muury Guggenheim. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Elihu Root, jr., for the respondent.

No. 286. The New York Central Railroad Company, as Owner of the Carfloat "No. 37," petitioner, *v.* Tug "Talisman," The Long Island Railroad Company. Argument commenced by Mr. Leonard J. Matteson for the petitioner, and continued by Mr. Chauncey I. Clark for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 12, will be as follows: Nos. 286, 293, 301, 304, 315, 316 (317 and 318), 319, 322, 330 (and 331), and 346.

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.

David W. Robinson, jr., of Columbia, S. C., was admitted to practice.

No. 515. Bemis Bro. Bag Company, petitioner, *v.* The United States of America. Leave granted to file supplemental brief for petitioner by Tuesday next on motion of Mr. R. S. Doyle in that behalf, with leave to respondent to file a reply thereto within two days thereafter.

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.* The State of Illinois and Sanitary District of Chicago et al. Application of the States of Missouri, Kentucky, Tennessee, Louisiana, Mississippi, and Arkansas, intervening defendants, for modification of decree and for enlargement of pending reference to report in connection with such application submitted by Mr. Daniel N. Kirby for the intervening defendants, in support thereof, and by Mr. Ralph H. Case for the complainants, the States of Wisconsin, Minnesota, Ohio, and Michigan, in opposition thereto.

No. 286. The New York Central Railroad Company, as Owner of the Carfloat "No. 37," petitioner, *v.* Tug "Talisman," The Long Island Railroad Company. Argument continued by Mr. Chauncey I. Clark for the respondent, and concluded by Mr. Leonard J. Matteson for the petitioner.

No. 293. First National Bank of Shreveport, Louisiana, et al., appellants, *v.* Louisiana Tax Commission et al. Argued on the motion to dismiss by Mr. Howard B. Warren for the appellants, and by Mr. Elias Goldstein for the appellees. Motion to dismiss denied.

No. **293**. First National Bank of Shreveport, Louisiana, et al., appellants, *v.* Louisiana Tax Commission et al. Argument commenced by Mr. Howard B. Warren for the appellants; continued by Mr. Elias Goldstein for the appellees; and concluded by Mr. Lewell C. Butler for the appellants.

No. **301**. Louis K. Liggett Company et al., appellants, *v.* Ernest Amos, as Comptroller of the State of Florida et al. On suggestion of the expiration of the term of office of Ernest Amos, former Comptroller of the State of Florida; R. B. Council, former Tax Collector of Leon County; and R. F. Bowden, former Tax Collector of Duval County; J. M. Lee, present Comptroller of the State of Florida; R. H. Mickler, present Tax Collector of Leon County; and R. H. Carswell, present Tax Collector of Duval County, substituted as parties appellee, on motion of Mr. Thomas B. Adams in that behalf.

No. **301**. Louis K. Liggett Company et al., appellants, *v.* J. M. Lee, Comptroller of the State of Florida et al. Argument commenced by Mr. Thomas B. Adams for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 13, will be as follows: Nos. **301, 304, 315, 316 (317 and 318), 319, 322, 330 (and 331), 346, 356, and 357.**

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, Mr. Justice Roberts, and Mr. Justice Cardoza.

George C. Baldt, of Washington, D. C.; Alexander Koehn, of Chicago, Ill.; Ralph G. Pennoyer, of Washington, D. C.; Edward Vogel, of Brooklyn, N. Y.; James I. Marsh, of Pittsburgh, Pa.; James H. Dilley, of Pittsburgh, Pa.; E. Ennalls Berl, of Wilmington, Del.; Alfred P. Lowell, of Boston, Mass.; and Louis E. Graham, of Pittsburgh, Pa.; were admitted to practice.

No. 301. Louis K. Liggett Company et al., appellants, *v.* J. M. Lee, as Comptroller of the State of Florida, et al. Argument continued by Mr. Thomas B. Adams for the appellants, and concluded by Mr. H. E. Carter for the appellees.

No. 304. The People of the State of New York, petitioners, *v.* Irving Trust Company, as Trustee in Bankruptcy, etc. Argued by Mr. Robert P. Beyer for the petitioners, and by Mr. S. John Block for the respondent.

No. 315. Karl F. Voehl, petitioner, *v.* Indemnity Insurance Company of North America. Argued by Mr. Israel J. Mendelson for the petitioner, and by Mr. G. Bowdoin Craighill for the respondent.

No. 316. The United States of America, petitioner, *v.* Dubilier Condenser Corporation;

No. 317. The United States of America, petitioner, *v.* Dubilier Condenser Corporation; and

No. 318. The United States of America, petitioner, *v.* Dubilier Condenser Corporation. Argument commenced by Mr. Solicitor General Thacher for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 16, will be as follows: Nos. 316 (317 and 318), 319, 322, 330 (and 331), 346, 356, 357, 359, 364, and 374.

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.

Henry N. Rapaport, of New York City; Joseph W. Shands, of Jacksonville, Fla.; Daniel Willard, jr., of Baltimore, Md.; Edward N. Perkins, of New York City; Abraham W. Feinberg, of Ithaca, N. Y.; and Guy L. Horton, of Stillwater, Okla., were admitted to practice.

No. 335. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* The United States of America, *ex rel.* Chestatee Pyrites & Chemical Corporation. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment affirmed and cause remanded to the said Court of Appeals. Opinion by Mr. Justice McReynolds.

The Chief Justice said:

“The 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. 278. Fort Smith Suburban Railway Company and Missouri Pacific Railroad Company, petitioners, *v.* The Kansas City Southern Railway Company. On writ of certiorari to the Supreme Court of the State of Arkansas. *Per curiam:* The writ of certiorari herein is dismissed as improvidently granted.

No. 602. People of the State of New York, *ex rel.* Herman Rothenberg, petitioner, *v.* Lewis E. Lawes, as Warden of Sing Sing Prison. On petition for writ of certiorari to the Supreme Court of the State of New York. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon consideration of the record herein submitted finds no ground upon which a writ of certiorari should be issued. The petition for certiorari is therefore also denied.

No. —, original. Ex Parte: Adolph R. Moder et al., petitioners. The motion for leave to file a petition for writ of *habeas corpus* is denied.

No. —. Ex Parte: Adolph R. Moder et al. The motion for bail or other relief is denied.

No. 609. Adolph R. Moder et al., petitioners, *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 record herein submitted, finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied. Upon consideration of the suggestion of a diminution of the record in this cause and of the motion for writ of certiorari to correct the same, the motion is denied.

No. —, original. Clarence Carvill, complainant, *v.* The Commonwealth of Massachusetts. Motion for leave to file bill of complaint denied.

No. 18, original. The State of Ohio, petitioner, *v.* The Chattanooga Boiler and Tank Company. Rules are ordered to issue requiring the parties to show cause, on or before Monday, February 6th next, why this cause should not be dismissed for want of prosecution.

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.* The State of Illinois and Sanitary District of Chicago, et. al. The motion to amend the decree herein is denied.

No. 582. The People of the State of New York, *ex rel.* New York and Albany Lighterage Company, appellants, *v.* Thomas M. Lynch et al., 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. 589. Harry J. Mortensen, as Commissioner of Insurance of the State of Wisconsin, appellant, *v.* Security Insurance Company. In this case probable jurisdiction is noted. Further consideration of the motion to affirm is postponed to the hearing of the case on the merits.

No. 541. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* A. T. Jergins Trust. Petition for writ of certiorari to the

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

No. 482. Cortland Specialty Company, Mrs. H. R. Sargent, H. R. Sargent, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 550. Wilman E. Adams, petitioner, *v.* E. C. Hagerott, Administrator of the estate of A. D. Gaines, deceased. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 551. Trinity Methodist Church South, petitioner, *v.* Federal Radio Commission. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied.

The Chief Justice announced the following order:

ORDER

The Court will take a recess from Monday, January 23, to Monday, February 6 next.

No. 316. The United States of America, petitioner, *v.* Dubilier Condenser Corporation;

No. 317. The United States of America, petitioner, *v.* Dubilier Condenser Corporation; and

No. 318. The United States of America, petitioner, *v.* Dubilier Condenser Corporation. Argument continued by Mr. John H. Hughes, Jr., for the respondent and concluded by Mr. Solicitor General Thacher for the petitioner.

No. 319. The United States, petitioner, *v.* Acme Operating Corporation et al. Argued by Mr. Assistant Attorney General Rugg for the petitioner and by Mr. Addison C. Burnham for the respondents.

No. 322. The Massachusetts Mutual Life Insurance Company, petitioner, *v.* The United States. Argument commenced by Mr. Guy Patten for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 17, will be as follows: Nos. 322, 330 (and 331), 346, 356, 357, 359, 364, 374, 377, and 379.

SUPREME COURT OF THE UNITED STATES

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

Edwin F. Samuels, of Baltimore, Md., and Walter J. Carrico, of Tulsa, Okla., were admitted to practice.

No. **322.** The Massachusetts Mutual Life Insurance Company, petitioner, *v.* The United States. Argument continued by Mr. Guy Patten for the petitioner, and concluded by Mr. Whitney North Seymour for the respondent.

No. **330.** Peter L. McDonnell, petitioner, *v.* The United States; and

No. **331.** Dominic A. Truda, petitioner, *v.* The United States. Argued by Mr. Robert Ash for the petitioners, and by Mr. Assistant Attorney General Rugg for the respondent.

No. **346.** Union Bank & Trust Company, petitioner, *v.* R. C. Phelps, Individually and as Tax Collector of Montgomery County, Alabama. Argument commenced by Mr. William B. White for the petitioner; continued by Mr. Thomas E. Knight, jr., and Mr. Frontis H. Moore for the respondent; and concluded by Mr. John S. Coleman for the petitioner.

No. **356.** Indian Territory Illuminating Oil Company, petitioner, *v.* Board of Equalization of Tulsa County, Oklahoma; and

No. **357.** Indian Territory Illuminating Oil Company, petitioner, *v.* Board of County Commissioners of Payne County, Oklahoma. Argument commenced by Mr. John H. Miley for the petitioner, and continued by Mr. Hugh Webster for the respondent in No. **356.**

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 18, will be as follows: Nos. **356** (and **357**), **359**, **364**, **374**, **377**, **379**, **388**, **390**, **391**, and **393.**

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.

Elizabeth M. Sheridan, of Philadelphia, Pa.; Solomon B. Pressburg, of Alexandria, La.; Stanley J. Padden, of Seattle, Wash.; and Sidney J. Graham, of Portland, Oreg., were admitted to practice.

No. 551. Trinity Methodist Church, South, petitioner, *v.* Federal Radio Commission. Order denying petition for writ of certiorari withheld on motion of Mr. Louis G. Caldwell for the petitioner.

No. 356. Indian Territory Illuminating Oil Company, petitioner, *v.* Board of Equalization of Tulsa County, Oklahoma; and

No. 357. Indian Territory Illuminating Oil Company, petitioner, *v.* Board of County Commissioners of Payne County, Oklahoma. Argument continued by Mr. Hugh Webster for the respondent in No. 356, by Mr. Ernest F. Jenkins for the respondent in No. 357, and concluded by Mr. John H. Miley for the petitioner.

No. 359. Mary Rocco, as Executrix of the Last Will and Testament of Joseph Rocco, deceased, petitioner, *v.* Lehigh Valley Railroad Company. Argued by Mr. Abraham W. Feinberg for the petitioner, and by Mr. Harold E. Simpson for the respondent.

No. 364. St. Louis Southwestern Railway Company, petitioner, *v.* Missouri Pacific Railroad Company. Argued by Mr. Harold R. Small for the petitioner, and by Mr. Robert E. Wiley for the respondent.

No. 374. The People of the State of New York, petitioner, *v.* Mark W. Maclay and Charles E. McWilliams, Receivers of McWilliams Bros., Inc., and United States of America. Argument commenced by Mr. Charles A. Schneider for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 19, will be as follows: Nos. 374, 377, 379, 388, 390, 391, 393, 395, 434, and 448.

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.

Leo T. Wolford, of Louisville, Ky., was admitted to practice.

No. **374**. The people of the State of New York, petitioner, *v.* Mark M. Maclay and Charles E. McWilliams, Receivers of McWilliams Bros., Inc., and United States of America. Argument continued by Mr. Charles A. Schneider for the petitioner and concluded by Mr. Solicitor General Thacher for the respondent, The United States.

No. **377**. Anglo-Chilean Nitrate Sales Corporation, appellant, *v.* The State of Alabama. Argued by Mr. R. Worth Vaughan for the appellant, and by Mr. Thomas E. Knight, jr., and Mr. Frontis H. Moore for the appellee.

No. **379**. The Pennsylvania Railroad Company, petitioner, *v.* Margaret V. Chamberlain, as Administratrix, etc. Argued by Mr. Morton L. Fearey for the petitioner, and by Mr. Sol Gelb for the respondent.

No. **388**. Letcher Spicer, by Sam Spicer, Guardian and Committee, petitioner, *v.* J. Bryan Smith, Special Deputy Banking Commissioner, etc. Argument commenced by Mr. William Marshall Bullitt for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 20, will be as follows: Nos. **388, 390 (and 391), 393, 395, 434, and 448.**

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.

Harry Robert Bockoff, of Detroit, Mich.; William G. Davis, of New York City; Cyris Granville Wyche, of Greenville, S. C.; William W. Prager, of New York City; Bertha Vaessen Perry, of Denver, Colo.; George B. Sifton, of Boston, Mass.; David H. Greenberg, of Boston, Mass.; Lloyd Willard Bryan, of Pittsburgh, Pa.; and Benjamin I. Salinger, jr., of Chicago, Ill., were admitted to practice.

No. **388.** Letcher Spicer, by Sam Spicer, Guardian and Committee, petitioner, *v.* J. Bryan Smith, Special Deputy Banking Commissioner, etc. Argument continued by Mr. Jesse I. Miller for the respondent, and concluded by Mr. Leo T. Wolford for the petitioner. Leave granted the respondent to file a supplemental brief within three days.

No. **390.** Broad River Power Company, appellant, *v.* Walter G. Query et al., etc.; and

No. **391.** Lexington Water Power Company, appellant, *v.* Walter G. Query et al., etc. Argued by Mr. George M. LePine for the appellants, and by Mr. J. Fraser Lyon for the appellee.

No. **393.** Federal Trade Commission, petitioner, *v.* Royal Milling Company et al. Argued by Mr. John Lord O'Brian for the petitioner, and by Mr. Thomas H. Malone for the respondents.

No. **395.** C. A. Bradley, Doing Business as Wolverine Motor Freight Lines, appellant, *v.* The Public Utilities Commission of Ohio. Argument commenced by Mr. LaRue Brown for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 23, will be as follows: No. **395.**

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.

Joseph J. Malloy, of Washington, D. C.; C. Severin Buschmann, of Indianapolis, Ind.; Theodore D. Parsons, of Red Bank, N. J.; James L. Briscoe, of Tucumcari, N. Mex.; Ethelbert B. Frey, of Washington, D. C.; and J. K. Moore, of Oklahoma City, Okla., were admitted to practice.

No. 227. Richard Reid Rogers, petitioner, *v.* Guaranty Trust Company of New York, Junius Parker, George W. Hill, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree of the Circuit Court of Appeals reversed, costs to be taxed against petitioner, and the cause remanded to the District Court of the United States for the Southern District of New York with directions to reinstate its decree dismissing the bills of complaint without prejudice. Opinion by Mr. Justice Butler. Mr. Justice Roberts took no part in the consideration or decision of this case. Dissenting opinion by Mr. Justice Stone in which Mr. Justice Brandeis, and Mr. Justice Cardozo concur. Dissenting opinion by Mr. Justice Cardozo.

No. 82. Frank Cook, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed and cause remanded to the District Court of the United States for the District of Rhode Island for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Mr. Justice Sutherland and Mr. Justice Butler dissent. Mr. Justice Van Devanter took no part in the consideration or decision of this case.

The Chief Justice announced the following order of the Court.

No. 588. Dr. Bloom Dentist Inc., appellant, *v.* Michael J. Cruise, as City Clerk of the City of New York. Appeal from the Supreme Court of the State of New York. Per curiam: The appeal herein is dismissed for the want of a substantial federal question. *Dent v. West Virginia*, 129 U. S. 114; *Douglas v. Noble*, 261 U. S. 165;

Missouri *ex rel.* Hurwitz *v.* North, 271 U. S. 40, 43; Graves *v.* Minnesota, 272 U. S. 425, 428; Lambert *v.* Yellowley, 272 U. S. 581, 596; People *v.* Painless Parker Dentist, 85 Colo. 304, 280 U. S. 566; Miller *v.* State Board of Dental Examiners, — Colo. —; 8 Pac. (2) 699; 287 U. S. —.

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. 20, original. The State of Wisconsin, complainant, *v.* The State of Michigan. The Clerk is directed to file the answer tendered by the defendant State, and the plaintiff State is given ten days within which to file a replication.

It is further ordered that Frederick F. Faville, of Des Moines, Iowa, be, and he is hereby, appointed master in this cause, with authority, upon the filing of the replication or a waiver thereof, to summon witnesses, issue subpoenas, and to take such evidence as may be introduced and such as he may deem it necessary to call for. The master is directed to make findings of fact and conclusions of law, and to submit the same to this Court with all convenient speed, together with his recommendations for a decree. The findings, conclusions and recommendations of the master shall be subject to consideration, revision or approval by the Court. The master shall be allowed his actual expenses and a reasonable compensation for his services to be fixed hereafter by the Court. The allowances to him, the compensation paid to his stenographic and clerical assistants, and the cost of printing his report shall be charged against and be borne by the parties in such proportions as the Court hereafter may direct. If the appointment herein made of a master is not accepted, or if the place becomes vacant during the recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

No. 3, original. The State of Nevada, complainant, *v.* The Crown Willamette Paper Company. Rules are ordered to issue returnable on Monday, February 13th next requiring the parties to show cause why this cause should not be dismissed.

No. 17, original. The State of Washington, complainant, *v.* The State of Oregon. Rules are ordered to issue returnable on Monday, February 13th next requiring the parties to show cause why this cause should not be dismissed for want of prosecution.

No. —. In Re Disbarment of William E. Baff. A Committee of the Bar of this Court, appointed in this matter by order of this

Court entered February 15, 1932, having reported that William E. Baff, of Los Angeles, California, was disbarred from the practice of the law in the United States Patent Office by an order duly entered March 18, 1921, with the approval of the Secretary of the Interior, made after notice and hearing, and based upon findings of gross misconduct, and that the application of the said Baff for reregistration has been refused by the Commissioner of Patents and that such refusal had been sustained by the Chief Justice of the Supreme Court of the District of Columbia; and the said committee having recommended that the said William E. Baff be disbarred from the practice of the law in this Court unless he should show good and sufficient cause to the contrary; and this Court having issued a rule directing the said Baff to show cause 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; and the Court, upon consideration of the return of the said Baff to the said rule, presented to this Court on December 5, 1932, being of the opinion that the said William E. Baff has failed to show good and sufficient cause as in that rule required; therefore, upon consideration of all the records and proceedings in this matter,

It is now here ordered that the said William E. Baff, 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. 547. Walter H. Gant, et al., appellants, *v.* The City of Oklahoma City et al. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits.

No. 587. Consolidated Textile Corporation, appellant, *v.* John J. Gregory, Judge of the Circuit Court of Milwaukee County. In this case probable jurisdiction is noted. Further consideration of the motion to affirm is postponed to the hearing of the case on the merits.

No. 515. Bemis Bro. Bag 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 granted.

No. 559. City of Harrisonville, Missouri, petitioner, *v.* W. S. Dickey Clay Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 564. F. E. Buffum, as Trustee in Bankruptcy of Henry Joseph Barceloux, Bankrupt, petitioner, *v.* Peter Barceloux Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 565. Philip Hurn and Percy Morgan, jr., petitioners, *v.* Fulton Oursler et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted and the case assigned for argument immediately following No. 423.

No. 568. Canadian Club Corporation, petitioner, *v.* Canada Dry Ginger Ale, Inc.; and

No. 569. Canadian Club Corporation, petitioner, *v.* Canada Dry Ginger Ale, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. Mr. Justice Roberts took no part in the consideration or decision of this application.

No. 548. Frank Palermo, 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. Keystone Warehousing Company, petitioner, *v.* The Public Service Commission of the Commonwealth of Pennsylvania, et al. Petition for writ of certiorari to the Superior Court of the State of Pennsylvania denied.

No. 560. Mary Greer Conklin, petitioner, *v.* Harvey R. Ling and The Review Ptg. Co. Petition for writ of certiorari to the District Court of Appeals, 2nd Appellate District, State of California, denied.

No. 561. International Silver Company, petitioner, *v.* United Chromium, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 566. Robert S. O. Lawson, petitioner, *v.* Whitlock Cordage Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 570. Lillian Clawans, Trading under the name of Adding and Calculating Company, petitioner, *v.* Betty Way Carnduff. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 573. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* Anna Murmann, Administratrix of the Goods, Chattels, and Credits of George J. Murmann, deceased. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 613. Munson Steamship Line, petitioner, *v.* North of England Steamship Company, Ltd., as Owner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 466. Esther Jackson Porter, as Executrix, and Richard L. Davisson, as Surviving Executor, etc. Leave granted to file brief of Reginald Washburn et al., as *amici curiae*, on motion of Mr. Bradley Gillman in that behalf. Motion for leave to appear and present oral argument denied.

No. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Report of the Special Master submitted by Mr. Edmund F. Trabue.

No. 176, The Nashville, Chattanooga & St. Louis Railway, appellant, *v.* Roy C. Wallace, Comptroller of the Treasury of the State of Tennessee, et al., etc. Dancy Fort, present Commissioner of Finance and Taxation of the State of Tennessee, substituted as a party appellee in place of George R. Dempster, on motion of Mr. Fitzgerald Hall in that behalf.

No. 18, original. The State of Ohio, petitioner, *v.* The Chattanooga Boiler and Tank Company. Stipulation of counsel waiving the filing of a replication and requesting that the cause be set for oral argument presented. Ordered that the rules to show cause heretofore issued be discharged and the cause assigned for argument on Monday, April 10 next.

No. 395. C. A. Bradley, Doing Business as Wolverine Motor Freight Lines, appellant, *v.* The Public Utilities Commission of Ohio. Argument continued by Mr. La Rue Brown for the appellant, and concluded by Mr. Thomas J. Herbert for the appellee.

Adjourned until Monday, February 6, next at 2 o'clock.

The day call for Monday, February 6, will be as follows: Nos. 531, 407, 412, 423, 565, 434, 448, 460 (and 461), 466, and 469.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

William H. Neal, of Los Angeles, Calif.; Nat R. Davidson, of Louisville, Ky.; George M. Stevens, of Camden, N. J.; T. H. Burke, of Billings, Mont.; Edward L. Platt, of Camden, N. J.; Clyde O. Eastus, of Fort Worth, Tex.; and Patrick Mann Estes, of Nashville, Tenn., were admitted to practice.

No. 283. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Murry Guggenheim. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment 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 Cardozo. Dissenting: Mr. Justice Sutherland and Mr. Justice Butler. The Chief Justice took no part in the consideration or decision of this case.

No. 374. The People of the State of New York, petitioners, *v.* Mark M. Maclay and Charles E. McWilliams, Receivers of McWilliams Bros., Inc., and 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. 272. Norwegian Nitrogen Products Company, petitioner, *v.* The United States. On writ of certiorari to the United States Court of Customs and Patent Appeals. Judgment affirmed and cause remanded to the said Court of Customs and Patent Appeals. Opinion by Mr. Justice Cardozo. Mr. Justice McReynolds is of the opinion that the judgment should be reversed.

