

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 4, 1920.

The Court met pursuant to law.

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

Charles MacVeagh, of New York City; James Green Burleson, of Lockhart, Tex.; William Sherman Hay, of Chicago, Ill.; Thomas H. Mahony, of Boston, Mass.; Nat Louis Hardy, of Dallas, Tex.; Hugh A. Fisher, of Laurel, Md.; James Garfield, of Boston, Mass.; Jose P. Laurel, of Manila, P. I.; Robert P. Frierson, of Chattanooga, Tenn.; Morgan C. Smith, of Jackson, Tenn.; Frederic Bruce Johnstone, of Chicago, Ill.; Allison L. Newton, of Boston, Mass.; J. G. Weartherly, of El Paso, Tex.; John B. Grubb, of Poughkeepsie, N. Y.; Carl V. Wisner, of Chicago, Ill.; Robert E. Quirk, of Washington, D. C.; E. M. Critz, of Coleman, Tex.; Willis E. Monty, of Burlington, Vt.; Joseph L. Egan, of New York City; Frank Faircloth, of Santa Rosa, N. Mex.; Jos. I. McMullen, of San Francisco, Cal.; Alice Asa Allen, of Battle Creek, Mich.; R. Dulany Whiting, of New York City; W. E. Kay, of Jacksonville, Fla.; James B. Wescott, of Chicago, Ill.; John L. Doggett, of Jacksonville, Fla.; Outerbridge Horsey, of New York City; Abbot P. Mills, of Washington, D. C.; George Earl Hoffman, of Pensacola, Fla.; John E. Hogan, of Taylorville, Ill.; Kenneth Edmund Matot, of Washington, D. C.; Charles Fahy, of Washington, D. C.; Graham Wright, of Rome, Ga.; William M. Silverman, of New York City; L. D. Mitchell, of Oklahoma City, Okla.; William C. Bachelder, of Indianapolis, Ind.; Simon Fleischmann, of Buffalo, N. Y.; and Z. Lewis Dalby, of Washington, D. C.; were admitted to practice.

Mr. Attorney General Palmer presented Mr. William L. Frierson, of Tennessee, as Solicitor General of the United States, and it was ordered that his commission be recorded.

The Chief Justice announced that all motions noticed for to-day would be heard to-morrow and the court would then commence the call of the docket pursuant to the twenty-sixth rule.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 5, will be as follows: Nos. 1, 2, 3, 4, 5, 13, 17, 128, 257, and 18 (and 325).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 5, 1920.

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

William Delaware Harris, of Dayton, Ohio; Chester H. Lane, of New York City; Edwin S. Puller, of Washington, D. C.; S. John Block, of New York City; Charles H. Crocker, of Sacramento, Calif.; Sherman P. Bowers, of Frederick, Md.; Elbert H. Loyd, of St. Joseph, Mo.; Harry G. Mellon, of Washington, D. C.; Frank Thunen, of San Francisco, Calif.; Herbert M. Barney, of Texarkana, Ark.; David H. Bilder, of Newark, N. J.; James Mercer Davis, of Camden, N. J.; Marion Dorian, of Washington, D. C.; Alex. H. Clark, of Washington, D. C.; and Frederick T. Kelsey, of New York City, were admitted to practice.

No. 376. John E. Kinnane, United States attorney, etc., appellant. *v.* Detroit Creamery Company et al.;

No. 377. The United States of America, plaintiff in error, *v.* Ben B. Swartz; and

No. 378. The United States of America, plaintiff in error, *v.* Jacob M. Smith. Advanced and assigned for October 11 with Nos. 324, 357, and 367, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 457. Oglesby Grocery Company, plaintiff in error, *v.* The United States of America. Advanced and assigned for October 11 with Nos. 324, 357, and 367, on motion of Mr. Solicitor General Frierson for the defendant in error.

No. 407. C. A. Weed & Company, appellant, *v.* Stephen T. Lockwood, as United States Attorney for the Western District of New York. Advanced and assigned for October 11 with Nos. 324, 357, and 367, on motion of Mr. Solicitor General Frierson for the appellee.

No. 418. The G. S. Willard Company et al., appellants, *v.* A. Mitchell Palmer, as Attorney General of the United States, et al.

Advanced and assigned for October 11 with Nos. 324, 357, and 367, on motion of Mr. Solicitor General Frierson for the appellees.

No. 138. The United States of America, plaintiff in error, *v.* Picher Lead Company. In error to the District Court of the United States for the Western District of Missouri. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 230. The United States of America, plaintiff in error, *v.* Jacob Wicibdeza (Pleasant Man). In error to the District Court of the United States for the District of North Dakota. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 421. Alexander Kahn et al., appellants, *v.* August V. Anderson, Warden, etc. Motion to advance submitted by Mr. Solicitor General Frierson in behalf of counsel for the appellants.

No. —, original Ex parte: In the matter of Thomas Welsh, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. J. S. Easby-Smith in behalf of Mr. Martin Conboy for the petitioner.

No. 19, original. The State of Georgia, complainant, *v.* The State of South Carolina. Extension of time to take testimony granted on motion of Mr. H. H. O'Bear in behalf of counsel.

No. 510. Julius Block, petitioner, *v.* Louis Hirsh. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Jesse C. Adkins and Mr. Julius I. Peyser for the petitioner, and by Mr. Myer Cohen, Richard D. Daniels, and Mr. William G. Johnson for the respondent.

No. 262. W. S. Bullock, Judge, etc., et al., plaintiffs in error, *v.* The State of Florida ex rel. the Railroad Commissioners of the State of Florida. Motion to advance submitted by Mr. John A. Kratz in behalf of counsel.

No. 375. H. W. Cargill, as Assessor, etc., et al., petitioners, *v.* The United States ex rel. Frank Pierce. Motion to dismiss petition for want of prosecution submitted by Mr. George B. Pugh for the respondent.

No. 345. Northern Trust Company et al., Trustees, etc., plaintiffs in error, *v.* Adolph H. Eilers et al. Motion to advance and to dismiss submitted by Mr. Ralph R. Duniway for the defendants in error in support of the motion, and by Mr. John Taylor Booz for the plaintiffs in error in opposition thereto.

No. 471. Wesley M. Smith, petitioner, *v.* W. T. Apple. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. John S. Dean and Mr. Thomas F. Doran for the petitioner, and by Mr. Edward E. Sapp for the respondent.

No. 476. United Shoe Machinery Company et al., appellants, *v.* The United States of America; and

No. 550. The United States of America, appellant, *v.* United Shoe Machinery Corporation et al. Motion to advance and for suspension of injunction submitted by Mr. James Garfield in behalf of Mr. Frederick P. Fish, Mr. Cordenio A. Severance, and Mr. Charles F. Choate, jr., for United Shoe Machinery Corporation et al.

No. 293. Western Union Telegraph Company, petitioner, *v.* S. B. Poston. Leave granted to file brief as *amicus curiae* on motion of Mr. Louis Ottenberg in that behalf.

No. 319. Gordon L. Dutcher, petitioner, *v.* Louis N. Sanders. Petition for a writ of certiorari to the District Court of Appeals, Third District, State of California, submitted by Mr. Charles R. Pierce and Mr. Marvin W. Conkling for the petitioner.

No. 411. S. Nakano, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles R. Pierce and Mr. Marshall B. Woodworth for the petitioner, and by Mr. Solicitor General Frierson and Mr. Assistant Attorney General Stewart for the respondent.

No. 537. Elizabeth L. Hughes, petitioner, *v.* Sara E. Techt, also known as Sarah E. Techt. Petition for a writ of certiorari to the Court of Appeals of the State of New York submitted by Mr. Charles R. Pierce in behalf of Mr. Allen C. Rearick for the petitioner, and by Mr. Adolph Bloch for the respondent.

No. 437. Fred Blackstock, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eight Circuit submitted by Mr. L. D. Mitchell and Mr. M. K. Cruce for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 304. Grant Smith-Porter Ship Company *v.* Herman F. Rohde. Motion to advance submitted by Mr. Alexander Britton in behalf of counsel for the appellant.

No. 265. The Missouri Pacific Railway Company, plaintiff in error, *v.* McGrew Coal Company. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Edwin A. Krauthoff for the defendant in error in support of the motion, and by Mr. Edward J. White and Mr. James F. Green for the plaintiff in error in opposition thereto.

No. 506. Director General of Railroads, petitioner, *v.* Mrs. B. M. Moore, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr.

H. O'B. Cooper, Mr. Clement Manley, Mr. Thomas S. Rollins, Mr. Julius C. Martin, and Mr. George H. Wright for the petitioner, and by Mr. Felix E. Alley for the respondent.

Nos. 33 to 40, inclusive. Erie Railroad Company et al., plaintiffs in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al. Passed, on motion of Mr. Frederic D. McKenney in behalf of counsel.

No. 93. Berlin Mills Company, petitioner, *v.* Proctor & Gamble Company. Leave granted to file brief as *amicus curiae* on motion of Mr. Frederic D. McKenney in behalf of Mr. Charles E. Hughes and Mr. Royall Victor for the American Cotton Oil Company.

No. 504. Roy C. Megargel et al., petitioners, *v.* Herman B. Gates et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Bertram F. Shipman for the petitioners, and by Mr. Henry Wollman and Mr. J. DuPlatt White for the respondents.

No. 387. Gertrude M. Reed, Administratrix, etc., petitioner, *v.* Director General of Railroads et al. Petition for a writ of certiorari submitted by Mr. Frederick S. Tyler for the petitioner, and by Mr. William Clarke Mason for the respondents.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to file report of commissioner on motion of Mr. Frederick S. Tyler in that behalf.

No. 484. American Socialist Society, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. S. John Block and Mr. Walter Nelles for the petitioner, and by Mr. Assistant Attorney General Stewart for the respondent.

No. 538. Hartmann-Blanchard Company, petitioner, *v.* Kittie Ten Eyck et al. Leave granted to file brief as *amicus curiae* on motion of Mr. Milton Strasberger in behalf of Mr. Mark Ash for New York Towboat Exchange.

No. 556. The Central Railroad Company of New Jersey, petitioner, *v.* Edna May Knorr. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. L. T. Michener in behalf of Mr. Charles E. Miller for the petitioner, and by Mr. Rush B. Trescott for the respondent.

No. 13, original. The State of Minnesota, complainant, *v.* The State of Wisconsin. Motion for the appointment of a commission to run the boundary line submitted by Mr. H. C. Fulton in behalf of counsel.

No. 24, original. Ex parte In the matter of Chicago, Rock Island & Pacific Railway Company, petitioner. Leave granted to file brief as *amicus curiae*, on motion of Mr. E. H. Boles in behalf of Mr.

Thomas H. Tracy and Mr. George D. Welles for Toledo, St. Louis & Western Railway Company.

No. 477. Houck Manufacturing Company (Inc.), petitioner, *v.* Cowen Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Melville Church for the petitioner, and by Mr. Isadore Shapiro for the respondent.

No. 521. Union Tool Company, petitioner, *v.* Elihu C. Wilson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Melville Church, Mr. A. V. Andrews, Mr. Frederick S. Lyon, and Mr. William K. White for the petitioner, and by Mr. F. W. Clements for the respondent.

No. —, original. *Ex parte* In the matter of Union Tool Company, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Melville Church, Mr. A. V. Andrews, Mr. Frederick S. Lyon, and Mr. William K. White for the petitioner.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to open evidence, and case reasigned for December 13 next on motion of Mr. T. W. Gregory for the defendant.

No. 279. Anna Heitmuller, plaintiff in error, *v.* Sylvanus Stokes. Motion to dismiss submitted by Mr. Wharton E. Lester for the defendant in error in support of the motion.

No. 374. Pueblo of Laguna, appellant, *v.* José Candelaria et al. Motion to dismiss or affirm submitted by Mr. Frank W. Clancy for the appellee in support of the motion, and by Mr. Francis C. Wilson for the appellant in opposition thereto.

No. 328. Rosanna McDougall, Administratrix, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. L. W. Keplinger for the petitioner.

No. 333. Herbert L. Hildreth, petitioner, *v.* Jim M. Mastoras. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George P. Dike and Mr. Frederic D. McKenney for the petitioner.

No. 336. The Virginian Railway Company, petitioner, *v.* A. L. Mills, Administrator, etc. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. Harry T. Hall and Mr. G. A. Wingfield for the petitioner.

No. 339. Alabama & Vicksburg Railway Company et al., plaintiffs in error, *v.* Smith Journey. Petition for a writ of certiorari herein submitted by Mr. J. Blanc Monroe, Mr. Monte M. Lemann,

and Mr. Robert H. Thompson for the plaintiffs in error in support of the petition, and by Mr. Robert B. Mayes for the defendant in error.

No. 343. Grand Trunk Western Railway Company, petitioner, *v.* Mahlon H. Winget, etc. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. James L. Parrish for the petitioner, and by Mr. John D. Mackay for the respondent.

No. 344. John W. Davidge, petitioner, *v.* Leo Simmons. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Chapin Brown for the petitioner, and by Mr. Leo Simmons *pro se*.

No. 347. Miller & Lux, Incorporated, plaintiff in error, *v.* The Sacramento and San Joaquin Drainage District. Petition for a writ of certiorari herein submitted by Mr. Edward F. Treadwell for the plaintiff in error in support of the petition, and by Mr. Jeremiah F. Sullivan for the defendant in error in opposition thereto.

No. 351. Henry Ching, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, submitted by Mr. Asa V. Call for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. William C. Herron for the respondent.

No. 360. Frank Moore, et al., petitioners, *v.* The State of Arkansas. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Scipio A. Jones for the petitioners.

No. 361. Frank Hicks, petitioner, *v.* The State of Arkansas. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Scipio A. Jones for the petitioner.

No. 368. Isaac S. Dement et al., petitioners, *v.* James T. Newton, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Reeve Lewis for the petitioners, and by Mr. Solicitor General Frierson and Mr. Assistant Attorney General Davis for the respondent.

No. 371. First National Bank of Jasper, Fla., petitioner, *v.* State Bank of Rome, Ga., and

No. 372. First National Bank of Jasper, Fla., petitioner, *v.* The First National Bank of Rome, Ga. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William Wade Hampton for the petitioner, and by Mr. Henry C. Clark for the respondent.

No. 373. Jesse S. Phillips et al., Receivers, etc., petitioners, *v.* Noel Construction Company, Edgar A. Poe et al., Receivers, etc., et al. Petition for a writ of certiorari to the Court of Appeals of the Dis-

trict of Columbia submitted by Mr. Chapman W. Maupin for the petitioners.

No. 380. The People of the State of New York, petitioner, *v.* The Hudson River Connecting Railroad Corporation. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Claude T. Dawes for the petitioner, and by Mr. Robert E. Whalen for the respondent.

No. 382. Erie Railroad Company, petitioner, *v.* May Pinkney, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Henry A. Knapp for the petitioner, and by Mr. Chester A. Garratt for the respondent.

No. 383. The Bank of Jasper, petitioner, *v.* The First National Bank of Rome, Ga.; and

No. 384. The Bank of Jasper, petitioner, *v.* The State Bank of Rome, Ga. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. F. P. Fleming for the petitioner, and by Mr. Henry C. Clark for the respondents.

No. 385. Speed Mankin, petitioner, *v.* James Bartley; and

No. 386. Speed Mankin, petitioner, *v.* G. C. Saunders. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. S. H. Sutherland for the petitioner.

No. 390. Newlin Haines Company, petitioner, *v.* Edward E. Grosscup, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Edward L. Katzenbach and Mr. D. Howard Evans for the petitioner, and by Mr. Nathan Bilder and Mr. David H. Bilder for the respondent.

No. 403. Kansas City Motion Picture Machine Operators, Local No. 170, et al., plaintiffs in error, *v.* John E. Hughes et al., doing business under the name of Eastern Theater. Petition for a writ of certiorari herein submitted by Mr. William J. Hughes and Mr. Joseph W. Folk for the plaintiffs in error in support of the petition.

No. 404. James F. Bishop, Administrator, etc., petitioner, *v.* Frederick A. Delano et al., Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Fred W. Bentley for the petitioner, and by Mr. Frederic D. McKenney for the respondent.

No. 412. John Gooch, jr., petitioner, *v.* Oregon Short Line Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by

Mr. J. H. Peterson for the petitioner, and by Mr. George H. Smith for the respondent.

No. 414. Louis Singer, doing business as L. Singer Produce Company, petitioner, *v.* American Express Company. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri submitted by Mr. Albert S. Marley for the petitioner, and by Mr. Cyrus Crane for the respondent.

No. 415. Benjamin C. Allen, etc., petitioner, *v.* Philadelphia Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. George Wharton Pepper, Mr. Thomas Patterson, Mr. Robert Woods Sutton, and Mr. H. F. Stambaugh for the petitioner, and by Mr. Edwin G. Smith and Mr. George B. Gordon for the respondents.

No. 416. Lim Chan, petitioner, *v.* Edward White, as Commissioner of Immigration for the Port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jackson H. Ralston and Mr. George W. Hott for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 423. Du Pont Engineering Company, petitioner, *v.* Evansville Ice & Storage Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. Thomas J. Tyne for the petitioner, and by Mr. W. K. McAlister for the respondent.

No. 426. Vogt Brothers Manufacturing Company, petitioner, *v.* Ellicott Machine Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Helm Bruce and Mr. Alexander Galt Barret for the petitioner, and by Mr. E. P. Humphrey, Mr. James Piper, Mr. A. P. Humphrey and Mr. William W. Crawford for the respondent.

No. 428. W. R. Felker et al., partners, etc., et al., petitioners, *v.* The Southern Trust Company, as trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Dick Rice for the petitioner, and by Mr. G. B. Rose, Mr. W. E. Hemingway, Mr. D. H. Cantrell, and Mr. J. F. Loughborough for the respondents.

No. 431. Pasquale Ciafirdini, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. A. B. Quinton for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 432. Seton C. Bens, petitioner, *v.* James M. Power, United States Marshal, etc. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the Second Circuit submitted by Mr. George R. Rubin for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 436. Mrs. Camilla Davis Putnam, widow, etc., et al., petitioners, *v.* Mrs. Louise Stone Borst. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edwin T. Merrick for the petitioners, and by Mr. D. B. H. Chaffe and Mr. E. J. Bowers for the respondent.

No. 438. Gulf Compress Company et al., petitioners, *v.* Merchants Cotton Press & Storage Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Thomas A. Evans and Mr. M. G. Evans for the petitioners, and by Mr. William P. Metcalf and Mr. C. W. Metcalf for the respondent.

No. 447. Eugene W. Mente, petitioner, *v.* Mark Eisner, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederic H. Cowden for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 455. Ross Lumber Company, petitioner, *v.* Hughes Lumber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John E. Hall, Mr. Warren Grice, and Mr. Charles J. Bloch for the petitioner, and by Mr. Edward de Graffenried for the respondent.

No. 456. Empire Gas & Fuel Company, petitioner, *v.* John G. Wetzel et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. T. F. Garver for the petitioner.

No. 462. The United States, petitioner, *v.* M. Rice & Company et al. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. Solicitor General Frierson and Mr. Assistant Attorney General Hanson for the petitioner.

No. 463. William J. Dante, Collector of the Estate of Stilson Hutchins, deceased, petitioner, *v.* Rose Keeling Hutchins. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. George E. Sullivan for the petitioner.

No. 464. Los Angeles & Salt Lake Railroad Company, petitioner, *v.* The City of Los Angeles; and

No. 465. Los Angeles & Salt Lake Railroad Company et al., petitioners, *v.* The City of Los Angeles. Petition for writs of certiorari to the Supreme Court of the State of California submitted by Mr. A. S. Halsted, Mr. Oscar Lawler, Mr. Alex. Britton, and Mrs. Evans Browne for the petitioners.

No. 467. White Oak Transportation Company, petitioner, *v.* Boston, Cape Cod & New York Canal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit, submitted by Mr. Edward E. Blodgett for the petitioner, and Mr. Samuel Park and Mr. William R. Sears for the respondent.

No. 469. The Pullman Company, petitioner, *v.* The State Industrial Commission. Petition for a writ of certiorari to the Supreme Court, Appellate Division, Third Department, of the State of New York, submitted by Mr. Maurice C. Spratt and Mr. H. Prescott Gately for the petitioner.

No. 474. George F. Auf der Heide, petitioner, *v.* Anna W. Kiskadden et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Benjamin B. Blakeney and Mr. James H. Maxey for the petitioner.

No. 475. Mohawk Mining Company, petitioner, *v.* Harry H. Weiss, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Alton C. Dustin for the petitioner, and by Mr. Solicitor General Frierson and Assistant Attorney General Adams for the respondent.

No. 478. Clinton Mining & Mineral Company, petitioner, *v.* J. S. Blacom. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Arthur O. Fording for the petitioner.

No. 479. Thomas Welsh, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Martin Conboy for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 485. Pennsylvania Railroad Company, petitioner, *v.* Elizabeth Swank, Administratrix, etc. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. George A. Bourgeois and Mr. Harry R. Coulomb for the petitioner, and by Mr. James Mercer Davis for the respondent.

No. 487. Northern Coal Company, petitioner, *v.* Boston, Cape Cod & New York Canal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. John G. Palfrey for the petitioner, and by Mr. William R. Sears for the respondent.

Nos. 488 and 489. Frederick B. Lynch, petitioner, *v.* D. Darnell et al., partners as Hazel-Darnell Mule Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the

Eighth Circuit submitted by Mr. Thomas D. O'Brien, Mr. Edward T. Young, and Mr. Alexander E. Horn for the petitioner, and by Mr. Pierce Butler and Mr. William D. Mitchell for the respondents.

No. 490. Harry C. Wilson and Cleo Wilson, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas Ball for the petitioners, and by Mr. Solicitor General Frierson for the respondent.

No. 491. Western Union Telegraph Company, petitioner, *v.* Esteve Brothers & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Rush Taggart and Mr. Francis Raymond Stark for the petitioner.

No. 494. Charles B. Munday, petitioner, *v.* The People of the State of Illinois. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. John F. McCarron and Mr. William J. Hughes for the petitioner.

No. 498. Laforest L. Simmons, petitioner, *v.* Joe Duart. Petition for a writ of certiorari to the Supreme Court of the State of Massachusetts submitted by Mr. Edward C. Stone for the petitioner, and by Mr. David R. Radovsky for the respondent.

No. 500. Repetti (Inc.), petitioner, *v.* Wallace & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Harry D. Nims for the petitioner, and by Mr. Frank Chase Somes and Mr. Hugo Mock for the respondent.

No. 501. Charley Toy and Lee Gip, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank Hendrick for the petitioners, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 503. Tiburcio Valverde, petitioner, *v.* The United States. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Howard Boyd and Mr. James M. Sheridan for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 507. Bluefields Fruit & Steamship Company, petitioner, *v.* Western Assurance Company of Toronto. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William C. Dufour, Mr. George Janvier, and Mr. E. Howard McCaleb for the petitioner, and by Mr. John C. Prizer for the respondent.

No. 511. Edward S. Atwater, petitioner, *v.* Stephen G. Guernsey et al., Trustees, etc., et al. Petition for a writ of certiorari to the

United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Abram J. Rose for the petitioner, and by Mr. R. D. Whiting for the respondents.

No. 513. George Holmes and Frank Miller, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Leander A. Dale and Mr. Frank G. Morris for the petitioners, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 514. New York Sanitary Utilization Company, petitioner, *v.* American Engineering Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. DeLancey Nicoll for the petitioner, and by Mr. Frederick T. Kelsey, Mr. William N. Dykman, and Mr. Arthur E. Goddard for the respondents.

No. 515. Miley Johnson et al., petitioners, *v.* Seth Salmon et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. James M. Hay for the petitioners.

No. 516. Smith, Bell & Company (Ltd.), petitioner *v.* Wenceslao Trinidad, Collector of Internal Revenue for the Philippine Islands. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Clarence B. Miller for the petitioner, and by Mr. Solicitor General Frierson and Mr. Charles Marvin for the respondent.

No. 517. Macleod & Company (Inc.), petitioner, *v.* Wenceslao Trinidad, Collector of Internal Revenue for the Philippine Islands. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Clarence B. Miller for the petitioner, and by Mr. Solicitor General Frierson and Mr. Charles Marvin for the respondent.

No. 518. John J. Dimmitt, petitioner, *v.* Glenn L. Breakey. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. M. M. Crane for the petitioner.

No. 519. Hulett C. Merritt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. H. Anderson, Mr. James A. Anderson, Mr. Howard S. Lewis, and Mr. Edwin A. Meserve for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 522. Empire Voting Machine Company, petitioner, *v.* The City of Chicago et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Stephen A. Foster, Mr. Herbert Pope, and Mr. Frank Keiper for the

petitioner, and by Mr. Horace Kent Tenney, Mr. Samuel A. Ettelson, and Mr. Leon Hornstein for the respondents.

No. 528. Frederick C. Taxis et al., petitioners, *v.* Universal Form Clamp Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Thomas F. Sheridan and Mr. Thomas H. Sheridan for the petitioners, and by Mr. William R. Rummler for the respondent.

No. 529. Marcelino Lontok, petitioner, *v.* The United States. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Howard Boyd and Mr. James M. Sheridan for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 533. The Egry Register Company, petitioner, *v.* The Standard Register Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. H. A. Toulmin and Mr. H. A. Toulmin, jr., for the petitioner, and by Mr. Alfred M. Allen for the respondent.

No. 534. Rene Arbib, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Henry N. Arnold for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 535. Galveston, Houston & Henderson Railroad Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alex. Britton, Mr. Evans Browne, and Mr. J. W. Terry for the petitioner, and by Mr. Solicitor General Frierson and Assistant Attorney General Adams for the respondent.

No. 538. Hartmann-Blanchard Company, petitioner, *v.* Kittie Ten Eyck et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Pierre M. Brown for the petitioner, and by Mr. Chauncey I. Clark for the respondents.

No. 539. Catherine K. Newton et al., petitioners, *v.* William A. Rhea et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Edward H. S. Martin and Mr. Shepard Barclay for the petitioners, and by Mr. Frank Hagerman and Mr. Thomas Hackney for the respondents.

No. 540. Luckenbach Steamship Company (Inc.) et al., petitioners, *v.* W. R. Grace & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Peter S. Carter and Mr. Oscar R. Houston for the

petitioners, and by Mr. John M. Woolsey and Mr. Edward R. Baird, jr., for the respondent.

No. 541. The First National Bank of Gulfport, Miss., petitioner, *v.* Wirt Adams, Revenue Agent, etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. William H. Watkins for the petitioner.

No. 542. James F. Bishop, Administrator, etc., et al., petitioners, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harry W. Standidge for the petitioners, and by Mr. Harvey D. Goulder, Mr. Thomas H. Garry, and Mr. Ralph F. Potter for the respondent.

No. 543. Ephraim Lederer, Collector of Internal Revenue, etc., petitioner, *v.* Alexander J. Stockton, Sole Surviving Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Frierson for the petitioner.

No. 547. Ellicott Frederick, Trustee, etc., petitioner, *v.* The Fidelity Mutual Life Insurance Company of Philadelphia. Petition for a writ of certiorari to the Superior Court of the State of Pennsylvania submitted by Mr. Lowrie C. Barton for the petitioner.

No. 549. F. M. Hathaway et al, petitioners, *v.* Ford Motor Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John F. Logan for the petitioners, and by Mr. Robert Treat Platt and Mr. Harrison G. Platt for the respondent.

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation (Ltd.), Owner, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John W. Griffin for the petitioner, and by Mr. John M. Woolsey for the respondent.

No. 557. Sherwood S. Mattocks, petitioner, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Edward Maher and Mr. Charles S. Thornton for the petitioner, and by Mr. Harvey D. Goulder, Mr. Thomas H. Garry, and Mr. Ralph F. Potter for the respondent.

No. 565. E. Hamilton et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Henry Bowden and Mr. George Sutherland for the petitioners.

No. 567. Morris Levinson, appellant, *v.* The United States of America et al. Petition for a writ of certiorari herein submitted by

Mr. Russell T. Mount for the appellant in support of the petition, and by Mr. Solicitor General Frierson for the appellees in opposition thereto.

No. 570. Chicago & Northwestern Railway Company, petitioner, *v.* C. C. Whitnack Produce Company. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. Wymer Dressler and Mr. Thomas P. Littlepage for the petitioner.

No. 3. Adams State Bank, plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 32. Harry Wronkow Keatley, petitioner, *v.* United States Trust Company et al., as Executors, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed with costs, on motion of counsel for the petitioner.

No. 59. W. R. Harn et al., plaintiffs in error, *v.* Missouri State Life Insurance Company. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, per stipulation.

No. 153. William H. Riggie, plaintiff in error, *v.* Grand Trunk Railway Company. In error to the Supreme Court of the State of Vermont. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 2. Eastman Kodak Company et al., appellants, *v.* The United States of America. Passed, per stipulation.

No. 4. Associated Billposters and Distributors of the United States and Canada et al., appellants, *v.* The United States. Passed, per stipulation.

No. 5. The United States, appellant, *v.* American Can Company et al. Passed, per stipulation.

No. 1. The United States of America, appellant, *v.* Lehigh Valley Railroad Company et al. Leave granted three counsel to argue for appellees. Reargued by Mr. Solicitor General Frierson for the appellant and by Mr. N. W. Hacker, Mr. F. W. Wheaton, and Mr. E. H. Boles for the appellees.

No. 13. American Steel Foundries, petitioner, *v.* The Tri-City Central Trades Council et al. Reargued by Mr. Max Pam for the petitioner, and by Mr. Frank C. Smith for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 6, will be as follows: Nos. 17, 128, 257, 18 (and 325), 20, 21, 22 (and 23 and 19), 24, 26, and 27.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 6, 1920.

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

Mr. Andrew W. Spears, of Pine Bluff, Arkansas, was admitted to practice.

No. 18. The Northern Pacific Railway Company, appellant, *v.* John Barton Payne, Secretary of the Interior. In error to the Court of Appeals of the District of Columbia. Dismissed with costs, on motion of Mr. Charles Donnelly for the appellant.

No. 20. Takao Ozawa *v.* The United States. Passed, per stipulation.

No. 21. The United States of America, appellant, *v.* Southern Pacific Company et al. Passed, per stipulation.

No. 24. Luella Swartwood, as sole administratrix, etc., plaintiff in error, *v.* Lehigh Valley Railroad Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Frederick S. Tyler in behalf of counsel.

No. 17. John Barton Payne, Secretary of the Interior, et al., appellants, *v.* Central Pacific Railway Company. Argument commenced by Mr. Assistant Attorney General Nebeker for the appellants, continued by Mr. A. A. Hoehling and Mr. Frank Thunen for the appellee, and concluded by Mr. Assistant Attorney General Nebeker for the appellants.

No. 128. John Barton Payne, Secretary of the Interior, et al., appellants, *v.* the State of New Mexico. Argued by Mr. Assistant Attorney General Nebeker for the appellants, and by Mr. Patrick H. Loughran for the appellee.

No. 257. The State of Wyoming et al., appellants, *v.* The United States of America. Argument commenced by Mr. John H. Lacey for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 7, will be as follows: Nos. 257, 22 (and 23 and 19), 26, 27, 28, 29, 30 (and 31), 42, 43, and 44.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 7, 1920.

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

Eldon R. James, of Cincinnati, Ohio; Walter L. Berry, of Franklin, Tenn.; Roy W. Rucker, of Sedalia, Mo.; Scott Reed, of Dallas, Tex.; and Sylvan S. Grosner, of Detroit, Mich., were admitted to practice.

No. 248. Sarah A. Whittemore, plaintiff in error, *v.* Maud B. Crawford. In error to the Court of Appeals of the District of Columbia. Dismissed, per stipulation, and mandate granted.

No. 28. Franklin Shaw et al., appellants, *v.* John Barton Payne, Secretary of the Interior. Passed, per stipulation.

No. 30. The United States of America, appellant, *v.* The Keystone Watch Case Company; and

No. 31. The Keystone Watch Case Company, appellant, *v.* The United States of America. Passed, per stipulation.

No. 42. Peter L. Wheeler et al., as trustees, etc., plaintiffs in error, *v.* City of Oakland. In error to the District Court of Appeals in and for the First Appellate District of the State of California. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. 257. The State of Wyoming et al., appellants, *v.* The United States of America. Argument continued by Mr. John W. Lacey for the appellants, by Mr. Assistant Attorney General Nebeker for the appellee, and concluded by Mr. John W. Lacey for the appellants.

No. 325. The United States of America, appellant, *v.* Northern Pacific Railway Company. Argued by Mr. Assistant Attorney General Nebeker for the appellant, and by Mr. Charles Donnelly for the appellee.

No. 22. New York Scaffolding Company, petitioner, *v.* Liebel-Binney Construction Company et al.; and

No. 23. New York Scaffolding Company, petitioner, *v.* Chain Belt Company et al. Argument commenced by Mr. Frederick P. Fish for the petitioner, and continued by Mr. Wallace R. Lane for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 8, will be as follows: Nos. 22 (and 23), 26, 27, 29, 43, 44, 46, 47, 48, and 49.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 8, 1920.

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

Eugene Stanley, of New Orleans, La.; Lee Winchester, of Memphis, Tenn.; and George L. Boyle, of Washington, D. C., were admitted to practice.

No. 47. Joseph W. Nicholas, appellant, *v.* The United States. Passed, per stipulation.

No. 48. Wilson Scott Norris, appellant, *v.* The United States. Passed, per stipulation.

No. 49. Louis' H. Eberlein, appellant, *v.* The United States. Passed, per stipulation.

No. 22. New York Scaffolding Company, petitioner, *v.* Liebel-Binney Construction Company et al.; and

No. 23. New York Scaffolding Company, petitioner, *v.* Chain Belt Company et al. Argument continued by Mr. Wallace R. Lane and Mr. Robert H. Parkinson for the respondents, and concluded by Mr. Frederick P. Fish for the petitioner.

No. 26. Edward B. Pryor et al., as Receivers, etc., petitioners, *v.* Allega Williams. Argued by Mr. Frederic D. McKenney for the petitioners, and by Mr. Roy W. Rucker for the respondent.

No. 27. Seaboard Air Line Railway Company et al., appellants, *v.* The United States of America et al. Argument commenced by Mr. Claudian B. Northrop for the appellants, and continued by Mr. Blackburn Esterline for the United States.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 11, will be as follows: Nos. 27, 29, 43, 44, 46, 192, 241, 341, 294, and 353.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 11, 1920.

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

John A. Mullen, of New York City; John Edgar Beleher, of Tacoma, Wash.; William M. Howard, of Augusta, Ga.; Dudley F. Fowler, of New York City; Francis Gilbert, of New York City; Eugene D. Boyer, of New York City; Alonzo F. Purdy, of Augusta, Ga.; James E. Cooper, of New Britain, Conn.; James E. Calkins, of Tallahassee, Fla.; Philip H. Arrowsmith, of Florence, S. C.; Robert S. Spillman, of Charleston, W. Va.; George P. Hill, of New York City; Alexander Armstrong, of Hagerstown, Md.; J. Purdon Wright, of Baltimore, Md.; Edward B. Schlant, of Buffalo, N. Y.; Welles V. Moot, of Buffalo, N. Y.; Robert P. Beyer, of New York City; Harry Hertzoff, of New York City; Martin C. Frincke, jr., of Berkeley, Calif.; Louis B. Sher, of St. Louis, Mo.; John W. Whelan, of Casper, Wyo.; Chiles P. Plummer, of Casper, Wyo.; and Montreville J. Brown, of Minneapolis, Minn., were admitted to practice.

No. 58. Piedmont & Georges Creek Coal Company, petitioner, *v.* Seaboard Fisheries Company, claimant, etc. 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 Rhode Island. Opinion by Mr. Justice Brandeis.

The Chief Justice announced the following orders of the court:

No. 345. Northern Trust Company et al., trustees, etc., plaintiffs in error, *v.* Adolph H. Eilers et al. In error to the District Court of the United States for the District of Oregon. Per curiam: Dismissed for want of jurisdiction upon the authority of *Courtney v. Pratt* (196 U. S., 89, 91; *Farrugia v. Philadelphia & Reading Ry. Co.*, 233 U. S., 352, 353; *Louisville & Nashville Ry. Co. v. Western Union Tel. Co.*, 234 U. S., 369, 371-372; *Male v. Atchison, Topeka & Santa Fe Ry. Co.*, 240 U. S., 97, 99).

No. 426. Vogt Brothers Manufacturing Company, petitioner, *v.* Ellicott Machine Corporation. Petition for writ of error to the United States Circuit Court of Appeals for the Sixth Circuit. Per curiam: The petition for writ of error is denied. See section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2, Thirty-ninth Statutes, 726. Petition for a writ of certiorari and for a writ of mandamus denied.

In the matter of the suggested revision of the admiralty rules. Considering the suggestions made on behalf of the American Bar Association and other organizations as to the necessity for changes in the admiralty rules and the character of the amendments deemed to be needed, a committee composed of Mr. Justice McKenna, Mr. Justice Holmes, and Mr. Justice Day is hereby appointed, with authority to consider the subject and to report to the court their recommendations thereon.

No. 13, Original. The State of Minnesota, complainant, *v.* The State of Wisconsin. The motion to appoint commissioners to run the boundary line between the respective States, pursuant to the order entered herein on March 8, 1920, is granted, and, in pursuance of the stipulation of counsel for the respective parties, Mr. Samuel S. Gannett, of Washington, D. C., Mr. William D. Patton, of Duluth, Minnesota, and Mr. G. D. Mack, of Madison, Wisconsin, are hereby appointed commissioners to run and mark the boundary line between the respective States.

No. 262. W. S. Bullock, judge, etc., et al., plaintiffs in error, *v.* The State of Florida upon the relation of the The Railroad Commissioners of the State of Florida. Motion to advance granted, and case assigned for argument on Monday, December 6, next.

No. 304. Grant Smith-Porter Ship Company *v.* Herman F. Rohde. Motion to advance granted, and case assigned for argument on Monday, December 6, next, after the case heretofore assigned for that day.

No. 421. Alexander Kahn et al., appellants, *v.* August V. Anderson, warden, etc. Motion to advance granted, and case assigned for argument on Monday, December 6, next, after the cases heretofore assigned for that day.

No. 476. United Shoe Machinery Corporation et al., appellants, *v.* The United States of America; and

No. 550. The United States of America, appellant, *v.* United Shoe Machinery Corporation et al. Motion to advance granted, and cases assigned for argument on Monday, January 3, 1921.

No. 476. United Shoe Machinery Corporation et al., appellants, *v.* The United States of America; and

No. 550. The United States of America, appellant, *v.* United Shoe Machinery Corporation et al. Motion to suspend the operation of an injunction in these cases, ordered by the District Court of the United States for the Eastern District of Missouri, granted.

No. —, Original. *Ex parte* In the matter of Thomas Welsh, petitioner. Motion for leave to file petition for a writ of mandamus herein denied.

No. 24. Original. *Ex parte* in the matter of Chicago, Rock Island & Pacific Railway Company, petitioner. Motion for leave to make oral argument denied, but leave to file brief as *amicus curiæ* granted.

No. 265. The Missouri Pacific Railway Company, plaintiff in error, *v.* McGrew Coal Company. Ordered that this case be placed on the summary docket.

No. 279. Anna Heitmuller, plaintiff in error, *v.* Sylvanus Stokes. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 374. Pueblo Laguna, appellant, *v.* Jose Candelaria et al. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 339. Alabama & Vicksburg Railway Company et al. plaintiffs in error, *v.* Smith Journey. Further consideration of the petition for a writ of certiorari postponed to the hearing of the case on the writ of error.

No. 344. John W. Davidge, petitioner, *v.* Leo Simmons. Further consideration of the petition for a writ of certiorari postponed to the hearing on the writ of error pending in No. 388.

No. 347. Miller & Lux (Inc.), plaintiff in error, *v.* The Sacramento and San Joaquin Drainage District. Further consideration of the petition for a writ of certiorari postponed to the hearing of the case on the writ of error.

No. 333. Herbert L. Hildreth, petitioner, *v.* Jim M. Mastoras. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 371. First National Bank of Jasper, Florida, petitioner, *v.* State Bank of Rome, Georgia; and

No. 372. First National Bank of Jasper, Florida, petitioner, *v.* The First National Bank of Rome, Georgia. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 383. The Bank of Jasper, petitioner, *v.* The First National Bank of Rome, Georgia; and

No. 384. The Bank of Jasper, petitioner, *v.* The State Bank of Rome, Georgia. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 387. Gertrude M. Reed, administratrix of the estate of Lee C. Reed, deceased, petitioner, *v.* Director General of Railroads, United States Railroad Administration, operating Philadelphia & Reading Railroad. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania granted.

No. 412. John Gooch, jr., petitioner, *v.* Oregon Short Line Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 462. The United States, petitioner, *v.* M. Rice & Company et al. Petition for a writ of certiorari to the United States Court of Customs Appeals granted.

No. 467. White Oak Transportation Company, petitioner, *v.* Boston, Cape Cod & New York Canal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 487. Northern Coal Company, petitioner, *v.* Boston, Cape Cod & New York Canal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 469. The Pullman Company, petitioner, *v.* The State Industrial Commission. Petition for a writ of certiorari to the Supreme Court, Appellate Division, Third Department, of the State of New York, granted.

No. 319. Gordon L. Dutcher, petitioner, *v.* Louis N. Sanders. Petition for a writ of certiorari to the District Court of Appeal, Third District, of the State of California, denied.

No. 328. Rosanna McDougall, administratrix, etc., petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 336. The Virginian Railway Company, petitioner, *v.* A. L. Mills, administrator, etc. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 343. Grand Trunk Western Railway Company, petitioner, *v.* Mahlon H. Winget, etc. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 351. Henry Ching, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 360. Frank Moore et al., petitioners, *v.* The State of Arkansas. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 361. Frank Hicks, petitioner, *v.* The State of Arkansas. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 368. Isaac S. Dement et al., petitioners, *v.* James T. Newton, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 373. Jesse S. Phillips et al., receivers, etc., petitioners, *v.* Noel Construction Company et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 380. The People of the State of New York, petitioner, *v.* The Hudson River Connecting Railroad Corporation. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 382. Erie Railroad Company, petitioner, *v.* May Pinkney, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 385. Speed Mankin, petitioner, *v.* James Bartley. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 386. Speed Mankin, petitioner, *v.* G. C. Saunders. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 390. Newlin Haines Company, petitioner, *v.* Edward E. Grosscup, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 403. Kansas City Motion Picture Machine Operators, Local No. 170, et al., plaintiffs in error, *v.* John E. Hughes et al., etc. Petition for a writ of certiorari herein denied.

No. 404. James F. Bishop, administrator, etc., petitioner, *v.* Frederick A. Delano et al., receivers of the Wabash Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 411. S. Nakano, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 414. Louis Singer, doing business as L. Singer Produce Company, petitioner, *v.* American Express Company. Petitioner for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri denied.

No. 415. Benjamin C. Allen, on behalf of himself, etc., petitioner, *v.* Philadelphia Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 416. Lim Chan, petitioner, *v.* Edward White, as commissioner of immigration for the port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 423. Du Pont Engineering Company, petitioner, *v.* Evansville Ice & Storage Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 428. W. R. Felker et al., etc., petitioners, *v.* The Southern Trust Company, as trustees, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 431. Pasquale Ciafirdini, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 432. Seton C. Bens, petitioner, *v.* James M. Power, United States marshal, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 436. Mrs. Camilla Davis Putnam, widow, etc., et al., petitioners, *v.* Mrs. Louise Stone Borst. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 437. Fred Blackstock, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 438. Gulf Compress Company et al., petitioners, *v.* Merchants' Cotton Press & Storage Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 447. Eugene W. Mente, petitioner, *v.* Mark Eisner, collector of internal revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 455. Ross Lumber Company, petitioner, *v.* Hughes Lumber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 456. Empire Gas & Fuel Company, petitioner, *v.* John G. Wetzel et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 463. William J. Dante, collector, etc., petitioner, *v.* Rose Keeling Hutchins. Petition for a writ of certiorari to the Court of Appeals for the District of Columbia denied.

No. 464. Los Angeles & Salt Lake Railroad Company, petitioner, *v.* The City of Los Angeles. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. 465. Los Angeles & Salt Lake Railroad Company et al., petitioners, *v.* The City of Los Angeles. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. 471. Wesley M. Smith, petitioner, *v.* W. T. Apple. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 474. George F. Auf der Heide, petitioner, *v.* Anna W. Kiskaddon et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 477. Houk Manufacturing Company, petitioner, *v.* Cowen Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 478. Clinton Mining & Mineral Company, petitioner, *v.* J. S. Blacom. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 479. Thomas Welsh, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 53. The United States, appellant, *v.* Nederlandsch-Amerikaansche Stoomvaart Maatschappij (Holland American Lijn). Restored to the docket for reargument.