No. 322. The Massachusetts Mutual Life Insurance Company, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Roberts.

No. 359. Mary Rocco, as Executrix of the last will and testament of Joseph Rocco, deceased, petitioner, *v.* Lehigh Valley Railroad

Company. 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. Mr. Justice McReynolds and Mr. Justice Butler are of opinion that the judgment should be affirmed.

No. 319. The United States, petitioner, *v.* Acme Operating Corporation; Liberty Trust Company, Intervenor. 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 Stone.

No. 176. The Nashville, Chattanooga & St. Louis Railway, appellant, *v.* Roy C. Wallace, Comptroller of the Treasury of the State of Tennessee, et al., etc. Appeal from the Supreme Court of the State of Tennessee. Decree affirmed with costs. Opinion by Mr. Justice Stone.

No. 377. Anglo-Chilean Nitrate Sales Corporation, appellant, *v.* The State of Alabama. Appeal from the Supreme Court of the State of Alabama. 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 Butler. Dissenting opinion by Mr. Justice Cardozo, in which Mr. Justice Brandeis and Mr. Justice Stone join.

No. 286. The New York Central Railroad Company, as Owner of the Carfloat "No. 37," petitioner, *v.* Tug "Talisman," The Long Island Railroad Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 63. A. P. Dickson, Joe Dickson, I. N. Calvert, et al., petitioners, *v.* Uhlmann Grain Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Western District of Missouri, for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Dissenting opinion by Mr. Justice Butler, in which Mr. Justice Stone and Mr. Justice Cardozo join.

No. 346. Union Bank & Trust Company, petitioner, *v.* R. C. Phelps, Individually and as Tax Collector of Montgomery County, Alabama. On writ of certiorari to the Supreme Court of the State

of Alabama. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 163. Atlantic City Electric Company, petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Chief Justice Hughes.

No. 58. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* R. E. Huff, Individually, and R. E. Huff and Wm. E. Huff, Independent Executors of the estate of Mrs. E. B. Huff, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment 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. Chief Justice Hughes.

No. 315. Karl F. Voehl, petitioner, *v.* Indemnity Insurance Company of North America. On writ of certiorari to the Court of Appeals of the District of Columbia. Decree of the Court of Appeals reversed with costs, and the decree of the Supreme Court of District of Columbia affirmed, and the cause remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Hughes.

No. 228. George A. Ohl & Company, petitioner, *v.* The A. L. Smith Iron Works; and

No. 229. George A. Ohl & Company, petitioner, *v.* The A. L. Smith Iron Works. On writs of certiorari to the United States Circuit Court of Appeals for the First Circuit. Judgments reversed with costs, and the cause remanded to the said Circuit Court of Appeals for hearing upon the merits. Opinion by Mr. Chief Justice Hughes.

No. 390. Broad River Power Company, appellant, *v.* Walter G. Query, J. P. Derham, and Frank C. Robinson, as members of and constituting the South Carolina Tax Commission; and

No. 391. Lexington Water Power Company, appellant, *v.* Walter G. Query, J. P. Derham, and Frank C. Robinson, as members of and constituting the South Carolina Tax Commission. Appeals from the District Court of the United States for the Eastern District of South Carolina. Decrees affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 138. Joseph F. Miller, petitioner, *v.* A. C. Aderhold, Warden, United States Penitentiary, Atlanta, Georgia. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed, and cause remanded to the District Court of

the United States for the Northern District of Georgia. Opinion by Mr. Justice Sutherland announced by Mr. Chief Justice Hughes.

No. 393. Federal Trade Commission, petitioner, *v.* Royal Milling Company, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree reversed, and cause remanded to the said Circuit Court of Appeals to be disposed of in conformity with the opinion of this Court. Opinion by Mr. Justice Sutherland announced by Mr. Chief Justice Hughes. Mr. Justice McReynolds and Mr. Justice Roberts are of opinion that the decree below should be affirmed.

The Chief Justice announced the following orders of the Court:

No. 572. Eli Terrell, Thomas Franklin, and Mose Conner, appellants, *v.* The State of Louisiana. Appeal from the Supreme Court of the State of Louisiana. *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 for the want of a properly presented federal question. *Rooker v. Fidelity Trust Co.*, 261 U. S. 114, 117; *Wall v. Chesapeake & Ohio Ry. Co.*, 250 U. S. 125, 126; *Godchaux Co. v. Estopinal*, 251 U. S. 179, 181. The motion for leave to proceed further herein *in forma pauperis* is denied.

No. 628. Paul L. Fourchy, appellant, *v.* Charles F. Fletchinger, Chairman and Attorney, Disbarment Committee, Supreme Court of Louisiana. Appeal from the Supreme Court of the State of Louisiana. *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. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. The report of the Special Master is received and ordered to be filed. Exceptions by the parties, if any, shall be filed on or before Monday, February 27, next and the case is assigned for hearing on such exceptions, if any, on Monday, April 10, next, after the case heretofore assigned for that day. Briefs for the parties shall be filed on or before Monday, March 20. Reply briefs, if any, are to be filed on or before Monday, April 3.

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. —, original. Ex Parte: Wilfred R. Hess, petitioner. The motion for leave to file petition for a writ of *habeas corpus* is denied.

No. 627. Public Service Commission of Montana, et al., appellants, v. Great Northern Utilities Company. In this case probable jurisdiction is noted. The motion to substitute Tom Stout and Thomas E. Carey, as members of the Public Service Commission of Montana, and Raymond T. Nagle, as Attorney General of the State of Montana, in place of Dan Boyle and Lee Dennis and L. A. Foot, retired, respectively, is granted.

No. 594. Peter Rossi and Edward Ehrett, 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 limited to the question of the sufficiency of the evidence to support conviction upon the third and fourth counts. The case is advanced and assigned for argument on Monday, March 13 next.

No. 571. William H. Edelman, State Treasurer, et al., petitioners, v. Boeing Air Transport, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 595. Mrs. Fannie E. Lang, petitioner, v. Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 591. American Mutual Liability Insurance Company, petitioner, v. Joseph B. McDonough, Treasurer and Ex officio County Collector of Cook County, Illinois. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. The motion to consolidate with case No. 590 is also denied.

No. 539. Edward Baker, *alias* Ed Baker, 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. 584. Edward T. Blair, 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. 596. Fireman's Fund Insurance Company, petitioner, v. Chester L. Zechiel, as Receiver of Edward Traugott and Harry Sussman, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 581. Abner Siegal, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 590. Lillian Cesar, petitioner, *v.* The People of the State of Illinois, *ex rel.* Joseph B. McDonough, etc. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 593. Joseph Gold, 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. 618. Rio Bravo Oil Company et al., petitioners, *v.* J. F. Weed et al.; and

No. 619. Rio Bravo Oil Company et al., petitioners, *v.* J. F. Weed et al. Petitions for writs of certiorari to the Supreme Court of the State of Texas denied.

No. 335. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* The United States of America, *ex rel.* Chestatee Pyrites & Chemical Corporation. Motion to modify decree submitted by Mr. Solicitor General Thacher for the petitioner.

No. 7, original. The Commonwealth of Pennsylvania, complainant, *v.* The State of New Jersey et al. Dismissed with costs, on motion of counsel for the complainant.

No. 531. Genevieve A. Clark, petitioner, *v.* The United States of America. Argument commenced by Mr. Sigurd Ueland for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, February 7, will be as follows: Nos. 531, 407, 412, 434, 448, 460 (and 461), 466, 496, 469, and 475.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Herbert S. Fessenden, of Washington, D. C.; Samuel E. Blackham, of Ogden, Utah; William H. McGrath, of Washington, D. C.; Maurice Kay, of Washington, D. C.; A. I. Diepenbrock, of Sacramento, Calif.; Charles K. Hoover, of Washington, D. C.; Carl F. Schipper, jr., of Boston, Mass.; Ira H. Rowell, of San Francisco, Calif.; Nelson H. Carver, of Nashville, Tenn.; Walter A. Koons, of Austin, Tex.; Thornton Lorimer, of Concord, N. H.; Alfred Page, of Springfield, Mo.; Nugent Dodds, of Washington, D. C.; Forest A. Harness, of Kokomo, Ind.; and Theodore Harris, of San Antonio, Tex., were admitted to practice.

No. **531**. Genevieve A. Clark, petitioner, *v.* The United States of America. Argument continued by Mr. Sigurd Ueland for the petitioner, by Mr. Whitney North Seymour for the respondent, and concluded by Mr. Sigurd Ueland for the petitioner.

No. **407**. George B. Munroe, receiver, petitioner, *v.* Louis Raphael. Argued by Mr. Carl F. Schipper, jr., for the petitioner, and by Mr. Mark M. Horblit for the respondent.

No. **412**. Los Angeles Gas and Electric Corporation, appellant, *v.* Railroad Commission of the State of California et al., etc. Argument commenced by Mr. Herman Phleger for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 8, will be as follows: Nos. **412, 434, 448, 460** (and **461**), **466, 496, 469, 475, 470**, and **476** (**477** and **478**).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Harry C. Alberts, of Chicago, Ill.; Harry J. March, of Los Angeles, Calif.; Guernsey Price, of New York City; Francis B. Hamlin, of New York City; Young M. Smith, of Asheville, N. C.; W. C. Wright, of Newman, Ga.; and Patrick H. O'Brien, of Detroit, Mich., were admitted to practice.

No. 412. Los Angeles Gas and Electric Corporation, appellant, *v.* Railroad Commission of the State of California, et al., etc. Argument continued by Mr. Herman Phleger, for the appellant; by Mr. Arthur T. George for the appellees, Railroad Commission of California et al.; by Mr. Frederick von Schrader, for the appellee, The City of Los Angeles; and concluded by Mr. Herman Phleger, for the appellant.

No. 434. The United States, petitioner, *v.* Dakota-Montana Oil Company. Argued by Mr. Assistant Attorney General Youngquist for the petitioner, and by Mr. Herman J. Galloway, for the respondent.

No. 448. Petroleum Exploration, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. Argued by Mr. Robert Ash for the petitioner, and by Mr. Assistant Attorney General Youngquist, for the respondent.

No. 460. Charles W. Anderson, Collector of Internal Revenue, etc., petitioner, *v.* Marian Steedman Wilson, et al., etc.; and

No. 461. Marian Steedman Wilson, et al., etc., petitioners, *v.* Charles W. Anderson, Collector of Internal Revenue, etc. Argument commenced by Mr. Charles B. Rugg, for the petitioner in No. 460 and the respondent in No. 461; and continued by Mr. George E. Cleary, for the respondents in No. 460 and the petitioners in No. 461.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 9, will be as follows: Nos. 460 (and 461), 466, 496, 469, 470, 475, 476 (477 and 478), 492, 513 (and 514), and 515.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

George W. Perper, of New York City; W. M. Everett, of Hickory, Miss.; Howard W. Stull, of Johnstown, Pa.; Andrew G. Haley, of Seattle, Wash.; Homer Adolph Stebbins, of Hastings upon Hudson, N. Y.; and Charles B. W. Aldrich, of Detroit, Mich., were admitted to practice.

No. 460. Charles W. Anderson, Collector of Internal Revenue, etc., petitioner, *v.* Marian Steedman Wilson et al., etc.; and

No. 461. Marian Steedman Wilson et al., etc., petitioners, *v.* Charles W. Anderson, Collector of Internal Revenue, etc. Argument concluded by Mr. George E. Cleary, for the respondents in No. 460 and the petitioners in No. 461.

No. 466. Esther Jackson Porter, as Executrix, et al., etc., petitioners, *v.* Commissioner of Internal Revenue. Argued by Mr. Walter E. Hope for the petitioners, and by Mr. Erwin N. Griswold for the respondent.

No. 496. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Ernest Brooks et al., etc. Argued by Mr. Solicitor General Thacher for the petitioner, and by Mr. Francis B. Hamlin for the respondents.

No. 469. Vancouver Steamship Company, Inc., petitioner, *v.* Theresa Rice, Administratrix of the Estate of Vincent Catino, deceased. Argued by Mr. Erskine Wood for the petitioner, and case submitted by Mr. Arthur I. Moulton for the respondent.

No. 470. The United States of America et al., appellants, *v.* Northern Pacific Railway Company et al. Argument commenced by Mr. Edward N. Reidy for the appellants, the United States and the Interstate Commerce Commission.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 10, will be as follows: Nos. 470, 475, 476 (477 and 478), 492, 513 (and 514), 515, 517, 523, 518, and 499.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Hector J. Ciotti, of Baltimore, Md.; Lawrence B. Fenneman, of Baltimore, Md.; Joseph M. Glickstein, of Jacksonville, Fla.; Charles O. Harris, of San Angelo, Tex.; Martha Robbins Gold, of Washington, D. C.; T. W. Davidson, of Dallas, Tex.; and Wright Matthews, of Palestine, Tex., were admitted to practice.

No. 470. The United States of America et al., appellants, *v.* Northern Pacific Railway Company et al. Argument continued by Mr. M. L. Countryman, jr., for the appellees, and concluded by Mr. Karl Knox Gartner for the appellants, Northwest Petroleum Association et al.

No. 475. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* S. & L. Building Corporation. Argued by Mr. Whitney North Seymour for the petitioner, and by Mr. Leo H. Hoffman for the respondent.

No. 476. D. B. Heiner, Collector of Internal Revenue, etc., petitioner, *v.* Diamond Alkali Company;

No. 477. D. B. Heiner, Collector of Internal Revenue, etc., petitioner, *v.* Diamond Alkali Company; and

No. 478. C. G. Lewellyn, Formerly Collector of Internal Revenue, etc., petitioner, *v.* Diamond Alkali Company. Argued by Mr. Assistant Attorney General Youngquist for the petitioners, and by Mr. John W. Davis for the respondent.

No. 492. The People of Porto Rico, petitioner, *v.* Russell & Co. et al. Argument commenced by Mr. William Cattron Rigby for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, February 13, will be as follows: Nos. 492, 513 (and 514), 515, 523, 526, 518, 499, 541, 516, 537.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Stone, Mr. Justice Roberts, and Mr. Justice Cardozo.

Daniel Austin Shirk, of New York City; George H. Koster, of Los Angeles, Calif.; M. Henry Goldstone, of Baltimore, Md.; Frederick S. Winston, of Washington, D. C.; Wallace Ruff, of Miami, Fla.; Morris A. Baker, of Baltimore, Md.; and Eugene S. Williams, of Baltimore, Md., were admitted to practice.

No. 304. The People of the State of New York, petitioners, *v.* Irving Trust Company, as Trustee in Bankruptcy of Experimenter Publishing Co., Inc., Bankrupt. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McReynolds.

No. 356. Indian Territory Illuminating Oil Company, petitioner, *v.* Board of Equalization of Tulsa County, Oklahoma; and

No. 357. Indian Territory Illuminating Oil Company, petitioner, *v.* Board of County Commissioners of Payne County, Oklahoma. On writs of certiorari to the Supreme Court of the State of Oklahoma. Judgments affirmed with costs. Opinion by Mr. Chief Justice Hughes.

No. 379. The Pennsylvania Railroad Company, petitioner, *v.* Margaret V. Chamberlain, as Administratrix of the Goods, Chattels, and Credits of Charles Frederick Chamberlain, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment of the Circuit Court of Appeals reversed with costs, and the judgment of the District Court affirmed, 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 Sutherland announced by Mr. Chief Justice Hughes. Mr. Justice Stone and Mr. Justice Cardozo concur in the result.

The Chief Justice announced the following order:

ORDER

The Court will take a recess from Monday, February 20, until Saturday, March 4, and from that day until Monday, March 13 next.

The Chief Justice said:

"The 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. 549. Edmond L. Viles, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court upon examination of the papers herein presented finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

No. 652. W. O. Parrish, petitioner, *v.* The Chesapeake & Ohio Railway Company. 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 papers herein presented, finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

No. 643. Charles Young, appellant, *v.* Anthony Masci. 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. 653. The United States of America, appellant, *v.* John G. Darby. In this case probable jurisdiction is noted. Further consideration of the motion to affirm is postponed to the hearing of the case on the merits, and the case is advanced and assigned for argument on Monday, March 13th next, after the cases heretofore assigned for that day.

No. 335. Ray Lyman Wilbur, Secretary of the Interior, petitioner, *v.* The United States of America, *ex rel.* Chestatee Pyrites & Chemical Corporation. The motion to modify the judgment in this case is granted.

No. 567. The United States of America, appellant, *v.* Santos Flores. It is ordered that this case be reassigned for argument on Monday, March 13 next, after the cases heretofore assigned for that day.

No. 683. The United States of America, *v.* Ada L. Burroughs and James Cannon, jr. It is ordered that this case be advanced and assigned for argument on Monday, March 13 next, after the cases heretofore assigned for that day.

No. 601. Mabel G. Reinecke, Formerly Collector of Internal Revenue, etc., petitioner, *v.* Kenneth G. Smith et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 623. American Car and Foundry Company, petitioner, *v.* H. A. Brassert. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 552. Tunnel Railroad of St. Louis, petitioner, *v.* Commissioner of Internal Revenue;

No. 553. St. Louis Bridge Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 554. Tunnel Railroad of St. Louis, petitioner, *v.* Commissioner of Internal Revenue;

No. 555. St. Louis Bridge Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 556. Terminal Railroad Association of St. Louis, petitioner, *v.* Commissioner of Internal Revenue; and

No. 557. Terminal Railroad Association of St. Louis, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 574. The Texas Pipe Line Company et al., petitioners, *v.* The United States;

No. 575. The Texas Company et al., petitioners, *v.* The United States;

No. 576. The Texas Pipe Line Company, petitioner, *v.* The United States; and

No. 577. The Texas Pipe Line Company of Oklahoma, petitioner, *v.* The United States. Petition for writs of certiorari to the Court of Claims denied.

No. 578. I. M. Brace, Administratrix of the Estate of James Allmark, deceased, et al., petitioners, *v.* Canadian Pacific Railway Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 597. Southern Railway Company, petitioner, *v.* J. M. Edgerton. Petition for writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 598. Doughnut Machine Corporation, petitioner, *v.* Demco, Inc., Joe-Lowe Corporation, et al.; and

No. 599. Doughnut Machine Corporation, petitioner, *v.* Joe-Lowe Corporation et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 600. E. A. Nicholson, as Receiver for Interstate Mortgage and Investment Company, petitioner, *v.* Western Loan and Building Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 604. Rita O'Shaughnessy, Executrix under the last will and testament of Peter O'Shaughnessy, deceased, 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. 606. Stillwell Theatre, Inc., petitioner, *v.* Sam Kaplan, as President of the International Alliance of Theatrical State Employees et al., etc.;

No. 607. Rosekay Amusement Corporation, petitioner, *v.* Sam Kaplan, as President of the International Alliance of Theatrical State Employees et al., etc.; and

No. 608. Windsor Circuit Corporation, petitioner, *v.* Sam Kaplan as President of the International Alliance of Theatrical State Employees et al., etc. Petition for writs of certiorari to the Supreme Court of the State of New York denied.

No. 610. Rudolfo Dobra, petitioner, *v.* Owen F. Lindsey, United States Immigration Inspector. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 612. Industrial Commission of Illinois et al., petitioners, *v.* Illinois Central Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 622. Frank Tennyson Neely, petitioner, *v.* Everett Stacy, Clifford Stacy, et al. Petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 633. Richmond, Fredericksburg & Potomac Railroad Co., petitioner, *v.* J. R. McCarl, Comptroller General of the United States. Leave granted to file brief of respondent by February 27th next on motion of Mr. Solicitor General Thacher in that behalf.

No. 515. Bemis Bro. Bag Company, petitioner, *v.* The United States of America. Leave granted to file brief of Kingman Brewster, James S. Y. Ivins, and Percy W. Phillips, as *amici curiae*, on motion of Mr. Percy W. Phillips in that behalf.

No. 17, Original. The State of Washington, complainant, *v.* The State of Oregon. Return of the complainant to the rule to show

cause and motion for the appointment of a Special Master submitted by Mr. Blaine Mallan in behalf of counsel for complainant.

No. 3, Original. State of Nevada, complainant, *v.* Crown Williamette Paper Company. Returns to rules to show cause and stipulation to continue presented.

No. 562. Commissioner of Internal Revenue *v.* The Independent Life Insurance Company. Motion to bring up the entire record and cause submitted by Mr. J. A. Newman for the Independent Life Insurance Company.

No. 492. The People of Porto Rico, petitioner, *v.* Russell & Company et al. Argument continued by Mr. William Cattron Rigby and Mr. Fred W. Llewellyn for the petitioner, and concluded by Mr. Francis E. Neagle for the respondents.

No. 513. George Weems Williams, Receiver of the Washington, Baltimore and Annapolis Electric Railroad Co., petitioner, *v.* Mayor and City Council of Baltimore; and

No. 514. George Weems Williams, Receiver of the Washington, Baltimore and Annapolis Electric Railroad Co., petitioner, *v.* Mayor, Counselor and Aldermen of the City of Annapolis. Argument commenced by Mr. William L. Rawls for the petitioner; continued by Mr. Lawrence B. Fenneman for the respondents in No. 513, by Mr. Roscoe C. Rowe for the respondents in No. 514; by Mr. R. E. Lee Marshall for the respondents in No. 513; and concluded by Mr. George Weems Williams for the petitioner.

No. 515. Bemis Bro. Bag Company, petitioner, *v.* The United States of America. Argument commenced by Mr. Abraham Lowenhaupt for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 14, will be as follows: Nos. 515, 523, 526, 518, 499, 541, 516, 537, 423, and 565.

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, Mr. Justice Roberts, and Mr. Justice Cardozo.

Carl Clifton Owens, of Washington, D. C.; R. J. Venables, of Seattle, Wash.; Perry Smith, of Terre Haute, Ind.; J. Frank Adams, of Brazil, Ind.; Frank J. Maguire, of Buffalo, N. Y.; Edward N. Mills, of Buffalo, N. Y.; and William C. Purnell, of Baltimore, Md., were admitted to practice.

No. 552. Tunnel Railroad of St. Louis, petitioner, *v.* Commissioner of Internal Revenue;

No. 553. St. Louis Bridge Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 554. Tunnel Railroad of St. Louis, petitioner, *v.* Commissioner of Internal Revenue;

No. 555. St. Louis Bridge Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 556. Terminal Railroad Association of St. Louis, petitioner, *v.* Commissioner of Internal Revenue; and

No. 557. Terminal Railroad Association of St. Louis, petitioner, *v.* Commissioner of Internal Revenue. Orders denying petition for writs of certiorari withheld on motion of Mr. Fred Esch for the petitioners.

No. 515. Bemis Bro. Bag Company, petitioner, *v.* The United States of America. Argument continued by Mr. Abraham Lowenhaupt for the petitioner, by Mr. Erwin N. Griswold for the respondent, and concluded by Mr. Abraham Lowenhaupt for the petitioner.

No. 523. Central Transfer Company, petitioner, *v.* Terminal Railroad Association of St. Louis et al. Argument commenced by Mr. Glendy B. Arnold for the petitioner, continued by Mr. C. S. Burg and Mr. H. H. Larimore for the respondents, and concluded by Mr. Glendy B. Arnold for the petitioner.

No. 526. The Baltimore and Ohio Railroad Company et al., petitioners, *v.* A. Spates Brady. Argument commenced by Mr. George M. Hoffheimer for the petitioners, and continued by Mr. George T. Bell for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 15, will be as follows: Nos. 526, 518, 499, 541, 516, 537, 423, 565, 538, and 582.

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, Mr. Justice Roberts, and Mr. Justice Cardozo.

G. C. Mann, of Laredo, Tex.; Harold Olsen, of Minneapolis, Minn., and Raymond G. Mullee, of New York City, were admitted to practice.