No. 558. Weeds (Inc.) et al., plaintiffs in error, *v.* The United States of America. Advanced, to be heard with No. 357, on motion of Mr. Solicitor Frierson for the defendant in error.

No. 208. The United States of America, plaintiff in error, *v.* Dimitrios J. Theophilatos et al. In error to the District Court of the United States for the Southern District of New York. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 324. The United States of America, plaintiff in error, *v.* L. Cohen Grocery Company; and

No. 357. Harry B. Tedrow, United States attorney, etc., appellant, *v.* A. T. Lewis & Son Dry Goods Company et al. Leave granted to file brief as amici curiae, on motion of Mr. Benjamin F. Spellman, for Lake & Export Coal Corporation.

No. 424. Director General of Railroads *v.* The Viscose Company. Motion to advance submitted by Mr. Frederic D. McKenney, Mr. Henry Wolf Bikle, Mr. F. M. Rivinus, and Mr. Theodore W. Reath for Director General of Railroads.

No. 573. Harry S. Mecartney, petitioner, *v.* Bainbridge Colby, Secretary of State, et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harry S. Mecartney pro se, and by Mr. Solicitor General Frierson for the respondents. Motion for hearing upon application for writ of certiorari forthwith, and to allow oral argument, submitted by Mr. Harry S. Mecartney pro se.

No. 215. The Underwood Typewriter Company, plaintiff in error, *v.* Frederick S. Chamberlain, treasurer, etc. Leave granted to file brief as amicus curiae, on motion of Mr. Louis H. Porter for Alpha Portland Cement Company.

No. 357. Harry B. Tedrow, as United States District Attorney, etc., appellant, *v.* The A. T. Lewis & Son Dry Goods Company et al. Leave granted to file brief as amicus curiae, on motion of Mr. William A. Glasgow, jr., in that behalf.

No. 239. United Mine Workers of America et al., plaintiffs in error, *v.* Coronado Coal Company et al. Leave granted to file brief as amici curiae, on motion of Mr. Thomas Hewes in that behalf.

No. 337. Eugene Sol Louie, petitioner, *v.* The United States of America. Motion to advance submitted by Mr. Samuel Herrick and Mr. Robert Early McFarland for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. William C. Herron for the respondent.

No. 306. Sheldon Dole Lemann et al., executors, etc., plaintiffs in error, *v.* Sidney C. Eastman, trustee, etc., et al. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. Theo. K. Bryant in behalf of counsel for the defendants in error. Motion of Sidney C. Eastman to dismiss submitted by Mr. Theo. K. Bryant in behalf of Mr. Carl V. Wisner for the defendants in error in support of the motion, and by Mr. Henry W. Lemann for the plaintiffs in error in opposition thereto. Motion of the Northern Trust Company, administrator, to dismiss submitted by Mr. Blackburn Esterline in behalf of Mr. Salmon O. Levinson, Mr. Benjamin V. Becker, Mr. Irwin T. Gilbruth, and Mr. John P. Barnes for the defendants in error in support of the motion, and by Mr. Henry W. Lemann for the plaintiffs in error in opposition thereto.

No. 324. The United States of America, plaintiff in error, *v.* L. Cohen Grocery Company. Leave granted to file brief as amici curiae, on motion of Mr. Thomas Marionaux in that behalf.

No. 43. John C. Robinson et al., plaintiffs in error, *v.* The United States of America on behalf of and for the use of Brown-Ketcham Iron Works et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. C. W. Maupin in that behalf.

No. 575. Jules W. Arndstein, appellant, *v.* Thomas D. McCarthy, United States Marshal, etc. Motion to advance submitted by Mr. Rufus S. Day for the appellant.

No. 23, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to E. Everett Rowell to intervene submitted by Mr. Alexander Britton in that behalf.

No. 42. Peter L. Wheeler et al., as trustees, etc., plaintiffs in error, *v.* City of Oakland. Mandate granted, on motion of Mr. Alexander Britton in behalf of counsel.

No. 311. The City of New York, appellant, *v.* The Brooklyn Union Gas Company. Motion to advance submitted by Mr. Harry Hertzoff in behalf of counsel.

No. 14. Original. The State of North Dakota, complainant, *v.* The State of Minnesota. Motion to set case for hearing submitted by Mr. H. H. O'Bear in behalf of counsel.

No. 572. Charles S. Fairchild, appellant, *v.* Bainbridge Colby, Secretary of State, et al. Motion to advance submitted by Mr. William L. Marbury in behalf of counsel.

No. 381. Andrew P. Lockhart, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. S. Littleton and Mr. Jesse M. Littleton for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 536. Frederick Kerr, petitioner, *v.* Frederick Tanini Tagliavia. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. John H. Hazelton for the petitioner, and by Mr. William C. Crane for the respondent.

No. 561. Southern Railway Company, petitioner, *v.* Alma R. Miller, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. E. Randolph Williams, Mr. Henry W. Anderson, and Mr. Thomas B. Gay for the petitioner, and by Mr. Robert A. Talley for the respondent.

No. 563. Lewiston Milling Company (Limited), petitioner, *v.* Ira D. Cardiff et al., copartners, etc. Petition for a writ of certiorari

to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James E. Babb for the petitioner, and by Mr. Reese H. Voorhees for the respondents.

No. 316. El Paso & Southwestern Railroad Company, plaintiff in error, *v.* Robert L. Lovick. Dismissed with costs, per stipulation.

No. 468. Benjamin F. Bush, receiver for the Missouri Pacific Railway Company, petitioner, *v.* Albert J. Brunswig. On petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri. Petition dismissed with costs, on motion of counsel for the petitioner.

No. 554. The Second National Bank of Parkersburg, West Virginia, et al., appellants, *v.* United States Fidelity & Guaranty Company. Appeal the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed with costs, per stipulation.

No. 341. Henry S. De Rees, appellant, *v.* David Costaguta et al., individually and as copartners, etc., et al. Submitted by Mr. Marion Erwin and Mr. Frederick M. Czaki for the appellant, and by Mr. Walter H. Merritt for the appellees.

No. 27. Seaboard Air Line Railway Company et al., appellants, *v.* The United States of America et al. Argument continued by Mr. Blackburn Esterline for the United States and by Mr. Charles W. Needham for the Interstate Commerce Commission, and concluded by Mr. Frank W. Gwathmey for the appellants.

No. 29. H. Turner et al., executors, etc., plaintiffs in error, *v.* J. P. Wade, sheriff of Brooks County, Ga. Reargued by Mr. Arthur G. Powell for the plaintiffs in error, and by Mr. Graham Wright for the defendant in error.

No. 44. Jin Fuey Moy, plaintiff in error, *v.* The United States of America. Argued by Mr. H. Ralph Burton for the plaintiff in error, and by Mr. Solicitor General Frierson for the defendant in error.

No. 46. International Bridge Company, plaintiff in error, *v.* The People of the State of New York. Reargument commenced by Mr. Adelbert Moot for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 12, will be as follows: 46, 192, 241, 294, 353, 285, 266, 215, and 199.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 12, 1920.

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

Westel W. Willoughby, of Baltimore, Md., and Joseph N. Nielsen, of Boston, Mass., were admitted to practice.

No. 46. International Bridge Company, plaintiff in error, *v.* The People of the State of New York. Reargument continued by Mr. Adelbert Moot for the plaintiff in error, by Mr. James S. Y. Ivins for the defendant in error, and concluded by Mrs. Helen Z. M. Rodgers for the plaintiff in error.

No. 192. Mary L. Greer Conklin, appellant, *v.* George H. Conklin et al. Death of Turner C. Vason, one of the appellees herein, suggested and appearance of Anthony J. Salinas, administrator of the said Turner C. Vason, deceased, as a party appellee filed and entered on motion of Mr. William M. Howard in that behalf.

No. 192. Mary L. Greer Conklin, appellant, *v.* George H. Conklin et al. Argued by Mrs. Mary L. Greer Conklin pro se and by Mr. William M. Howard for the appellees.

No. 353. Mary L. Greer Conklin, appellant, *v.* The Augusta Chronicle Publishing Company. Argued by Mrs. Mary L. Greer Conklin pro se and by Mr. Benjamin Pierce for the appellee.

No. 241. Western Union Telegraph Company, petitioner, *v.* Addie Speight. Argued by Mr. Rush Taggart for the petitioner. No brief filed for the respondent.

No. 294. H. Snowden Marshall, as receiver, etc., petitioner, *v.* The People of the State of New York. Submitted by Mr. A. S. Gilbert, Mr. Francis Gilbert, and Mr. William J. Hughes for the petitioner, and by Mr. Cortland A. Johnson and Mr. Robert P. Beyer for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 13, will be as follows: Nos. 285, 219, 266, 215, 199, 239, 271 (and 272), 275, 289, and 300.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 13, 1920.

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

L. Eggertsen Cluff, of Salt Lake City, Utah; Hugh M. Potter, of Houston, Tex.; Nat U. Brown, of Olympia, Wash.; Peter Q. Nyce, of Tulsa, Okla.; Horace T. Atkins, of Chicago, Ill.; Howard S. Whitley, of New York City; and Harold W. Bissell, of New York City, were admitted to practice.

No. 439. Charles I. Dawson, Attorney General of the State of Kentucky, et al., appellants, *v.* Kentucky Distilleries Warehouse Company. Motion to advance submitted by Mr. W. T. Fowler for the appellants.

No. 582. Charles I. Dawson, as Attorney General of the Commonwealth of Kentucky, et al., appellants, *v.* The J. & A. Freiberg Company (Inc.). Motion to advance submitted by Mr. W. T. Fowler for the appellants.

Nos. 271 and 272. The United States, petitioner, *v.* National Surety Company. Submitted by Mr. Assistant Attorney General Spellacy and Mr. Leonard B. Zeisler for the petitioner, and by Mr. S. W. Fordyce and Mr. Thomas W. White for the respondent.

No. 285. William J. Givens, appellant, *v.* Fred G. Zerbst, warden, etc. Argued by Mr. John S. Strahorn for the appellant, and submitted by Mr. Solicitor General Frierson and Mr. R. P. Frierson for the appellee.

No. 219. William L. Walls, Attorney General, etc., et al., appellants, *v.* Midland Carbon Company et al. Argument commenced by Mr. Henry E. Lutz for the appellants, continued by Mr. John W. Lacey and Mr. Reid L. Carr for the appellees, and concluded by Mr. Henry E. Lutz for the appellants.

No. 266. Anna H. Watson et al., as executors, etc., plaintiffs in error, *v.* The State Comptroller of the State of New York. Argued

by Mr. Harold W. Bissell for the plaintiffs in error, and by Mr. John B. Gleason for the defendant in error.

No. 215. The Underwood Typewriter Company, plaintiff in error, *v.* Frederick S. Chamberlain, treasurer, etc. Argument commenced by Mr. Arthur M. Marsh for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 14, will be as follows: Nos. 215, 199, 239, 275, 289, 300, 324 (and 357, 367, 376, 377, 378, 457, 407, 418, and 558), 315, 293, and 369.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 14, 1920.

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

Eugene B. VanVeen, of Chicago, Ill.; Oswald D. Luby, of Chicago, Ill., and Thomas Nelson Woolfolk, of Columbus, Ga., were admitted to practice.

No. 315. Charles D. Newton, Attorney General, etc., et al., appellants, *v.* The Brooklyn Union Gas Company. Passed, per stipulation.

No. 215. The Underwood Typewriter Company, plaintiff in error, *v.* Frederick S. Chamberlain, treasurer, etc. Argument continued by Mr. A. M. Marsh for the plaintiff in error, by Mr. James E. Cooper and Mr. Hugh M. Alcorn for the defendant in error, and concluded by Mr. Arthur L. Shipman for the plaintiff in error.

No. 199. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Four hours allowed for oral argument, on motion of Mr. Charles E. Hughes in that behalf. Argument commenced by Mr. William Marshall Bullitt for the appellant and continued by Mr. Charles E. Hughes for the appellee, The Federal Land Bank of Wichita, Kans.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 15, will be as follows: Nos. 199, 239, 275, 289, 300, 324 (and 357, 367, 376, 377, 378, 457, 407, 418, and 558), 293, 369, 50 and 52.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 15, 1920.

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

Ulpiano Crespo, jr., of Arceibo, Porto Rico; Hugh C. Gearin, of Portland, Oreg.; John H. Holliday, of St. Louis, Mo.; and William H. Woodward, of St. Louis, Mo., were admitted to practice.

No. 573. Harry S. Mecartney, petitioner, *v.* Bainbridge Colby, Secretary of State, et al. Leave granted to file reply brief on motion of Mr. W. C. Sullivan for the petitioner.

No. 50. The Atlantic Coast Electric Railway Company, plaintiff in error, *v.* Board of Public Utility Commissioners of the State of New Jersey et al. In error to the Court of Errors and Appeals of the State of New Jersey. Dismissed with costs, pursuant to the nineteenth rule.

No. 52. The Missouri, Kansas & Texas Railway Company, appellant, *v.* The United States. Passed, per stipulation.

No. 199. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Argument continued by Mr. George W. Wickersham for the appellee, First Joint Stock Land Bank of Chicago, and concluded by Mr. Frank Hagerman for the appellant.

No. 239. United Mine Workers of America et al., plaintiffs in error, *v.* Coronado Coal Company et al. Argued by Mr. Charles E. Hughes for the plaintiffs in error, and by Mr. Henry S. Drinker, jr., and Mr. James B. McDonough for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 18, will be as follows: Nos. 275, 289, 300, 324 (and 357, 367, 376, 377, 378, 457, 407, 418, and 558), 293, 369, 53, 54, 56, and 57.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 18, 1920.

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

John M. Sternhagen, of New York City, Paul Campbell, of Chattanooga, Tenn., Joseph W. Thompson, of Chattanooga, Tenn., Guy Mason, of Washington, D. C., Eldred E. Jacobsen, of New York City, Harley Phillips Mathewson, of Washington, D. C., John Manning, of Portland, Oreg., Charles C. Moore, of Chattanooga, Tenn., Drew W. Hageman, of New York City, Frederic Conger, of New York City, George N. Murdock, of Chicago, Ill., G. Noble Jones, of Savannah, Ga., Raymond H. O'Brien, of Findlay, Ohio, John Quinn, of New York City, J. A. Wolfson, of Manila, P. I., and A. Julius Freiberg, of Cincinnati, Ohio, were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 192. Mary L. Greer Conklin, appellant, *v.* George H. Conklin et al. Appeal from the District Court of the United States for the Southern District of Georgia. Per curiam: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Goodrich v. Ferris*, 214 U. S. 71, 79; *United Security Co. v. American Fruit Produce Co.*, 238 U. S. 140, 142; *Sugarman v. United States*, 249 U. S. 182, 184.

No. 353. Mary L. Greer Conklin, appellant, *v.* The Augusta Chronicle Publishing Company. Appeal from the District Court of the United States for the Southern District of Georgia. Per curiam: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Goodrich v. Ferris*, 214 U. S. 71, 79; *United Security Co. v. American Fruit Produce Co.*, 238 U. S. 140, 142; *Sugarman v. United States*, 249 U. S. 182, 184.

No. —, original. Ex parte In the matter of Union Tool Company, petitioner. Motion for leave to file petition for a writ of mandamus denied.

No. 337. Eugene Sol Louie, petitioner, *v.* The United States of America. Motion to advance granted, and cause assigned for argument on Monday, December 6 next, after the cases heretofore assigned for that day.

No. 424. Director General of Railroads et al. *v.* The Viscose Company. Motion to advance granted, and cause assigned for argument on Monday, December 6 next, after the cases heretofore assigned for that day.

No. 439. Charles I. Dawson, attorney general of the State of Kentucky, et al., appellants, *v.* Kentucky Distilleries & Warehouse Company. Motion to advance granted, and cause assigned for argument on Monday, December 6 next, after the cases heretofore assigned for that day.

No. 582. Charles I. Dawson, as attorney general of the Commonwealth of Kentucky, et al., appellants, *v.* The J. & A. Freiberg Company, Inc. Motion to advance granted, and cause assigned for argument on Monday, December 6 next, after the cases heretofore assigned for that day.

No. 575. Jules W. Arndstein, appellant, *v.* Thomas D. McCarthy, United States marshal for the southern district of New York. Motion to advance and assign for argument on Tuesday, the 19th instant, granted.

No. 311. The City of New York, appellant, *v.* The Brooklyn Union Gas Company. Motion to advance denied.

No. 572. Charles S. Fairchild, appellant, *v.* Bainbridge Colby, Secretary of State, et al. Motion to advance denied.

No. 14, original. The State of North Dakota, complainant, *v.* The State of Minnesota. Motion to fix a day for the hearing of this cause granted, and the cause assigned for Monday, January 3 next, after the cases heretofore assigned for that day.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas.

ORDER. The motion of E. Everett Rowell for leave to intervene is granted, but with the restriction that such intervention shall not delay the approaching hearing on general questions in the cause and that as respects that hearing this intervenor must rely upon the evidence already taken and reported to the court. Other parties to the cause are granted ten days within which to answer the petition of this intervenor.

No. 491. Western Union Telegraph Company, petitioner, *v.* Esteve Brothers & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 511. Edward S. Atwater, petitioner, *v.* Stephen G. Guernsey et al., Trustees, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 521. Union Tool Company, petitioner, *v.* Elihu C. Wilson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 475. Mohawk Mining Company, petitioner, *v.* Harry H. Weiss, collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 484. American Socialist Society, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 485. Pennsylvania Railroad Company, petitioner, *v.* Elizabeth Swank, administratrix, etc. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

Nos. 488 and 489. Frederick B. Lynch, petitioner, *v.* D. Darnell et al., partners as Hazel-Darnell Mule Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 490. Harry C. Wilson and Cleo Wilson, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 494. Charles B. Munday, petitioner, *v.* The People of the State of Illinois. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 498. Laforest L. Simmons, petitioner, *v.* Joe Duart. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts denied.

No. 500. Repetti, Inc., petitioner, *v.* Wallace & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 501. Charley Toy and Lee Gip, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit of Appeals for the Second Circuit denied.

No. 503. Tiburcio Valverde, petitioner, *v.* The United States. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 504. Roy C. Megargel et al., etc., petitioners, *v.* Herman B. Gates et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 506. Director General of Railroads, petitioner, *v.* Mrs. B. M. Moore, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 507. Bluefields Fruit & Steamship Company, petitioner, *v.* Western Assurance Company of Toronto. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 510. Julius Block, petitioner, *v.* Louis Hirsh. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 513. George Holmes et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 514. New York Sanitary Utilization Company, petitioner, *v.* American Engineering Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 515. Miley Johnson et al., petitioners, *v.* Seth Salmon et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 516. Smith Bell & Company, Limited, petitioner, *v.* Wenceslao Trinidad, collector, etc. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 517. Macleod & Company, Inc., petitioner, *v.* Wenceslao Trinidad, collector, etc. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 518. John J. Dimmitt, petitioner, *v.* Glenn L. Breakey. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 522. Empire Voting Machine Company, petitioner, *v.* City of Chicago et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 519. Hulett C. Merritt, petitioner, *v.* The United States of America. Further consideration of the petition for a writ of certiorari postponed until after the hearing in Nos. 324, 357, and 367.

The Chief Justice also announced that the court will take a recess from Monday, the 25th instant, to Monday, November 8 next.

No. 214. J. W. Goldsmith, Jr.-Grant Company, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Frierson for the defendant in error.

No. 131. American Steel Foundries, petitioner, *v.* James T. Newton, Commissioner of Patents. Robert White, Commissioner of Patents, substituted as the party respondent herein in place of James T. Newton, resigned, on motion of Mr. George L. Wilkinson in that behalf.

No. 544. James J. Rafferty, Collector of Internal Revenue for the Philippine Islands, petitioner, *v.* Smith, Bell & Company, Limited;

No. 548. James J. Rafferty, as Collector of Internal Revenue for the Philippine Islands, petitioner, *v.* Compania General de Tabacos de Filipinas; and

No. 553. James J. Rafferty, Collector of Internal Revenue for the Philippine Islands, petitioner, *v.* Visayan Refining Company. Petitions for writs of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Charles Marvin for the petitioner, with leave to counsel for the respondents to file brief on or before November 6 next.

No. 552. Commissioners of Road Improvement District No. 2 of Lafayette County, Arkansas, petitioners, *v.* St. Louis Southern Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Henry Moore, jr., for the petitioners.

No. 564. Atlantic Coast Line Railroad Company, petitioner, *v.* Emma Raulerson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William K. Jackson for the petitioner, and by Mr. A. H. King, Mr. Roswell King, and Mr. George C. Bedell for the respondent.

No. 569. Elizabeth S. Prentiss, petitioner, *v.* Mark Eisner, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Royall Victor and Mr. Philip L. Miller for the petitioner, and by Mr. Solicitor General Frierson and Assistant Attorney General Adams for the respondent.

No. 576. J. E. Brewer and C. S. Brewer, petitioners, *v.* Postal Telegraph Cable Company. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri submitted by Mr. Albert S. Marley for the petitioners.

No. 53. The United States, appellant, *v.* Nederlandsch-Amerikaansche Stoomvaart Maatschappij (Holland American Lijn). Passed, per stipulation.

No. 56. James A. Peterson, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Minnesota. Reversed, on confession of error; and cause remanded for further proceedings on motion of Mr. Solicitor General Frierson for the defendant in error.

No. 275. The United States of America, plaintiff in error, *v.* James Butt, alias Wong Sing. Submitted by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the plaintiff in error. No brief filed for the defendant in error.

No. 289. William E. Johnson, plaintiff in error, *v.* The State of Maryland. Argument commenced by Mr. W. C. Herron for the plaintiff in error, continued by Mr. J. Purdon Wright and Mr. Alexander Armstrong for the defendant in error, and concluded by Mr. W. C. Herron for the plaintiff in error.

No. 300. John C. Heald et al., committee of the person and estate of Eugene Peters, *v.* The District of Columbia. Argument commenced by Mr. Vernon C. West for Heald et al., committee, etc., continued by Mr. F. H. Stephens for The District of Columbia, and concluded by Mr. A. S. Worthington for Heald et al., committee, etc.

No. 324. The United States of America, plaintiff in error, *v.* L. Cohen Grocery Company. Argument commenced by Mr. Solicitor General Frierson for the plaintiff in error, and continued by Mr. Louis B. Sher and Mr. Chester H. Krum for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 19, will be as follows: Nos. 324, 357 (and 367, 376, 377, 378, 457, 407, 418, and 558), 293, 369, 54, 57, 60, 61, 63, and 575.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 19, 1920.

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

Roy Baker, of Rockville, Ind.; Hugh McCurdy, of San Francisco, Calif.; Max W. Davis, of Elizabeth, N. J.; Joseph W. Milburn, of Washington, D. C.; Robert M. Zacharias, of Chambersburg, Pa.; Harold R. Young, of Washington, D. C.; Harvey D. Hinman, of Binghamton, N. Y.; and Thomas B. Kattell, of Binghamton, N. Y., were admitted to practice.

No. 324. The United States of America, plaintiff in error, *v.* L. Cohen Grocery Company. Argument concluded by Mr. Chester H. Krum for the defendant in error.

No. 357. Harry B. Tedrow, as United States district attorney, etc., appellant, *v.* The A. T. Lewis & Son Dry Goods Company et al.;

No. 367. R. E. Kennington et al., appellants, *v.* A. Mitchell Palmer et al.;

No. 376. John E. Kinnane, United States attorney, etc., appellant, *v.* Detroit Creamery Company et al.;

No. 377. The United States of America, plaintiff in error, *v.* Ben B. Swartz;

No. 378. The United States of America, plaintiff in error, *v.* Jacob M. Smith.

No. 407. C. A. Weed & Company, appellant, *v.* Stephen T. Lockwood, as United States attorney for the Western district of New York;

No. 418. The G. S. Willard Company et al., appellants, *v.* A. Mitchell Palmer, as Attorney General of the United States, et al.;

No. 457. Oglesby Grocery Company, plaintiff in error, *v.* The United States of America; and

No. 558. Weeds, Inc., et al., plaintiffs in error, *v.* The United States of America. Three hours allowed each side for the argument of these cases. Argument commenced by Mr. Solicitor General Frier-son for the appellant in No. 357, the appellees in No. 367, the appel-
lant in No. 376, the plaintiff in errors in Nos. 377 and 378, the appel-
lees in Nos. 407 and 418, and the defendant in error in Nos. 457 and
558; continued by Mr. Charles E. Hughes for the appellees in Nos.
357 and 376, the defendants in error in Nos. 377 and 378, and the
plaintiffs in error in No. 558; by Mr. C. C. Dorsey for the appellees
in No. 357; and by Mr. Garner Wynn Green for the appellants in
No. 367.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 20, will be as follows: Nos.
357 (and 367, 376, 377, 378, 407, 418, 457, and 558), 293, 369, 54, 57,
60, 61, 63, 575, and 64.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 20, 1920.

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

William V. Ford, of Luray, Va., and Chester R. Dewey, of Utica, N. Y., were admitted to practice.

No. 64. Louis B. Nagler, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of Wisconsin. Judgment reversed, on confession of error and cause remanded for further proceedings in conformity with law, on motion of Mr. Solicitor General Frierson for the defendant in error.

No. 357. Harry B. Tedrow, as United States District Attorney, etc., appellant, *v.* The A. T. Lewis & Son Dry Goods Company et al.;

No. 367. R. E. Kennington et al., appellants, *v.* A. Mitchell Palmer et al.;

No. 376. John E. Kinnane, United States Attorney, etc., appellant, *v.* Detroit Creamery Company et al.;

No. 377. The United States of America, plaintiff in error, *v.* Ben B. Swartz;

No. 378. The United States of America, plaintiff in error, *v.* Jacob M. Smith;

No. 407. C. A. Weed & Company, appellant, *v.* Stephen T. Lockwood, as United States Attorney for the Western District of New York;

No. 418. The G. S. Willard Company et al., appellants, *v.* A. Mitchell Palmer, as Attorney General of the United States, et al.;

No. 457. Oglesby Grocery Company, plaintiff in error, *v.* The United States of America; and

No. 558. Weeds, Inc., et al., plaintiffs in error, *v.* The United States of America. Argument continued by Mr. Edgar Watkins for the plaintiff in error in No. 457; by Mr. Simon Fleischmann for the

appellant in No. 407; by Mr. Solicitor General Frierson for the appellants in Nos. 357 and 376, the appellees in Nos. 367, 407, and 418, the plaintiff in error in Nos. 377 and 378, and the defendants in error in Nos. 457 and 558; and concluded by Mr. Charles E. Hughes for the appellees in Nos. 357 and 376, the defendants in error in Nos. 377 and 378, and the plaintiff in error in No. 558.

No. 293. Western Union Telegraph Company, petitioner, *v.* S. B. Poston. Argument commenced by Mr. Rush Taggart for the petitioner, continued by Mr. Philip H. Arrowsmith for the respondent, and concluded by Mr. Francis Raymond Stark for the petitioner.

No. 369. American Column & Lumber Company et al., appellants, *v.* The United States of America. Two hours allowed each side for the argument of this case, on motion of Mr. G. Carroll Todd in that behalf. Argument commenced by Mr. G. Carroll Todd for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 21, will be as follows: Nos. 369, 54, 57, 60, 61, 63, 575, 65, 69, and 70.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 21, 1920.

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

Edward George Kirby, of Toledo, Ohio; Frank Peairs Kennison, of Toledo, Ohio; Jackson B. Kemper, of Milwaukee, Wis.; Sam Wynne Maples, of Chattanooga, Tenn.; Elias Field, of Boston, Mass.; Nicholas Kelley, of New York City; and Seymour Parker Gilbert, jr., of New York City, were admitted to practice.

No. 65. Bartholomew Sullivan et al., appellants, *v.* Jane Kidd. Passed, per stipulation, on motion of Mr. Jackson H. Ralston for the appellee.

No. 369. American Column & Lumber Company et al., appellants, *v.* The United States of America. Argument continued by Mr. G. Carroll Todd for the appellants, by Mr. Henry S. Mitchell for the appellee, and concluded by Mr. L. C. Boyle for appellants.

No. 54. Ana Maria Sugar Company (Inc.), petitioner, *v.* Tomas Quinones. Argued by Mr. E. Crosby Kindleberger for the petitioner, and submitted by Mr. Jorge V. Dominguez for the respondent.

No. 57. Postal Telegraph-Cable Company, petitioner, *v.* J. L. Dickerson. Argued by Mr. W. W. Millan for the petitioner, and submitted by Mr. William D. Anderson for the respondent.

No. 60. Midland Linseed Company, plaintiff in error, *v.* American Liquid Fireproofing Company et al. Argued by Mr. Denis M. Keleher for the plaintiff in error, and submitted by Mr. Fred P. Carr for the defendants in error.

No. 61. Ada C. Mongrain, plaintiff in error, *v.* W. H. Aaron et al. Submitted by Mr. Preston A. Shinn for the plaintiff in error, with leave to counsel for the defendants in error to file brief within 30 days.

No. 63. The People of the State of New York on the relation of The Troy Union Railroad Company, plaintiff in error, *v.* G. Frank

Mealy et al., etc., et al. Submitted by Mr. William L. Visscher and Mr. Lewis E. Carr for the plaintiff in error, and by Mr. George B. Wellington for the defendants in error.

No. 575. Jules W. Arndstein, appellant, *v.* Thomas D. McCarthy, United States Marshal, etc. Argument commenced by Mr. Rufus S. Day for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 22, will be as follows: Nos. 575, 69, 70, 71, 73, 74, 76, 78, 79, and 80.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 22, 1920.

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

Glen E. Huntsberger, of Los Angeles, Calif., George W. Offutt, jr., of Washington, D. C., Benj. I. Shiverts, of New York City, and William J. Fallon, of New York City, were admitted to practice.

No. 74. Lillian Nicchia, plaintiff in error, *v.* The People of the State of New York. Passed, per stipulation, on motion of Mr. Clarence R. Wilson in that behalf.

No. 79. Joseph Gilbert, plaintiff in error, *v.* The State of Minnesota. Passed, per stipulation.

No. 575. Jules W. Arndstein, appellant, *v.* Thomas D. McCarthy, U. S. marshal, etc. Argument continued by Mr. Rufus S. Day for the appellant, by Mr. Solicitor General Frierson for the appellee, and concluded by Mr. William J. Fallon for the appellant.

No. 69. Niles-Bement-Pond Company, appellant, *v.* Iron Molders Union, Local No. 68, et al. Argued by Mr. Lawrence Maxwell and Mr. Murray Seasongood for the appellant, and by Mr. W. B. Rubin and Mr. Robert J. Shank for the appellees.

No. 70. The Northwestern Mutual Life Insurance Company *v.* Isabel H. Johnson. Submitted by Mr. George Lines for The Northwestern Mutual Life Insurance Company, and by Mr. S. F. Prouty for Isabel H. Johnson.

No. 71. National Life Insurance Company, of Montpelier, Vermont, *v.* A. M. Miller, administrator, etc. Submitted by Mr. George B. Young for National Life Insurance Company, of Montpelier, Vermont, and by Mr. S. F. Prouty for A. M. Miller, administrator, etc.

No. 73. Jane Field, appellant, *v.* The United States. Argued by Mr. William W. Scott for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 25, 1920.

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

William F. Norman, of Chattanooga, Tenn; Joseph McCormack, of Erie, Pa.; John G. Rauch, of Indianapolis, Ind.; James L. Fort, of Danville, Ga.; and Joseph M. Ryan, of Louisville, Ky., were admitted to practice.

No. 241. Western Union Telegraph Company, petitioner, *v.* Addie Speight. On writ of certiorari to the Supreme Court of the State of North Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion of Mr. Justice Holmes. Mr. Justice Pitney concurs in the result.

The Chief Justice announced the following orders of the court:

No. 214. J. W. Goldsmith, jr.—Grant Company, plaintiff in error, *v.* The United States of America. Motion to advance granted, and cause assigned for argument on Monday, December 6 next, after the cases heretofore assigned for that day.

No. 375. H. W. Cargill, as assessor, etc., et al., petitioners, *v.* The United States ex rel. Frank Pierce. Motion to dismiss for want of prosecution denied without prejudice.

No. 541. The First National Bank of Gulfport, Mississippi, petitioner, *v.* Wirt Adams, revenue agent, etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi granted.

No. 543. Ephraim Lederer, Collector, etc., petitioner, *v.* Alexander J. Stockton, Sole Surviving Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation, Limited, owner, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 570. Chicago & North Western Railway Company, petitioner, *v.* C. C. Whitnack Produce Company. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska granted.

No. 547. Elliott Frederick, trustee, etc., *v.* The Fidelity Mutual Life Insurance Company, of Philadelphia. Petition for a writ of certiorari to the Superior Court of the State of Pennsylvania granted.

No. 552. Commissioners of Road Improvement District No. 2, etc., petitioners, *v.* St. Louis Southwestern Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 527. Lee U. Ong, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 528. Frederick C. Taxis et al., petitioners, *v.* Universal Form Clamp Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 529. Marcelino Lontok, petitioner, *v.* The United States. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 533. The Egrý Register Company, petitioner, *v.* The Standard Register Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 534. Rene Arbib, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 535. Galveston, Houston & Henderson Railroad Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 537. Elizabeth L. Hughes, petitioner, *v.* Sara E. Techt, also known as Sarah E. Techt. Petition for a writ of certiorari to the Court of Appeals of the State of New York denied.

No. 539. Catherine K. Newton et al., petitioners, *v.* William A. Rhea et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 540. Luckenbach Steamship Company (Inc.) et al., petitioners, *v.* W. R. Grace & Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 542. James F. Bishop, administrator, etc., et al., petitioners, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 549. F. M. Hathaway et al., petitioners, *v.* Ford Motor Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 556. The Central Railroad Company of New Jersey, petitioner, *v.* Edna May Knorr. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 557. Sherwood S. Mattocks, petitioner, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the seventh Circuit denied.

No. 565. E. Hamilton et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 567. Morris Levinson, appellant, *v.* The United States of America et al. Petition for a writ of certiorari herein denied.

No. 381. Andrew P. Lockhart, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 536. Frederick Kerr, petitioner, *v.* Frederick Tanini Tagliavia. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 561. Southern Railway Company, petitioner, *v.* Alma R. Miller, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 563. Lewiston Milling Company (Limited), petitioner, *v.* Ira D. Cardiff et al, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 538. Hartman-Blanchard Company, petitioner, *v.* Kittie Ten Eyck et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 564. Atlantic Coast Line Railroad Company, petitioner, *v.* Emma Raulerson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 569. Elizabeth S. Prentiss, petitioner, *v.* Mark Eisner, collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 576. J. E. Brewer et al., petitioners, *v.* Postal Telegraph Cable Company. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri denied.

No. 573. Harry S. Mecartney, petitioner, *v.* Bainbridge Colby, Secretary of State of the United States, et al. Motion to be heard orally on petition for a writ of certiorari refused, and petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 28. Franklin Shaw et al., appellants, *v.* John Barton Payne, Secretary of the Interior. Motion to dismiss or affirm submitted by Mr. Solicitor General Frierson for the appellee in support of the motion, and by Mr. Charles A. Towne and Mr. Duane E. Fox for the appellants in opposition thereto.

No. 206. The United States of America, plaintiff in error, *v.* James H. Strang et al. Motion to advance submitted by Mr. Solicitor General Frierson for the plaintiff in error.

No. 440. United States Shipping Board Emergency Fleet Corporation, plaintiff in error, *v.* Joseph N. Kinney. Motion to advance submitted by Mr. Solicitor General Frierson for plaintiff in error.

No. 249. Charles W. Steene et al., plaintiffs in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General Frierson for the defendant in error in support of the motion, and by Mr. Seymour Stedman for the plaintiffs in error in opposition thereto.

No. 442. The United States, appellant, *v.* Stanley Field, as executor, etc. Motion to advance submitted by Mr. Solicitor General Frierson for appellant.

No. 585. Lambert Run Coal Company, appellant, *v.* The Baltimore & Ohio Railroad Company. Motion to advance submitted by Mr. Frank E. Harkness for the appellant.

No. 22, original. The State of New Mexico, complainant, *v.* The State of Colorado. On motion of Mr. Frederick S. Tyler, in behalf of counsel for the complainant, leave is granted to file replication to the answer of the defendant, to file answer to the cross-bill, and to file motion to strike out parts of answer of the defendant to the bill of complaint.

No. 217. The Auglaize Box Board Company, plaintiff in error, *v.* Bessie Hinton, etc., et al. Motion to dismiss or affirm submitted by Mr. J. H. Goeke and Mr. T. T. Ansberry for the defendants in error in support of the motion and by Mr. Earl H. Turner for the plaintiff in error in opposition thereto.

No. 568. Chichagoff Mining Company, petitioner, *v.* John Tuppela. Petition for a writ of certiorari to the United States Circuit of Appeals for the Ninth Circuit submitted by Mr. John P. Gray for the petitioner and by Mr. J. H. Cobb for the respondent.

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

The day call for Monday, November 8, will be as follows: Nos. 76, 77, 78, 80, 81, 82, 83, 84, 85, and 86.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 8, 1920.

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

John A. Millener, of Columbus, Ohio; Henry A. Berger, of Chicago, Ill.; Edmund G. Borden, of New York City; Clarence E. Wilcox, of Detroit, Mich.; Charles S. Lawrence, of Nashville, Tenn.; Henry B. Potter, of New York City; George Bayard Jones, of Chicago, Ill.; and Thomas G. Long, of Detroit, Mich., were admitted to practice.

No. 69. Niles-Bement-Pond Company, appellant, *v.* Iron Molders' Union Local Number 68 et al. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. Appeal dismissed, petition for writ of certiorari granted, and decree of the Circuit Court of Appeals affirmed, with costs; and cause remanded to the District Court of the United States for the Southern District of Ohio. Opinion by Mr. Justice Clarke. Dissenting, Mr. Justice Pitney and Mr. Justice McReynolds.

No. 75. Wells Brothers Company of New York, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 278. William G. Street, appellant, *v.* Lincoln Safe Deposit Company and Daniel L. Porter. Appeal from the District Court of the United States for the Southern District of New York. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke. (Mr. Justice McReynolds concurs in the result.)

Nos. 271 and 272. The United States, petitioner, *v.* National Surety Company. On writs 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 Brandeis.

No. 575. Jules W. Arndstein, appellant, *v.* Thomas D. McCarthy, United States Marshal for the Southern District of New York. Appeal from the District Court of the United States for the Southern

District of New York. Final order reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds. (Mr. Justice Day took no part in the consideration or decision of this case.)

No. 27. Seaboard Air Line Railway Company et al., appellants, *v.* The United States of America et al. Appeal from the District Court of the United States for the Eastern District of Virginia. Decree affirmed. Opinion by Mr. Justice Day.

No. 29. H. Turner et al., executors of the estate of J. O. Morton, deceased, plaintiffs in error, *v.* J. P. Wade, sheriff of Brooks County, Georgia. In error to the Supreme Court of the State of Georgia. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 63. The People of the State of New York on the relation of the Troy Union Railroad Company, plaintiff in error, *v.* G. Frank Mealy et al., as assessors, et al. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 289. William E. Johnson, plaintiff in error, *v.* The State of Maryland. In error to the Circuit Court of Frederick County, State of Maryland. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Pitney and Mr. Justice McReynolds.

No. 22. New York Scaffolding Company, petitioner, *v.* Liebel-Binney Construction Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Pennsylvania. Opinion by Mr. Justice McKenna.

No. 23. New York Scaffolding Company, petitioner, *v.* Chain Belt Company et al., etc. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree of the District Court of the United States for the Eastern District of Wisconsin reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 19. New York Scaffolding Company, petitioner, *v.* George R. Whitney, sr., as administrator, etc. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Petition for a writ of certiorari denied. Announced by Mr. Justice McKenna.

No. 275. The United States of America, plaintiff in error, *v.* James Butt, alias Wong Sing. In error to the District Court of the United States for the Northern District of California. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 26. Edward B. Pryor and Edward F. Kearney, receivers of the Wabash Railroad Company, petitioners, *v.* Allega Williams. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 300. John C. Heald et al., committee of the person and estate of Eugene Peters, *v.* The District of Columbia. On a certificate from the Court of Appeals of the District of Columbia. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

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

No. 28. Franklin Shaw et al., appellants, *v.* John Barton Payne, Secretary of the Interior. Appeal from the Court of Appeals of the District of Columbia. Per curiam: Dismissed for want of jurisdiction upon the authority of *Champion Lumber Co. v. Fisher*, 227 U. S., 445; *Taylor v. Taft*, 203 U. S., 461.

No. 57. Postal Telegraph-Cable Company, petitioner, *v.* J. L. Dickerson. On writ of certiorari to the Supreme Court of the State of Mississippi. Per curiam: Reversed upon authority of *Postal Telegraph-Cable Co. v. Warren-Godwin Lumber Co.*, 251 U. S., 27; *Western Union Telegraph Co. v. Boegli*, 251 U. S., 315.

No. 60. Midland Linseed Company, plaintiff in error, *v.* American Liquid Fireproofing Company et al. In error to the Supreme Court of the State of Iowa. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, ch. 448, sec. 2, 39 Stat., 726.

No. 73. Jane Field, appellant *v.* The United States. Appeal from the Court of Claims. Per curiam: Affirmed upon the authority of *Jackson v. United States*, 230 U. S. 1; *Hughes v. United States*, 230 U. S. 24; *Cubbins v. Mississippi River Commission*, 241 U. S. 351.

No. 217. The Auglaize Box Board Company, plaintiff in error, *v.* Bessie Hinton, etc., et al. In error to the Supreme Court of the State of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *California Powder Works v. Davis*, 151 U. S. 389, 393; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S. 300, 303; *Bilby v. Stewart*, 246 U. S. 255, 257; *Farson, Son & Co. v. Bird*, 248 U. S. 268, 271; (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Chicago, Rock Island & Pacific Ry Co. v.*

Maucher, 248 U. S. 359, 362; *Berkman v. United States*, 250 U. S. 114, 118.

No. 306. *Sheldon Dole Leman et al., executors, etc., plaintiffs in error, v. Sidney C. Eastman, trustee, etc., et al.* In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Reetz v. Michigan*, 188 U. S. 505, 508; *United States v. Heinze*, 218 U. S. 532, 545-546; *Lott v. Pittman*, 243 U. S. 588, 591; Ex parte *Abdu*, 247 U. S. 27, 30; (2) *Castillo v. McConnico*, 168 U. S. 674, 683; *Standard Oil Co. v. Missouri*, 224 U. S. 270, 281; *McDonald v. Oregon Navigation Co.*, 233 U. S. 665, 669-670; *Gasquet v. Lapeyre*, 242 U. S. 367, 369-370.

No. 206. *The United States of America, plaintiff in error, v. James H. Strang et al.*; and

No. 440. *United States Shipping Board Emergency Fleet Corporation, plaintiff in error, v. Joseph N. Kinney.* Motion to advance granted, and cases assigned for argument on Monday, December 6, next, after the cases heretofore assigned for that day.

No. 442. *The United States, appellant, v. Stanley Field, as executor, etc.* Motion to advance granted, and cause assigned for argument on Monday, December 6, next, after the cases heretofore assigned for that day.

No. 585. *Lambert Run Coal Company, appellant, v. The Baltimore & Ohio Railroad Company.* Motion to advance denied.

No. 249. *Charles W. Steene et al., plaintiffs in error, v. The United States of America.* Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 568. *Chichagoff Mining Company, petitioner, v. John Tuppela.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 250. *Felix Gouled v. The United States of America.* Motion to advance submitted by Mr. Solicitor General Frierson for the United States of America.

No. 460. *Victor L. Berger et al. v. The United States of America.* Motion to advance submitted by Mr. Solicitor General Frierson for the United States of America.

No. 349. *W. H. Humphreys, as administrator, etc., plaintiff in error, v. Bates & Rogers Construction Company.* Motion to affirm or place on the summary docket submitted by Mr. Edwin A. Swingle, Mr. E. L. Worthington, and Mr. Le Wright Browning for the defendant in error in support of the motion, and by Mr. Alan D. Cole for the plaintiff in error in opposition thereto.

No. 502. *Hugh Reilly, plaintiff in error, v. Robert Shipman et al., etc.* Motion to dismiss submitted by Mr. Guy Mason, Mr. W. W.

Spalding, Mr. S. B. Davis, jr., and Mr. E. R. Wright for the defendants in error in support of the motion, and by Mr. Frank Faircloth and Mr. Harry L. Patton for the plaintiff in error in opposition thereto.

No. 492. Detroit United Railway, appellant, *v.* City of Detroit et al. Motion to advance or for an injunction pending the hearing submitted by Mr. Elliott G. Stevenson, Mr. John C. Donnelly, Mr. William L. Carpenter, Mr. P. J. M. Hally, and Mr. H. E. Spalding for the appellant.