No. 526. The Baltimore and Ohio Railroad Company et al., petitioners, *v.* A. Spates Brady. Argument continued by Mr. George T. Bell for the respondent, and concluded by Mr. Eugene S. Williams for the petitioners.

No. 518. Pacific Coast Steel Company, petitioner, *v.* John P. McLaughlin, United States Collector of Internal Revenue etc. Argued by Mr. George H. Koster for the petitioner, and by Mr. Assistant Attorney General Youngquist for the respondent.

No. 499. The Moffat Tunnel League et al., appellants, *v.* The United States of America et al. Argued by Mr. Albert L. Vogl for the appellants; by Mr. Nelson Thomas for the appellees, The United States, and the Interstate Commerce Commission; and by Mr. Henry McAllister for the appellee, Denver & Rio Grande Western Railroad Company.

No. 541. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* A. T. Jergins Trust. Argument commenced by Mr. Assistant Attorney General Youngquist for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 16, will be as follows: Nos. 541, 516, 537, 423, 565, 538, and 582.

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, Mr. Justice Roberts, and Mr. Justice Cardozo.

Jess Halsted, of Chicago, Ill.; Elmer Theodore Kemper, of Lyons, Kans.; Louis Auerbacher, jr., of Newark, N. J.; Joseph H. Steinhardt, of Newark, N. J.; Benjamin Pepper, of New York City; Alan S. Hays, of New York City; Peter A. Napiecinski, of Milwaukee, Wis.; Ira B. Burns, of Kansas City, Mo.; Isadore H. Hurowitz, of Springfield, Mass.; Joseph Lorenz, of New York City; John J. Walsh, jr., of Boston, Mass.; and George P. Ettenheim, of Milwaukee, Wis., were admitted to practice.

No. 541. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* A. T. Jergins Trust. Argument continued by Mr. Assistant Attorney General Youngquist for the petitioner; by Mr. Marc F. Mitchell for the respondent; and concluded by Mr. A. Calder Mackay for the respondent.

No. 516. J. T. Roberts, appellant, *v.* Richland Irrigation District et al., etc. Argued by Mr. R. J. Venables for the appellant, and by Mr. O. B. Thorgrimson for the appellees.

No. 537. Arthur C. Harvey Company, petitioner, *v.* John F. Malley and/or Malcolm E. Nichols, Former Collectors. Argument commenced by Mr. O. Walker Taylor for the petitioner, and continued by Mr. Paul D. Miller for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 17, will be as follows: Nos. 537, 423, 565, 538, and 582.

SUPREME COURT OF THE UNITED STATES

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

Elsie M. Wood, of Boscobel, Wis.; Charles S. Sheppard, of Cambridge, Ohio; and John Walsh, of Kansas City, Mo., were admitted to practice.

No. 537. Arthur C. Harvey Company, petitioner, *v.* John F. Malley and/or Malcolm E. Nichols, Former Collectors. Argument continued by Mr. Paul D. Miller for the respondents, and concluded by Mr. O. Walker Taylor for the petitioner.

No. 423. Levering & Garrigues Company et al., petitioners, *v.* Paul J. Morrin, Individually, etc., et al. Argued by Mr. Merritt Lane for the petitioners, and by Mr. Frank P. Walsh for the respondents.

No. 565. Philip Hurn and Percy Morgan, Jr., petitioners, *v.* Fulton Oursler et al. Argued by Mr. Joseph Lorenz for the petitioners; by Mr. Alan S. Hays for the respondent Fulton Oursler; by Mr. Benjamin Pepper for the respondents, Albert Lewis and Sam H. Harris; and case submitted by Emily Holt for the respondent Lowell Brentano.

No. 538. Board of Trustees of the University of Illinois, petitioner, *v.* The United States of America. Argued by Mr. Sveinbjorn Johnson for the petitioner, and by Mr. Solicitor General Thacher for the respondent.

No. 583. The People of the State of New York *ex rel.* New York and Albany Lighterage Company, appellants, *v.* Thomas M. Lynch et al., etc. Submitted by Miss Winifred Sullivan for the appellants, and by Mr. Wendell P. Brown for the appellees.

Adjourned until Monday, February 20, next 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.

Courtland C. Gillen, of Greencastle, Ind.; Graham R. Hall, of Little Rock, Ark.; Joseph A. Locke, of Boston, Mass.; Robert G. Bosworth, of Denver, Colo.; George Rogers, of Omaha, Neb.; Clarence W. Heyl, of Peoria, Ill.; William P. Holaday, of Danville, Ill.; William Allen Whitfield, of Des Moines, Ia.; G. Lynn Barry, of Washington, D. C.; T. Hoyt Davis, of Atlanta, Ga.; Sanford Bates, of Boston, Mass.; James B. Pruitt, of Anderson, S. C.; Howard A. Newman, of New York City; and James H. Dyer, of Hoopeston, Ill., were admitted to practice.

The Chief Justice said:

“The 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. 582. The People of the State of New York, *ex rel.* New York and Albany Lighterage Company, appellants, *v.* Thomas M. Lynch, John J. Merrill and Mark Graves, Tax Commissioners of the State of New York. Appeal from the Supreme Court of the State of New York. *Per curiam*: Judgment affirmed. Cornell Steamboat Co. *v.* Sohmer, 235 U. S. 549, 559; Interborough Transit Co. *v.* Sohmer, 237 U. S. 276, 283; Flint *v.* Stone Tracy Co., 220 U. S. 107, 161, 162; Ft. Smith Lumber Co. *v.* Arkansas, 251 U. S. 532, 533, 534; White River Lumber Co. *v.* Arkansas, 279 U. S. 692, 695-699; Lawrence *v.* State Tax Commission, 286 U. S. 276, 283-285.

No. 583. Victor Westling, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction, it appearing that the Circuit Court of Appeals in determining this case, did not decide 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. Sec-

tion 240 (b) Judicial Code as amended by the act of February 13, 1925 (43 Stat. 936, 939). *Public Service Commission v. Batesville Telephone Co.*, 284 U. S. 6; *Baxter v. Continental Casualty Co.*, 284 U. S. 578; *Bradford Electric Light Co. v. Clapper*, 284 U. S. 221, 224, 225.

No. 662. George Morrison and H. K. Ozaki, appellants, *v. The People of the State of California*. Appeal from the District Court of Appeal, 4th Appellate District, State of California. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. (1) *Mobile, Jackson & Kansas City R. R. Co. v. Turnipseed*, 219 U. S. 35, 42, 43; *Yee Hem v. United States*, 268 U. S. 178, 183-185; *Atlantic Coast Line R. R. Co. v. Ford*, 287 U. S. — (decided January 9, 1933). (2) *Cockrill v. California*, 268 U. S. 258, 261, 262; *Porterfield v. Webb*, 263 U. S. 225, 232, 233; *Patsone v. Pennsylvania*, 232 U. S. 138, 144.

No. 671. Harold E. Long, appellant, *v. Edward L. Kelley, Charles D. Rosa et al.* Appeal from the Supreme Court of the State of Wisconsin. *Per curiam*: The appeal herein is dismissed for the want of a substantial Federal question. *Castillo v. McConnico*, 168 U. S. 674, 683; *Moffit v. Kelly*, 218 U. S. 400, 404, 405; *Nickel v. Cole*, 256 U. S. 222, 226; *Glenn v. Doyal*, 285 U. S. 526.

No. 562. Commissioner of Internal Revenue *v. The Independent Life Insurance Company*. On certificate from the United States Circuit Court of Appeals for the Sixth Circuit. *Per curiam*: The motion to bring up the entire record and cause is denied. The certificate herein is dismissed. *United States v. Mayer*, 235 U. S. 55, 66; *United States v. Worley*, 281 U. S. 339, 340; *White v. Johnson*, 282 U. S. 367, 371; *Wells v. Commissioner*, 286 U. S. 529; *Kroger Grocery & Baking Co. v. Yount*, 287 U. S. —; *Catagrone v. United States*, 287, U. S. —.

No. 3, original. The State of Nevada, complainant, *v. Crown Willamette Paper Co.* The returns of the parties to the rules issued herein January 23, 1933, to show cause why this case should not be dismissed, are received and filed. Pursuant to stipulation of the parties, this cause is continued to the October Term, 1933; and the parties are directed to make further report as to the status of this cause on or before Monday, October 2, 1933.

No. 17, original. The State of Washington, complainant, *v. State of Oregon*. The return of the complainant to the rule issued herein to show cause why this case should not be dismissed for the want of prosecution is received and filed.

The motion for the appointment of a Special Master is granted, and it is ordered that William W. Ray, Esquire, of Salt Lake City, Utah, be, and he is hereby, appointed Special Master in this cause, with authority to summon witnesses, issue subpoenas, and to take such evidence as may be introduced and such as he may deem it necessary to call for. The Master is directed to make findings of fact and conclusions of law, and to submit the same to this Court with all convenient speed, together with his recommendations for a decree. The findings, conclusions, and recommendations of the Master shall be subject to consideration, revision, or approval by the Court. The Master shall be allowed his actual expenses and a reasonable compensation for his services to be fixed hereafter by the Court. The allowances to him, the compensation paid to his stenographic and clerical assistants, and the cost of printing his report shall be charged against and be borne by the parties in such proportion as the Court hereafter may direct. If the appointment herein made of a Master is not accepted, or if the place becomes vacant during the recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

No. 673. Maude E. Bourke, as Administratrix of the Estate of Joseph D. Bourke, deceased, petitioner, *v.* Pennsylvania Railroad Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon consideration of the record herein presented finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

No. 674. Ed O. Ellis, petitioner, *v.* The United States of America. 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 papers upon which the petition for writ of certiorari in this case is presented finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

No. 663. The State of Washington on the relation of Bond & Goodwin & Tucker, Incorporated, a Dissolved Delaware Corporation, appellant, *v.* Superior Court of the State of Washington for Spokane County, et al. In this case probable jurisdiction is noted.

No. 669. Michael J. Healy, Chief of Police of the City of Manchester, New Hampshire, appellant, *v.* Louis D. Ratta. In this case probable jurisdiction is noted. The Court desires to hear argument upon the questions: (a) whether a case for equitable relief is shown;

(b) whether the amount in controversy is such as to sustain the jurisdiction of the Court below; and (c) whether the defendant-appellant is a state officer within the meaning of Section 266, Judicial Code, as amended (43 Stat. 936, 938; U. S. Code, Title 28, Sec. 380). The motion to advance is granted and the case is assigned for argument on Monday, March 13, next, after the cases heretofore assigned for that day.

No. 585. Royal Indemnity Company et al., petitioners, *v.* American Bond & Mortgage Company; and

No. 586. Royal Indemnity Company et al., petitioners, *v.* American Bond & Mortgage Company. The petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

No. 638. Paul Morton, 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 denied, for the reason that application for the writ of certiorari was not made within the time provided by law. Act of February 13, 1925, Section 8 (a), (43 Stat. 936, 940; U. S. Code, Title 28, Sec. 350).

No. 579. The Hazelett Storage Battery Company, petitioner, *v.* The Western Battery and Supply Company; and

No. 580. Gordon A. Webster, petitioner, *v.* The Western Battery and Supply Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 611. New Amsterdam Casualty Company, petitioner, *v.* Robert J. Hoage, Deputy United States Employees' Compensation Commissioner for the District of Columbia. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 621. Westerlin & Campbell Company, petitioner, *v.* Michigan Artificial Ice Products Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 624. Geophysical Exploration Company, petitioner, *v.* Henry Klodginski and Mary Klodginski. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 625. W. Clyde Smith, 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. 629. Carl A. Schug, Trustee in Bankruptcy of Winner-Franck Baking Company, petitioner, *v.* Norman S. Caldwell, Joseph W.

Franck, Ella Fessler, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 630. Southeastern Investment Company of Savannah, Georgia, petitioner, *v.* William A. Tobler, and The Union & New Haven Trust Company, as Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 632. John Bartosik, petitioner, *v.* The Chicago River & Indiana Railroad Company. Petition for writ of certiorari to the Appellate Court, First District, State of Illinois, denied.

No. 20, original. The State of Wisconsin, complainant, *v.* The State of Michigan. Reply to answer presented.

Adjourned until Saturday, March 4, next, at 11 o'clock.

SUPREME COURT OF THE UNITED STATES

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

The Chief Justice said:

“The 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. 20, Original. The State of Wisconsin, complainant, *v.* The State of Michigan. The reply to the defendant's answer is received and ordered filed.

No. 716. W. F. H. Blanton, petitioner, *v.* The Great Atlantic & Pacific Tea 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. 648. Missouri State Life Insurance Company, petitioner, *v.* Marion Johnson. On petition for writ of certiorari to the Supreme Court of the State of Arkansas. The petition for writ of certiorari in this cause is denied upon the ground that the judgment sought herein to be reviewed is joint and the record fails to disclose summons and severance. *Hartford Accident & Indemnity Co. v. Bunn*, 285 U. S. 169; *Capital National Bank v. Board of Supervisors*, 286 U. S. 550; *Fidelity Union Casualty Co. v. Hanson*, 287 U. S. —; *Louisville & Nashville R. R. Co. v. Parker*, 287 U. S. —; *Wagner Tug Boat Co. v. Meagher*, 287 U. S. —.

No. 694. Columbia-Deschutes Power Company, appellant, *v.* Charles E. Stricklin, as State Engineer of the State of Oregon. 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. 634. David Daube, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted, limited to the question raised by the assessment for the year 1919.

No. 626. Fidelity and Deposit Company of Maryland, petitioner, *v.* George C. Arenz. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 603. E. W. Backus, E. W. Decker, and Charles Fowler, Receivers of Minnesota and Ontario Paper Company, petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 614. The Western Shade Cloth Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 620. Allen Pope, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 631. Jamea A. White, petitioner, *v.* Portia Law School, Arthur MacLean and Bessie Nadine Paige. Petition for writ of certiorari to the Supreme Judicial Court, County of Suffolk, Commonwealth of Massachusetts, denied.

No. 635. Louis J. Castellano, as Trustee in Bankruptcy of Island Dredging Company, petitioner, *v.* Globe Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 637. Wendell P. Barker, petitioner, *v.* Samuel Fischer, as Trustee in Bankruptcy of the Estate of Charles H. Wilson, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 641. Maryland Casualty Company, petitioner, *v.* Kathleen Kramer. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 654. Edgar P. Lewis & Sons, Inc., petitioner, *v.* Mars, Incorporated. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 605. Fulton Bag & Cotton Mills, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 636. Radio Investment Company, Inc. (Station WNJ), petitioner, *v.* Federal Radio Commission, New Jersey Broadcasting Corporation. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 642. Anna S. Williams, Individually and as Administratrix De Bonis Non of the Estate of Thomas Williams, Deceased, petitioner, *v.* Frank H. Williams. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 644. Hazel T. Power, 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. 645. 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. 646. Seward National Bank of New York, petitioner, *v.* Harold L. Fierman, as Trustee in Bankruptcy of Ralph S. McConnell. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 647. Title Insurance and Trust Company, Executor and Trustee under the Last Will and Testament of Emil Firth, Deceased, petitioner, *v.* Rex B. Goodcell, Collector of Internal Revenue for the Sixth District of California. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 651. Willie Beland James, 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. 655. The Commonwealth of Virginia and State Corporation Commission, petitioners, *v.* Appalachian Electric Power Company (of Virginia). Petition for writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 656. Capitol Iron & Metal Company and Commercial Standard Insurance Company, petitioners, *v.* Bud Rogers and the State Industrial Commission of the State of Oklahoma. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 664. Union Solvents Corporation, petitioner, *v.* Guaranty Trust Company of New York, The Butacet Corporation and Commercial Solvents Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 665. Relmar Holding Company, Inc., petitioner, *v.* Honorable Martin T. Manton, United States Senior Circuit Judge, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 708. Suffern National Bank and Trust Company, petitioner, *v.* Robert F. Ash, James A. Parr and Mountain View Brick Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

ORDER

The call for the week of March 13 shall be as follows: Nos. 594, 535, 567, 653, 669, 683, 260, 517, and 547.

The call for the week of March 20 shall be as follows: Nos. 559, 564, 571, 585 (and 586), 587, 589, 595, 601, 623, 627, 643 and 663.

The Court took a recess for the purpose of attending the inauguration of the President of the United States.

The oath of office was administered to the Honorable Franklin Delano Roosevelt as President of the United States by the Chief Justice, and the Court reconvened.

Adjourned until Monday, March 13, at 12 o'clock.

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.

Hubert T. Delany, of New York City; Henry T. Duncan, of Lexington, Ky.; Harry Lashkowitz, of Fargo, N. Dak.; J. S. Holt, of Fort Smith, Ark.; Alexander J. Lindsay, of New York City; Jeff T. Jones, of Washington, D. C.; R. W. Robins, of Conway, Ark.; and James S. Twyford, of Oklahoma City, Okla., were admitted to practice.

The Honorable Homer S. Cummings, of Connecticut, Attorney General of the United States, was presented by Mr. Solicitor General Thacher, and it was ordered that his commission be recorded.

No. 531. Genevieve A. Clark, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice Cardozo.

No. 460. Charles W. Anderson, Collector of Internal Revenue for the Third District of New York, petitioner, *v.* Marian Steedman Wilson, Robert Goelet, and Harlem G. Rubert, as Executors of the Estate of Richard T. Wilson, jr., deceased; and

No. 461. Marian Steedman Wilson, Robert Goelet, and Harlem G. Rubert, as Executors of the Estate of Richard T. Wilson, jr., deceased, petitioners, *v.* Charles W. Anderson, Collector of Internal Revenue for the Third District of New York. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment of reversal affirmed, and cause remanded to the District Court of the United States for the Southern District of New York with instructions to dismiss the complaint. Opinion by Mr. Justice Cardozo.

No. 515. Bemis Bro. Bag Company, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment reversed 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 Cardozo.

No. 513. George Weems Williams, Receiver of the Washington, Baltimore and Annapolis Electric Railroad Company, petitioner, *v.* Mayor and City Council of Baltimore; and

No. 514. George Weems Williams, Receiver of the Washington, Baltimore and Annapolis Railroad Company, petitioner, *v.* Mayor, Counselor and Aldermen of the City of Annapolis. On writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decrees reversed with costs, and cases 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 Cardozo.

No. 407. George B. Monroe, Receiver, petitioner, *v.* Louis Raphael. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Massachusetts for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts.

No. 470. The United States of America, Interstate Commerce Commission, The Northwest Petroleum Association et al., appellants, *v.* Northern Pacific Railway Company, et al. Appeal from the District Court of the United States for the District of Minnesota. 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 Roberts.

No. 476. D. B. Heiner, Collector of Internal Revenue for the Twenty-third District of Pennsylvania, petitioner, *v.* Diamond Alkali Company;

No. 477. D. B. Heiner, Collector of Internal Revenue for the twenty-third District of Pennsylvania, petitioner, *v.* Diamond Alkali Company; and

No. 478. C. G. Lewellyn, Formerly Collector of Internal Revenue for the Twenty-third District of Pennsylvania, petitioner, *v.* Diamond Alkali Company. On writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgments reversed with costs, and cases 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.

No. 541. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* A. T. Jergins Trust. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed with costs, and cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts.

No. 301. Louis K. Liggett Company et al., appellants, *v.* J. M. Lee, as Comptroller of the State of Florida; R. H. Mickler, as Tax Collector of the State of Florida et al., etc. Appeal from the Supreme Court of the State of Florida. 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 Roberts. Opinion by Mr. Justice Brandeis, dissenting in part. Opinion by Mr. Justice Cardozo, dissenting in part, in which Mr. Justice Stone concurs.

No. 434. The United States, petitioner, *v.* Dakota-Montana Oil Company. 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 Stone.

No. 448. Petroleum Exploration, petitioner, *v.* David Burnet, Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed, and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Stone.

No. 523. Central Transfer Company, petitioner, *v.* Terminal Railroad Association of St. Louis et al. 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 Eastern District of Missouri. Opinion by Mr. Justice Stone.

No. 492. The People of Puerto Rico, petitioner, *v.* Russell & Co., Sucrs., S. En C., Horace Havemeyer, Frank A. Dillingham, et al. 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 Puerto Rico with instructions to remand said cause to the Insular Court from which it was removed. Opinion by Mr. Justice Stone.

No. 388. Letcher Spicer, by Sam Spicer, Guardian and Committee, petitioner, *v.* J. Bryan Smith, Special Deputy Banking Commissioner and Liquidating Agent of Hargis Bank and Trust Company. On writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 466. Esther Jackson Porter, as Executrix, and Richard L. Davisson, as Surviving Executor of the Estate of William H. Porter, deceased, petitioners, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed, and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Butler. Mr. Justice Cardozo concurs in the result.

No. 469. Vancouver Steamship Company, Ltd., petitioner, *v.* Theresa Rice, Administratrix of the estate of Vincent Catino, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Oregon. Opinion by Mr. Justice Butler.

No. 526. The Baltimore and Ohio Railroad Company and Western Maryland Railway Company, petitioners, *v.* A. Spates Brady. 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 proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 330. Peter L. McDonnell, petitioner, *v.* The United States; and

No. 331. Dominic A. Truda, petitioner, *v.* The United States. On writs of certiorari to the Court of Claims. Judgments affirmed. Opinion by Mr. Justice Brandeis.

No. 518. Pacific Coast Steel Company, petitioner, *v.* John P. McLaughlin, United States Collector of Internal Revenue for the First Collection District of California. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Justice Brandeis.

No. 475. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* S. & L. Building Corporation. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed, and cause remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 537. Arthur C. Harvey Company, petitioner, *v.* John F. Malley and/or Malcolm E. Nichols, former collectors. 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. 504. Appalachian Coals, Incorporated, et al., appellants, *v.* The United States of America. Appeal from the District Court of the United States for the Western District of Virginia. Decree reversed, and cause remanded to the said District Court with instructions to enter a decree dismissing the bill of complaint without prejudice and with the provision that the court shall retain jurisdiction of the cause and may set aside the decree and take further proceedings if future developments justify that course in the appropriate enforcement of the Anti-Trust Act. Opinion by Mr. Chief Justice Hughes. Mr. Justice McReynolds thinks that the court below reached the proper conclusion and that its decree should be affirmed.

No. 496. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Ernest Brooks, Harold Wilson Brooks, and Walter Douglas Brooks, as Executors of the Will of Ernest Augustus Brooks. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment 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. Chief Justice Hughes. Mr. Justice Butler dissents.

The Chief Justice said:

“The 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. —, original. Ex Parte: Charles W. Atkins, petitioner. Motion for leave to file petition for writ of *habeas corpus* denied.

No. 657. Federal Radio Commission, petitioner, *v.* Nelson Brothers Bond & Mortgage Company;

No. 658. Federal Radio Commission, petitioner, *v.* North Shore Church;

No. 659. Federal Radio Commission et al., petitioners, *v.* Nelson Brothers Bond & Mortgage Company; and

No. 660. Federal Radio Commission, et al., petitioners, *v.* North Shore Church. Petitions for writs of certiorari to the Court of Appeals of the District of Columbia granted.