No. 492. Detroit United Railway, appellant, *v.* City of Detroit et al. Motion to dismiss or affirm or advance submitted by Mr. Alfred Lucking and Mr. Clarence E. Wilcox for the appellees in support of the motion, and by Mr. Elliott G. Stevenson, Mr. John C. Donnelly, Mr. William L. Carpenter, Mr. P. J. M. Hally, Mr. H. E. Spalding and Mr. Charles E. Hughes for the appellant in opposition thereto.

No. 575. Jules W. Arndstein, appellant *v.* Thomas D. McCarthy, U. S. Marshal, etc. Mandate granted, on motion of Mr. George L. Boyle for the appellant.

No. 599. P. Lorillard Company et al., petitioners, *v.* National Steam Navigation Company, Limited, of Greece. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John G. Milburn, Mr. Charles K. Carpenter, and Mr. D. Roger Englar for the petitioners, and by Mr. J. Parker Kirlin and Mr. Cletus Keating for the respondent.

No. 596. Washington Railway & Electric Company, petitioner, *v.* George C. Stuart. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John S. Barbour for the petitioner.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Third report of receiver filed, on motion of Mr. J. S. Flannery in that behalf.

No. 591. Samuel C. Jackson, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Abner H. Ferguson for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 120. Charles K. Hogan, appellant, *v.* William H. O'Neill, Chief of Police, etc. Submitted pursuant to the 20th rule by Mr. Reuben D. Silliman for the appellant, and by Mr. Joseph C. Pelletier for the appellee.

No. 157. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Daniel J. Perry. Motion to dismiss submitted by Mr. Ed. S. Vaught and Mr. J. H. Everest for the defendant in error in support of the motion, and by Mr. C. O. Blake, Mr. R. J. Roberts, Mr. John W. Willmott, and Mr. W. R. Bleakmore for the plaintiff in error in opposition thereto.

No. 359. Cornelius C. Watts et al., plaintiffs in error, *v.* The State of Arizona at the relation, etc., of Ignatius Burgoon, treasurer, etc. Petition for a writ of certiorari herein submitted by Mr. Herbert Noble and Mr. Joseph W. Bailey for the plaintiffs in error in support of the petition.

No. 566. Fernand V. Gasquet, petitioner, *v.* George F. Lapeyre and J. Martial Lapeyre. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. J. C. Gilmore, Mr. Thomas Gilmore, Mr. William Winans Wall, and Mr. G. T. Fitzhugh for the petitioner.

No. 574. The Kansas City Southern Railway Company, petitioner, *v.* Nick Leinen. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. S. W. Moore, Mr. James B. McDonough, and Mr. A. F. Smith for the petitioner.

No. 584. Chapin-Sacks Manufacturing Company, petitioner, *v.* The Hendler-Creamery Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Isaac Lobe Straus, Mr. Walter A. Johnston, and Mr. F. M. Phelps for the petitioner, and by Mr. Vernon Cook for the respondent.

No. 597. Roberts Cone Manufacturing Company et al., petitioners, *v.* Frederick A. Bruckman et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. H. A. Toulmin and Mr. H. A. Toulmin, jr., for the petitioners, and by Mr. Albert E. Dieterich for the respondents.

No. 92. William Parent et al., appellants, *v.* Irene L. Simmons Picotte. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs, on motion of counsel for the appellants.

No. 102. The Lakewood Engineering Company, plaintiff in error, *v.* The New York Central Railroad Company. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 218. Gertrude Groot, plaintiff in error, *v.* Caroline I. Reilly. In error to the Court of Appeals of the District of Columbia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 82. Rock Island, Arkansas & Louisiana Railroad Company, appellant, *v.* The United States. Submitted by Mr. Thomas P. Littlepage and Mr. Sidney F. Taliaferro for the appellant, and by Mr. Solicitor General Frierson for the appellee.

No. 83. Benjamin Bond, plaintiff in error, *v.* Augusta E. Walters. Submitted by Mr. Daniel N. Clark and Mr. Harry A. Hegarty for the plaintiff in error, and by Mr. John W. Preston and Mr. John C. Brooke for the defendant in error.

No. 76. Frank C. Thornton et al., plaintiffs in error, *v.* Thomas J. Duffy et al., etc. Argument commenced by Mr. Judson Harmon for the plaintiffs in error, continued by Mr. Timothy S. Hogan and Mr. B. W. Gearhart for the defendants in error, and concluded by Mr. Arthur I. Vorys for the plaintiffs in error.

No. 77. George D. Horning, petitioner, *v.* The District of Columbia. Argument commenced by Mr. Henry E. Davis for the petitioner, and continued by Mr. Robert L. Williams for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 9, will be as follows: Nos. 77, 78, 80, 81, 84, 85, 86, 79, 87, and 88.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 9, 1920.

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

No. 300. John C. Heald et al., Committee of the Person and Estate of Eugene Peters, *v.* The District of Columbia. Mandate granted, on motion of Mr. A. S. Worthington for John C. Heald et al., Committee, etc.

No. 220. Tony Tachin and Fred Fedotoff, plaintiffs in error, *v.* The State of New Jersey. In error to the Court of Errors and Appeals of the State of New Jersey. Dismissed with costs on motion of counsel for the plaintiffs in error.

No. 77. George D. Horning, petitioner, *v.* The District of Columbia. Argument continued by Mr. Robert L. Williams for the respondent, and concluded by Mr. Henry E. Davis for the petitioner.

No. 78. Albert J. Bothwell et al., appellants, *v.* The United States. Argued by Mr. Charles H. Merillat for the appellants, and by Mr. Assistant Attorney General Davis for the appellee.

No. 80. James O. Starr et al., plaintiffs in error, *v.* The State of New Mexico. Argued by Mr. Henry B. Holt for the plaintiffs in error, and submitted by Mr. Harry S. Bowman for the defendant in error.

No. 81. The State of Louisiana ex rel. Thomas J. Duggan, etc., plaintiff in error, *v.* A. W. Crandell, Register of the State Land Office. Argued by Mr. Henry H. Glassie for the plaintiff in error, and by Mr. Paul A. Sompayrac for the defendant in error.

No. 84. T. M. Duche & Sons, Ltd., petitioner, *v.* American Schooner "John Twohy," her tackle, etc., Albert D. Cummins et al., claimants. Argued by Mr. Willard J. Conlen for the petitioner. No brief filed for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 10, will be as follows: Nos. 85, 86, 79, 87, 88, 89, 90, 91, 93, and 94.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 10, 1920.

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

Forrest M. Anderson, of New York City; Logan W. Marshall, of Dayton, Ohio; Joseph A. Bates, of Chicago, Ill., William B. Moulton, of Chicago, Ill.; George M. Morris, of Washington, D. C.; and Hiram W. Rodgers, of Anaconda, Mont., were admitted to practice.

No. 94. Edward F. Jackman, plaintiff in error, *v.* The Rosenbaum Company. Passed, per stipulation.

No. 85. Lewis M. Haupt, appellant, *v.* The United States. Argued by Mr. Benjamin Carter for the appellant, and by Mr. Daniel L. Morris for the appellee.

No. 79. Joseph Gilbert, plaintiff in error, *v.* The State of Minnesota. Argument commenced by Mr. George Nordlin for the plaintiff in error, continued by Mr. Frederick A. Pike for the plaintiff in error, and by Mr. James E. Markham for the defendant in error, and concluded by Mr. George Nordlin for the plaintiff in error.

No. 86. The Journal & Tribune Company, appellant, *v.* The United States. Argument commenced by Mr. Benjamin Carter for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 11, will be as follows: Nos. 86, 87, 88, 89, 90, 91, 93, 95, 96, and 33 (to 40).

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 11, 1920.

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

R. Allan Stephens, of Danville, Ill.; James R. Dougherty, of Beeville, Tex.; Martin Taylor, of New York City; Charles W. Darr, of Washington, D. C.; and Albert C. Aiken, of San Francisco, Calif., were admitted to practice.

No. 108. The American Telephone & Telegraph Company of Baltimore City, plaintiff in error, *v.* The State Roads Commission of Maryland. In error to the Court of Appeals of the State of Maryland. Dismissed with costs, per stipulation.

No. 119. The Chesapeake & Potomac Telephone Company of Baltimore City, plaintiff in error, *v.* The State Roads Commission of Maryland. In error to the Court of Appeals of the State of Maryland. Dismissed with costs, per stipulation.

No. 85. Lewis M. Haupt, appellant, *v.* The United States. Leave granted to file reply brief within three days, on motion of Mr. Benjamin Carter for the appellant.

No. 86. The Journal & Tribune Company, appellant, *v.* The United States. Argument continued by Mr. Benjamin Carter for the appellant, and by Mr. Assistant Attorney General Davis for the appellee, and concluded by Mr. Benjamin Carter for the appellant.

No. 87. The United States of America, appellant, *v.* The Diamond Coal & Coke Company. Argued by Mr. Assistant Attorney General Nebeker for the appellant, and by Mr. W. B. Rodgers for the appellee.

No. 88. The United States, petitioner, *v.* Northern Pacific Railway Company. Argument commenced by Assistant Attorney General Adams for the petitioner, and continued by Mr. D. F. Lyons for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 12, will be as follows: Nos. 88, 89, 90, 91, 93, 95, 96, 33 (to 40), 74, and 53.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 12, 1920.

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

Paul G. Gravenhorst, of New York City; Francis W. Treadway, of Cleveland, Ohio, and Allan K. Smith, of Hartford, Conn., were admitted to practice.

No. 546. Max W. Stoehr, etc., appellant, *v.* James N. Wallace et al. Motion to advance submitted by Mr. Solicitor General Frierson for the appellees.

No. 88. The United States, petitioner, *v.* Northern Pacific Railway Company. Argument continued by Mr. D. F. Lyons for the respondent, and concluded by Assistant Attorney General Adams for the petitioner.

No. 89. Joseph H. Sampliner, plaintiff in error, *v.* Motion Picture Patents Company et al. Argued by Mr. John G. White for the plaintiff in error, and by Mr. Samuel Seabury for the defendants in error.

No. 90. Great Western Serum Company, appellant, *v.* The United States. Argued by Mr. Edwin H. Cassels for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

No. 91. El Banco Popular de Economias y Prestamos de San Juan, P. R., appellant, *v.* Elias B. Wilcox. Argued by Mr. Boyd B. Jones for the appellant, and by Mr. Ben A. Matthews for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 15, will be as follows: Nos. 93, 95, 96, 33 (to 40), 74, 53, 97, 98, 99, and 100.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 15, 1920.

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

James R. Sheppard, jr., of Richmond, Va., Merwin S. Bobst, of Miami, Fla., Louis Kleindienst, of Los Angeles, Calif., Webster Spates, of Washington, D. C., Francis Scott, of Paterson, N. J., Frank H. Sommer, of Newark, N. J., Curtis E. Chillingworth, of West Palm Beach, Fla., and Arthur E. Paige, of Philadelphia, Pa., were admitted to practice.

No. 215. *The Underwood Typewriter Company, plaintiff in error, v. Frederick S. Chamberlain, Treasurer of the State of Connecticut.* In error to the Superior Court of the State of Connecticut. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 266. *Anna H. Watson et al., as executors, etc., plaintiffs in error, v. The State Comptroller of the State of New York.* In error to the Surrogate's Court of New York County, State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 51. *Annie Harris, formerly Annie Francis, et al., appellants, v. Harry H. Bell et al.* Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Van Devanter.

No. 70. *The Northwestern Mutual Life Insurance Company v. Isabel H. Johnson.* On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. First question certified answered in the affirmative. Opinion by Mr. Justice Holmes. (Mr. Justice Day took no part in the consideration or decision of this case.)

No. 71. *National Life Insurance Company of Montpelier, Vermont, v. A. M. Miller, administrator of the estate of George P. Johnson, deceased.* On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. First question certified answered

in the affirmative. Opinion by Mr. Justice Holmes. (Mr. Justice Day took no part in the consideration or decision of this case.)

The Chief Justice announced the following orders of the Court:

No. 80. Jesse O. Starr et al., plaintiffs in error, *v.* The State of New Mexico. In error to the Supreme Court of the State of New Mexico. Per curiam: Dismissed for want of jurisdiction upon the authority of *Spencer v. Duplan Silk Co.*, 191 U. S., 526, 530; *Hull v. Burr*, 234 U. S., 712, 720; *Shulthis v. McDougal*, 225 U. S., 561, 569; *Norton v. Whiteside*, 239 U. S., 144, 147.

No. 81. The State of Louisiana ex rel., Thomas J. Duggan, etc., plaintiff in error, *v.* A. W. Crandell, register of the State land office. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Spencer v. Duplan Silk Co.*, 191 U. S., 526, 530; *Hull v. Burr*, 234 U. S., 712, 720; *Shulthis v. McDougal*, 225 U. S., 561, 569; *Norton v. Whiteside*, 239 U. S., 144, 147; (2) *California Powder Works v. Davis*, 151 U. S., 389, 393; *Gaar Scott & Co. v. Shannon*, 223 U. S., 468, 470; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S., 300, 303; *Bilby v. Stewart*, 246 U. S., 255, 257; *Farson Son & Co. v. Bird*, 248 U. S., 268, 271.

No. 83. Benjamin Bond, plaintiff in error, *v.* Augusta E. Walters. In error to the Court of Appeals for the First Appellate District, Division One, State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of the act of Congress of September 6, 1916.

No. 349. W. H. Humphreys, as administrator, etc., plaintiff in error, *v.* Bates & Rogers Construction Company. In error to the Court of Appeals of the State of Kentucky. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *California Powder Works v. Davis*, 151 U. S. 389, 393; *Gaar Scott & Co. v. Shannon*, 223 U. S. 468, 470; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S. 300, 303; *Bilby v. Stewart*, 246 U. S. 255, 257; *Farson, Son & Co. v. Bird*, 248 U. S. 268, 271; (and see *Northern Pac. Ry. Co. v. Meese*, 239 U. S. 614, 619); (2) *Equitable Life Assurance Co. v. Brown*, 187 U. S. 308, 314; *Consolidated Turnpike Co. v. Norfolk, &c., Ry. Co.*, 228 U. S. 596, 690; *Merriam Co. v. Syndicate Pub. Co.*, 237 U. S. 618, 621; *Contributors of Pennsylvania Hospital v. City of Philadelphia*, 245 U. S. 20, 24; (3) *New York Central Railroad Co. v. White*, 243 U. S. 188, 198; *Mountain Timber Co. v. Washington*, 243 U. S. 219, 234; *Middleton v. Texas Power & Light Co.*, 249 U. S. 152, 163; *Arizona Copper Co. v. Hammer*, 250 U. S. 400; (4) *Palmer v. Ohio*, 248 U. S. 32, 34.

No. 460. Victor L. Berger et al. *v.* The United States of America. Motion to advance granted, and cause assigned for argument on

Monday, December 6 next, after the cases heretofore assigned for that day.

No. 250. *Felix Gouled v. The United States of America*. Motion to advance granted, and cause assigned for argument on Monday, January 3 next, after the cases heretofore assigned for that day.

No. 546. *Max W. Stoehr, suing in his own behalf, etc., appellant, v. James N. Wallace et al.* Motion to advance granted, and cause assigned for argument on Monday, January 3 next, after the cases heretofore assigned for that day.

No. 492. *Detroit United Railway, appellant, v. City of Detroit et al.* Motion for an injunction denied. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits. Motion to advance granted, and cause assigned for argument on Monday, January 3 next, after the cases heretofore assigned for that day.

No. 157. *The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, v. Daniel J. Perry*. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 62. *The Seaboard Air Line Railway, appellant, v. The United States*. Restored to the docket for reargument.

No. 544. *James J. Rafferty, Collector of Internal Revenue for the Philippine Islands, petitioner, v. Smith, Bell & Company, Limited*. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 548. *James J. Rafferty, Collector of Internal Revenue for the Philippine Islands, petitioner, v. Compania General de Tabacos de Filipinas*. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 553. *James J. Rafferty, Collector of Internal Revenue for the Philippine Islands, petitioner, v. Visayan Refining Company*. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 359. *Cornelius C. Watts et al., plaintiffs in error, v. The State of Arizona at the relation, etc., of Ignatius Burgoon, Treasurer, etc.* Petition for a writ of certiorari herein denied.

No. 566. *Fernand V. Gasquet, petitioner, v. George F. Lapeyre et al.* Petition for a writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 574. *The Kansas City Southern Railway Company, petitioner, v. Nick Leinen*. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 584. *Chapin-Sacks Manufacturing Company, petitioner, v. The Hendler Creamery Company et al.* Petition for a writ of cer-

tiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 591. Samuel C. Jackson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 596. Washington Railway & Electric Company, petitioner, *v.* George C. Stuart. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 597. Roberts Cone Manufacturing Company, petitioner, *v.* Frederick A. Bruckman et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 599. P. Lorillard Company et al., petitioners, *v.* National Steam Navigation Company, Limited, of Greece. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

The Chief Justice also announced that the court will take a recess from Monday, the 22d instant, to Monday, December 6 next.

No. 135. The United States of America ex rel. C. E. Sykes, plaintiff in error, *v.* John Barton Payne, Secretary of the Interior. Motion to dismiss or affirm submitted by Mr. Solicitor General Frierson, Mr. Assistant Attorney General Nebeker, and Mr. Assistant Attorney General Underwood for the defendant in error in support of the motion, and by Mr. H. A. Ledbetter and Mr. Francis W. Clements for the plaintiff in error in opposition thereto.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Frierson for the appellee.

No. 559. Truman H. Newberry et al., plaintiffs in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Frierson for the defendant in error, with consent thereto by Mr. Charles E. Hughes for the plaintiffs in error.

No. 588. The United States of America ex rel. Harry S. Mecartney, plaintiff in error, *v.* Bainbridge Colby, Secretary of State, et al. Motion to advance submitted by Mr. W. C. Sullivan for the plaintiff in error.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file a petition of the General Oil Company for an order on the receiver to restore certain property submitted by Mr. A. H. Carrigan in that behalf.

No. 603. United Zinc and Chemical Company, petitioner, *v.* Van Britt and Susie Britt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Henry D. Ashley for the petitioner.

No. —, original. *Ex parte* In the matter of The State of New York et al., petitioners. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. George A. King for the petitioners.

No. —, original. *Ex parte* In the matter of The State of New York and The People of the State of New York, as owner of the steam tug "Queen City," petitioners. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. George A. King for the petitioners.

No. 555. The Texas Company, petition, *v.* Hogarth Shipping Corporation, Ltd., owner, etc., et al. Motion for leave to intervene, to file brief as *amicus curiae*, and to be heard, submitted by Mr. Charles A. Conlon in behalf of Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury for the British Embassy.

No. 237. Sarah Mary Wall, administratrix, etc., plaintiff in error, *v.* The Chesapeake & Ohio Railway Company. Motion to dismiss submitted by Mr. Worth E. Caylor for the defendant in error in support of the motion, and by Mr. Almon W. Bulkley and Mr. C. E. More for the plaintiff in error in opposition thereto.

No. 375. H. W. Cargill, as assessor, etc., et al., petitioners, *v.* The United States ex rel. Frank Pierce. Motion to dismiss petition for want of prosecution submitted by Mr. George B. Pugh for the respondent in support of the motion.

No. 594. The First National Bank of Aiken, petitioner, *v.* The J. L. Mott Iron Works. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. William S. Nelson for the petitioner, and by Mr. D. S. Henderson for the respondent.

No. 595. Pacific Mail Steamship Company, petitioner, *v.* J. Lucas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles J. Hegerty for the petitioner, and by Mr. Frederick Clayton Peterson for the respondent.

No. 100. Galveston, Harrisburg & San Antonio Railway Company, petitioner, *v.* L. H. Woodbury et al. Submitted by Mr. T. J. Beall for the petitioner, and by Mr. Rufus B. Daniel for the respondents.

No. 93. Berlin Mills Company, petitioner, *v.* Proctor & Gamble Company. Argument commenced by Mr. Marcus B. May for the petitioner, continued by Mr. Livingston Gifford for the respondent, and concluded by Mr. Charles E. Hughes for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 16, will be as follows: Nos. 33 (to 40), 96, 95, 74, 53, 97, 98, 99, 101, and 103.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 16, 1920.

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

Frank E. Scott, of Emory, Va.; Charles H. Graves, of Toledo, Ohio; and William H. Wack, of New York City, were admitted to practice.

No. 439. Charles I. Dawson, Attorney General of the State of Kentucky, et al., appellants, *v.* Kentucky Distilleries Warehouse Company; and

No. 582. Charles I. Dawson, Attorney General of the State of Kentucky, et al., appellants, *v.* The J. & A. Freiberg Company, Inc. Reassigned for argument on January 3, 1921, on motion of Mr. Levi Cooke for the appellees.

No. 33. Erie Railroad Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 34. Erie Railroad Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 35. Passaic Water Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 36. Western Union Telegraph Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 37. D. Fullerton & Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 38. Jacob Meyer et al., etc., plaintiffs in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 39. Morris & Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.; and

No. 40. Public Service Railway Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.

Four and one-half hours allowed for the argument of these cases, on motion of Mr. George S. Hobart in that behalf. Argument com-

menced by Mr. George S. Hobart for the plaintiffs in error in Nos. 33 to 39; continued by Mr. Frank Bergen for the plaintiff in error in No. 40; by Mr. L. Edward Herrmann and Mr. Frank H. Sommer for the defendants in error, and by Mr. Charles E. Hughes for the plaintiffs in error in Nos. 33 to 39.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 17, will be as follows: Nos. 33 (to 40), 95, 96, 74, 53, 97, 98, 99, 101, and 103.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 17, 1920.

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

Ethelbert V. Grabill, of Boston, Mass., was admitted to practice.

No. 33. Erie Railroad Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 34. Erie Railroad Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 35. Passaic Water Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 36. Western Union Telegraph Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 37. D. Fullerton & Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 38. Jacob Meyer et al., etc., plaintiffs in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 39. Morris & Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 40. Public Service Railway Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al. Argument concluded by Mr. Charles E. Hughes for the plaintiff in error in Nos. 33 to 39.

No. 96. John Vallely, as trustee, etc., *v.* Northern Fire & Marine Insurance Company. Submitted by Mr. Rome G. Brown for John Vallely, trustee, etc., and by Mr. N. C. Young for Northern Fire & Marine Insurance Company.

No. 95. The United States of America on the relation of Verdine R. Hall, plaintiff in error, *v.* John Barton Payne, Secretary of the Interior. Argued by Mr. Patrick H. Loughran for the plaintiff in error, and by Mr. Assistant Attorney General Nebeker for the defendant in error.

No. 74. Lillian Nicchia, plaintiff in error, *v.* The People of the State of New York. Argument commenced by Mr. George P. Foulk for the plaintiff in error. The court declined to hear further argument.

No. 53. The United States, appellant, v. Nederlandsch-Amerikaansche Stoomvaart Maatschappij (Holland American Lijn). Re-argued by Mr. Assistant Attorney General Davis for the appellant, and by Mr. Howard Mansfield for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 18, will be as follows: Nos. 97, 98, 99, 101, 103, 104, 105, 106, 107, and 109.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 18, 1920.

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

Harold E. Lippincott, of New York City, was admitted to practice.

No. 104. Economy Light & Power Company, appellant, *v.* The United States of America. Passed, per stipulation.

No. 109. Emma Bernhardt et al., plaintiffs in error, *v.* Lewis Perry. In error to the Supreme Court of the State of Missouri. Dismissed with costs, pursuant to the tenth rule.

No. 97. The Thames Towboat Company, appellant, *v.* The Schooner "Francis McDonald," her tackle, etc., Albert D. Cumming, claimant. Argued by Mr. Samuel Park for the appellant, and by Mr. Mark Ash for the appellee.

No. 98. The City of Newport, appellant, *v.* Howard Heckerman et al., etc. Submitted by Mr. Brent Spence for the appellant. No appearance for the appellees.

No. 99. James A. Ownbey, plaintiff in error, *v.* John Pierpont Morgan, et al., executors, etc. Argued by Mr. Louis Marshall for the plaintiff in error, and by Mr. Willard Salisbury and Mr. Harlan F. Stone for the defendants in error.

No. 101. The Coca-Cola Company, petitioner, *v.* The Koke Company of America et al. Argument commenced by Mr. Frederick W. Lehmann for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, November 19, will be as follows: Nos. 101, 103, 105, 106, 107, 110, 111, 112, 113, and 114.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 19, 1920.

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

Daniel V. Mahoney, of Washington, D. C., was admitted to practice.

No. 146. Frank R. Lopez, appellant, *v.* Frederick C. Howe, as Commissioner of Immigration at the port of New York. Motion to dismiss submitted by Mr. Assistant Attorney General Stewart, Mr. Solicitor General Frierson, and Mr. Harry S. Ridgely for the appellee in support of the motion.

No. 110. Yee Bow, plaintiff in error, *v.* The City of Cleveland et al. Passed, per stipulation.

No. 113. The Baldwin Company, petitioner, *v.* R. S. Howard Company. Passed for hearing with No. 139, per stipulation.

No. 101. The Coca Cola Company, petitioner, *v.* The Koke Company of America et al. Argument continued by Mr. Richard E. Sloan and Mr. Joseph W. Bailey for the respondents, and concluded by Mr. Frederick W. Lehmann for the petitioner.

No. 103. Robert B. Brown, petitioner, *v.* The United States of America. Argument commenced by Mr. James R. Dougherty for the petitioner, continued by Mr. Assistant Attorney General Stewart for the respondent, and concluded by Mr. E. C. Brandenburg for the petitioner.

No. 105. Pere Marquette Railway Company, petitioner, *v.* J. F. French & Company. Argued by Mr. Oscar E. Waer for the petitioner and by Mr. Clare J. Hall for the respondent.

No. 106. Southern Pacific Company, petitioner, *v.* W. S. Berkshire, temporary administrator, etc. Submitted by Mr. William I. Gilbert and Mr. W. F. Herrin for the petitioner and by Mr. C. B. Hudspeth and Mr. George E. Wallace for the respondent.

Adjourned until Monday next at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 22, 1920.

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

Michael Francis Doyle, of Philadelphia, Pa.; Edwin C. Reed, of Washington, D. C.; Raymond S. Norris, of Washington, D. C.; John T. Dooling, of New York City; Robert Kemp Slaughter, of Woodlawn, Md.; Emmett R. Pollock, of Boston, Mass.; Albert Elias Miller, of Laurel, Md.; George M. Lanning, of New York City; Elisha Scott, of Topeka, Kans.; and Saul S. Myers, of New York City, were admitted to practice.

No. 46. International Bridge Company, plaintiff in error, *v.* The People of the State of New York. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Chief Justice White, Mr. Justice McKenna, and Mr. Justice McReynolds.

No. 77. George D. Horning, petitioner, *v.* The District of Columbia. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Brandeis, Mr. Chief Justice White, and Mr. Justice Day. Mr. Justice McReynolds also dissents.

No. 82. Rock Island, Arkansas & Louisiana Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 146. Frank R. Lopez, appellant, *v.* Frederick C. Howe, as Commissioner of Immigration at the Port of New York. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *Kurtz v. Moffitt*, 115 U. S. 487, 498; *Law Ow Bew v. U. S.*, 144 U. S. 47, 58; *Cross v. Burke*, 146 U. S. 82, 88; *Whitney v. Dick*, 202 U. S. 132, 135; *Horn v. Mitchell*, 243 U. S. 247. Petition for writ of certiorari herein denied.

No. 98. The City of Newport, appellant, *v.* Howard Heckerman et al., etc. Appeal from the District Court of the United States for the Eastern District of Kentucky. Per curiam: Reversed with costs and remanded for further proceedings upon the authority of *Wagner v. City of Covington*, 251 U. S. 95.

No. 502. Hugh Reilly, plaintiff in error, *v.* Robert Shipman et al. In error to the United States Circuit Court of Appeal for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Shulthis v. McDougal*, 225 U. S. 561, 568; *Hull v. Burr*, 234 U. S. 712, 720; *Louisville & Nashville R. R. Co. v. Western Union Telegraph Co.*, 237 U. S. 300, 302; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444; (2) *Spencer v. Duplan Silk Co.*, 191 U. S. 526, 530; *Devine v. Los Angeles*, 202 U. S. 313, 333; *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Motion to advance granted and cause assigned for argument on Monday, January 3, 1921, after the cases heretofore assigned for that day.

No. 559. Truman H. Newberry et al., plaintiffs in error, *v.* The United States of America. Motion to advance granted and cause assigned for argument on Monday, January 3, 1921, after the cases heretofore assigned for that day.

No. 588. The United States of America ex rel. Harry S. Mecartney, plaintiff in error, *v.* Bainbridge Colby, Secretary of State, etc., et al. Motion to advance denied.

No. 135. The United States of America ex rel. C. E. Sykes, plaintiff in error, *v.* John Barton Payne, Secretary of the Interior. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 237. Sarah Mary Wall, administratrix, etc., plaintiff in error, *v.* Chesapeake & Ohio Railway Company. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 375. H. W. Cargill, as assessor, etc., et al., petitioners, *v.* The United States ex rel. Frank Pierce. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed for want of prosecution.

No. 594. The First National Bank of Aiken, petitioner, *v.* The J. L. Mott Iron Works. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina granted.

No. 595. Pacific Mail Steamship Company, petitioner, *v.* J. Lucas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 603. United Zinc and Chemical Company, petitioner, *v.* Van Britt and Susie Britt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation, Ltd., etc., et al. Motion for leave to file brief herein on behalf of the British Embassy as *amicus curiae* granted and motion for leave to take part in the oral argument denied.

No. —, original. *Ex parte* In the matter of the The State of New York, Edward S. Walsh, Superintendent, etc., et al., petitioners. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein granted, and rule to show cause awarded returnable Monday, December 13 next.

No. —, original. *Ex parte* In the matter of The State of New York et al., Owners of the steam tug "Queen City," petitioner. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein granted, and rule to show cause awarded returnable Monday, December 13 next.

No. 159. Willis D. Williams and Azel Williams, plaintiffs in error, *v.* The United States of America. Motion to dismiss or affirm submitted by Mr. Solicitor General Frierson for the defendant in error in support of the motion, and by Mr. Milton W. Mangus for the plaintiffs in error in opposition thereto.

No. 197. Louis Wunder, plaintiff in error, *v.* The United States of America. Motion to dismiss or affirm submitted by Mr. Solicitor General Frierson for the defendant in error in support of the motion.

No. 392. Central Union Trust Company of New York, individually and as trustee, etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 393. Edwin G. Merrill et al., individually and as trustees, plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian;

N. 394. J. Markham Marshall et al., as trustees, etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 395. J. Markham Marshall et al., as trustees, etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian; and

No. 396. Metropolitan Trust Company of the City of New York trustee, etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian. Motion to advance submitted by Mr. Solicitor General Frierson for the defendant in error.

No. 440. United States Shipping Board Emergency Fleet Corporation, plaintiff in error, *v.* Joseph N. Kinney. In error to the District Court of the United States for the Eastern District of Penn-

sylvania. Dismissed with costs, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 524. The United States of America, plaintiff in error, *v.* The Coronado Beach Company; and

No. 525. The United States of America, appellant, *v.* Coronado Beach Company. Motion to advance submitted by Mr. Solicitor General Frierson for the plaintiff in error and appellant.

No. 575. Jules W. Arndstein, appellant, *v.* Thomas D. McCarthy, U. S. marshal, etc. Motion to recall mandate and for further proceedings herein submitted by Mr. Charles Henry Butler in behalf of counsel.

No. 388. John W. Davidge, plaintiff in error, *v.* Leo Simmons. Motion to dismiss submitted by Mr. Leo Simmons, pro se, in support of the motion, and by Mr. Chapin Brown in opposition.

No. 317. Giovanni Luzzato et al., etc., appellants, *v.* The steamship "Pesaro," etc. Motion to advance submitted by Mr. G. M. Lanning in behalf of counsel for appellee.

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation (Ltd.), owner, etc., et al. Motion to advance submitted by Mr. G. M. Lanning in behalf of counsel for respondent.

No. 614. Charles L. Baender, appellant, *v.* Frank Barnett, as sheriff, etc. Motion to advance and to admit to bail submitted by Mr. Frederick S. Tyler in behalf of appellant.

No. 149. Armour & Company et al., appellants, *v.* The City of Dallas et al. Suggestion of resignation of Pearl Wright and appointment of J. L. Lancaster and Charles L. Wallace as his successors as Receivers of Texas & Pacific Railway Company presented, and order substituting them as parties appellees entered, on motion of Mr. George H. Lamar, in behalf of counsel.

No. 616. R. L. Ammerman et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. W. C. Reeves in behalf of Mr. E. G. McAdams for the petitioners, with leave to counsel for the respondent to file brief on or before Monday next.

No. —, original. Ex parte In the matter of Geromina Sanguinetti et al., petitioners. Motion for leave to file petition for a writ of mandamus herein submitted by Mr. Benjamin Carter and Mr. Frank Carter Pope for the petitioners, and motion denied.

No. 611. Western Union Telegraph Company, petitioner, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Alexander Pope Humphrey, Mr. Rush

Taggart, Mr. Francis Raymond Stark, Mr. W. Overton Harris, Mr. Edward P. Humphrey, and Mr. William W. Crawford for the petitioner, and by Mr. Helm Bruce, Mr. Henry L. Stone, and Mr. Edward S. Jouett for the respondent.

No. 583. Producers Coke Company, petitioner, *v.* McKeefry Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Samuel John Morrow for the petitioner, and by Mr. Samuel McClay and Mr. William M. Robinson for the respondent.

No. 589. Fred Lasiter, administrator, etc., petitioner, *v.* Walter Ferguson. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. C. Dale Wolfe and Mr. George C. Crump for the petitioner.

No. 605. Arthur J. Dahn, petitioner, *v.* Walker D. Hines, Director General of Railroads of the United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Walter C. Clephane and Mr. J. Wilmer Latimer for the petitioner.

No. 226. Dallas Labor Temple Association et al., appellants, *v.* C. M. Cureton, Attorney General, etc., et al. Appeal from the District Court of the United States for the Northern District of Texas. Dismissed with costs, pursuant to the tenth rule.

No. 227. George Russell Hill et al., appellants, *v.* C. M. Cureton, Attorney General, etc., et al. Appeal from the District Court of the United States for the Northern District of Texas. Dismissed with costs, pursuant to the tenth rule.

No. 228. Galveston Artillery Club et al., appellants, *v.* C. M. Cureton, Attorney General, etc., et al. Appeal from the District Court of the United States for the Northern District of Texas. Dismissed with costs, pursuant to the tenth rule.

Adjourned until Monday, December 6 next, at 12 o'clock.

The day call for Monday, December 6, will be as follows: Nos. 107, 262, 304, 421, 337, 424, 214, 206, 442, and 460.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 6, 1920.

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

Charles E. Winter, of Casper, Wyo., Nathan R. Greenfield, of Rawlins, Wyo., Harry B. Durham, of Casper, Wyo., Robert A. Proctor, of Washington, D. C., George E. Kelleher, of Washington, D. C., R. T. Scott, of Washington, D. C., Louis J. Baley, of Washington, D. C., John Witherspoon Dodge, of Jacksonville, Fla., Linton C. Hopkins, of Atlanta, Ga., George P. Hart, of Washington, D. C., Max Schoetz, jr., of Milwaukee, Wis., Ellis H. Gidley, of Buffalo, N. Y., Russell G. Schulder, of Salt Lake, Utah, Mark P. Braffet, of Salt Lake, Utah, Jesse B. Calmenson, of St. Paul, Minn., R. H. Dudley, of Jonesboro, Ark., Percy A. Matthews, of Hazelhurst, Miss., Eldon Bisbee, of New York City, Bertin A. Weyl, of Los Angeles, Calif., W. J. Howard, of Houston, Tex., A. E. Amerman, of Houston, Tex., E. R. Campbell, of Houston, Tex., Earl M. Seel, of Washington, D. C., Harold S. Shertz, of Philadelphia, Pa., Donald A. DeLashmutt, of New York City, Robert H. McKay, of Cleveland, Ohio, Irving W. Cole, of Buffalo, N. Y., Henry F. Cochems, of Milwaukee, Wis., Jennings C. Wise, of Washington, D. C., William B. McFarland, of Coeur d'Alene, Idaho, and Arthur Ponsford, of Denver, Colo., were admitted to practice.

No. 1. The United States of America, appellant, *v.* Lehigh Valley Railroad Company et al. Appeal from the District Court of the United States for the Southern District of New York. Decree reversed; and cause remanded with directions to enter a decree in conformity with the opinion of this court. Opinion by Mr. Justice Clarke. (Mr. Justice McReynolds and Mr. Justice Brandeis did not take part in the consideration or decision of this case.) Specially concurring: The Chief Justice and Mr. Justice Holmes.

No. 85. Lewis M. Haupt, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Motion to remand for additional findings of fact denied. Opinion by Mr. Justice Clarke.

No. 54. Ana Maria Sugar Company, Inc., petitioner, *v.* Tomas Quinones. 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 Porto Rico. Opinion by Mr. Justice Brandeis.

No. 88. The United States, petitioner, *v.* Northern Pacific Railway Company. 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 District of Minnesota for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 74. Lillian Nicchia, plaintiff in error, *v.* The People of the State of New York. In error to the County Court of Kings County, State of New York. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 78. Albert J. Bothwell and The Bothwell Company, appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 89. Joseph H. Sampliner, plaintiff in error, *v.* Motion Picture Patents Company et al. In error to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 90. Great Western Serum Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 97. The Thames Towboat Company, appellant, *v.* The Schooner "Francis McDonald," her tackle, etc.; Albert D. Cummins, claimant. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 44. Jin Fuey Moy, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of Pennsylvania. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 66. Chicago, Milwaukee & St. Paul Railway Company et al., petitioners, *v.* Des Moines Union Railway Company et al.; and

No. 67. Des Moines Union Railway Company et al., petitioners, *v.* Chicago, Milwaukee & St. Paul Railway Company et al. On writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree of Circuit Court of Appeals so far as adverse to petitioner in No. 66 reversed, except as to costs; so far as

adverse to petitioners in No. 67, affirmed; costs in both courts below to be divided between the parties as provided by the decrees of those courts; costs in this court to be paid by defendants Frederick M. Hubbell and Frederick C. Hubbell; and cause remanded to the District Court of the United States for the Southern District of Iowa for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Pitney.

No. 41. Wells Fargo & Company, petitioner, *v.* Oscar G. Taylor. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Mississippi for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 53. The United States, appellant, *v.* Nederlandsch-Amerikaansche Stoomvaart Maatschappij (Holland-American Lijn). Appeal from the Court of Claims. Judgment reversed, and cause remanded with directions to dismiss the petition. Opinion by Mr. Justice Day.

No. 93. Berlin Mills Company, petitioner, *v.* Procter & Gamble 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 with directions to dismiss the bill on the ground that claims 1 and 2 are void for the reasons stated in the opinion of this court. Opinion by Mr. Justice Day.

No. 341. Henry S. DeRees, appellant, *v.* David Costaguta et al., Individually and as Copartners, etc., et al. Appeal from the District Court of the United States for the Southern District of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 101. The Coca-Cola Company, petitioner, *v.* The Koke Company of America et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree of Circuit Court of Appeals reversed with costs, and decree of the District Court of the United States for the District of Arizona modified and affirmed with costs, and cause remanded to the said district court. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 61. Ada C. Mongrain, plaintiff in error, *v.* W. H. Aaron et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726.

No. 197. Louis Wunder, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for

the District of Maryland. Per curiam: Affirmed upon the authority of *Hamilton v. Kentucky Distilleries & Warehouse Company*, 251 U. S. 146; *Ruppert v. Caffey*, 251 U. S. 264.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. ORDER. The receiver is hereby authorized and directed to make the following payments and to charge the same as expenses of the receivership: To Nagel & Kirby the sum of seven thousand five hundred dollars as compensation for services heretofore rendered by them as counsel and attorneys for the receiver; to McKenney & Flannery the sum of fifteen thousand dollars on account of services rendered by them as attorneys for the receiver; and to Frederic A. Delano the sum of twenty-five thousand dollars on account of his services as receiver.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. ORDER. Upon consideration of the motion of the General Oil Company, filed herein November 15, 1920, for an order authorizing Frederic A. Delano, Esq., receiver herein, to return to said company certain lands claimed under patents from the State of Texas, and the consent of T. P. Roberts and R. S. Allen, owners of patented lands, filed on the date last mentioned, and the response of the receiver to said motion filed November 20, 1920, It is ordered that said receiver do return to said General Oil Company one certain well known by receiver's number one hundred and seventy-six (176), which lies south of the south edge of the sand bed of the Red River, as it was on the first day of April, 1920 (marked generally by the border line of vegetation along the edge of the flood plain), together with the land appurtenant thereto lying to the south of the south edge of the said bed of said river, and the structures, equipment, and material pertaining to said well, and the net proceeds of the production thereof that have come to the hands of said receiver, less operating expenses and reservations, upon terms that said General Oil Company comply with the provisions contained in the order of this court made June 7, 1920, respecting the return of certain lands lying south of the south edge of the sand bed of said river which were on the first day of April, 1920, in the possession of persons claiming under patents from the State of Texas, and not included in the river bed lands as in said order defined.

It is further ordered that except as herein above granted the motion of said General Oil Company for the return of lands, filed November 15, 1920, be, and it is hereby, denied.

ORDER. It is now here ordered by the court that the rules of practice for the Courts of Admiralty of the United States this day adopted and established by the court be, and the same are hereby, promulgated as such, to be in force on and after March 7, 1921.

No. 392. Central Union Trust Company of New York, etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 393. Edwin G. Merrill et al., etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 394. J. Markham Marshall et al., etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 395. J. Markham Marshall et al., etc., plaintiffs in error, *v.* Francis P. Garvin, as Alien Property Custodian; and

No. 396. Metropolitan Trust Company, etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian. Motion to advance granted, and cases assigned for argument on Monday, January 3 next, after the cases heretofore assigned for that day.

No. 614. Charles L. Baender, appellant, *v.* Frank Barnett, Sheriff, etc. Motion to advance granted, and cause assigned for argument on Monday, January 3 next, after the cases heretofore assigned for that day. Motion to admit appellant to bail pending the appeal denied.

No. 524. The United States of America, plaintiff in error, *v.* The Coronado Beach Company; and

No. 525. The United States of America, appellant, *v.* Coronado Beach Company. Motion to advance granted, and cases assigned for argument on Monday, February 28 next.

No. 317. Giovanni Luzzato et al., etc., appellant, *v.* The Steamship "Pesaro," etc.; and

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation, Ltd., etc., et al. Motions to advance for argument with case No. 167 granted.

No. 388. John W. Davidge, plaintiff in error, *v.* Leo Simmons. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 605. Arthur J. Dahn, petitioner, *v.* Walker D. Hines, Director General of Railroads. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 583. Producers Coke Company, petitioner, *v.* McKeefry Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 611. Western Union Telegraph Company, petitioner, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 616. R. L. Ammerman et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 140. David Lamar et al., plaintiffs in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General Frierson, and Mr. Henry S. Mitchell for the defendant in error in support of the motion, and by Mr. Elijah N. Zoline for the plaintiffs in error in opposition thereto.

No. 162. The United States of America, plaintiff in error, *v.* Theodore Ray. In error to the District Court of the United States for the District of Wyoming. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 179. The De Lamar Company, Limited, plaintiff in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General Frierson, Mr. Assistant Attorney General Nebeker, and Mr. Assistant Attorney General Underwood for the defendant in error in support of the motion, and by Mr. Richard H. Johnson for the plaintiff in error in opposition thereto.

No. 232. Benjamin Horowitz, et al., plaintiffs in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General Frierson for the defendant in error in support of the motion, and by Mr. Elijah N. Zoline and Mr. John J. Fitzgerald for the plaintiffs in error in opposition thereto.

No. 601. Chanslor-Canfield Midway Oil Company et al., appellants, *v.* The United States of America. Joint motion of appellant, Recovery Oil Company, and appellee that cause be remanded with instructions that the settlement of the case reached pursuant to the act of Congress of February 25, 1920, be carried into effect, submitted by Mr. Solicitor General Frierson for the appellee.

No. 608. The Merchants' Loan & Trust Company, trustee, etc., plaintiff in error, *v.* Julius F. Smietanke, formerly U. S. Collector of Internal Revenue, etc. Motion to advance submitted by Mr. Solicitor General Frierson for the defendant in error.

No. 609. Eldorado Coal & Mining Company, plaintiff in error, *v.* Harry W. Mager, collector of internal revenue, etc. Motion to advance submitted by Mr. Solicitor General Frierson for the defendant in error.

No. 23, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to file responses of The United States to applications of various parties for modification of order granting injunction and appointing receiver, on motion of Mr. Solicitor General Frierson for The United States.