No. 677. The United States of America, on relation of Lucien H. Greathouse et al., petitioners, *v.* Patrick J. Hurley, as Secretary of War, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 680. Isaac Gross and Joel Gross, partners as Gross & Gross, Solicitors for complainant in Chancery, petitioners, *v.* Irving Trust Company, etc.;

No. 681. J. S. S. Weisman and John Milton, Receivers in Chancery of Crosby Stores, Inc., petitioners, *v.* Irving Trust Company, etc.; and

No. 682. Isaac Gross and Joel Gross, partners as Gross & Gross, et al., petitioners, *v.* Irving Trust Company, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 633. Richmond, Fredericksburg & Potomac Railroad Co., petitioner, *v.* J. R. McCarl, Comptroller General of the United States. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 639. Consolidated Paper Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 649. O. S. Crocker, Trustee in Bankruptcy of the Estate of Gorday Garmen Company, Bankrupt, petitioner, *v.* Cora M. Kay, Administratrix of the Estate of Thomas B. Kay, deceased. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 650. Eugenie M. Wilson, petitioner, *v.* Daniel L. Borden, M. D. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 661. Savannah Sugar Refining Corporation, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patents Appeals denied.

No. 666. Perthur Holding 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. 667. Hugh E. McInes, 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. 668. Carl A. Dorland, petitioner, *v.* Helen Witmer, Geraldine Freightner, and Hazel Slusser. Petition for writ of certiorari to the Court of Appeals of Stark County, State of Ohio, denied.

No. 670. Nicholas J. Gaul, 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. 672. Joseph L. Ruby, 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. 679. Ethel M. Dorrance, George M. Dorrance, Arthur C. Dorrance et al., etc., petitioners, *v.* The Commonwealth of Pennsyl-

vania. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 684. The Chesapeake and Ohio Railway Company, petitioner, *v.* Samuel T. Burton. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 640. Nathan B. Martin, Peter Marechelo, et al., petitioners, *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. —, original. *Ex Parte*: Arthur T. La Prade, petitioner. Motion for leave to file petition for writ of prohibition and/or mandamus submitted by Mr. Donald R. Richberg for the petitioner.

No. 733. The Public Service Commission of Indiana et al., appellants, *v.* Northern Indiana Public Service Company. Leave granted to file statement as to jurisdiction on motion of Mr. George W. Hufsmith for the appellants.

No. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Exceptions of the defendant to the report of the Special Master presented.

No. 11, original. Commonwealth of Kentucky, complainant, *v.* State of Indiana et al. Semiannual report of the defendant, State of Indiana, presented.

No. 20, original. The State of Wisconsin, complainant, *v.* The State of Michigan. Defendant's answer to affirmative allegations of complainant's reply presented.

No. 585. Royal Indemnity Company et al., petitioners, *v.* American Bond & Mortgage Company; and

No. 586. Royal Indemnity Company et al., petitioners, *v.* American Bond & Mortgage Company. Motion for injunction submitted by Mr. Selden Bacon and Mr. Saul S. Myers for the petitioners in support thereof, and by Mr. William E. Leahy, Mr. Edmund M. Toland, and Mr. William J. Hughes, jr., for the respondents, in opposition thereto.

No. 698. Arthur H. Vincent, petitioner, *v.* John P. McLaughlin, Collector of Internal Revenue for the First District of California. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed on motion of counsel 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. The report of the Special Master was presented and the Chief Justice announced the following order:

ORDER

The report of Edward F. McClennen, Esquire, as Special Master in these causes, is received and ordered to be filed.

It is further ordered that these causes be assigned for argument on the Report of the Special Master on Monday, April 17, next, at the head of the call for that day, without the filing of exceptions, as provided in the order herein entered December 19, 1932. Briefs for the parties shall be filed on or before Monday, April 10; reply briefs, if any, may be filed on or before the day of the argument.

No. 594. Peter Rossi and Edward Ehrett, petitioners, *v.* The United States of America. Argued by Mr. Paul D. Miller for the respondent and case submitted by Mr. Harry C. Heyl for the petitioner.

No. 535. Transit Commission and The State of New York, appellants, *v.* The United States of America et al. Argument commenced by Mr. George H. Stover for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 14, will be as follows: Nos. 535, 567, 653, 669, 683, 260, 517, and 547.

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.

Fred T. Maltby, of Richmond, Va.; Meyer J. Sawyer, of Boston, Mass.; Jonathan Piper, of Concord, N. H.; Harlan T. Deupree, of Oklahoma City, Okla.; and Patrick D. Scannell, of St. Paul, Minn., were admitted to practice.

No. 535. Transit Commission and The State of New York, appellants, *v.* The United States of America, The Long Island Railroad Co., et al. Argument continued by Mr. George H. Stover, for the appellants; by Mr. John Lord O'Brian for the appellees, the United States and the Interstate Commerce Commission; by Mr. Alfred A. Gardiner for the appellees, the Pennsylvania R. R. Co., and Long Island R. R. Co., and concluded by Mr. George H. Stover for the appellants.

No. 567. The United States of America, appellant, *v.* Santos Flores. Argued by Mr. Solicitor General Thacher for the appellant, and by Mr. John V. Lovett, for the appellee.

No. 653. The United States of America, appellant, *v.* John G. Darby. Argued by Mr. Whitney North Seymour for the appellant, and by Mr. Lucien H. Mercier, for the appellee.

No. 669. Michael J. Healy, Chief of Police of the City of Manchester, New Hampshire, appellant, *v.* Louis D. Ratta. Argument commenced by Mr. H. Thornton Lorimer for the appellant. The Court declined to hear further argument.

No. 683. The United States of America *v.* Ada L. Burroughs and James Cannon, jr. Argument commenced by Mr. Solicitor General Thacher for the United States, and continued by Mr. Levi H. David for Burrows and Cannon.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 15, will be as follows: Nos. 683, 260, 517, and 547.

WEDNESDAY, MARCH 15, 1933

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.

Alma Barry, of Milwaukee, Wis.; Russell R. Kramer, of Marysville, Tenn.; Maxwell M. Mahany, of Tulsa, Okla.; Jno. Boyce McKeel, of Ada, Okla.; and George Francis, of Independence, Calif., were admitted to practice.

No. 683. *The United States of America v. Ada L. Burroughs and James Cannon, jr.* Argument continued by Mr. Robert H. McNeill for Burroughs and Cannon, and concluded by Mr. Solicitor General Thacher for the United States.

No. 260. Elizabeth Coyne, as Secretary of State of State of South Dakota, et al., etc., appellants, *v. Charles M. Prouty et al.* Submitted by Mr. Edward E. Wagner for the appellants. No appearance for the appellees.

No. 517. Public Service Commission of Wisconsin et al., etc., appellants, *v. Wisconsin Telephone Company.* Argued by Mr. Alvin C. Reis for the appellants, and by Mr. Edwin S. Mack for the appellee.

No. 547. Walter H. Gant et al., appellants, *v. The City of Oklahoma City et al.* Argued by Mr. James S. Twyford for the appellants and by Mr. Harlan T. Deupree for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 20, will be as follows: Nos. 559, 564, 571, 585 (and 586), 587, 589, 595, 601, 623, and 627.

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.

Horace B. Wulff, of Sacramento, Calif.; F. E. Parrack, of Kingwood, W. Va.; Arthur C. Huston, of Woodland, Calif.; George R. Freeman, of Willows, Calif.; Morris Karon, of Milwaukee, Wis.; Leland Hazard, of Kansas City, Mo.; and J. F. T. O'Connor, of Los Angeles, Calif., were admitted to practice.

No. 293. First National Bank of Shreveport, Louisiana, Commercial National Bank of Shreveport, Louisiana, et al., appellants, *v.* Louisiana Tax Commission, T. R. Hughes, Sheriff and Ex-officio Tax Collector of Caddo Parish, Louisiana, et al. Appeal from the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 538. Board of Trustees of the University of Illinois, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Customs and Patent Appeals. Judgment affirmed and cause remanded to the said Court of Customs and Patent Appeals. Opinion by Mr. Chief Justice Hughes.

The Chief Justice said:

“The 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. 669. Michael J. Healy, Chief of Police of the City of Manchester, New Hampshire, appellant, *v.* Louis D. Ratta. Appeal from the District Court of the United States for the District of New Hampshire. *Per curiam*: The appeal herein is dismissed for the want of jurisdiction, as it appears from the supplemental record and was admitted at the bar that the application for interlocutory injunction was not pressed but was waived, and there is therefore no ground for an appeal to this Court. *Smith v. Wilson*, 273 U. S. 388, 391; *Stratton v. St. Louis Southwestern Ry. Co.*, 282 U. S. 10, 15.

No. —, original. *Ex parte*: Arthur T. La Prade, petitioner. A rule is directed to issue to the Hon. Curtis D. Wilbur, Judge of the United States Circuit Court of Appeals for the Ninth Circuit, to the Hon. Fred C. Jacobs, Judge of the District Court of the United States for the District of Arizona, and to the Hon. Adolphus F. St. Sure, Judge of the District Court of the United States for the Northern District of California, sitting as a specially constituted District Court of the United States for the District of Arizona, directing them to show cause, by printed return on or before Monday, April 10 next, why leave to file the petition for writ of prohibition and writ of mandamus should not be granted in the above-entitled matter as prayed. The cause is assigned for argument on Monday, April 17 next; briefs for the parties shall be filed on or before the day of the argument. It is further ordered that all proceedings against the above-named petitioner in the specially constituted District Court be, and they are hereby, stayed; and that the respondents be, and they are hereby, directed to continue the term of the said District Court pending final determination of this application in this Court.

No. 11, original. The Commonwealth of Kentucky, complainant, *v.* The State of Indiana, et al. Report No. 6 of the defendant, State of Indiana, is received and ordered filed.

No. 20, original. The State of Wisconsin, complainant, *v.* The State of Michigan. Defendant's answer to affirmative allegations of complainant's reply is received and ordered filed.

No. 260. Elizabeth Coyne, as Secretary of State of the State of South Dakota, et al., etc., appellants, *v.* Charles M. Prouty, Charles E. Renaux, et al. A rule is directed to issue to the appellants in this case to show cause, on or before Monday, April 17th next, why the decree of the specially constituted District Court entered herein should not be vacated and the cause remanded to that court with directions to dismiss the case as moot.

No. 585. Royal Indemnity Company et al., petitioners, *v.* American Bond & Mortgage Company; and

No. 586. Royal Indemnity Company et al., petitioners, *v.* American Bond & Mortgage Company. Further consideration of the motion for injunction herein is postponed to the hearing of the cases on their merits.

No. 760. Aaron Mintz et al., etc., appellants, *v.* Charles H. Baldwin, Individually, etc. In this case probable jurisdiction is noted. The joint motion to advance is granted and the case is assigned for argument on Monday, April 10th next, after the cases heretofore assigned for that day.

No. 693. John Factor, petitioner, *v.* H. C. W. Laubenheimer, United States Marshal, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted and the case assigned for argument on Monday, April 17th next after the case heretofore assigned for that day.

No. 711. Benjamin F. Johnson, petitioner, *v.* Manhattan Railway Company, et al.; and

No. 721. Lillian Boehm, petitioner, *v.* Manhattan Railway Company, et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted and the cases assigned for argument on Monday, April 17th next after the cases heretofore assigned for that day.

No. 675. George Moore Ice Cream Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue for the District of Georgia. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 748. Interstate Commerce Commission, petitioner, *v.* The United States of America, on the relation of J. C. Campbell, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 592. Standard Lumber Company, Addison L. Gardner, jr., et al., petitioners, *v.* Florida Industrial Company, The Barnett National Bank of Jacksonville, as Trustee. Petition for writ of certiorari to the Supreme Court of the State of Florida denied.

No. 615. J. Jacob Krause, petitioner, *v.* The United States;

No. 616. J. Henry Krause, petitioner, *v.* The United States; and

No. 617. John O. Krause, petitioner, *v.* The United States. Petition for writs of certiorari to the Court of Claims denied.

No. 676. E. E. Tolman, H. D. Nusbaum, E. R. Winn, et al., etc., petitioners, *v.* Clark County Drainage District et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 678. Fred E. Turner and Gunter M. Turner, petitioners, *v.* Effie T. Kirkwood. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 689. S. O. Pottorff, Receiver of The First National Bank of El Paso, Texas, petitioner, *v.* The Underwriters at Lloyds, America et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 690. Chicago and Western Indiana Railroad Company and Chicago and Eastern Illinois Railway Company, petitioners, *v.* Hazel Armstrong, Administratrix of the Estate of George J. Arm-

strong, deceased. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 692. United States ex rel. Clifton Manufacturing Company, 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. 696. Alexander Chessin, petitioner, *v.* Thomas E. Robertson, Commissioner of Patents. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 699. Charles E. Richter and First National Bank of Laredo, petitioners, *v.* Laredo National Bank and W. W. Collier, Receiver of First National Bank of Laredo. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 700. John G. Sullivan, petitioner, *v.* Moses Kohn. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 702. J. K. Hughes Oil Company, petitioner, *v.* James W. Bass, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 704. James C. Ayer, et al., etc., petitioners, *v.* Thomas W. White, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 709. Jack Cleary, petitioner, *v.* The United States of America; and

No. 710. Pete Chavez, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 715. American Safety Razor Corporation, petitioner, *v.* Frings Brothers Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 727. Laredo National Bank, petitioner, *v.* Bernard Gordon. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

The Chief Justice announced the following order :

ORDER

The Court will take a recess from Monday, March 27, to Monday, April 10 next.

No. 504. Appalachian Coals, Incorporated, et al., appellants, *v.* The United States of America. Mandate granted on motion of Mr. E. C. Alvord in behalf of counsel for appellants.

No. —. Oliver W. Toll, petitioner, *v.* George W. Casey, et al. Motion to diminish the record submitted by Mr. Robert Ash in behalf of counsel for the petitioner.

No. 741. Ralston Purina Company, petitioner, *v.* The United States. Motion for leave to file amendment to petition for certiorari submitted by Mr. Wm. Cogger for the petitioner.

No. 559. City of Harrisonville, Missouri, petitioner, *v.* W. S. Dickey Clay Manufacturing Company. Argued by Mr. Raymond G. Barnett for the petitioner, and by Mr. Leland Hazard for the respondent.

No. 564. F. E. Buffum, as Trustee in Bankruptcy of Henry Joseph Barceloux, Bankrupt, petitioner, *v.* Peter Barceloux Company. Argument commenced by Mr. Horace B. Wulff for the petitioner, and continued by Mr. Arthur C. Huston for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 21, will be as follows: Nos. 564, 571, 585 (and 586), 587, 589, 595, 601, 623, 627, and 643.

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.

Consuelo B. Northrop, of Burlington, Vt.; Bernard J. Gallagher, of Washington, D. C.; Deneen A. Watson, of Springfield, Ill.; John E. Tarrant, of Louisville, Ky.; James Yearsley, of Philadelphia, Pa.; Samuel Levin, of Chicago, Ill.; Donald A. Wallace, of Detroit, Mich.; Samuel E. Bracegirdle, of Detroit, Mich.; J. Roland Kinzer, of Lancaster, Pa.; and Augustus I. Hasskarl, of Lincoln, Nebr., were admitted to practice.

No. 564. F. E. Buffum, as Trustee in Bankruptcy of Henry Joseph Barceloux, Bankrupt, petitioner, *v.* Peter Barceloux Company. Argument continued by Mr. Arthur C. Huston for the respondent, and concluded by Mr. George R. Freeman for the petitioner.

No. 571. William H. Edelman, State Treasurer, et al., petitioners, *v.* Boeing Air Transport, Inc. Argument commenced by Mr. James A. Greenwood for the petitioners; continued by Mr. Wm. M. Allen for the respondent; and concluded by Mr. George W. Ferguson for the petitioners.

No. 585. Royal Indemnity Company et al., petitioners, *v.* American Bond & Mortgage Company; and

No. 586. Royal Indemnity Company et al., petitioners, *v.* American Bond & Mortgage Company. Argued by Mr. Selden Bacon for the petitioners, and by Mr. William E. Leahy for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 22, will be as follows: Nos. 587, 589, 595, 601, 623, 627, and 643.

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.

Leonard Ferris Martin, of Chicago, Ill.; Lewis C. Jesseph, of Chicago, Ill.; Philip B. Whitaker, of Chattanooga, Tenn.; William T. Powell, of Walters, Okla.; Joseph A. Giovannoni, of Washington, D. C.; Hugo S. Bagnulo, of Boston, Mass.; Brockenbrough Lamb, of Richmond, Va.; Joseph F. Hall, of Richmond, Va.; and Harry A. Lider, of New Bedford, Mass., were admitted to practice.

No. 587. Consolidated Textile Corporation, appellant, *v.* John J. Gregory, Judge of the Circuit Court of Milwaukee County. Argued by Mr. Eldon Bisbee for the appellant, and by Mr. Morris Karon for the appellee.

No. 589. Harry J. Mortensen, as Commissioner of Insurance of the State of Wisconsin, appellant, *v.* Security Insurance Company. Argument commenced by Mr. J. E. Messerschmidt for the appellant. The Court declined to hear further argument.

No. 595. Mrs. Fannie E. Lang, petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Washington Bowie, jr., for the petitioner, and by Mr. Whitney North Seymour for the respondent.

No. 601. Mabel G. Reinecke, formerly Collector of Internal Revenue, etc., petitioner, *v.* Kenneth G. Smith, and Foreman State Trust and Savings Bank, Executors, etc. Argument commenced by Mr. Edwin N. Griswold for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 23, will be as follows: Nos. 601, 623, 627, and 643.

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 A. Zimmerman, of Chicago, Ill.; Hiram M. Dow, of Roswell, N. Mex.; Wendell W. McCandles, of Los Angeles, Calif.; Harry W. Blair, of Joplin, Mo.; Myron G. Blalock, of Marshall, Tex.; Paul F. Good, of Lincoln, Nebr.; and Thomas J. Kelly, of Dayton, Ohio, were admitted to practice.

No. 601. Mabel G. Reinecke, formerly Collector of Internal Revenue, etc., petitioner, *v.* Kenneth G. Smith, and Foreman State Trust and Savings Bank, Executors, etc. Argument continued by Mr. Erwin N. Griswold for the petitioner, and concluded by Mr. Albert L. Hopkins for the respondents.

No. 623. American Car and Foundry Company, petitioner, *v.* H. A. Brassert. Argument commenced by Mr. L. F. Martin for the petitioner; continued by Mr. Lewis C. Jesseph for the respondent; and concluded by Mr. Paul R. Conaghan for the petitioner.

No. 627. Public Service Commission of Montana, et al., etc., appellants, *v.* Great Northern Utilities Company. Argument commenced by Mr. Francis A. Silver for the appellants, and continued by Mr. M. S. Gunn for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 24, will be as follows: Nos. 627 and 643.

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.

Sylvia Deane, of Washington, D. C., and Archie R. McCrady, of South Bend, Ind., were admitted to practice.

No. 627. Public Service Commission of Montana et al., etc., appellants, *v.* Great Northern Utilities Company. Argument concluded by Mr. E. G. Toomey for the appellees.

No. 643. Charles Young, appellant, *v.* Anthony Masci. Argued by Mr. Daniel Thew Wright for the appellant, and by Mr. Samuel Kaufman for the appellee.

Adjourned until Monday, March 27 next, at 12 o'clock.

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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.

Henry Roberts, of Bristol, Va.; Alfonso Everette MacIntyre, of Greensboro, N. C.; Chas. E. Shreve, of Washington, D. C.; John P. Sorenson, of Chicago, Ill.; Donovan R. Divet, of Fargo, N. Dak.; Adam Heronim Rudzinski, of Milwaukee, Wis.; John C. McDermott, of New York City; C. Elmer Spedick, of Brooklyn, N. Y.; Chet A. Keyes, of Kansas City, Mo.; Martin I. Welsh, of Sacramento, Calif.; Dwight L. Savage, of Fayetteville, Ark.; J. E. McCadden, of Memphis, Tenn.; and Louis C. Wurzer, of Detroit, Mich., were admitted to practice.

No. 364. St. Louis Southwestern Railway Company, petitioner, *v.* Missouri Pacific Railroad Company. On writ of certiorari to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 516. J. T. Roberts, appellant, *v.* Richland Irrigation District et al., etc. Appeal from the Supreme Court of the State of Washington. Decree affirmed with costs. Opinion by Mr. Justice McReynolds announced by Mr. Chief Justice Hughes. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 517. Public Service Commission of Wisconsin, Theodore Kronshage, jr., Individually and as a Commissioner of said Public Service Commission of Wisconsin, et al., etc., appellants, *v.* Wisconsin Telephone Company. Appeal from the District Court of the United States for the Western District of Wisconsin. Decree vacated with costs, and cause remanded to the District Court, as specially constituted, for findings and conclusions appropriate to a decision upon the application for an interlocutory injunction, the temporary restraining order to remain in force pending that determination. Opinion by Mr. Chief Justice Hughes.

The Chief Justice said:

"The 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. 2, original. State of Vermont, complainant, *v.* The State of New Hampshire. Pursuant to stipulation of counsel for the parties herein, it is ordered that the time for the filing of brief for complainant in this cause be, and it is hereby, extended to and including Monday, April 10 next; that reply brief for the defendant may be filed on or before Monday, April 17 next; and that this cause is reassigned for argument on Thursday, April 20 next, at the head of the call for that day.

No. 589. Harry J. Mortensen, as Commissioner of Insurance of the State of Wisconsin, appellant, *v.* Security Insurance Company. Appeal from the District Court of the United States for the Western District of Wisconsin. *Per curiam*: Decree affirmed. *Terral v. Burke Construction Co.*, 257 U. S. 529; *Prudential Insurance Co. v. Cheek*, 259 U. S. 530, 544; *National Fire Insurance Co. v. Wanberg*, 260 U. S. 71, 75; *Fidelity & Deposit Co. v. Tafoya*, 270 U. S. 426, 434; *Hanover Fire Insurance Co. v. Harding*, 272 U. S. 494, 507.

Mr. Justice Brandeis dissents upon the authority of *Doyle v. Continental Insurance Co.*, 94 U. S. 535, and *Security Mutual Life Insurance Co. v. Prewitt*, 202 U. S. 246.

No. 733. The Public Service Commission of Indiana, John W. McCardle, Howell Ellis, et al., appellants, *v.* Northern Indiana Public Service Company. Appeal from the District Court of the United States for the Northern District of Indiana. *Per curiam*: The decree of the District Court granting interlocutory injunction herein is vacated and the cause is remanded to the District Court, as specially constituted, for findings and conclusions appropriate to a decision upon the application for an interlocutory injunction, the temporary restraining order to remain in force pending that determination. *Public Service Commission of Wisconsin v. Wisconsin Telephone Co.*, 288 U. S. — (decided March 27th, 1933).

No. 780. Peter Antonoplos, appellant, *v.* John Eichleay, Jr., Company and William J. Herbster, Trustee. 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. *Von Hoffman v. City of Quincy*, 4 Wall. 535, 550; *Gunn v. Barry*, 15 Wall. 610, 623; *Hendrickson v. Apperson*, 245 U. S. 105, 112; *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 311; *Wabash Ry. Co. v. Flannigan*, 192 U. S. 29; *Wick v. Chelan Electric Co.*, 280 U. S. 108, 111.

No. 754. Ida Dunkell, Administratrix of the Estate of John Kenneth Dunkell, deceased, petitioner, *v.* Pennsylvania Railroad Company. On petition for writ of certiorari to the Court of Common

Pleas of Philadelphia County, State of Pennsylvania. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon examination of the 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. 775. Ammie Henderson, Individually and as next Friend of Ruby Lee Henderson, et al., minors, petitioner, *v.* Maryland Casualty 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. 787. Wesley D. Manley, petitioner, *v.* W. H. Fisher, United States Attorney Wilmington, N. C. 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. 788. George Williams, petitioner, *v.* New York Central Railroad Company, Inc. On petition for writ of certiorari to the Supreme Court of the State of New York. The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the 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. —. Oliver W. Toll, petitioner, *v.* George W. Casey, et al., etc. Upon consideration of the motion to diminish the record herein submitted, leave is granted to print a record pursuant to designations to be filed by counsel for the respective parties.

No. 779. Central Kentucky Natural Gas Company, appellant, *v.* Railroad Commission of Kentucky, et al. In this case probable jurisdiction is noted.

No. 685. The State of South Carolina, petitioner, *v.* Ray Bailey, *alias* Ray Keith. Petition for writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 701. Angelo Quercia, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 718. Conrad, Rubin & Lesser, petitioners, *v.* Horace G. Pender, Trustee in Bankruptcy. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 724. The United States of America, *ex rel.* Anthony Volpe, petitioner, *v.* S. D. Smith, District Director of Immigration. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 767. Harold L. Ickes, Secretary of the Interior, petitioner, *v.* United States of America, *ex rel.* Chestatee Pyrites & Chemical Corporation. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 791. Irene du Pont, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 792. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Frederick B. Wells. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 686. Revenue Oil Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 688. Narcisso Luchessi, petitioner, *v.* Luther Weedin, as Commissioner of Immigration at the Port of Seattle, Washington. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 695. Jack Pleva, Harry Rubinfeld, and Nathan Silver, et al., petitioners, *v.* George Z. Medalie, as United States Attorney for the Southern District of New York. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 705. Stanolind Oil and Gas Company, petitioner, *v.* Mrs. N. A. Brown. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 706. Frank Buttram, petitioner, *v.* Gray County, Texas, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 707. Sam Steinberg, *alias* Joseph Smith, 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. 712. The Erie Railroad Company, petitioner, *v.* Cora E. Line, Executrix of the Estate of Charles Homer Line, deceased. Petition

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

No. 713. Fritz Worm, 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. 717. John W. Haussermann, 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. 719. Missouri Pacific Railroad Company, petitioner, *v.* Bose McMahan. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 720. Lloyd Royal Belge Societe Anonyme, 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 denied.

No. 723. Direction Der Discoto Gesellschaft, a Legal Entity of Bremen, Germany, et al., petitioners, *v.* William H. Sprunt, Walter P. Sprunt, James Laurence Sprunt, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 725. Emil Louviers, 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. 726. Burr Creamery Corporation, 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. 737. Clarence H. Howard, Jr., and Minnie Morey Howard, Executors, etc., et al., petitioners, *v.* A. F. Howe. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 743. John U. Gardiner, petitioner, *v.* Washington Loan and Trust Company et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 744. Commercial Casualty Insurance Company, petitioner, *v.* Charles E. Lawhead, Receiver of Clarksburg Trust Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 691. C. M. Patten & Company and Grace M. Wilder, petitioners, *v.* The United States of America. Consideration of petition for writ of certiorari deferred for two weeks on motion of Mr. Solicitor General Thacher for the respondent.

No. —, original. **Ex Parte: Dominick Caparrotta**, petitioner. Motion for leave to file petition for writ of mandamus and for leave to proceed *in forma pauperis* therein submitted by Mr. Jesse C. Duke for the petitioner.

No. 677. The United States of America, on relation of Lucien H. Greathouse et al., petitioners, *v.* Patrick J. Hurley, as Secretary of War et al. George H. Dern, as Secretary of War, substituted as a party respondent in place of Patrick J. Hurley, on motion of Mr. Fontaine Bradley for the petitioners.

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

The day call for Monday, April 10, will be as follows: Nos. 18 original, 760, 626, 634, 657 (658, 659, and 660), 677, 680 (681 and 682), 728, 729 (and 730), and 675.

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.

De Voe Tomlinson, of Newark, N.J.; Oscar A. Brown, of Columbus, Ohio; Francis J. Wright, of Columbus, Ohio; Cecil W. Rotzell, of Camden, N.J.; Albert E. Schefflen, of Camden, N.J.; George H. Rosenstein, of Newark, N.J.; Daniel W. O'Donoghue, Jr., of Washington, D.C.; Kenneth W. Greenawalt, of New York City; Simon J. Griffinger, of Newark, N.J.; Frank Hier, of Cincinnati, Ohio; Katherine G. Learson, of Boston, Mass.; Howard C. Gilmer, of Pulaski, Va.; Charles Franklin, of New York City; and Robert L. Holliday, of El Paso, Texas, were admitted to practice.

No. 653. The United States of America, appellant, *v.* John G. Darby. Appeal from the District Court of the United States for the District of Maryland. 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 Cardozo.

No. 564. F. E. Buffum, as Trustee in Bankruptcy of Henry Joseph Barceloux, Bankrupt, petitioner, *v.* Peter Barceloux Company. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree of the Circuit Court of Appeals reversed with costs, and the decree of the District Court modified, and as modified affirmed, and cause remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo.

No. 683. The United States of America *v.* Ada L. Burroughs and James Cannon, Jr. On certificate from the Court of Appeals of the District of Columbia. Both questions answered in the affirmative. Opinion by Mr. Justice Roberts. Mr. Justice Cardozo concurs in the result.

No. 585. Royal Indemnity Company, Parkes D. Wendell, Charles T. Trigg, et al., petitioners, *v.* American Bond & Mortgage Company; and

No. 586. Royal Indemnity Company, Parkes D. Wendell, Charles T. Trigg, et al., petitioners, *v.* American Bond & Mortgage Company. On writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decrees affirmed with costs, and cases remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice Roberts.

No. 601. Mabel G. Reinecke, Formerly Collector of Internal Revenue for the First District of Illinois, petitioner, *v.* Kenneth G. Smith and Foreman State Trust and Savings Bank, Executors of the will of Douglas Smith. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts.

No. 316. The United States of America, petitioner, *v.* Dubilier Condenser Corporation;

No. 317. The United States of America, petitioner, *v.* Dubilier Condenser Corporation; and

No. 318. The United States of America, petitioner, *v.* Dubilier Condenser Corporation. On writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decrees affirmed, and cases remanded to the District Court of the United States for the District of Delaware. Opinion by Mr. Justice Roberts. Dissenting opinion by Mr. Justice Stone in which Mr. Justice Cardozo concurs. Mr. Chief Justice Hughes dissents.

No. 567. The United States of America, appellant, *v.* Santos Flores. Appeal from the District Court of the United States for the Eastern District of Pennsylvania. Judgment reversed and cause remanded to said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone.

No. 499. The Moffat Tunnel League and Uintah Basin Railroad League, appellants, *v.* The United States of America, Interstate Commerce Commission, the Denver and Rio Grande Western Railroad Company, et al. Appeal from the District Court of the United States for the District of Delaware. Decree affirmed. Opinion by Mr. Justice Butler.

No. 535. Transit Commission and The State of New York, appellants, *v.* The United States of America, The Long Island Railroad Company, The Pennsylvania 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 Butler.

No. 627. Public Service Commission of Montana, Tom Stout, Thomas E. Carey, et al., etc., appellants, *v.* Great Northern Utilities Company. 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 Butler.

No. 547. Walter H. Gant, Knox L. Garvin, and A. D. Hudspeth, appellants, *v.* The City of Oklahoma City and J. W. Van Meter, Superintendent of Buildings. Appeal from the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 423. Levering & Garrigues Company, Hedden Iron Construction Company, McClintic-Marshall Company, et al., petitioners, *v.* Paul J. Morrin, Individually and as President of International Association of Bridge, Structural, and Ornamental Iron Workers, 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. 595. Mrs. Fannie E. Lang, petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed, and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Sutherland.

No. 395. C. A. Bradley, Doing Business as Wolverine Motor Freight Lines, appellant, *v.* The Public Utilities Commission of Ohio. Appeal from the Supreme Court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 587. Consolidated Textile Corporation, appellant, *v.* John J. Gregory, Judge of the Circuit Court of Milwaukee County. 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 McReynolds.

No. 594. Peter Rossi and Edward Ehrett, petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Southern District of Illinois. Opinion by Mr. Justice McReynolds.

The Chief Justice said:

"The 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. —. In re: Ralph C. Davis. A rule is ordered to issue returnable on Monday, April 17 next, requiring Ralph C. Davis, of Pittsburgh, Pennsylvania, a member of the Bar of this Court, to show cause why he should not be disbarred for conduct unbecoming a member of the Bar of this Court.

No. 790. Concordia Fire Insurance Company, appellant, *v.* The People of the State of Illinois. Further consideration of the question of the jurisdiction of this Court in this case, and of the motion to dismiss or affirm, is postponed to the hearing of the case on the merits.

No. 784. Charles N. Bevan, appellant, *v.* David M. Krieger, as Sheriff of Lucas County, Ohio;

No. 785. John W. Koehrman, appellant, *v.* David M. Krieger, as Sheriff of Lucas County, Ohio; and

No. 786. Robert A. Stranahan, appellant, *v.* David M. Krieger, as Sheriff of Lucas County, Ohio. 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 and they are assigned for argument on Monday, May 8th next.

No. 732. Richard Reid Rogers, petitioner, *v.* George W. Hill, A. C. Mower, Charles A. Penn, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 734. Krauss Bros. Lumber Company, petitioner, *v.* Dimon Steamship Corporation, Claimant of the Steamship "Pacific Cedar", her engines, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 735. John H. Leighton, James A. McPherson, Sue P. Leighton, 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 granted.

No. 736. Ivan E. Oakes, petitioner, *v.* Ben Lake, as Sheriff of Owyhee County, Idaho. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 752. Sinclair Refining Company, petitioner, *v.* Jenkins Petroleum Process Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 703. The Puerto Rico Railway, Light & Power Company, petitioner, *v. Rosa Julia Miranda*. 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, upon the ground that the question presented is one of local law of Puerto Rico. *Cardona v. Quinones*, 240 U.S. 83, 88; *Diaz v. Gonzalez*, 261 U.S. 102, 105, 106; *Cami v. Central Victoria, Ltd.*, 268 U.S. 469, 470; *American Trading Co. v. Heacock Co.*, 285 U.S. 247, 261.

No. 781. Tom Salmon, petitioner, *v. The United States of America*. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. The petition for writ of certiorari in this case is denied, upon the ground that the application for the writ was not made within the time provided by law. Section 8 (a), Act of February 13, 1925, 43 Stat. 936, 940 (U.S. Code, Title 28, Sec. 350).

No. 741. Ralston Purina Company, petitioner, *v. The United States*. On petition for writ of certiorari to the Court of Claims. The motion to amend petition for writ of certiorari in this case is granted. The petition for writ of certiorari is denied.

No. 714. Rupert P. Ricker, petitioner, *v. A. B. Shurter and E. D. Shurter*. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 722. Edna S. Singles, petitioner, *v. The United States*. Petition for writ of certiorari to the Court of Claims denied.

No. 731. C. M. Root and Fidelity and Deposit Company of Maryland, 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. 738. Walter Cravens, 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. 739. Fidelity Storage Company, David B. Karrick, and Harry S. Plager, petitioners, *v. Mary A. Jaques*. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 740. Joseph Coudon, petitioner, *v. Galen L. Tait*, Collector of Internal Revenue for the District of Maryland. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 745. Smith Engineering Company and American Surety Company of New York, petitioners, *v. Honorable Charles N. Pray*, District Judge of the United States for the District of Montana, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 746. West Virginia Northern Railroad Company, petitioner, *v.* Carleton Mining and Power Company. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 749. Lehigh Valley Railroad Company, petitioner, *v.* Peter P. Feddock. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 750. James Ferguson, petitioner, *v.* Louis Sabo et al. Petition for writ of certiorari to the Supreme Court of Errors of the State of Connecticut denied.

No. 751. Charles F. Aycock and Glen S. Jordan, 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. 753. United States Fidelity and Guaranty Company, petitioner, *v.* The Commercial National Bank of Brady, Texas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 769. Culberson P. Dent, petitioner, *v.* The Chesapeake & Ohio Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 757. Herman L. Rich, Fred Woodward, John Spiess, and Arthur Woodward, 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. 761. American Cyanamid Company, petitioner, *v.* Wilson & Toomer Fertilizer Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 762. Barnard J. Hirsch, 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. 765. American Mutual Liability Insurance Company of Boston, Massachusetts, petitioner, *v.* Dr. J. B. Cooper. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 766. Herman Finder, petitioner, *v.* Ward W. Smith, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 778. Chicago Bank of Commerce, petitioner, *v.* Charles McPherson and Ewald J. Pfeiffer, as Executors and Trustees, etc., of Charles F. Ruggles, deceased. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 691. C. M. Patten & Company and Grace M. Wilder, petitioners, *v.* The United States of America. Consideration of the petition for writ of certiorari herein deferred until April 24 next, on motion of Mr. Solicitor General Thacher for the respondent.

No. 537. Arthur C. Harvey Company, petitioner, *v.* John F. Malley and/or Malcolm E. Nichols, Former Collectors. Motion to modify judgment submitted by Mr. O. Walker Taylor for the petitioner.

No. —, original. Ex parte: Dominick Caparrotta, petitioner. Leave granted to withdraw motion for leave to file petition for writ of mandamus on motion of Mr. Jesse C. Duke for the petitioner.

No. —, original. Ex parte: Arthur T. LaPrade, petitioner. Return to the rule to show cause presented by Mr. Lawrence H. Cake.

No. 13, original. The State of New Jersey, complainant, *v.* The City of New York. Report of defendant, dated April 1, 1933, presented.

No. 834. C. J. Allen et al., appellants, *v.* Galveston Truck Line Corporation. Joint motion to advance submitted by Mr. James V. Allred, Mr. T. S. Christopher, Mr. Elbert Hooper, and Mr. Claude Pollard for the appellants, and by Mr. Mart H. Royston, and Mr. J. Newton Rayzor for the respondent.

No. 18, original. The State of Ohio, plaintiff, *v.* The Chattanooga Boiler and Tank Company. Argument commenced by Mr. John W. Bricker for the plaintiff, continued by Mr. Francis J. Wright for the defendant, and concluded by Mr. Oscar A. Brown for the plaintiff.

No. 760. Aaron Mintz and Louis Mintz, Co-partners, etc., appellants, *v.* Charles H. Baldwin, Individually and as Commissioner of Agriculture & Markets of the State of New York. Argued by Mr. J. E. Messerschmidt for the appellants, and by Mr. Henry S. Manley for the appellee.

No. 634. David Daube, petitioner, *v.* The United States. Argument commenced by Mr. John E. Hughes for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 11, will be as follows: Nos. 634, 657 (658, 659, and 660), 677, 680 (681 and 682), and 728 (729 and 730).

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.

Hamer H. Jamieson, of Los Angeles, Calif.; Howard W. Kacy, of Washington, D.C.; James R. Ryan, of Chicago, Ill.; Cato B. Hurd, of Washington, D.C.; D. K. Woodward, Jr., of Dallas, Tex.; Winfred Lake, of De Queen, Ark.; George O. Patterson, of Clarksville, Ark.; A. Frank Katzentine, of Miami, Fla.; George G. McCoy, of Savannah, Ga.; Edward H. Patterson, of Little Rock, Ark.; Ben Cravens, of Fort Smith, Ark.; Chas. E. Allen, of Seattle, Wash.; Chauncey F. Tramutola, of San Francisco, Calif.; and Charles S. Piepgrass, of Tulsa, Okla., were admitted to practice.

No. 634. David Daube, petitioner, *v.* The United States. Argument continued by Mr. John E. Hughes for the petitioner, by Mr. Whitney North Seymour for the respondent, and concluded by Mr. John E. Hughes, for the petitioner.

No. 657. Federal Radio Commission, petitioner, *v.* Nelson Brothers Bond & Mortgage Company;

No. 658. Federal Radio Commission, petitioner, *v.* North Shore Church;

No. 659. Federal Radio Commission, and Johnson-Kennedy Radio Corporation, petitioners, *v.* Nelson Brothers Bond & Mortgage Company; and

No. 660. Federal Radio Commission and Johnson-Kennedy Radio Corporation, petitioners, *v.* North Shore Church. Argument commenced by Mr. Solicitor General Thacher for the petitioner, Federal Radio Commission; continued by Mrs. Mabel Walker Willebrandt, for the petitioner, Johnson-Kennedy Radio Corporation; by Mr. James M. Beck for the respondents; and concluded by Mr. Solicitor General Thacher for the petitioner, Federal Radio Commission.

No. 677. The United States of America, on relation of Lucien H. Greathouse et al., petitioners, *v.* George H. Dern, as Secretary of War et al. Argument commenced by Mr. Spencer Gordon for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 12, will be as follows: Nos. 677, 680 (681 and 682), and 728 (729 and 730).

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.

Anderson A. Owen, of Chicago, Ill.; William H. Spohn, of Madison, Wis.; Charles E. Collett, of Sidney, Mont.; Roy E. Ayers, of Lewistown, Mont.; James O. Reavis, of Bakersfield, Calif.; John D. T. Bold, of Evansville, Ind.; Frank Walsh Glenn, of Washington, D.C.; George Link, Jr., of New York City; Anthony J. Dimond, of Valdez, Alaska; and William J. Froelich, of Chicago, Ill., were admitted to practice.

The Chief Justice announced the following order of the Court:

No. 834. C. J. Allen et al., appellants, *v.* Galveston Truck Line Corporation. Joint motion to advance granted and case assigned for argument on Monday, May 8 next, after the cases heretofore assigned for that day.

No. 677. The United States of America, on relation of Lucien H. Greathouse et al., petitioners, *v.* George H. Dern, as Secretary of War, et al. Argument continued by Mr. Spencer Gordon for the petitioner, by Mr. Seth W. Richardson for the respondents, and concluded by Mr. Spencer Gordon for the petitioner.

No. 680. Isaac Gross and Joel Gross, partners as Gross & Gross, et al., petitioners, *v.* Irving Trust Company, Trustee, etc.;

No. 681. J. S. S. Weisman and John Milton, Receivers, etc., petitioners, *v.* Irving Trust Company, Trustee, etc.; and

No. 682. Isaac Gross and Joel Gross, partners as Gross & Gross, et al., petitioners, *v.* Irving Trust Company, Trustee, etc. Argued by Mr. Merritt Lane for the petitioners, and by Mr. Samuel Kaufman for the respondent.

No. 728. Thomas S. Williams *v.* The United States;

No. 729. Daniel D. O'Donoghue *v.* The United States; and

No. 730. William Hitz *v.* The United States. Argument commenced by Mr. George A. King for Thomas S. Williams, continued by Mr. John W. Davis for Daniel W. O'Donoghue and William

Hitz, by Mr. Solicitor General Thacher for the United States; and concluded by Mr. John S. Flannery for Daniel W. O' Donoghue and William Hitz.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 17, will be as follows: Nos. **5**, original, (**8**, original, and **9**, original), **693**, **711** (and **721**), **663**, **675**, **748**, **767**, and **685**.

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.

T. Baxter Milne, of Washington, D. C.; Arlington C. Harvey, of Evanston, Ill.; Harold M. Stephens, of Salt Lake City, Utah; Melville Ehrlich, of Port Chester, N. Y.; Stanley Granger, of Miami, Fla.; Hugh W. Darling, of Los Angeles, Calif.; Clifton Murphy, of New York City; Herbert Goldmark, of New York City; Della Ives Ragsdale, of St. Louis, Mo.; Leo H. Klugherz, of New York City; Parker W. Kimball, of Spokane, Wash.; Adelor J. Petit, jr., of Chicago, Ill.; Lambert Kaspers, of Chicago, Ill.; Allan J. Carter, of Chicago, Ill.; Donald C. Power, of Columbus, Ohio; David C. Haynes, of Youngstown, Ohio; Milford J. Meyer, of Philadelphia, Pa.; Esther Melnick, of Chicago, Ill.; Abraham Teitlebaum, of Chicago, Ill.; William T. Caven, of Marshall, Tex.; Charles C. Carsner, of Victoria, Tex.; Charles L. Strouss, of Phoenix, Ariz.; Wendell H. Ney, of Chicago, Ill.; Carl M. Owen, of Bronxville, N. Y.; Harold J. Gallagher, of Bronxville, N. Y.; Claude A. Watson, of Los Angeles, Calif.; George S. Gilbert, jr., of Chicago, Ill.; Arthur T. La Prade, of Phoenix, Ariz.; Fred S. Alward, of Las Vegas, Nev.; Augustus McCloskey, of San Antonio, Tex.; and Louis Boehm, of New York City, were admitted to practice.

No. 571. William H. Edelman, State Treasurer; Harry R. Weston, State Treasurer; The City of Cheyenne, et al., petitioners, *v.* Boeing Air Transport, Inc. On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Wyoming for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stone. Mr. Justice Van Devanter took no part in the consideration or decision of this case.

No. 565. Philip Hurn and Percy Morgan, jr., petitioners, *v.* Fulton Oursler, Lowell Brentano, Albert Lewis, and Sam H. Harris. On writ of certiorari to the United States Circuit Court of Appeals for

the Second Circuit. Decree modified, and as modified affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Sutherland. Mr. Justice Brandeis and Mr. Justice Stone think the decree should be affirmed without modification.

The Chief Justice announced the promulgation of amendments to the General Orders in Bankruptcy effective April 24 next.

The Chief Justice said: "The 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. —. In Re Disbarment of Oscar C. Thomas; Chauncey Hackett; Robert E. J. Whalen; Sylvester L. McLaurin; Abner Siegal; and Harry H. Hollander. Rules are ordered to issue requiring these members of the Bar of this Court to show cause under Rule 2 why they should not be disbarred from the further practice of the law in this Court.

No. —. In Re Disbarment of Herman Woodward Winburn. It having been suggested to the Court that Herman Woodward Winburn has been guilty of conduct unbecoming a member of the Bar of this Court in that he made application for admission, and was admitted, to this Bar as a member in good standing of the Bar of the Supreme Court of the State of North Carolina without disclosing that he had been a member of the Bar of the Supreme Court of the State of Louisiana under the name of Herman Winsberg and had, under that name and by virtue of his membership of that Bar, a pending application for admission to the Bar of this Court and without disclosing that he had caused the cancellation of his license to practice as a member of the Bar of the Supreme Court of the State of Louisiana in order to avoid disbarment proceedings based upon the charge of an offense involving moral turpitude.

It is ordered, that the said Herman Woodward Winburn be, and he is hereby, suspended from practice before this Court,

And it is further ordered, that a rule issue directing the said Herman Woodward Winburn to show cause, within forty days of this date, why he should not be disbarred from the practice of the law in this Court upon the ground that he has been guilty of conduct unbecoming a member of the Bar of this Court, as aforesaid.

No. —, original. Ex Parte: Arthur T. La Prade, petitioner. The return to the rule to show cause is received and ordered to be filed.

No. 13, original. The State of New Jersey, complainant, *v.* the City of New York. The report of the defendant dated April 1, 1933, is received and ordered to be filed.

No. 537. Arthur C. Harvey Company, petitioner, *v.* John F. Malley and/or Malcolm E. Nichols, Former Collectors. The motion to amend the judgment herein is denied.

No. 825. Herman W. Rowlette, petitioner, *v.* Rothstein Dental Laboratories, Inc. 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* and the petition for writ of certiorari are severally denied. *New York Central R. R. Co. v. White*, 243 U. S. 188, 200, 202; *Mountain Timber Co. v. Washington*, 243 U. S. 219, 234, 235-240; *Voehl v. Indemnity Ins. Co.*, 288 U. S. — (decided February 6, 1933; clerk's print, page 2).

No. 836. Samuel T. Middleton, petitioner, *v.* Southern Pacific 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 issue. The petition for writ of certiorari is therefore also denied.

No. 819. The United States of America et al., appellants, *v.* The State of Louisiana, Louisiana Public Service Commission, et al.; and

No. 834. C. J. Allen et al., appellants, *v.* Galveston Truck Line Corporation. In these cases probable jurisdiction is noted.