No. 164. Truman A. Ketchum, appellant, *v.* Pleasant Valley Coal Company et al. Motion to dismiss submitted by Mr. William W. Ray for the appellee in support of the motion, and by Mr. E. A. Walton and Mr. Charles C. Dey for the appellant in opposition thereto.

No. 274. The Supreme Tribe of Ben Hur, appellant, *v.* Aurelia J. Cauble et al. Motion to advance submitted by Mr. Merrill Moores in that behalf.

No. 290. Anna Lang, as administratrix, etc., petitioner, *v.* New York Central Railroad Company. Motion to advance submitted by Mr. Jennings C. Wise in that behalf.

No. 495. Patrick H. Bodkin, appellant, *v.* William B. Edwards. Motion to dismiss or affirm submitted by Mr. Samuel Herrick for the appellee in support of the motion.

No. —, original. *Ex parte* In the matter of D. H. Riddle, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Benjamin Carter for the petitioner.

No. 446. Rubic C. Connor and her husband, Claude E. Connor, et al., petitioners, *v.* Mena Kyle Elliott, as executrix, etc. Motion to dismiss for want of prosecution submitted by Mr. Benjamin Micou for the respondent in support of the motion.

No. 402. Willard B. Bryne, petitioner, *v.* Helen F. Martell, administratrix, etc. Motion to dismiss for want of prosecution submitted by Mr. Charles W. Darr for the respondent in support of the motion.

No. 19, original. The State of Georgia, complainant, *v.* The State of South Carolina. Time for filing report extended on motion of Mr. Charles S. Douglas in that behalf.

No. 111. National Brake & Electric Company, petitioner, *v.* Neils A. Christensen et al. Leave granted to file brief of General Electric Company as amicus curiae, on motion of Mr. W. W. Dodge in that behalf.

No. 579. Jesse L. Waymire, administratrix, etc., petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Time in which to submit petition for writ of certiorari extended one week, on motion of Mr. E. C. Brandenburg for the petitioner.

No. 2, original. The People of the State of New York, complainant, *v.* The State of New Jersey et al. Motion to set case for reargument submitted by Mr. R. L. Tarbox for the complainant.

No. 113. The Baldwin Company, petitioner, *v.* R. S. Howard Company; and

No. 139. The Baldwin Company et al., appellants, *v.* R. S. Howard Company. Motion to dismiss submitted by Mr. Samuel S. Watson for the respondent and appellee in support of the motion, and by Mr. Lawrence Maxwell and Mr. John E. Cross for the petitioner and appellants in opposition thereto.

No. 606. Mohawk Oil Company et al., petitioners, *v.* Mrs. Eula McFadin Layne, sole heir, etc. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. W. P. Hall and Mr. J. D. Wilkinson for the petitioners, and by Mr. S. L. Herrold for the respondent.

No. 333. Herbert L. Hildreth, petitioner, *v.* Jim M. Mastoras. Motion to advance submitted by Mr. Joseph L. Atkins for the respondent.

No. 585. Lambert Run Coal Company, appellant, *v.* The Baltimore & Ohio Railroad Company. Petition for a writ of certiorari herein submitted by Mr. Rush C. Butler, Mr. John A. Howard, and Mr. Frank E. Harkness for the appellant in support of the petition.

No. 598. The Federal Mining & Smelting Company, petitioner, *v.* Star Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John A. Marshall and Mr. Frederick W. Lehmann for the petitioner, and by Mr. John P. Gray and Mr. James A. Wayne for the respondent.

No. 617. Oregon-Washington Railroad & Navigation Company, petitioner, *v.* J. B. McGinn. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. A. C. Spence, Mr. C. E. Cochran, and Mr. John F. Reilly for the petitioner, and by Mr. R. L. Edmiston for the respondent.

No. 629. William R. Castle et al., trustees, etc., petitioners, *v.* Julia White Castle. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. A. G. Robertson for the petitioners.

No. 635. Ng Fung Ho, otherwise known as Ung Kip, et al., petitioners, *v.* Edward White, as Commissioner of Immigration for the Port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jackson H. Ralston and Mr. George W. Hott for the petitioners.

No. 350. Clark County National Bank, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Dismissed with costs, on motion of plaintiff in error.

No. 107. Port of Seattle, appellant, *v.* Oregon & Washington Railroad Company et al. Argued by Mr. Leander T. Turner for the appellant, and by Mr. W. H. Bogle for the appellees.

No. 262. W. S. Bullock, Judge, etc., et al., plaintiffs in error, *v.* The State of Florida upon the relation of The Railroad Commissioners of the State of Florida. Argument commenced by Mr. George C. Bedell for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 7, will be as follows: Nos. 262, 304, 421, 337, 424, 214, 206, 442, 460, and 65.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 7, 1920.

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

Erle M. Leaf, of Los Angeles, Calif.; Abraham Kamberg, of Boston, Mass.; Scott H. Lilly, of Takoma Park, Md.; Frank D. Gray, of Washington, D. C., Ira S. Lillick, of San Francisco, Calif.; A. E. Cooley, of San Francisco, Calif.; John A. Poland, of Chillicothe, Ohio; and Guy E. Kelly, of Tacoma, Wash., were admitted to practice.

No. 262. *W. S. Bullock, judge, etc., et al., plaintiffs in error, v. The State of Florida upon the relation of The Railroad Commissioners of the State of Florida.* Argument continued by Mr. George C. Bedell for the plaintiffs in error, by Mr. Dozier A. DeVane for the defendant in error, and concluded by Mr. George C. Bedell for the plaintiffs in error.

No. 304. *Grant Smith-Porter Ship Company v. Herman F. Rohde.* Argued by Mr. Charles A. Hart for the Ship Company, and by Mr. Harry A. Hegarty for Rohde.

No. 421. *Alexander Kahn et al., appellants, v. August V. Anderson, warden, etc.* Argument commenced by Mr. Martin J. O'Donnell for the appellants, and continued by Mr. W. C. Herron for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 8, will be as follows: Nos. 421, 337, 424, 214, 206, 442, 460, 65, 111, and 112.

13831—20—31

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 8, 1920.

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

J. Joseph Lilly, of New York City; Joseph D. Frank, of Dallas, Tex.; Harry P. Jordan, of Waco, Tex.; Thomas T. Connally, of Marlin, Tex.; Richard L. Baltimore, of New York City; L. R. Baird, of Dickinson, N. Dak.; and W. F. Burnett, of Dickinson, N. Dak., were admitted to practice.

No. 421. Alexander Kahn et al., appellants, *v.* Augustus V. Anderson, Warden, etc. Argument concluded by Mr. Martin J. O'Donnell for the appellants.

No. 337. Eugene Sol Louie, petitioner, *v.* The United States of America. Argued by Mr. William B. McFarland for the petitioner and by Mr. William C. Herron for the respondent.

No. 424. Director General of Railroads et al. *v.* The Viscose Company. Argument commenced by Mr. Henry Wolf Biklé for the carriers, continued by Mr. Harold S. Shertz for Viscose Company, and concluded by Mr. Theodore W. Reath for the carriers.

No. 214. J. W. Goldsmith, jr.,-Grant Company, plaintiff in error, *v.* The United States of America. Argued by Mr. L. C. Hopkins for the plaintiff in error and by Assistant Attorney General Adams for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 9, will be as follows: Nos. 206, 442, 460, 65, 111, 112, 114, 115, 116, and 117.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 9, 1920.

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

Dell D. Dutton, of Kansas City, Mo.; William C. Wilson, of Casper, Wyo.; J. M. Fitzgerald, of Kearney, Nebr.; John S. Miller, jr., of Chicago, Ill.; Henry M. Fowler, of Washington, D. C.; Francis B. Kavanagh, of Cleveland, Ohio; Ralph Emery, of Toledo, Ohio; Von L. Thompson, of Birmingham, Ala.; and Olen Lee Everts, of Fresno, Calif., were admitted to practice.

No. 115. Isidore S. Workin et al., plaintiff in error, *v.* The United States of America. Submitted by Mr. Lawrence B. Cohen and Mr. I. Maurice Wormser for the plaintiffs in error, and by Mr. Solicitor General Frierson for the defendant in error.

No. 117. St. Louis & San Francisco Railway Company, plaintiff in error, *v.* The Public Service Commission of the State of Missouri. Submitted by Mr. William F. Evans and Mr. Edward T. Miller for the plaintiff in error, and by Mr. James D. Lindsay for the defendant in error.

No. 206. The United States of America, plaintiff in error, *v.* James H. Strang et al. Argued by Mr. Solicitor General Frierson for the plaintiff in error, and by Mr. John W. Dodge for the defendants in error.

No. 442. The United States, appellant, *v.* Stanley Field, as executor, etc. Argument commenced by Mr. Assistant Attorney General Davis for the appellant, continued by Mr. John P. Wilson for the appellee, and concluded by Mr. Solicitor General Frierson for the appellant.

No. 460. Victor L. Berger et al. *v.* The United States of America. Argument commenced by Mr. Seymour Stedman for Berger et al., continued by Mr. Solicitor General Frierson for The United States of America, and concluded by Mr. Henry F. Cochems for Berger et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 10, will be as follows: Nos. 65, 111, 112, 114, 116, 118, 121, 122, 123, and 125.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 10, 1920.

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

Jesse C. Duke, of Richmond, Va., was admitted to practice.

No. 121. George G. La Motte et al., appellants, *v.* The United States of America. Submitted by Mr. T. J. Leahy and Mr. Charles S. Macdonald for the appellants and by Mr. Assistant Attorney General Nebeker and Mr. Assistant Attorney General Underwood for the appellee.

No. 122. The Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* The City of Clarksdale. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Frederick S. Tyler in that behalf.

No. 65. Bartholomew Sullivan et al., appellants, *v.* Jane Kidd. Argued by Mr. H. M. Langworthy for the appellee. Submitted by Mr. George F. Beatty and Mr. B. I. Litowich for the appellants and by Mr. Solicitor General Frierson for the United States, by special leave of court.

No. 111. National Brake & Electric Company, petitioner, *v.* Neils A. Christensen et al. Argued by Mr. John S. Miller for the petitioner and by Mr. Joseph B. Cotton for the respondents.

No. 112. Michael F. Mangan, administrator, etc., appellant, *v.* The United States. Argued by Mr. Charles F. Consaul for the appellant and by Mr. Assistant Attorney General Davis for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 13, will be as follows: Nos. 114, 23 original, 116, 118, 123, 125, 104, 126, 127, and 129.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 13, 1920.

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

Thomas P. Haley, of Buffalo, N. Y., Earl C. Michener, of Adrian, Mich., Clare Retan, of Lansing, Mich., Abraham H. Kaufman, of Pittsburgh, Pa., Paul Demos, of Chicago, Ill., John J. Babka, of Cleveland, Ohio, Leslie Humphrey, of Wichita Falls, Tex., Lyman K. Clark, of Boston, Mass., George H. Connor, of Washington, D. C., Karl W. Kindleberger, of Washington, D. C., Charles R. Metzger, of Indianapolis, Ind., and William H. Zwick, of Oklahoma City, Okla., were admitted to practice.

No. 100. Galveston, Harrisburg & San Antonio Railway Company, petitioner, *v.* L. H. Woodbury and Vincent Woodbury. On writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District, State of Texas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 219. William L. Walls, Attorney General of the State of Wyoming, et al., appellants, *v.* Midland Carbon Company et al. Appeal from the District Court of the United States for the District of Wyoming. Decree reversed with costs; and cause remanded with directions to dismiss the bill for want of equity. Opinion by Mr. Justice McKenna. Dissenting: The Chief Justice, Mr. Justice Van Devanter, and Mr. Justice McReynolds.

No. 79. Joseph Gilbert, plaintiff in error, *v.* The State of Minnesota. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Mr. Justice Holmes concurs in the result. Dissenting specially: The Chief Justice. Dissenting: Mr. Justice Brandeis.

No. 95. The United States of America on the relation of Verdine R. Hall, plaintiff in error, *v.* John Barton Payne, Secretary of the Interior. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 96. John Vallely, as Trustee, etc., *v.* Northern Fire & Marine Insurance Company. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. First and second questions certified answered in the affirmative. Third question certified answered in the negative. Opinion by Mr. Justice McKenna.

No. 68. The United States of America, plaintiff in error, *v.* Harry C. Wheeler et al. In error to the District Court of the United States for the District of Arizona. Judgment affirmed. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice Clarke.

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

No. 115. Isadore Workin et al., plaintiffs in error, *v.* The United States of America. In error to the United States Circuit Court of Appeals for the Second Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *MacFadden v. United States*, 213 U. S. 288. And see *Boise Water Co. v. Boise City*, 230 U. S. 98, 100; *Chott v. Ewing*, 237 U. S. 197; *Alaska Pacific Fisheries v. Alaska*, 249 U. S. 53, 60-61.

No. 140. David Lamar et al., plaintiffs in error, *v.* The United States of America. In error to the United States Circuit Court of Appeals for the Second Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *MacFadden v. United States*, 213 U. S. 288. And see *Boise Water Company v. Boise City*, 230 U. S. 98, 100; *Chott v. Ewing*, 237 U. S. 197; *Alaska Pacific Fisheries v. Alaska*, 249 U. S. 53, 60-61.

No. 164. Truman A. Ketchum, appellant, *v.* Pleasant Valley Coal Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Shulthis v. McDougal*, 225 U. S. 561, 568; *Hull v. Burr*, 234 U. S. 712, 720; *L. & N. R. R. Co. v. Western Union Telegraph Co.*, 237 U. S. 300, 302; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444; (2) *Spencer v. Duplan Silk Co.*, 191 U. S. 526, 530; *Devine v. Los Angeles*, 202 U. S. 313, 333; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577, 578; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 232. Benjamin Horowitz et al., plaintiffs in error, *v.* The United States of America. In error to the United States Circuit Court of Appeals for the Second Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *MacFadden v. United States*, 213 U. S. 288. And see *Boise Water Co. v. Boise City*, 230 U. S. 98, 100; *Chott v. Ewing*, 237 U. S. 197; *Alaska Pacific Fisheries v. Alaska*, 249 U. S. 53, 60-61.

No. —, original. Ex parte. In the matter of D. H. Riddle, petitioner. Motion for leave to file petition for a writ of mandamus

granted, and rule to show cause awarded returnable Monday, January 10 next.

No. 580. Victor Hoffman, appellant, *v.* Francis P. Garvan, Alien Property Custodian, et al. Application for leave to proceed *in forma pauperis* denied.

No. 601. Chanslor-Canfield Midway Oil Company et al., appellants, *v.* The United States of America. Joint motion of Recovery Oil Company and The United States that this cause be remanded to the District Court of the United States for the Southern District of California to carry into effect the settlement of the case reached pursuant to act of Congress of February 25, 1920, granted.

No. 2, original. The People of the State of New York, complainant, *v.* The State of New Jersey et al. Motion to fix a day for the further argument of this cause granted, and cause assigned for argument on Monday, January 24 next.

No. 274. The Supreme Tribe of Ben Hur, appellant, *v.* Aurelia J. Cauble et al. Motion to advance denied, but case will be taken on submission on printed briefs if counsel are so advised.

No. 290. Anna Lang, as Administratrix, etc., petitioner, *v.* New York Central Railroad Company. Ordered that this cause be placed on the summary docket.

No. 333. Herbert L. Hildreth, petitioner, *v.* Jim M. Mastoras. Motion to advance denied.

No. 608. The Merchants' Loan & Trust Company, Trustee, etc., plaintiff in error, *v.* Julius F. Smietanke, formerly U. S. Collector of Internal Revenue, etc.; and

No. 609. Eldorado Coal & Mining Company, plaintiff in error, *v.* Harry W. Mager, Collector of Internal Revenue, etc. Motion to advance granted, and cases assigned for argument on Monday, January 3 next, after the cases heretofore assigned for that day.

No. 113. The Baldwin Company, petitioner, *v.* R. S. Howard Company; and

No. 139. The Baldwin Company et al., appellants, *v.* R. S. Howard Company. Further consideration of the motion to dismiss in these cases postponed to the hearing on the merits.

No. 179. The De Lamar Company, Limited, plaintiff in error, *v.* The United States of America. Further consideration of the motion to dismiss in this cause postponed to the hearing on the merits.

No. 402. Willard B. Bryne, petitioner, *v.* Helen F. Martell, Administratrix, etc. On petition for a writ of certiorari to the Superior Court of the State of Massachusetts. Dismissed for the want of prosecution.

No. 446. Rubie C. Connor and her husband, Claude E. Connor et al., petitioners, *v.* Mena Kyle Elliott, as executrix, etc. On petition for a writ of certiorari to the Supreme Court of the State of Florida. Dismissed for the want of prosecution.

No. 617. Oregon-Washington Railroad & Navigation Company, petitioner, *v.* J. B. McGinn. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 629. William R. Castle et al., Trustees, etc., petitioners, *v.* Julia White Castle. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 635. Ng Fung Ho, otherwise known as Ung Kip, et al., petitioners, *v.* Edward White, as Commissioner of Immigration for the port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 589. Fred Lasiter, Administrator, etc., petitioner, *v.* Walter Ferguson. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 585. Lambert Run Coal Company, appellant, *v.* The Baltimore & Ohio Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 598. Federal Mining & Smelting Company, petitioner, *v.* Star Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 606. Mohawk Oil Company et al., petitioners, *v.* Mrs. Eula McFadin Layne, Sole Heir, etc. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana denied.

The Chief Justice also announced that the court will take a recess from Monday, the 20th instant, to Monday, January 3, 1921.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Motion for leave to file a brief herein as *amicus curiæ* and for oral argument submitted by Mr. William L. Frierson in behalf of Mr. Frank Hagerman.

No. 301. New Orleans Dry Dock & Shipbuilding Company, plaintiff in error, *v.* John A. S. Gray. Motion to dismiss submitted by Mr. Percy S. Benedict for the defendant in error in support of the motion and by Mr. Frederic D. McKenney and Mr. John S. Flannery for the plaintiff in error in opposition thereto.

No. 637. Adelbert L. Spitzer et al., as Spitzer-Rorick & Company, petitioners, *v.* The Board of Trustees for the Regina Public School District, No. 4, of Saskatchewan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Thomas H. Tracy and Mr. George D. Welles for the petitioners.

No. 579. Jessie L. Waymire, Administratrix, etc., petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. E. C. Brandenburg and Mr. Charles W. Steiger for the petitioner.

No. 626. John Hedenskoy, petitioner, *v.* Alaska Packers Association. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jackson H. Ralston and Mr. H. W. Hutton for the petitioner.

No. 634. Solomon Rothman et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Louis Marshall for the petitioner and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 642. Henry Briggs, petitioner, *v.* United Shoe Machinery Corporation. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. William A. Milliken for the petitioner, and by Mr. Robert H. McCarter and Mr. Walter Bates Farr for the respondent.

No. 615. W. W. Casey et al., petitioners, *v.* A. Eikland et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank P. Deering and Mr. George B. Grigsby for the petitioners.

No. 621. Perfection Disappearing Bed Company, Inc., et al., petitioners, *v.* Murphy Wall Bed Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Herman H. Phleger for the petitioners, and by Mr. William K. White for the respondents.

No. 639. L. W. Boehner, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William R. Green for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 126. Edward C. Ward, plaintiff in error, *v.* The State of Washington et al. Passed, per stipulation.

No. 127. Morris Zucker, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Eastern District of New York. Dismissed, pursuant to the sixteenth rule, on motion of Mr. Solicitor General Frierson, for defendant in error.

No. 129. The Heirs of Samuel Garland, deceased, appellants, *v.* The Choctaw Nation. Passed, per stipulation.

No. 114. Lawrence Amos, plaintiff in error, *v.* The United States of America. Argued by Mr. H. H. Obear for the plaintiff in error, and by Mr. W. C. Herron for the defendant in error.

No. 24, original. *Ex parte* In the matter of Chicago, Rock Island & Pacific Railway Company, petitioner. Argument on return to rule to show cause commenced by Mr. Lawrence Maxwell for the petitioner, continued by Mr. George D. Welles and Mr. Thurlow M. Gordon in opposition to the petition, and concluded by Mr. William L. Day for the petitioner.

No. 25, original. *Ex parte* In the matter of the State of New York et al., petitioners. Argument on return to rule to show cause commenced by Mr. Edward G. Griffin for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 14, will be as follows: Nos. 23, original, 116, 118, 123, 125, 104, 130, 131, 132, and 133.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 14, 1920.

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

Edgar E. Pomeroy, of Atlanta, Ga.; Paul S. Etheridge, of Atlanta, Ga.; and J. H. Smithwick, of Pensacola, Fla., were admitted to practice.

No. 511. Edward S. Atwater, petitioner, *v.* Stephen G. Guernsey et al., etc. Submitted pursuant to the twentieth rule by Mr. Abram J. Rose for the petitioner and by Mr. R. Dulany Whiting for the respondent.

No. 25, original. *Ex parte* In the matter of the State of New York et al., petitioners. Argument continued by Mr. Edward G. Griffin for the petitioners and by Mr. Ellis H. Gidley in opposition to the petitioners, and concluded by Mr. Edward G. Griffin for the petitioners.

No. 26, original. *Ex parte* In the matter of the State of New York et al., Owners of the Steam Tug *Queen City*, petitioners. Argument commenced by Mr. Edward G. Griffin for the petitioners, continued by Mr. Irving W. Cole in opposition to the petition, and concluded by Mr. Edward G. Griffin for the petitioners.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. One hour allowed counsel for landowners for oral argument, on motion of Mr. Joseph W. Bailey in that behalf. Four hours allowed other counsel for oral argument, on motion of Mr. Leslie C. Garnett in that behalf. Argument commenced by Mr. Leslie C. Garnett for the United States, intervenor, and continued by Mr. C. M. Cureton for the defendant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 15, will be as follows: Nos. 23 original, 116, 118, 123, 125, 104, 130, 131, 132, and 133.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 15, 1920.

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

Edward E. Corn, of Ironton, Ohio; Samuel C. Schlein, of New Haven, Conn.; Kent V. Gay, of McAlester, Okla.; John L. Taugher, of San Francisco, Calif.; D. P. Williams, of Pittsburgh, Pa.; Charles H. Weston, of Washington, D. C.; A. S. H. Bristow, of New York City; Thomas A. Gall, of Duluth, Minn.; John W. Cooper, of Omaha, Nebr.; H. A. Rich, of Salt Lake City, Utah; Logan Morris, of Salt Lake City, Utah; John J. Kelly, of Chicago, Ill.; and Daniel M. Dever, of Chicago, Ill., were admitted to practice.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Argument continued by Mr. C. M. Cureton and Mr. Thomas W. Gregory for the defendant, by Mr. Joseph W. Bailey and Mr. A. H. Carrigan for the landowners by special leave of court, and concluded by Mr. S. P. Freeling for the complainant.