No. 764. The State of Minnesota, petitioner, *v.* George Blasius. Petition for writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 768. Butte, Anaconda & Pacific Railway Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 772. Cullen Fuel Company, Inc., Owner of Deck Scow "Cullen No. 32", petitioner, *v.* W. E. Hedger, Inc., Bailee of Cargo. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 774. Charles P. Bullard et al., petitioners, *v.* City of Cisco, Texas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 756. M. E. Bogle, petitioner, *v.* Scott C. White, United States Marshal, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 758. Darwin D. Martin, 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. 763. John P. Weathersbee, 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. 770. Frank N. Hughes, Administrator, petitioner, *v.* George A. Gaston et al, receiver. Petition for writ of certiorari to the Superior Court in and for the County of Hampden, Commonwealth of Massachusetts, denied.

No. 771. Leo Manning, petitioner, *v.* Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 773. Joseph Todaro, petitioner, *v.* O. W. Munster, District Director of Immigration for the Port of Kansas City, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 782. John Wanamaker, Philadelphia, petitioner, *v.* Commissioner of Internal Revenue; and

No. 783. John Wanamaker, Philadelphia, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 795. Charles A. Kane, Trustee in Bankruptcy of Vye-Neill Co., petitioner, *v.* Manufacturers' Finance Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 822. Margaret A. Guyton, Fannie G. Carkener, et al., etc., petitioners, *v.* Younger R. Denney, Executor, etc. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 846. Aluminum Company of America, petitioner, *v.* Baush Machine Tool Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 759. Manuel V. Domenech, petitioner, *v.* The United Puerto Rican Sugar Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

The Chief Justice announced the following order:

The Court will take a recess from Monday, April 24, to Monday, May 8, next.

No. 567. The United States of America, appellant, *v.* Santos Flores;

No. 594. Peter Rossi and Edward Ehrett, petitioners, *v.* The United States of America;

No. 653. The United States of America, appellant, *v.* John G. Darby; and

No. 683. The United States of America *v.* Ada L. Burroughs and James Cannon, Jr. Mandates granted on motion of Mr. Solicitor General Thacher for the United States.

No. —. In Re Ralph C. Davis. Return to rule to show cause presented.

No. 260. Elizabeth Coyne, as Secretary of State of the State of South Dakota, et al., etc., appellants, *v.* Charles M. Prouty, Charles E. Renaux, et al. Return to rule to show cause presented.

No. 697. John B. Hunt, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims dismissed on motion of counsel 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. State of Michigan et al., complainants, *v.* The State of Illinois and Sanitary District of Chicago et al.; and

No. 9, original. State of New York et al., complainants, *v.* State of Illinois and Sanitary District of Chicago et al. Three hours allowed for oral argument. Argument on the Report of the Special Master commenced by Mr. Joseph B. Fleming for the defendant, Sanitary District of Chicago; continued by Mr. Cornelius Lynde for the defendant, The State of Illinois; by Mr. Raymond T. Jackson for the complainants, The States of Wisconsin, Minnesota, Ohio and Michigan; by Mr. Cornelius Lynde for the defendant, The State of Illinois; and concluded by Mr. William Rothmann for the defendant, Sanitary District of Chicago.

No. —, original. Ex Parte: Arthur T. La Prade, petitioner. Argument on the return to the rule to show cause commenced by Mr. Donald R. Richberg for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 18, will be as follows: Nos. 693, 711 (and 721), 663, 675, 748, 767, and 685.

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.

Daniel J. Gantt, of Atlanta, Ga.; Winfred K. Petigrue, of New York City; and Lawrence J. Fenlon, of Chicago, Ill., were admitted to practice.

No. —, original. Ex Parte: Arthur T. LaPrade, petitioner. Argument on the Return to the Rule to Show Cause continued by Mr. Donald R. Richberg for the petitioner, by Mr. Robert Brennan and Mr. Henry C. Booth for the respondents, and concluded by Mr. Donald R. Richberg for the petitioner.

No. 693. John Factor, petitioner, *v.* H. C. W. Laubenheimer, United States Marshal and Godfrey Haggard, His Britannic Majesty's Consul General. Argued by Mr. Newton D. Baker for the petitioner, and by Mr. Franklin R. Overmyer for the respondents.

No. 711. Benjamin F. Johnson, petitioner, *v.* Manhattan Railway Company et al.; and

No. 721. Lillian Boehm, petitioner, *v.* Manhattan Railway Company et al. Argument commenced by Mr. Charles Franklin for the petitioner in No. 711, and continued by Mr. Nathan L. Miller for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 19, will be as follows: Nos. 711 (and 721), 663, 675, 748, 767, and 685.

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.

Irl F. Kennerly, of Houston, Tex.; Paris S. Russell, of New York City; Alexander W. Parker, of Richmond, Va.; Adolphus Blair Scott, of Richmond, Va.; Angelo J. Scampini, of San Francisco, Calif.; John Bovill, Jr., of Detroit, Mich.; Richard F. Mitchell, of Fort Dodge, Iowa; William R. Smith, Jr., of Odessa, Tex.; Albert D. Hadley, of Glendale, Calif.; L. H. Browne, of San Antonio, Tex.; Joseph E. North, of Binghamton, N.Y.; Walter E. Hettman, of San Francisco, Calif.; Charles Kramer, of Los Angeles, Calif.; and Julian D. James, of Joplin, Mo., were admitted to practice.

No. 711. Benjamin F. Johnson, petitioner, *v.* Manhattan Railway Company et al.; and

No. 721. Lillian Boehm, petitioner, *v.* Manhattan Railway Company et al. Argument continued by Mr. Nathan L. Miller for the respondents, Victor J. Dowling and Thomas E. Murray, Jr., Receivers, etc.; by Mr. Harold McCullom for the respondent, Central Hanover Bank & Trust Company, as Trustee, etc.; and concluded by Mr. Louis Boehm for the petitioner in No. 721; and cases submitted by Mr. Cloyd LaPorte for the respondent, Committee for the Protection of the Holders of Ten Year Six Per Cent Gold Notes of Interborough Rapid Transit Company; by Mr. John W. Davis for the respondents, Committee acting for Interborough Rapid Transit Company 7 percent secured notes et al.; by Mr. Charles E. Hughes, Jr., and Mr. Allan S. Hubbard for the respondent, William Roberts, as Receiver, etc.; by Mr. Paxton Blair for the respondents, Van S. Merle-Smith et al., etc.; by Mr. James L. Quackenbush and Mr. Louis S. Carpenter for the respondent, Interborough Rapid Transit Company; and by Mr. Charles H. Tuttle and Mr. Paris S. Russell, for the respondent, American Brake Shoe and Foundry Company.

No. 663. The State of Washington on the relation of Bond & Goodwin & Tucker, Inc., etc., appellant, *v.* Superior Court of the

State of Washington et al. Argued by Mr. Frank E. Holman for the appellant, and by Mr. Parker W. Kimball for the appellees.

No. 675. George Moore Ice Cream Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue for the District of Georgia. Argument commenced by Mr. J. C. Murphy for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 20, will be as follows: Nos. 675, 2 original, 748, 767, and 685.

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.

Marie Keil Pappenfort, of St. Louis, Mo.; James C. Pappenfort, of Louisiana, Mo.; Lucile Donovan, of Washington, D. C.; Florence M. Rose, of East Orange, N. J.; Mary Stewart Howarth, of De Land, Fla.; Herbert B. Ehrmann, of Boston, Mass.; Paul Christopherson, of Minneapolis, Minn.; Edward A. Tonjes, of Washington, D. C.; Harry S. Rooks, of St. Louis, Mo.; Charles A. Wallace, of New York City; Thomas L. Ennis, of New York City; Warren R. Austin, Jr., of Burlington, Vt.; Douglas Swift, of New York City; A. F. Barham, of Osceola, Ark.; Edwin Martenet, of Greensboro, N. C.; and Ernest T. Miller, of Amarillo, Tex., were admitted to practice.

No. 675. George Moore Ice Cream Company, Inc., petitioner, *v.* J. T. Rose, Collector of Internal Revenue for the District of Georgia. Argument continued by Mr. J. C. Murphy for the petitioner; by Mr. Paul D. Miller for the respondent; and concluded by Mr. J. C. Murphy for the petitioner.

No. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Argument on the exceptions of the defendant to the report of the Special Master commenced by Mr. Charles E. Hughes, Jr., for the defendant in support thereof, and continued by Mr. Warren Austin, for the complainant, in opposition thereto.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 21, will be as follows: Nos. 2, original, 748, 767, and 685.

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.

Felthan Watson, of St. Louis, Mo.; Kathleen Liming, of Chickasha, Okla.; and John A. Liming, of Chickasha, Okla., were admitted to practice.

No. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Argument on the exceptions of the defendant to the report of the Special Master concluded by Mr. Warren Austin, for the complainant, in opposition thereto.

No. 748. Interstate Commerce Commission, petitioner, *v.* The United States of America, on the relation of J. C. Campbell et al. Argued by Mr. Daniel W. Knowlton for the petitioner, and Mr. A. Henry Walter for the respondents.

No. 767. Harold L. Ickes, Secretary of the Interior, petitioner, *v.* United States of America *ex rel.* Chestatee Pyrites & Chemical Corporation. Argued by Mr. Seth W. Richardson for the petitioner, and by Mr. Edgar Watkins for the respondent.

No. 685. The State of South Carolina, petitioner, *v.* Ray Bailey, *alias* Ray Keith. Argued by Mr. William C. Wolfe for the petitioner, and by Mr. Clyde R. Hoey for the respondent.

Adjourned until Monday, April 24 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.

William P. Bair, of Des Moines, Iowa; P. C. Walters, of Albion, Ill.; Mary Connor Myers, of Washington, D. C.; Jacob I. Spevak, of South Bend, Ind.; Ralph Royall, of New York City; Jacob H. Gilbert, of South Bend, Ind.; Robert E. Owens, of Oklahoma City, Okla.; Urban A. Lavery, of Chicago, Ill.; Robert L. Pennington, of Bristol, Va.; and Walter H. Chaveriat, of Chicago, Ill., were admitted to practice.

No. 643. Charles Young, appellant, *v.* Anthony Masci. Appeal from the Court of Errors and Appeals of the State of New Jersey. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

The Chief Justice announced the following orders of the Court:

No. 260. Elizabeth Coyne, as Secretary of State of State of South Dakota, et al., etc., appellants, *v.* Charles M. Prouty, Charles E. Renaux, Hanford Produce Company, et al. Appeal from the District Court of the United States for the District of South Dakota. *Per curiam*: Decree reversed and cause remanded with directions to dismiss the bill of complaint upon the ground that the cause is moot. *Brownlow v. Schwartz*, 261 U. S. 216; *Alejandrino v. Quezon*, 271 U. S. 528, 535, 536; U. S. ex. rel. *Norwegian Nitrogen Products Co. v. Tariff Commission*, 274 U. S. 106, 112; *Railroad Commission of Texas v. MacMillan*, 287 U. S. 576.

No. 805. Jesse G. Hawkins, appellant, *v.* City of Red Cloud, Nebraska, Fred E. Maurer, as Mayor, etc., et al. Appeal from the Supreme Court of the State of Nebraska. *Per curiam*: The appeal herein is dismissed for want of a substantial Federal question. *Gant v. City of Oklahoma City*, 288 U. S. — (decided April 10, 1933, clerk's print, p. 3); *Standard Oil Co. v. Marysville*, 279 U. S. 582, 583; *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 311.

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. —. In the Matter of Ralph C. Davis. The clerk of this Court having reported that the costs taxed against the Greek Catholic Union, respondent, in the case of American Surety Co. of New York *v.* The Greek Catholic Union, No. 401, October Term, 1931, a bill for which was rendered on March 31, 1932, to Ralph C. Davis, a member of the Bar of this Court, counsel for the said respondent, had not been paid; and it appearing to the Court that the said Davis had failed to answer or respond to three letters sent him by the clerk of this Court under dates of August 8, 1932, November 29, 1932, and February 7, 1933, with respect to the payment of the said costs; and a rule having issued April 10, 1933, directing the said Davis to show cause why he should not be disbarred from the practice of the law in this Court for conduct unbecoming a member of the Bar of this Court; and said Davis having made return to such rule, and the costs in the above-mentioned case having been paid.

It is ordered that the respondent, Ralph C. Davis, be, and he is hereby, reprimanded for unjustified failure in a duty owed by him as a member of the Bar of this Court to respond to communications addressed to him by the clerk of this Court pertaining to the business of the Court;

And it is further ordered that the rule to show cause aforesaid be, and it is hereby, discharged.

No. —. In Re Disbarment of D. W. Buckner and J. E. Fleming. Rules are ordered to issue requiring these members of the Bar of this Court to show cause under Rule 2 why they should not be disbarred from the further practice of the law in this Court.

No. 747. Local 167 of the International Brotherhood of Teamsters, etc., et al., appellants, *v.* The United States of America. In this case probable jurisdiction is noted.

No. 853. Dominick Caparrotta, 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 and upon examination of the record in the case of Moder et al. *v.* The United States of America, No. 609, October Term, 1932, finds no ground upon which a writ of certiorari should issue. The petition for

writ of certiorari, and the motion to order up the original stenographic record or for other relief, are therefore severally denied.

No. 863. Frank Goldman, Davis Pudalov, and Samuel Goldbaum, 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. 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.

No. 797. The Trainor Company, petitioner, *v.* The Aetna Casualty & Surety Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 842. Galen L. Tait, Collector of Internal Revenue, petitioner, *v.* Western Maryland Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 742. Charles T. Murrey, petitioner, *v.* Winston Murrey, an Infant by Carol Hathaway, his Guardian, *ad litem*. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 755. Lucy C. Armstrong Moltz, Executrix, Frank D. M. Strachan, et al., Executors, etc., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 789. Albert J. Harvey, petitioner, *v.* David J. Bondy. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 794. Dora R. Gans and Charles Gans, petitioners, *v.* Hon. Charles B. Faris, United States District Judge for the Eastern Division of the Eastern District of Missouri, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 796. Lawrence Berenson and Arthur Berenson, petitioners, *v.* John H. Woodbury and John H. Woodbury Laboratories, Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 798. United States *ex rel.* Albert A. Frey, petitioner, *v.* Thomas E. Robertson, Commissioner of Patents. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 799. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* Industrial Commission of Illinois and Grace H. Baxter. Peti-

tion for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 800. New York Water Service Corporation, petitioner, *v.* Title Guarantee and Trust Company and Edward Ward McMahon, Receiver of Rents, etc. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 804. Earle A. Merrill, Trustee in Bankruptcy of George E. Thomas, Bankrupt, petitioner, *v.* Joseph P. Day. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 932, October Term 1930. Art Metal Construction Company, petitioner, *v.* The United States; and

No. 933, October Term 1930. Henry C. Zeller and Edward G. Zeller, petitioners, *v.* The United States of America. Motion for leave to file petitions for rehearing submitted by Mr. Dana B. Hellings for the petitioners.

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

The day call for Monday, May 8, will be as follows: Nos. 784 (785 and 786), 834, 701, 718, 724, 779, 791, 792, 732, and 735.

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.

Harold D. Le Mar, of Omaha, Nebr.; Matthew M. Levy, of New York City; Richard M. Duncan, of St. Joseph, Mo.; Allan P. Cox, of Detroit, Mich.; Richard G. Levy, of Ancon, Canal Zone; David B. Tippery, of Detroit, Mich.; Glen W. Ratcliff, of Los Angeles, Calif.; Walter H. Schulman, of New York City; Leon C. Phillips, of Okemah, Okla.; Ellee J. Lovelace, of New York City; D. L. Hazelrigg, of Frankfort, Ky.; John W. Cost, of Pittsburgh, Pa.; William T. Corbett, of Pittsburgh, Pa.; Hyman W. Gamsco, of New York City; John C. Morley, of Cleveland, Ohio; Merrill S. Bernard, of Sand Springs, Okla.; and Joseph Arthur Edge, of Lexington, Ky., were admitted to practice.

The Honorable James Crawford Biggs, of North Carolina, Solicitor General of the United States, was presented by Mr. Attorney General Cummings, and it was ordered that his commission be recorded.

No. 634. David Daube, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Cardozo.

No. 675. George Moore Ice Cream 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 reversed with costs, and cause remanded to the District Court of the United States for the Northern District of Georgia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo.

No. 748. Interstate Commerce Commission, petitioner, *v.* The United States of America, on the relation of J. C. Campbell, R. M. Campbell, et al. On writ of certiorari to the Court of Appeals of the

District of Columbia. Judgment reversed, and cause remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Cardozo.

No. 663. The State of Washington on the relation of Bond & Goodwin & Tucker, Incorporated, a dissolved Delaware corporation, appellant, *v.* Superior Court of the State of Washington for Spokane County and Honorable Joseph B. Lindsley, judge thereof. Appeal from the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Roberts.

No. 677. The United States of America on relation of Lucien H. Greathouse and Rebekah S. Greathouse, petitioners, *v.* George H. Dern, as Secretary of War, and Lytle Brown, as Chief of Engineers. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment affirmed with costs, and cause remanded to the said Court of Appeals. Opinion by Mr. Justice Stone.

No. 760. Aaron Mintz and Louis Mintz, copartners doing business under the firm name and style of Mintz & Mintz, appellants, *v.* Charles H. Baldwin, individually and as Commissioner of Agriculture and Markets of the State of New York. Appeal from the District Court of the United States for the Northern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Butler.

No. 680. Isaac Gross and Joel Gross, Partners as Gross & Gross, Solicitors for Complainant in Chancery, petitioners, *v.* Irving Trust Company, Trustee Crosby Stores, Inc., Bankrupt;

No. 681. J. S. S. Weisman and John Milton, Receivers in Chancery of Crosby Stores, Inc., petitioners, *v.* Irving Trust Company, Trustee Crosby Stores, Inc., Bankrupt; and

No. 682. Isaac Gross and Joel Gross, Partners as Gross & Gross, and William Harris, Solicitors for Receivers in Chancery, petitioners, *v.* Irving Trust Company, Trustee Crosby Stores, Inc., Bankrupt. On writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decrees affirmed with costs, and cases remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice Sutherland.

No. 559. City of Harrisonville, Missouri, petitioner, *v.* W. S. Dickey Clay Manufacturing Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Western District of Missouri for further proceedings to determine the depreciation in value of the property on account of the nuisance, and to enter a decree withholding an injunction if such sum be paid within the time to be fixed by that Court. Opinion by Mr. Justice Brandeis.

No. 623. American Car and Foundry Company, petitioner, *v.* H. A. Brassert. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Chief Justice Hughes.

No. 657. Federal Radio Commission, petitioner, *v.* Nelson Brothers Bond & Mortgage Company;

No. 658. Federal Radio Commission, petitioner, *v.* North Shore Church;

No. 659. Federal Radio Commission and Johnson-Kennedy Radio Corporation, petitioners, *v.* Nelson Brothers Bond & Mortgage Company; and

No. 660. Federal Radio Commission and Johnson-Kennedy Radio Corporation, petitioners, *v.* North Shore Church. On writs of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed and cases remanded to the said Court of Appeals with direction to affirm the decision of the Commission. Opinion by Mr. Chief Justice Hughes.

No. 412. Los Angeles Gas and Electric Corporation, appellant, *v.* Railroad Commission of the State of California, C. L. Seavey, and Leon O. Whitsell, et al., etc. Appeal from the District Court of the United States for the Southern District of California. Decree affirmed with costs. Opinion by Mr. Chief Justice Hughes. Dissenting opinion by Mr. Justice Butler in which Mr. Justice Sutherland joins. Mr. Justice Van Devanter did not hear the argument and took no part in the consideration and decision of this case.

The Chief Justice said:

“The 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. 691. C. M. Patten & Company and Grace M. Wilder, petitioners, *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 petition for writ of certiorari in this case is granted. The decree of the Circuit Court of Appeals is reversed and the cause is remanded to the District Court with directions to vacate its decree and to dismiss the proceeding upon the ground that the cause is moot. *Brownlow v. Schwartz*, 261 U.S. 216; *Alejandrino v. Quezon*, 271 U.S. 528, 535, 536; U.S. *ex rel.* *Norwegian Nitrogen Products Co. v. Tariff Commission*, 274 U.S. 106, 112; *Railroad Commission of Texas v. MacMillan*, 287 U.S. 576.

No. 906. August Swarz, appellant, *v.* Sigmund Loeffler. Appeal from the Appellate Court of the State of Illinois. *Per curiam*: The motion for leave to proceed further herein *in forma pauperis* is denied. The appeal 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).

No. 316. The United States of America, petitioner, *v.* Dubilier Condenser Corporation;

No. 317. The United States of America, petitioner, *v.* Dubilier Condenser Corporation; and

No. 318. The United States of America, petitioner, *v.* Dubilier Condenser Corporation. Ordered that the opinion in this case be amended as follows:

By striking out the following paragraph:

"Moreover no court could, however clear the proof of such a contract, order the execution of an assignment. No act of Congress has been called to our attention authorizing the United States to take a patent or to hold one by assignment. No statutory authority exists for the transfer of a patent to any department or officer of the Government, or for the administration of patents, or the issuance of licenses on behalf of the United States. In these circumstances no public policy requires us to deprive the inventor of his exclusive rights as respects the general public and to lodge them in a dead hand incapable of turning the patent to account for the benefit of the public."

now appearing on page 12 of said opinion.

No. 932, October Term, 1930. Art Metal Construction Company *v.* The United States; and

No. 933, October Term, 1930. Henry C. Zeller and Edward G. Zeller, petitioners, *v.* The United States of America. The motions for leave to file petitions for rehearing in the above-entitled causes are severally denied. *Bronson v. Schulten*, 105 U.S. 410, 415; *United States v. Mayer*, 235 U.S. 55, 67.

No. 885. James McGregor, petitioner, *v.* Fred G. Zerbst, Warden, etc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth 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 a writ of certiorari is therefore also denied.

No. 886. Sophie Ryan, W. E. Kuykendall, R. R. Raney, et al., petitioners, *v.* City of Dallas, Brook Mays, L. G. Mays, C. L. Mailot. 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 record herein submitted, finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

No. 894. William Lawrence McGrory, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. The motion for leave to proceed further herein *in forma pauperis* is denied, for the reason that the Court, upon examination of the record herein submitted, finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

No. 843. Johnson Oil Refining Company, appellant, *v.* The State of Oklahoma, *ex rel.* C. E. Mitchell, County Attorney, etc., et al.;

No. 844. Johnson Oil Refining Company, appellant, *v.* The State of Oklahoma, *ex rel.* C. E. Mitchell, County Attorney, etc., et al.; and

No. 845. Johnson Oil Refining Company, appellant, *v.* The State of Oklahoma, *ex rel.* C. E. Mitchell, County Attorney, etc., et al. In these cases probable jurisdiction is noted. The motions to dismiss are denied.

No. 872. Southern Railway Company, appellant, *v.* Commonwealth of Virginia, at the relation of H. G. Shirley, State Highway Commissioner of Virginia. Further consideration of the question of the jurisdiction of this Court in this case and of the motion to dismiss or affirm is postponed to the hearing of the case on the merits.

No. 832. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* United States Refractories Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted and the case is assigned for argument immediately following No. 833.

No. 802. W. A. Yarborough, petitioner, *v.* Sadie Yarborough by her Guardian *ad litem*, R. D. Blowers. Petition for writ of certiorari to the Supreme Court of the State of South Carolina granted.

No. 806. E. P. Jacobs, 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 granted.

No. 830. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Northern Coal Company; and

No. 831. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* C. H. Sprague & Sons Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 851. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Nanaline H. Duke et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 815. Missouri State Life Insurance Company, et al., petitioners, *v.* Marion Johnson. Petition for writ of certiorari to the Supreme Court of the State of Arkansas granted.

No. 833. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Oswego and Syracuse Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 776. The Snare & Triest Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 793. David Rissman, 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. 801. Western Canal Company, and Great Western Power Company of California, petitioners, *v.* Railroad Commission of the State of California. Petition for writ of certiorari to the Supreme Court of the State of California denied.

No. 803. American Fidelity and Casualty Company, petitioner, *v.* William F. Fentress. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 816. Mobile & Ohio Railroad Company, petitioner, *v.* Margaret Armstrong, Administratrix of the Estate of William N. Armstrong. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 820. Consolidated Cut Stone Company, petitioner, *v.* Hartford Accident & Indemnity Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 821. Frank H. Moses and James T. Berney, as Executors, etc., 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. 867. Cornell Steamboat Company, petitioner, *v.* H. Howard Lavender, Steamship "Winnetou", etc.; and

No. 868. Cornell Steamboat Company, petitioner, *v.* Rosoff Sand & Gravel Corporation, Steamship "Winnetou", etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 777. Frank Smith, 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. 807. Warren B. Grant and R. W. Lewis, petitioners, *v.* George T. Guernsey. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 808. John Gray, petitioner, *v.* Walton Craig, Jr., H. E. Schmidt, et al. Petition for writ of certiorari to the Third District Court of Appeal for the State of California denied.

No. 809. John Addis and A. C. Addis, petitioners, *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. 812. Schusters Wholesale Produce Co., Inc., petitioner, *v.* The Texas & Pacific Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 813. Frank Grocery Co., Inc., petitioner, *v.* The Texas & Pacific Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 814. British M. S. Maskinonge, Malagash Fishing Company, Ltd., 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. 817. Dorothy Kirkland Lowry, petitioner, *v.* American Insurance Union. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 823. Ferrocarriles Nacionales de Mexico etc., petitioner, *v.* Honorable Charles W. Rutledge, Judge of the Circuit Court of the City of St. Louis, Missouri, et al. Petition for writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 826. Mary A. Medeiros, petitioner, *v.* William J. Keville, United States Marshal. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 827. K. C. Tanner, petitioner, *v.* Tillman D. Johnson, Judge of the District Court of the United States in and for the District of Utah, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 828. Gertrude D. Walker, 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. 835. Myrtle Adele Spencer, petitioner, *v.* The State Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 837. I. C. Strauss, H. J. Harby, et al., petitioners, *v.* United States Fidelity & Guaranty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 838. Missouri Pacific Railroad Company and Union Indemnity Company, petitioner, *v.* Alex Montgomery. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 839. American Motor Oil Screw "Liberty" her engines, 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. 840. Jerome S. Stone, petitioner, *v.* Morris Hirsch et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 841. Irving Trust Company, petitioner, *v.* Harry D. Farracy, Trustee in Bankruptcy, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 850. S. R. Thrasher and Minnie Belle Thrasher et al., petitioners, *v.* Gloria Olivia Williams and A. S. Williams. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 855. Radford Iron Company, Inc., petitioner, *v.* Appalachian Electric Power Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 864. John B. Hooker, petitioner, *v.* Aetna Life Insurance Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 865. American Casualty Co., petitioner, *v.* William Church. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 866. Pittsburgh Terminal Coal Corporation, petitioner, *v.* S. A. Williams. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 891. Ashby Williams, petitioner, *v.* Robert M. Foster and Dolores Foster. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

The Chief Justice announced the following order :

ORDER

It is ordered that the call of the docket be suspended for the term on Friday, May 12 next, and that the Court will take a recess from Monday, May 15, until Monday, May 22, and from that day until Monday, May 29, upon which day it will adjourn for the term.

It is further ordered that no motions, except motions for admission to practice, will be received after Monday, May 22 next.

No. —, original. The State of Alabama, complainant, *v.* State of Arizona, et al. Motion for leave to file bill of complaint submitted by Mr. William Logan Martin for the complainant.

No. 13, original. The State of New Jersey, complainant, *v.* The City of New York. Leave granted to file application for further relief on motion of Mr. Duane E. Minard for the complainant.

No. 13, original. The State of New Jersey, complainant, *v.* The City of New York. Leave granted to file answer to complainant's application and application for further relief on motion of Mr. Arthur J. W. Hilly for the defendant.

No. 829. New York Dock Railway, et al., petitioners, *v.* The Pennsylvania Railroad Company. Leave granted petitioners to file reply brief by Wednesday next on motion of Mr. John F. Finerty for the petitioners.

No. 779. Central Kentucky Natural Gas Company, appellant, *v.* Railroad Commission of Kentucky, et al. Motion to dismiss submitted by Mr. Raymond M. Hudson for Mrs. George Hignight, in support thereof, and by Mr. Henry T. Duncan for the appellant in opposition thereto.

No. 810. Larrabee Flour Mills Company *v.* First National Bank of Dublin. Motion to bring up the entire record and cause submitted by Mr. W. W. Larsen, for the Larabee Flour Mills Company, in support thereof, and by Mr. Maynard Ramsey, Mr. Kenneth I. McKay, Mr. H. E. Hackney, Mr. G. P. Barse, and Mr. J. F. Anderson, for the First National Bank of Dublin, in opposition thereto.

No. 784. Charles M. Bevan, appellant, *v.* David M. Kreiger, as Sheriff, etc.;

No. 785. John W. Koehrman, appellant, *v.* David M. Kreiger, as Sheriff, etc.; and

No. 786. Robert A. Stranahan, appellant, *v.* David M. Kreiger, as Sheriff, etc. Argument commenced by Mr. Crary Davis for the appellants; and continued by Mr. Raymond T. Jackson for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, May 9, will be as follows: Nos. 784, (785 and 786), 834, 701, 718, 779, 724, 791, 792, 732, and 735.

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.

Leo Meltzer, of Boston, Mass.; Prentiss M. Brown, of St. Ignace, Mich.; John C. Lehr, of Monroe, Mich.; Carl M. Weideman, of Detroit, Mich.; Lawrence E. Duffey, of Toledo, Ohio; John Elliott Byrne, of Chicago, Ill.; Herman Weinberger, of San Francisco, Calif.; Louis R. Gates, of Kansas City, Kans.; H. L. Scaife, of Union, S. C.; Thomas F. Burke, of Washington, D. C.; H. Rank Bickel, Jr., of Baltimore, Md.; Mercer B. Tate, Jr., of Philadelphia, Pa.; Sydney Krause, of New York City; Orlando H. Dey, of Rahway, N. J.; Louis M. Lissner, of Los Angeles, Calif.; Louis W. Arnold, Jr., of New York City; John J. Finnorn, of New Orleans, La.; Edw. I. P. Tatelman, of Cristobal, Canal Zone.; W. K. Hopkins, of Gonzales, Tex.; A. J. Wirtz, of Seguin, Tex.; Walter L. Barlow, of Austin, Tex.; Abraham Ziegler, of Atlanta, Ga.; George E. Roewer, of Boston, Mass.; Richard B. Barker, of Washington, D. C.; and Samuel Rubin, of Brooklyn, N. Y., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 810. *Larabee Flour Mills Company v. First National Bank of Dublin*. On certificate from the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: The motion to bring up the whole record and cause is denied. The certificate is dismissed. *United States v. Bailey*, 9 Pet. 267, 272; *Chicago, B. & Q. Ry. v. Williams*, 205 U.S. 444, 451-454; *The Folmina*, 212 U.S. 354, 363; *United States v. Mayer*, 235 U.S. 55, 66; *Biddle v. Luvisch*, 266 U.S. 173, 174, 175; *News Syndicate Co. v. New York Central R.R. Co.*, 275 U.S. 179, 188.

No. 811. *The First National Bank of St. Petersburg, Florida, v. City of Miami*. On certificate from the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: The certificate is dismissed. *United States v. Bailey*, 9 Pet. 267, 272, 274; *Chicago, B. & Q. Ry. v. Williams*, 205 U.S. 444, 451-454; *The Folmina*, 212 U.S. 354, 363; *United States v. Mayer*, 235 U.S. 55, 66; *Biddle v.*

Luvisch, 266 U.S. 173, 174, 175; News Syndicate Co. v. New York Central R.R. Co., 275 U.S. 179, 188.

No. 779. Central Kentucky Gas Company, appellant, v. Railroad Commission of Kentucky et al. It appearing from the record on appeal to this Court that the applicants are not parties to the appeal, their application for leave to appear specially for the purpose of moving to dismiss the appeal, and for leave to present such motion, is denied. On examination of the papers submitted by the applicants, and in view of the provision of the decree under review with respect to the distribution of the impounded fund, the Court is of the opinion that the applicants should be made parties to the appeal, and in order that proceedings for that purpose may be taken, the hearing of the cause is postponed and the cause is assigned for argument on October 9, 1933.

No. 784. Charles N. Bevan, appellant, v. David M. Krieger, as Sheriff of Lucas County, Ohio;

No. 785. John W. Koehrman, appellant, v. David M. Krieger, as Sheriff of Lucas County, Ohio; and

No. 786. Robert A. Stranahan, appellant, v. David M. Krieger, as Sheriff of Lucas County, Ohio. Argument concluded by Mr. George D. Welles for the appellants.

No. 834. C. J. Allen et al., appellants, v. Galveston Truck Line Corporation. Argued by Mr. Elbert Hooper for the appellants, and by Mr. Mart H. Royston for the appellee.

No. 701. Angelo Quercia, petitioner, v. The United States of America. Argued by Mr. Essex S. Abbott for the petitioner, and by Mr. Thomas D. Thacher for the respondent.

No. 718. Conrad, Rubin & Lesser, petitioners, v. Horace G. Pender, Trustee in Bankruptcy. Leave granted Mr. Samuel Rubin to appear and present oral argument *pro hac vice*, for the petitioner, on motion of Mr. George C. Levin, in that behalf.

No. 718. Conrad, Rubin & Lesser, petitioners, v. Horace G. Pender, Trustee in Bankruptcy. Argued by Mr. Samuel Rubin, *pro hac vice* by special leave of Court for the petitioner, and by Mr. George C. Levin for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, May 10, will be as follows: Nos. 791, 792, 724, 732, 735, 752, and 842.

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.

Homer D. Crotty, of Los Angeles, Calif.; Gertrude Potter, of Portland, Maine; Orell Ruben Leen, of Minneapolis, Minn.; J. Arthur Leve, of New York City; Charles Morris Irelan, Jr., of North Woodside, Md.; and Benjamin F. Garland, of Huntingburg, Ind., were admitted to practice.

No. 791. Irene Du Pont, petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. James S. Y. Ivins for the petitioner, and by Mr. Erwin N. Griswold for the respondent.

No. 792. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Frederick B. Wells. Argued by Mr. Erwin N. Griswold for the petitioner, and by Mr. James S. Y. Ivins for the respondent.

No. 724. The United States of America *ex rel.* Anthony Volpe, petitioner, *v.* S. D. Smith, District Director of Immigration. Argued by Mr. John E. Byrne for the petitioner, and by Mr. Whitney North Seymour for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, May 11, will be as follows: Nos. 732, 735, 752, and 842.

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.

C. I. Carey, of St. Petersburg, Fla.; George F. von Kolnitz, Jr., of Charleston, S. C.; George W. Whiteside, of New York City; Wm. C. Grace, of Washington, D. C.; Arthur F. Lederle, of Detroit, Mich.; Henry L. Glenn, of New York City; G. Harry Ditter, of Philadelphia, Pa.; J. William Ditter, of Ambler, Pa.; and Thomas A. Foulke, of Amber, Pa., were admitted to practice.

No. **732**. Richard Reid Rogers, petitioner, *v.* George W. Hill, A. C. Mower, et al. Argued by Mr. Richard Reid Rogers for the petitioner, and by Mr. Nathan L. Miller for the respondents.

No. **735**. John H. Leighton, James A. McPherson, et al., petitioners, *v.* The United States of America. Argued by Mr. Herman Weinberger for the petitioners, and by Mr. Paul D. Miller for the respondent.

No. **752**. Sinclair Refining Company, petitioner, *v.* Jenkins Petroleum Process Company. Argument commenced by Mr. Dean S. Edmonds for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 12, will be as follows: Nos. **752** and **842**.

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.

Cosimo J. Toscano, of Worcester, Mass.; George Herbert Yagjian, of Worcester, Mass.; Guy C. Derry, of Billings, Mont.; Felix Earl Hagler, of Memphis, Tenn.; Samuel B. Pettengill, of South Bend, Ind.; Wesley Lloyd, of Tacoma, Wash.; and Walter J. Moossa, of Worcester, Mass., were admitted to practice.

No. 752. Sinclair Refining Company, petitioner, *v.* Jenkins Petroleum Process Company. Argument continued by Mr. Dean S. Edmonds for the petitioner, and concluded by Mr. C. Stanley Thompson for the respondent.

No. 842. Galen L. Tait, Collector of Internal Revenue, petitioner, *v.* Western Maryland Railway Company. Argued by Mr. Whitney North Seymour for the petitioner, and by Mr. Eugene S. Williams and Mr. William C. Purnell for the respondent.

Adjourned until Monday, May 15, at 12 o'clock.

141905—33—83

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.

George C. Simpson, of Miami, Fla.; Lloyd W. Dinkelspiel, of San Francisco, Calif.; Paul S. Marrin, of San Francisco, Calif.; J. Aron Abbott, of Miami, Fla.; Wm. C. McLean, of Tampa, Fla.; Francis C. Brooke, of Washington, D.C.; Henry H. McPike, of San Francisco, Calif.; Arvin B. Shaw, Jr., of Los Angeles, Calif.; Randolph V. Whiting, of San Francisco, Calif.; Ralph C. Binford, of Tampa, Fla.; William T. Joyner, of Raleigh, N.C.; Henry L. Walker, of Washington, D.C.; Julian T. Cromelin, of Washington, D.C.; and Kenneth Rayner, of Memphis, Tenn., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 834. C. J. Allen et al., appellants, *v.* Galveston Truck Line Corporation. Appeal from the District Court of the United States for the Southern District of Texas. *Per curiam*: Decree affirmed. (1) Texas & New Orleans R. Co. *v.* Sabine Tram Co., 227 U.S. 111; Baltimore & Ohio S. W. R. Co. *v.* Settle, 260 U.S. 166, 170, 173, 174; United States *v.* Erie R. Co., 280 U.S. 98, 101, 102; (2) Buck *v.* Kuykendall, 267 U.S. 307, 315, 316; Bush Co. *v.* Maloy, 267 U.S. 317, 324, 325; Sprout *v.* South Bend, 277 U.S. 163, 169-171; Bradley *v.* Public Utilities Comm., 288 U.S. — (decided April 10, 1933, clerk's print, p. 2).

No. 927. A. J. Chewning, Jr., appellant, *v.* The Commonwealth of Virginia. 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. State Board of Tax Commissioners *v.* Jackson, 283 U.S. 527, 537; Castillo *v.* McConnico, 168 U.S. 674, 683; Moffitt *v.* Kelley, 218 U.S. 400, 404, 405; Nickel *v.* Cole, 256 U.S. 222, 226; Glenn *v.* Doyall, 285 U.S. 526; Long *v.* Kelley, 288 U.S. —.

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.”

ORDER

The General Orders in Bankruptcy heretofore promulgated by this Court are amended by including therein a new order, numbered **LI**, to be immediately effective, and reading as follows:

"No ancillary receiver shall be appointed in any District Court of the United States in any bankruptcy proceeding pending in any other District of the United States except (1) upon the application of the primary receiver, or (2) upon the application of any party in interest with the consent of the primary receiver, or by leave of the court of original jurisdiction, or a judge thereof. No application for the appointment of such an ancillary receiver shall be granted unless the petition contains a detailed statement of the facts showing the necessity for such appointment, which petition shall be verified by the party in interest, or the primary receiver, or by an agent of the party in interest or primary receiver specifically authorized in writing for that purpose and having knowledge of the facts. Such authorization shall be attached to the petition."

No. —, original. The State of Alabama, complainant, v. The States of Arizona, et al. Rules are ordered to issue returnable on Monday, October 9th next, requiring the defendants to show cause why leave to file the Bill of Complaint should not be granted.

No. —. In Re Disbarment of Chauncey Hackett. It having been shown to the Court that Chauncey Hackett, a member of the Bar of this Court, has been disbarred by the Supreme Court of the District of Columbia; and this Court having issued its order, April 17, 1933, suspending the said Hackett from practice before this Court and requiring him to show cause why he should not be disbarred from the practice of the law in this Court; and the Court having received and considered the response of the said Hackett to the rule aforesaid,

It is ordered that the said Chauncey Hackett be, and he is hereby, disbarred and that his name be stricken from the roll of attorneys admitted to practice in this Court.

No. —. In Re J. E. Fleming. It having been shown to the Court that J. E. Fleming, a member of the Bar of this Court, was disbarred by the Supreme Court of the State of Oklahoma by its order dated March 31, 1933; and this Court having issued its order, April 24, 1933, suspending the said Fleming from practice before this Court and requiring him to show cause why he should not be disbarred from the practice of the law in this Court; and the said Fleming, in response to the rule aforesaid, having shown to the Court that the Supreme Court of the State of Oklahoma, by its order dated April 24, 1933, has recalled and set aside its order of March 31, 1933, disbarring the said Fleming from the practice of the law,

It is ordered that the order suspending the said J. E. Fleming from the practice of the law in this Court is vacated, and the rule to show cause aforesaid is discharged.

No. 932. Leonard A. Layton, William C. Robinson, et al., petitioners, *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 record herein submitted finds no ground upon which a writ of certiorari should issue. The petition for writ of certiorari is therefore also denied.

No. 922. Board of Supervisors of Harrison County, Iowa, and Pigeon Creek Drainage District in that County, appellants, *v.* Board of Supervisors of Pottawattamie County, Iowa, et al. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing on the merits. The attention of counsel is directed to the question of the right of the appellants to raise the questions presented under the Federal Constitution. *Hunter v. City of Pittsburgh*, 207 U.S. 161, 178-181; *City of Pawhuska v. Pawhuska Oil & Gas Co.*, 250 U.S. 394; *Trenton v. New Jersey*, 262 U.S. 182, 185, 188, 191, 192; *Railroad Commission v. Los Angeles R. Co.*, 280 U.S. 145, 156; *Chicago v. Chicago Rapid Transit Co.*, 284 U.S. 577, 578; *City of Greenville v. Query*, 286 U.S. 472, 482.

No. 873. State of Missouri and Franklin Miller, etc., petitioners, *v.* Johanna F. Fiske, Amanda F. Wheeler, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 888. Frank E. Cooper, as Trustee in Bankruptcy of Wauchula Central Pharmacy, Inc., Bankrupt, petitioner, *v.* R. F. Dasher. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 818. Naumkeag Steam Cotton Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 824. Oliver W. Toll, petitioner, *v.* George W. Casey and Wheeler S. Peck, as Public Trustee, etc. Petition for writ of certiorari to the Supreme Court of the State of Colorado denied.

No. 829. New York Dock Railway, Bush Terminal Railroad Company, et al., petitioners, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 847. W. F. Daniel, petitioner, *v.* Florida Industrial Company. Petition for writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 849. J. H. Cottman & Co., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 852. Louis Haas, Trustee in Bankruptcy of Piedmont Electric Company, petitioner, *v.* D. A. Rendleman, as Receiver, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 854. S. P. Rushing and J. C. Falvey, petitioners, *v.* Mayfield Company, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 856. Edward Lampe, petitioner, *v.* Burdette Smith. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 857. The Simmons Manufacturing Company, petitioner, *v.* Carl F. Routzahn, Collector of Internal Revenue for the Eighteenth District of Ohio. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 858. The New York Edison Company, petitioner, *v.* Harry G. Kosch, as Receiver, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 859. W. D. Gordon et al., petitioners, *v.* Empire Fuel & Gas Company, et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 869. James C. Ayer, Charles F. Ayer, and Frederick Ayer, Executors, etc., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 870. All Russian Textile Syndicate, Inc., 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. 887. New England Fibre Blanket Company, petitioner, *v.* The Portland Telegram and C. H. Brockhagen. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 892. A. J. Wallace, 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. 897. S. S. "Waalhaven", her engines, etc., N. V. Maats, et al., petitioners, *v.* Potash Importing Corporation of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

Adjourned until Monday, May 22 next, at 12 o'clock.

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, Mr. Justice Roberts, and Mr. Justice Cardozo.

Jack Marshall Seglin, of Hammond, Indiana; Edward A. Kenney, of Cliffside Park, N.J.; James M. Hanley, of San Francisco, Calif.; J. W. Schmied, of New York City; Arthur Dunn, of New York City; Emery L. Frazier, of Whitesburg, Ky.; Hugo E. Hanser, of New York City; Fred A. Eldean, of Columbia, Mo.; George W. Ray, Jr., of New York City; John Walton Dinkelspiel, of San Francisco, Calif.; Charles M. Stark, of San Francisco, Calif.; Samuel Barron, Jr., of Boston, Mass.; J. G. Reisner, of San Francisco, Calif.; Richard E. Thigpen, of Charlotte, N.C.; Abram A. Lebson, of Englewood, N.J.; Nicholas J. Cafarelli, of Union City, N.J.; John W. Fihelly, of Washington, D.C.; Herbert W. Erskine, of San Francisco, Calif.; Sam G. Newton, of San Antonio, Texas; Arthur C. Dale, of Bellefonte, Pa.; J. C. Harraman, of Washington, D.C.; Oliver L. O'Boyle, of Milwaukee, Wis.; Mildred E. Reeves, of Washington, D.C.; Kathryn O'Loughlin McCarthy, of Hays, Kans.; Daniel M. McCarthy, of Mankato, Kans.; Harvey L. Joyce, of Springdale, Ark.; Jerome B. White, of San Francisco, Calif.; Francis F. Quittner, of Los Angeles, Calif.; Royal A. Bronson, of San Francisco, Calif.; Thomas W. Slaven, of San Francisco, Calif.; Ernest Clyde Collins, of Miami, Fla.; Edward R. Copeland, of Miami Beach, Fla.; Leon Watterson Wiley, of Du Quoin, Ill.; and A. B. Bianchi, of San Francisco, Calif., were admitted to practice.

No. 784. Charles N. Bevan, appellant, *v.* David M. Krieger, as Sheriff of Lucas County, Ohio;

No. 785. John W. Koehrman, appellant, *v.* David M. Krieger, as Sheriff of Lucas County, Ohio; and

No. 786. Robert A. Stranahan, appellant, *v.* David M. Krieger, as Sheriff of Lucas County, Ohio. Appeals from the Supreme Court of the State of Ohio. No. 784, Judgment affirmed with costs. Nos. 785 and 786, appeals dismissed with costs. Opinion by Mr. Justice Roberts.

No. 21, original. Ex Parte: Arthur T. LaPrade, petitioner. On motion for leave to file petition for a writ of mandamus. Petitioner's application for leave to file is granted, the case will be docketed and respondents' return filed, and a writ of mandamus will issue commanding the respondents to vacate the decrees against petitioner and to dismiss the suits as to him. Opinion by Mr. Justice Butler.

No. 8. National Surety Company et al., petitioners, *v.* Valeria E. Coriell, Morris White, Inc.; Irving Trust Company, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree of the Circuit Court of Appeals reversed with costs and that of the District Court entered February 2, 1932, vacated, and the case remanded to the District Court of the United States for the Southern District of New York for further proceeding not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 18, original. The State of Ohio, plaintiff, *v.* The Chattanooga Boiler and Tank Company. Judgment for plaintiff. Opinion by Mr. Justice Brandeis.

No. 685. The State of South Carolina, petitioner, *v.* Ray Bailey, *alias* Ray Keith. On writ of certiorari to the Supreme Court of the State of North 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 McReynolds. Dissenting: Mr. Justice Brandeis and Mr. Justice Butler.

No. 724. The United States of America *ex rel.* Anthony Volpe, petitioner, *v.* S. D. Smith, District Director of Immigration. 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 Northern District of Illinois. Opinion by Mr. Justice McReynolds.

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

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

No 9, original. State of New York, et al., complainants, *v.* State of Illinois and Sanitary District of Chicago, et al. Opinion and enlargement of decree announced by Mr. Chief Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. 890. Arthur Lewis, appellant, *v.* The People of the State of New York. Appeal from the Childrens Court of Broome County,

State of New York. *Per curiam*: The motion for leave to file amended statement as to jurisdiction is granted. 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); Citizens National Bank *v.* Durr, 257 U.S. 99, 106; Jett Bros. Distilling Co. *v.* Carrollton, 252 U.S. 1, 4, 5, 6; Indian Territory Co. *v.* Board of Equalization, 287 U.S. 573. 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. 919. The Western Public Service Company, appellant, *v.* City of Mitchell. Appeal from the Supreme Court of the State of Nebraska. *Per curiam*: The motion to dismiss the appeal herein is granted and the appeal is dismissed for the want of a final judgment. Grays Harbor Co. *v.* Coats-Fordney Co., 243 U.S. 251, 255, 256; Ornstein *v.* Chesapeake & Ohio Ry. Co., 284 U.S. 572; Meagher *v.* Minnesota Thresher Mfg. Co., 145 U.S. 608, 611; California National Bank *v.* Statler, 171 U.S. 447, 449; Cotton *v.* Hawaii, 211 U.S. 162, 170, 171; Bruce *v.* Tobin, 245 U.S. 18.

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. 201. Adele T. Salisbury, petitioner, *v.* George R. Salisbury. The motion to vacate order denying petition for writ of certiorari in this case is denied.

No. 905. Thomas H. Welch, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 848. George E. Goodwin, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 860. The New York, Chicago & St. Louis Railroad Company, petitioner, *v.* Homer H. Boulden. Petition for writ of certiorari the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 861. Charles W. Bryan, as Governor of the State of Nebraska, etc., et al., petitioners, *v.* Hubbell Bank of Hubbell, Nebraska, et al. Petition for writ of certiorari to the Supreme Court of the State of Nebraska denied.

No. 862. Victoria Materials & Gravel Company, George E. Cole, H. S. Wilder, et al., petitioners, *v.* Sauerman Bros., Inc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 871. Glenmore Securities 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. 876. Joseph I. Cromwell, petitioner, *v.* Alburn E. Skinner and Lou G. Fellows. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit denied.

No. 877. J. Leon Lascoff, William Mansfield, Willis G. Gregory, et al., etc., petitioners, *v.* Hyman Pratter. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 878. Thomaston Cotton Mills, petitioner, *v.* J. T. Rose, Collector of Internal Revenue for the Collection District of Georgia. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 879. The Cincinnati Underwriters Agency 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. 881. Clinton Williams, 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. 883. John T. Barton, petitioner, *v.* The Automobile Insurance Company of Hartford, Connecticut. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 884. Southern Transportation Company et al., petitioners, *v.* Interstate Commerce Commission. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 893. 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. 895. Ely Norris Safe Company, petitioner, *v.* The Mosler Safe Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 896. Augusta L. Voigt, petitioner, *v.* Jerome H. Remick, Jerome H. Remick, Trustee, et al. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 898. District of Columbia, petitioner, *v.* Frank Gladson Leys; and

No. 899. District of Columbia, petitioner, *v.* Robert H. Leys. Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied.

No. 904. E. S. Chapman, petitioner, *v.* Memphis Press-Scimitar Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 913. H. Wagner and Adler Company, petitioner, *v.* Societe Anonyme Iwan Simonis. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 917. Southern Holding & Securities Corporation et al., petitioners, *v.* The Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky denied.

No. 724. The United States of America *ex rel.* Anthony Volpe, petitioner, *v.* S. D. Smith, District Director of Immigration. Mandate granted on motion of Mr. Solicitor General Biggs for the respondent.

No. —, original. *Ex Parte*: B. W. Lansdown and M. W. Lansdown and others, petitioners. Motion for leave to file petition for writ of mandamus submitted by Mr. Erwin M. Treusch for the petitioners.

No. 657. Federal Radio Commission, petitioner, *v.* Nelson Brothers Bond & Mortgage Company;

No. 658. Federal Radio Commission, petitioner, *v.* North Shore Church;

No. 659. Federal Radio Commission and Johnson-Kennedy Radio Corporation, petitioners, *v.* Nelson Brothers Bond & Mortgage Company; and

No. 660. Federal Radio Commission and Johnson-Kennedy Radio Corporation, petitioners, *v.* North Shore Church. Time within which to file petitions for rehearing limited to May 26 and mandates granted on motion of Mrs. Mabel Walker Willebrandt for the petitioner, Johnson-Kennedy Radio Corporation.

No. 818. Naumkeag Steam Cotton Company, petitioner, *v.* The United States. Motion for extension of term and for extension of time to file petition for rehearing submitted by Mr. Richard B. Barker for the petitioner in support of the motion and by Mr. Solicitor General Biggs for the respondent in opposition thereto.

No. 104. Bankers Pocahontas Coal Company, petitioner, *v.* Commissioner of Internal Revenue. Motion to modify mandate submitted by Mr. Camden R. McAtee for the petitioner, and leave granted respondent to file opposition thereto by Wednesday next on motion of Mr. Solicitor General Biggs in that behalf.

No. 6, original. State of Louisiana, complainant, *v.* State of Mississippi. Report of the Boundary Commissioner presented.

No. 943. William A. Schroeder, petitioner, *v.* State of Wisconsin. Motion to diminish record and for an extension of time to make service submitted by Mr. William L. Tibbs for the petitioner, in support of the motion, and by Mr. C. Stanley Perry, for the respondent, in opposition thereto.

Adjourned until Monday, May 29, at 12 o'clock.

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.

Joseph S. Robinson, of New York City; John P. McGrath, of New York City; A. J. May, of Prestonsburg, Ky.; Henry Ellenbogen, of Pittsburgh, Pa.; Sam L. Collins, of Santa Ana, Calif.; Martin J. McNamara, of Washington, D.C.; Ralph A. Ricketts, of Washington, D.C.; William C. McCreery, of Brooklyn, N.Y.; Marion Ryan McCown, of Tryon, N.C.; Daniel L. McNamara, of Brooklyn, N.Y.; James F. Hubbell, of Utica, N.Y.; Daniel A. Shea, of Boston, Mass.; John J. McNaboe, of New York City; James P. Kem, of Kansas City, Mo.; Earl J. Garey, of New York City; Edward K. Kennedy, of New Rochelle, N.Y.; Nash R. Adams, of Dallas, Tex.; Elmer V. Griggs, of White Plains, N.Y.; Louis J. Carruthers, of New York City; Stanley H. Fuld, of New York City; E. Everett Mather, Jr., of Drexel Hill, Pa.; Samuel Carliner, of Baltimore, Md.; W. Frank Every, of Baltimore, Md.; Daniel W. Perkins, of Jacksonville, Fla.; Willard U. Taylor, of New York City; Burnham Asch, of Charlotte, N.C.; Casimir Walter Sypniewski, of Pittsburgh, Pa.; John E. Cassidy, of Peoria, Ill.; Franklin Dickey, of Indianapolis, Ind.; Louis J. Feit, of Elizabeth, N.J.; John Herron White, of Borger, Tex.; Mac Q. Williamson, of Pauls Valley, Okla.; Doyle Campbell, of Tampa, Fla.; Francis J. Mizell, Jr., of Florala, Ala.; J. Bowers Campbell, of Fort Myers, Fla.; Edwin D. Hicks, of Canyon City, Oreg.; B. K. Roberts, of Tallahassee, Fla.; Robert Brodie, of Tampa, Fla.; Allison E. Palmer, of Orlando, Fla.; and Raymond Howard Shanaman, of Kalkaska, Mich.; were admitted to practice.

No. 792. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Frederick B. Wells. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment 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 Cardozo. Dissenting opinion by

Mr. Justice Sutherland in which Mr. Justice Van Devanter, Mr. Justice McReynolds, and Mr. Justice Butler join.

No. 791. Irene du Pont, petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed and cause remanded to the said Circuit Court of Appeals. Opinion by Mr. Justice Cardozo. Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Sutherland, and Mr. Justice Butler concur.

No. 752. Sinclair Refining Company, petitioner, *v.* Jenkins Petroleum Process Company. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Maine. Opinion by Mr. Justice Cardozo.

No. 842. Galen L. Tait, Collector of Internal Revenue, petitioner, *v.* Western Maryland Railway Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the District of Maryland. Opinion by Mr. Justice Roberts.

No. 1. The Texas and Pacific Railway Company, Louisiana and Arkansas Railway 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 Southern District of Texas. Decree reversed, and cause remanded to said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Roberts. Dissenting opinion by Mr. Justice Stone, in which the Chief Justice, Mr. Justice Brandeis, and Mr. Justice Cardozo concur.

No. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Opinion announced by Mr. Justice Stone concluding that the true boundary is at the low-water mark on the western side of the Connecticut River, as the Special Master has found. The parties, or either of them, if so advised, may, within thirty days, submit the form of decree to carry the opinion into effect, failing which the Court will prepare and enter the decree. The Chief Justice took no part in the consideration or decision of this case.

No. 732. Richard Reid Rogers, petitioner, *v.* George W. Hill, A. C. Mower, Charles A. Penn, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree of the Circuit Court of Appeals reversed with costs. Decree of the District Court of the United States for the Southern District of New York dismissing the bills on the merits vacated, and case remanded to said District Court with directions to reinstate its decree

granting injunction *pendente lite* and for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler. Mr. Justice Roberts took no part in the consideration or decision of this case.

No. 729. Daniel W. O'Donoghue *v.* The United States; and

No. 730. William Hitz *v.* The United States. On certificates from the Court of Claims. Question No. 1 answered in the affirmative, question No. 2 answered in the negative. Opinion by Mr. Justice Sutherland. Mr. Chief Justice Hughes, Mr. Justice Van Devanter, and Mr. Justice Cardozo dissent.

No. 728. Thomas S. Williams *v.* The United States. On certificate from the Court of Claims. Questions Nos. 1 and 2 are answered in the negative, question No. 3 answered in the affirmative. Opinion by Mr. Justice Sutherland.

No. 767. Harold L. Ickes, Secretary of the Interior, petitioner, *v.* United States of America *ex rel.* Chestatee Pyrites & Chemical Corporation. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed and cause remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 735. John H. Leighton, James A. McPherson, Sue P. Leighton et al., petitioners, *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 McReynolds.

No. 711. Benjamin F. Johnson, petitioner, *v.* Manhattan Railway Company et al.; and

No. 721. Lillian Boehm, petitioner, *v.* Manhattan Railway Company et al. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cases remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Van Devanter. Mr. Justice Butler concurs in the result. The Chief Justice and Mr. Justice Brandeis did not hear the argument or participate in the decision.

No. 701. Angelo Quercia, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Judgment reversed 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.

No. 718. Conrad, Rubin & Lesser, petitioners, *v.* Horace G. Pender, Trustee in Bankruptcy. On writ of certiorari to the United

States Circuit Court of Appeals for the Second Circuit. Order 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 order of the Court:

No. 941. Carl A. Mueller, appellant, *v.* The People of the State of Illinois. Appeal from the Supreme Court of the State of Illinois. *Per curiam*: The appeal 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; *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, 501-503; *Bandini v. Superior Court*, 284 U.S. 8, 18; *Sproles v. Binford*, 286 U.S. 374, 393; *Lavine v. California*, 286 U.S. 528; *Leach v. California*, 287 U.S. 579, 580.

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. —. In Re Disbarment of Herman Woodward Winburn. It having been suggested to the Court that Herman Woodward Winburn has been guilty of conduct unbecoming a member of the Bar of this Court in that he made application for admission and was admitted to this Bar as a member in good standing of the bar of the Supreme Court of the State of North Carolina without disclosing that he had been a member of the bar of the Supreme Court of the State of Louisiana under the name of Herman Winsberg and had, under that name and by virtue of his membership of that bar, a pending application for admission to the Bar of this Court, and without disclosing that he had caused the cancelation of his license to practice as a member of the Bar of the Supreme Court of the State of Louisiana in order to avoid disbarment proceedings based upon the charge of an offense involving moral turpitude,

And this Court, by order of April 17, 1933, having suspended the said Herman Woodward Winburn from the practice of the law before this Court and having directed the issue of a rule requiring the said Winburn to show cause why he should not be disbarred from the practice of the law in this Court upon the ground that he has been guilty of conduct unbecoming a member of the Bar of this Court, as aforesaid,

And the said Winburn having filed return to said rule and having requested the appointment of a committee of members of the Bar of this Court to investigate his record,

It is ordered that the rule to show cause and the return aforesaid, together with all papers which have been filed with the Clerk of this Court in relation to this matter be, and the same are hereby, referred to Mr. George A. King, of Washington, D.C., to Mr. Charles Frederic Wilson, of Washington, D.C., and to Mr. Frederick W. McReynolds, of Washington, D.C., as a committee of the Bar of this Court, to make such inquiry into the matter as may be necessary or appropriate and thereupon to make a report and recommendation respecting the final action to be taken herein by this Court conformably to Rule 2, paragraph 5 of the Rules of this Court.

No. —. In Re Disbarment of Oscar C. Thomas, Robert E. J. Whalen, Sylvester L. McLaurin, Abner Siegal, and Harry H. Hollander. It having been shown to the Court that Oscar C. Thomas, Robert E. J. Whalen, Sylvester L. McLaurin, Abner Siegal, and Harry H. Hollander, of Washington, D.C., members of the Bar of this Court, have been disbarred from the practice of the law by the Supreme Court of the District of Columbia,

And it appearing that by order of April 17, 1933, this Court suspended the said Oscar C. Thomas, Robert E. J. Whalen, Sylvester L. McLaurin, Abner Siegal, and Harry H. Hollander from the practice of the law in this Court and directed that rules issue requiring these members of the Bar to show cause, under Rule 2, why they should not be disbarred from the further practice of the law in this Court,

And it appearing that said rules were duly issued and served upon each of said respondents; and the return day of said rules having passed and no return or answer to said rules having been filed by or in behalf of said respondents or any of them,

It is now here ordered that the said Oscar C. Thomas, Robert E. J. Whalen, Sylvester L. McLaurin, Abner Siegal, and Harry H. Hollander, be, and they are hereby disbarred, and that their names be stricken from the roll of attorneys admitted to practice in this Court.

No. —, original. Ex Parte: B. W. Lansdown and M. W. Lansdown and others, petitioners. The motion for leave to file petition for writ of mandamus is denied without prejudice to application to the United States Circuit Court of Appeals.

No. 2, original. The State of Vermont, complainant, *v.* The State of New Hampshire. An order is entered fixing the amount of compensation and allowing expenses incurred by the Special Master herein.

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. An order is entered fixing the amount of compensation and allowing expenses incurred by the Special Master herein.

No. 13, original. State of New Jersey, complainant, *v.* The City of New York. May 8, 1933, complainant filed its petition representing that the defendant has failed to take action necessary to comply with our decree entered December 7, 1931 (284 U.S. 585), and praying an order that defendant show cause why it should not be adjudged in contempt. On the same day defendant filed an application asserting its inability to comply with the decree within the time limited, and praying that the time for the taking effect of the injunction be extended from June 1, 1933, to April 1, 1934. It is ordered:

These applications will be heard November 6, 1933.

Edward K. Campbell is appointed Special Master, empowered to issue subpoenas for witnesses and to take the evidence that may be offered by the respective parties, and also such as he may deem necessary, to show: (1) What shall have been done by defendant, up to September 15, 1933, and the time reasonably required to enable it to comply with the decree; (2) The amounts that shall have been expended, subsequent to June 1, 1933, by New Jersey and its political subdivisions to prevent or lessen the defilement or pollution of the waters, shores or beaches within that State and the damages respectively sustained by them as a result of defendant's failure to comply with the decree.

The evidence shall be taken at such times and places as the Master, by notice to counsel, shall fix. And he is directed to report to the Court, not later than October 20, 1933, the evidence so taken, together with his findings of fact thereon. His findings will be subject to consideration, revision or approval by the Court. When the report of the Special Master is filed the Clerk of the Court shall cause the same to be printed and the Court, without the filing of exceptions, will hear the parties thereon.

The Special Master shall be allowed his actual expenses and a reasonable compensation for his services to be fixed hereafter by the Court. The allowances to him, the compensation paid to his stenographic and clerical assistants, and the cost of printing his report shall be charged against and be borne by the parties in such proportion as the Court hereafter may direct.

If the appointment herein made of a Special Master is not accepted, or if the place becomes vacant during the recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

No. 818. Naumkeag Steam Cotton Company, petitioner, *v.* The United States. The motion for an extension of time within which to file petition for rehearing is granted.

No. 104. Bankers Pocahontas Coal Company, petitioner, *v.* Commissioner of Internal Revenue. The motion to modify the judgment in this case is denied.

No. 693. John Factor, petitioner, *v.* H. C. W. Laubenheimer, United States Marshal and Godfrey Haggard, His Britannic Majesty's Consul General. This case is restored to the docket and assigned for reargument on Monday, October 9 next, upon all questions involved, including the question whether the offense charged is an extraditable offense under the Treaty of 1889, even if the offense does not constitute a crime under the law of the State of Illinois or under any acts of Congress. The attention of counsel is directed to the interpretation placed upon Article X of the treaty of 1842 by the Secretary of State of the United States, John C. Calhoun, shortly after the ratification of the Treaty (August 7, 1844, January 28, 1845, MSS. Inst. Gr. Br.), and also to the available diplomatic correspondence relating to Article X of the Treaty of 1842 and the Treaty of 1889.

No. 972. Raymond J. Funkhouser et al., etc., appellants, *v.* J. B. Preston Company, Inc. In this case probable jurisdiction is noted. The motion to dismiss is denied.

No. 989. City Bank Farmers Trust Company, Executor, etc., appellant, *v.* William A. Schnader, Attorney General, etc., et al. In this case probable jurisdiction is noted.

No. 994. Life & Casualty Insurance Company, appellant, *v.* Ossie McCray. Further consideration of the question of the jurisdiction of this court in this case, and of the motion to dismiss or affirm is postponed to the hearing of the case on the merits.

No. 971. Sarah Elizabeth Stringfellow, a widow, petitioner, *v.* Atlantic Coast Line Railroad Company. The motion for leave to proceed further herein *in forma pauperis* is granted. The Clerk is directed to cause the petition and record to be printed. The petitioner shall serve copies thereof upon the respondent or its counsel within 10 days after such printing and the respondent may have 20 days after such service within which to file briefs opposing the petition.

No. 915. J. J. Nathanson, 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 case assigned for argument on Monday, October 9 next, after the cases heretofore assigned for that day.

No. 942. Charles A. Shepard, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted and case assigned for argument on Monday, October 9 next, after the cases heretofore assigned for that day.

No. 874. The United States of America, as Trustee, etc., et al., petitioners *v.* H. S. McGowan et al.; and

No. 875. The United States of America, as Trustee, etc., et al., petitioners, *v.* Bakers Bay Fish Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 900. The United States of America, petitioner, *v.* F. H. Reily. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit granted.

No. 903. The John K. & Catherine S. Mullen Benevolent Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 908. Keystone Driller Company, petitioner, *v.* General Excavator Company;

No. 909. Keystone Driller Company, petitioner, *v.* General Excavator Company;

No. 910. Keystone Driller Company, petitioner, *v.* The Osgood Company; and

No. 911. Keystone Driller Company, petitioner, *v.* The Osgood Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 912. Harold T. Griswold et al., etc., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 962. First National Bank of Cincinnati et al, *v.* Rudolph B. Flershem et al. etc.;

No. 963. First National Bank of Cincinnati et al. *v.* Rudolph B. Flershem et al., etc. and

No. 964. Amy Arzt and Josephine Ramsey, petitioners, *v.* Rudolph B. Flershem et al., etc. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 965. Lily Clapier, petitioner, *v.* Rudolph B. Flershem et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 930. L. M. Dakin, as Receiver, etc., petitioner, *v.* Taver Bayly, as Liquidator, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 976. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Julia Butterworth et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 977. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Fidelity-Philadelphia Trust Company, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 978. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Frank Pardee et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 979. David Burnet, Commissioner of Internal Revenue, petitioner, *v.* Title Guarantee Loan & Trust Company, as Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 943. William A. Schroeder, petitioner, *v.* State of Wisconsin. The motion to diminish the record is denied. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin is also denied.

No. 687. France and Canada Cie. Francaise de Navigation, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 880. Stephen J. Richards, 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. 882. Herbert D. Robinson, Executor of the Estate of Bernard Wurzburger, 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. 889. Robert Carnahan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 901. John P. H. Chandler, petitioner, *v.* John H. Field, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 902. Frank James Thompson, 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. 907. Gulf, Mobile, and Northern Railroad Company et al., petitioners, *v.* Mrs. Sadie Wood, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 914. Patrick J. Commerford, 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. 918. Missouri Pacific Railroad Company, petitioner, *v.* Ben F. Morrison. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 920. Vourdon H. Fricke, petitioner, *v.* Morris J. Levin, Trustee in Bankruptcy, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 921. Societa Anonima Cantiere Olivo, petitioner, *v.* Federal Insurance Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 923. Alfred Martin, William J. Sandberg, et al., petitioners, *v.* H. C. Miller Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 925. Will Horwitz and Manuel C. Guerra, 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. 928. The Greylock Mills, petitioner, *v.* Thomas W. White, Collector of Internal Revenue. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 933. Alexander Film Company, petitioner, *v.* H. L. Ligon. Petition for writ of certiorari to the Supreme Court of the State of Texas denied.

No. 937. The People of the State of Illinois *ex rel.* George F. Koester, Jr., petitioner, *v.* Board of Appeals of Cook County, Illinois. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 938. George F. Koester, Jr., petitioner, *v.* Joseph B. McDonough, County Treasurer etc. Petition for writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 944. B. A. Baldwin and T. A. Cargill, Trading as Baldwin & Cargill, petitioners, *v.* Texas & New Orleans Railroad Company.

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

No. 945. The Safe Cabinet Company, petitioner, *v.* The Globe-Wernicke Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 947. The Texas & Pacific Railway Company et al., petitioners, *v.* Smith Brothers, Incorporated. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 952. The Union Railway Company of New York City, petitioner, *v.* Howard Jensen. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 958. Southern Railway Company, petitioner, *v.* Mary Elizabeth Colonna, Administratrix, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 961. Fidelity-Phenix Fire Insurance Company of New York et al., petitioners, *v.* Benedict Coal Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 973. Karl Foley, 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. 981. Yenkichu Ito, 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. 984. Augustine Friscia, Peter Friscia, 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. 926. New York Life Insurance Company, petitioner, *v.* Mary Kwetkauskas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 953. Sun Life Assurance Company of Canada et al., petitioners *v.* Emma D. Jensma. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 980. Finance Service Company, petitioner, *v.* Irving Trust Company, Trustee, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 988. Dave Dolff and Mike Meyers, 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. 1002. John Jeznis and Constance Mack, petitioners, *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. 931. Harry Kaufman, petitioner, *v.* The Penn Mutual Life Insurance Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 701. Angelo Quercia, petitioner, *v.* The United States of America. Mandate granted on motion of Mr. Whitney North Seymour for the respondent.

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.