No. 116. Alexander Smith Cochran et al., etc., appellants, *v.* The United States. Argument commenced by Mr. H. T. Newcomb for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 16, will be as follows: Nos. 116, 118, 123, 125, 104, 130, 131, 132, 133, and 134.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 16, 1920.

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

Forrest C. Donnell of St. Louis, Mo., Miller D. Steever of Washington, D. C., Arthur B. Bouton of Denver, Colo., Otto H. Zacek of West Point, Nebr., and Harold P. Stearns of Cleveland, Ohio, were admitted to practice.

No. 1. The United States of America, appellant, *v.* Lehigh Valley Railroad Company et al. The motion to amend decree submitted by Mr. Edgar H. Boles for the appellees; and consented to by Mr. Solicitor General Frierson for the appellant.

No. 116. Alexander Smith Cochran et al., appellants *v.* The United States. Argument continued by Mr. H. T. Newcomb for the appellant, by Mr. Solicitor General Frierson for the appellee and concluded by Mr. H. T. Newcomb for the appellant.

No. 118. A. L. Bracht, petitioner, *v.* San Antonio & Aransas Pass Railway Company. Argued by Mr. Samuel Herrick for the respondent and submitted by Mr. I. N. Watson for the petitioner.

No. 123. John Barton Payne, Secretary of the Interior et al., plaintiffs in error, *v.* The United States of America ex rel. Allen L. Newton. Argued by Mr. Assistant Attorney General Garnett for the plaintiffs in error and by Mr. Francis W. Clements for the defendant in error.

No. 125. Vandalia Railroad Company, plaintiff in error, *v.* Gustav A. Schnull et al., etc., et al. Argument commenced by Mr. D. P. Williams for the plaintiff in error and continued by Mr. Carl K. Gardner for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 17, will be as follows: Nos. 125, 104, 130, 131, 132, 133, 134, 135, 136, 137.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 17, 1920.

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

Joseph H. Ford, of Houston, Miss.; Otto Christensen, of Chicago, Ill.; Howard Harron, of San Francisco, Calif.; Virgil E. Adams, of Atlanta, Ga.; Margaret Young, of Forsyth, Mont.; and H. G. Young, of Forsyth, Mont., were admitted to practice.

No. 125. Vandalia Railroad Company, plaintiff in error, *v.* Gustav A. Schnull et al., etc., et al. Argument continued by Mr. Karl K. Gartner for the defendants in error. Leave granted to counsel for both sides to file supplemental briefs within two weeks.

No. 104. Economy Light & Power Company, appellant, *v.* The United States of America. Argued by Mr. Frank H. Scott for the appellant, and by Mr. Clarence N. Goodwin for the appellee.

No. 130. E. Hilton Jackson, receiver, etc., petitioner, *v.* John Lewis Smith et al. Argued by Mr. W. W. Millan for the petitioner, and by Mr. Louis A. Dent for the respondents.

Adjourned until Monday next at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 20, 1920.

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

Fred R. Angevine, of Missoula, Mont.; Huling P. Robertson, jr., of Temple, Tex.; Charles Rogers Arundell, of Portland, Oreg.; Rayford W. Alley, of New York City; Charles P. Smith, of Boston, Mass.; Foye M. Murphy, of Boston, Mass.; Will R. Gregg, of Palestine, Tex.; Ray F. Bruce, of Chicago, Ill.; Chester A. Gwinn, of Alexandria, Va.; Luther S. Cannon, of Lenoir, N. C.; Lyndon H. Baylies, of Washington, D. C.; John D. Foley, of Washington, D. C.; Herbert W. Nauts, of Toledo, Ohio; Mills Kitchin, of Scotland Neck, N. C.; Jacob R. Harvin, of Manning, S. C.; Clarence M. Charest, of Baltimore, Md.; Frank S. Angell, of New York City; Manton M. Wyvell, of Washington, D. C.; Carl D. Matz, of Chicago, Ill.; Douglas D. Felix, of Hartford, Ky.; W. Hall Trigg, of Boonville, Mo.; Fletcher Lewis, of Chicago, Ill.; Julian C. Hammack, of Washington, D. C.; Horace F. Baker, of Pittsburgh, Pa.; J. W. Broaddus, of Kansas City, Mo.; and Walter M. Cheever, of Brookings, S. Dak., were admitted to practice.

No. 294. H. Snowden Marshall, as Receiver of All Package Grocery Stores Company, petitioner, *v.* The People of the State of New York. 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 Brandeis.

No. 575. Jules W. Arndstein, appellant, *v.* Thomas D. McCarthy, U. S. Marshal, etc. Appeal from the District Court of the United States for the Southern District of New York. Motion to recall mandate, grant a rehearing, etc., denied. Opinion by Mr. Justice McReynolds.

No. 55. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* Washburn Lignite Coal Company. In error to the District Court, Sixth Judicial District. State of North

Dakota. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 15. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* the C. L. Merrick Company. In error to the District Court of the Sixth Judicial District of the State of North Dakota. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 76. Frank C. Thornton et al., plaintiffs in error, *v.* Thomas J. Duffy et al., members of and composing the Industrial Commission of Ohio. In error to the Supreme Court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Specially concurring: The Chief Justice. Dissenting: Mr. Justice McReynolds.

The Chief Justice announced the following orders of the Court:

No. 1. The United States of America, appellant, *v.* Lehigh Valley Railroad Company et al. Motion to modify the decree of this Court denied.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Motion for leave to Mr. Frank Hagerman, to file brief as *amicus curiæ* herein granted, and motion for leave to participate in the oral argument denied.

No. 579. Jessie L. Waymire, administratrix, etc., petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 615. W. W. Casey et al., petitioners, *v.* A. Eikland et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 621. Perfection Disappearing Bed Company, Inc., et al., petitioners, *v.* Murphy Wall Bed Company, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 626. John Hedenskoy, petitioner, *v.* Alaska Packers Association. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 634. Solomon Rothman et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 637. Adelbert L. Spitzer et al., as Spitzer-Rorick & Company, petitioners, *v.* The Board of Trustees for the Regina Public School District No. 4 of Saskatchewan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 639. L. W. Boehner, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 642. Henry Briggs, petitioner, *v.* United Shoe Machinery Corporation. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 640. Julius Block, trading, etc., plaintiff in error, *v.* Louis Hirsh. Leave granted to file brief herein, as *amicus curiæ*, on motion of Mr. Solicitor General Frierson for the United States.

No. 640. Julius Block, trading, etc., plaintiff in error, *v.* Louis Hirsh. Motion to advance submitted by Mr. Jesse C. Adkins for the plaintiff in error.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervenor. Petition of Oklahoma Petroleum & Gasoline Company to require receiver herein to file full and complete itemized statement of expenses incurred from May 16 to July 1, 1920, showing expense of operating certain wells and to pay over certain sums of money; motion of C. J. Benson et al. that receiver be required to file certain inventory as to property and to pay value thereof, etc.; and motion of Sinclair Oil & Gas Company to require receiver to refund certain proceeds of the sale of oil, and that said Oil & Gas Company be relieved of payment of any of the expenses and cost of the receivership, submitted by Mr. W. A. Ledbetter in support of the same, with leave to Mr. J. S. Flannery, of counsel for the receiver, to file opposition thereto within 10 days.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Leave granted to file brief herein as *amicus curiæ* on motion of Mr. Guy Mason for The Long-Bell Lumber Company.

No. 636. St Louis-San Francisco Railway Company, appellant, *v.* George H. Middlekamp, State Treasurer of the State of Missouri, et al. Motion to advance submitted by Mr. F. W. McAllister for the appellees.

No. 238. Bank of Minden et al., plaintiffs in error, *v.* Mrs. Louie Clement, Administratrix etc. Motion to dismiss submitted by Mr. Bynum E. Hinton in behalf of the defendant in error in support of the motion.

No. 630. Benjamin F. Dorrance et al., petitioners, *v.* Charles Francis Dorrance. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William A. Glasgow, jr., and Mr. William J. Hughes for the petitioners, and by Mr. Kenneth McC. DeWeese and Mr. Charles A. Houts for the respondent.

No. 625. Emma F. Rumsey, petitioner, *v.* New York Life Insurance Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. T. J. O'Donnell for the petitioner.

No. 397. William Hollis et al., appellants, *v.* Charles W. Kutz et al., Commissioners etc., et al. Motion to advance submitted by Mr. Roscoe F. Walter for the appellant.

No. 612. United States Fidelity & Guaranty Company et al., plaintiffs in error, *v.* Travelers Insurance Machine Company. Petition for a writ of certiorari herein submitted by Mr. William Marshall Bullitt for the plaintiff in error in support of the petition, and by Mr. David R. Castleman for the defendant in error in opposition thereto.

No. 623. Seaboard Air Line Railway Company, petitioner, *v.* Lee Vandiver. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia submitted by Mr. Hollins N. Randolph for the petitioner, and by Mr. Virgil E. Adams for the respondent.

No. 628. Boston, Cape Cod & New York Canal Company, petitioner, *v.* C. W. Chadwick & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Thomas H. Mahoney for the petitioner, and by Mr. Edward E. Blodgett for the respondent.

Adjourned until Monday, January 3, 1921, at 12 o'clock.

The day call for Monday, January 3, will be as follows: Nos. 476 (and 550), 14 original, 250, 546, 492, 439 (and 582), 453, 559, 392 (to 396), 614, and 608 (and 609).

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 3, 1921.

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

Frank C. Dailey, of Indianapolis, Ind.; George L. Ingraham, of New York City; I. C. Pinkney, of Peoria, Ill.; Karl D. Loos, of Chicago, Ill.; Asa J. Smith, of Indianapolis, Ind.; Benj. F. Fiery, of Cleveland, Ohio; Charles I. Dawson, of Frankfort, Ky.; Allen S. Hubbard, of New York City; Ralph Wolf, of New York City; Mark Stearman, of Washington, D. C.; and Charles Stephens, of Columbus, Kans., were admitted to practice.

No. 112. Michael F. Mangan, Administrator of Mary E. Pillow, deceased, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 424. Director General of Railroads et al. *v.* The Viscose Company. On a certificate from the United States Circuit Court of Appeals for the Third Circuit. Question certified answered in the negative. Opinion by Mr. Justice Clarke. Dissenting: Mr. Justice McKenna, Mr. Justice Van Devanter, Mr. Justice Pitney, and Mr. Justice McReynolds.

No. 118. A. L. Bracht, petitioner, *v.* San Antonio & Aransas Pass Railway Company. On writ of certiorari to the Kansas City Court of Appeals of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 206. The United States of America, plaintiff in error, *v.* James H. Strang et al. In error to the District Court of the United States for the Southern District of Florida. Judgment affirmed. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke.

No. 45. Duplex Printing Press Company, appellant, *v.* Emil J. Deering et al., individually, etc. Appeal from 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 proceed-

ings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Brandeis, Mr. Justice Holmes, and Mr. Justice Clarke.

No. 111. National Brake & Electric Company, petitioner, *v.* Niels A. Christensen and Allis-Chalmers Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree reversed with costs; and cause remanded to the said Circuit Court of Appeals for further proceedings upon the petition filed by the National Brake & Electric Company in conformity with the opinion of this court. Opinion by Mr. Justice Day.

No. 65. Bartholomew Sullivan et al., appellants, *v.* Jane Kidd. Appeal from the District Court of the United States for the District of Kansas. Decree reversed with costs; and cause remanded for further proceedings, in conformity with the opinion of this court. Opinion by Mr. Justice Day.

Nos. 33 and 34. Erie Railroad Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 35. Passaic Water Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 36. Western Union Telegraph Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 37. D. Fullerton & Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 38. Jacob Meyer et al., etc., plaintiffs in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 39. Morris & Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al.;

No. 40. Public Service Railway Company, plaintiff in error, *v.* Board of Public Utility Commissioners, City of Paterson, et al. In error to the Court of Errors and Appeals of the State of New Jersey. Judgments affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: The Chief Justice, Mr. Justice Van Devanter, and Mr. Justice McReynolds.

No. 106. Southern Pacific Company, petitioner, *v.* W. S. Berkshire, Temporary Administrator, etc. On writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Clarke, Mr. Justice Day, and Mr. Justice Pitney.

No. 511. Edward S. Atwater, petitioner, *v.* Stephen G. Guernsey et al., Trustees, etc., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed

with costs; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings, in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 116. Alexander Smith Cochran et al., as Surviving Executors, etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 301. New Orleans Dry Dock & Shipbuilding Company, plaintiff in error, *v.* John A. S. Gray. In error to the Supreme Court of the State of Louisiana. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2, 39 Stat., 726).

No. 397. William Hollis et al., appellants, *v.* Charles W. Kutz et al., Commissioners of the District of Columbia, etc., et al. Motion to advance granted, and cause assigned for argument on Monday, February 28, next, after the cases heretofore assigned for that day.

No. 636. St. Louis-San Francisco Railway Company, appellant, *v.* George H. Middlekamp, State Treasurer of the State of Missouri, et al. Motion to advance granted, and cause assigned for argument on Monday, February 28, next, after the cases heretofore assigned for that day.

No. 640. Julius Block, trading, etc., plaintiff in error, *v.* Louis Hirsh. Motion to advance granted, and cause assigned for argument on Monday, February 28, next, after the cases heretofore assigned for that day.

No. 238. Bank of Minden et al., plaintiffs in error, *v.* Mrs. Louie Clement, Administratrix, etc. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 612. United States Fidelity & Guaranty Company et al., plaintiffs in error, *v.* Travelers Insurance Machine Company. Petition for a writ of certiorari herein denied.

No. 623. Seaboard Air Line Railway Company, petitioner, *v.* Lee Vandiver. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia denied.

No. 625. Emma F. Rumsey, petitioner, *v.* New York Life Insurance Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 628. Boston, Cape Cod & New York Canal Company, petitioner, *v.* C. W. Chadwick & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 630. Benjamin F. Dorrance et al., petitioners, *v.* Charles Francis Dorrance. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. George T. Weitzel for Clarence N. Goodwin. Motion for leave to make oral argument herein denied.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. L. P. Marvin in that behalf.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. E. S. Brashears for H. C. Capwell Company.

No. 19, original. The State of Georgia, complainant, *v.* The State of South Carolina. Report of special master filed, on motion of Mr. H. H. O'Bear in that behalf.

No. 374. Pueblo of Laguna, appellant, *v.* Jose Candelaria et al. Motion for further consideration of motion to dismiss or affirm submitted by Mr. Frederick S. Tyler in behalf of Mr. Frank W. Clancy for the appellee in support of the motion.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion of Southwest Petroleum Company for the return of receiver's well No. 180 and the appurtenants submitted by Mr. Horace F. Baker for Southwest Petroleum Company, with leave to counsel for the receiver to file answer within three days.

No. 661. The Director General of Railroads, petitioner, *v.* Mabel Bennett, Administratrix, etc.; and

No. 662. The Director General of Railroads, petitioner, *v.* Minnie Templin, Administratrix, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William Clarke Mason for the petitioner, and by Mr. Frank F. Davis for the respondents.

No. 667. Walker D. Hines, as Agent, etc., petitioner, *v.* Harvey K. Keyser. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William Clarke Mason for the petitioner and by Mr. Frank F. Davis for the respondent.

No. 620. Illinois Central Railroad Company, plaintiff in error, *v.* C. B. Johnson. Petition for a writ of certiorari to the Supreme Court of the State of Alabama herein submitted by Mr. Augustus Benners, Mr. W. S. Horton, and Mr. R. V. Fletcher for the plaintiff in error and by Mr. William Augustus Denson for the defendant in error.

No. 631. John Barton Payne, as Agent, etc., petitioner, *v.* Industrial Accident Commission of the State of California et al. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Henley C. Booth and Mr. William F. Herrin for the petitioner and by Mr. Neal Power and Mr. Warren H. Pillsbury for the respondents.

No. 660. The First National Bank of Casselton, North Dakota, petitioner, *v.* Frank M. Smith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Matthew W. Murphy for the petitioner.

No. 658. Lee Wing Wah et al., petitioners, *v.* Edward White, as Commissioner of Immigration, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. J. H. Ralston and Mr. George W. Hott for the petitioners and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 168. Louis H. Denee, plaintiff in error, *v.* Peter Morrison. Submitted pursuant to the twentieth rule by Mr. Fred B. Morrill for the plaintiff in error and by Mr. Reese H. Voorhees and Mr. F. T. Post for the defendant in error.

No. 547. Elliott Frederick, Trustee, etc., petitioner, *v.* The Fidelity Mutual Life Insurance Company of Philadelphia. Submitted pursuant to the twentieth rule by Mr. Lowrie C. Barton for the petitioner and by Mr. George Sutherland for the respondent.

No. 267. Michael McCole *v.* The Lighter *Howell*, etc. Leave granted to withdraw certificate sent up by the United States Circuit Court of Appeals for the Second Circuit.

No. 14, original. The State of North Dakota, complainant, *v.* The State of Minnesota. Four hours allowed for the argument of this case on motion of Mr. M. H. Boutelle for the complainant. Argument commenced by Mr. M. H. Boutelle for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 4, will be as follows: Nos. 14, original, 250, 546, 492, 439 (and 582), 453, 559, 392 (to 396), 614, 608 (and 609), and 476 (and 550).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 4, 1921.

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

Elizabeth Blume, of Newark, N. J.; Mason B. Leming, of Salt Lake City, Utah; and Winter S. Martin, of Seattle, Wash., were admitted to practice.

No. 14, original. The State of North Dakota, complainant, *v.* The State of Minnesota. Argument continued by Mr. M. H. Boutelle for the complainant, and by Mr. John E. Palmer for the defendant, and concluded by Mr. Egbert S. Oakley for the defendant.

No. 250. Felix Gouled *v.* The United States of America. Argued by Mr. Charles E. Hughes for Gouled, and by Mr. Solicitor General Frierson for The United States.

No. 546. Max W. Stoehr, etc., appellant, *v.* James N. Wallace et al. Three hours allowed for oral argument on motion of Mr. Solicitor General Frierson in that behalf. Three counsel allowed to argue for the appellees. Argument commenced by Mr. Louis Marshall for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 5, will be as follows: Nos. 546, 492, 439 (and 582), 453, 559, 392 (to 396), 614, 608 (and 609), 476 (and 550), and 129.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 5, 1921. .

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

Arthur B. Rigney, of Haverhill, Mass., was admitted to practice.

No. 546. Max W. Stoehr, etc., appellant, *v.* James N. Wallace et al. Argument continued by Mr. Louis Marshall for the appellant, by Mr. Solicitor General Frierson, Mr. George L. Ingraham, and Mr. John Quinn for the appellees, and concluded by Mr. Louis Marshall for the appellants.

No. 492. Detroit United Railway, appellant, *v.* City of Detroit et al. Argument commenced by Mr. Charles E. Hughes for the appellant, continued by Mr. Clarence E. Wilcox and Mr. Alfred Lucking for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 6, will be as follows: Nos. 492, 439 (and 582), 453, 559, 392, 614, 608 (and 609), 476 (and 550), 129, and 131.

13831—20—43

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 6, 1921.

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

Abraham R. Miller, of Chicago, Ill., and Paul Bakewell, jr., of St. Louis, Mo., were admitted to practice.

No. 492. Detroit United Railway Company, appellant, *v.* City of Detroit et al. Argument continued by Mr. Alfred Lucking for the appellees, and concluded by Mr. Charles E. Hughes for the appellant.

No. 439. Charles I. Dawson, Attorney General of the State of Kentucky, et al., appellants, *v.* Kentucky Distilleries Warehouse Company; and

No. 582. Charles I. Dawson, Attorney General, etc., et al., appellants, *v.* The J. & A. Freiberg Company (Inc.). Argument commenced by Mr. Charles I. Dawson for the appellants, continued by Mr. W. Overton Harris for Louisville Public Warehouse Company, one of the appellants in No. 582, by Mr. William Marshall Bullitt for the appellee in No. 439, by Mr. T. Kennedy Helm and Mr. Levi Cooke for the appellee in No. 582, and concluded by Mr. Charles I. Dawson for the appellants.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Argument commenced by Mr. Charles McCamic for the appellant, and continued by Mr. Solicitor General Frierson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 7, will be as follows: Nos. 453, 559, 392 (to 396), 614, 608 (and 609), 476 (and 550), 129, 131, 132, and 133.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 7, 1921.

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

Wright Hugus, of Wheeling, W. Va.; George L. Shearer, of New York City; Myles A. Walsh, of New York City; Howard H. Campbell, of Detroit, Mich.; Kenaz Huffman, of Denver, Colo.; Raphael F. Clough, of Mason City, Iowa; and Proctor K. Perkins, of Hailey, Idaho, were admitted to practice.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Leave granted to file briefs herein as *amicus curie*, on motion of Mr. Arthur Miller in behalf of counsel.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Argument continued by Mr. Solicitor General Frierson for the appellee, and concluded by Mr. Charles E. Hughes for the appellant.

No. 559. Truman H. Newberry et al., plaintiffs in error, *v.* The United States. Four and one-half hours allowed for oral argument, on motion of Mr. Charles E. Hughes for the plaintiffs in error. Argument commenced by Mr. Charles E. Hughes for the plaintiffs in error, and continued by Mr. Solicitor General Frierson for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 10, will be as follows: Nos. 559, 392 (to 396), 614, 608 (and 609), 476 (and 550), 129, 131, 132, 133, and 134.

13831—20—45

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 10, 1921.

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

Ralph J. Kelley, of Washington, D. C.; Douglas L. Edmonds, of Los Angeles, Calif.; William H. Wadhams, of New York City; Paul Beverly Woodfin, of Waynesboro, Va.; Earl W. Wood, of Hamilton, Ill.; J. Charles Fagan, of Baltimore, Md.; Frederic Gass, of Washington, D. C.; Paul R. Dailey, of Detroit, Mich.; and George Q. Keeley, of Cleveland, Ohio, were admitted to practice.

No. 27, original. *Ex parte* In the matter of D. H. Riddle, petitioner. Leave granted to file return to rule to show cause, on motion of Mr. Solicitor General Frierson in that behalf.

No. 188. Anchor Oil Company, appellant, *v.* W. H. Gray et al. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. F. W. Clements in that behalf.

No. 627. Joshua Sykes et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Levi Cooke in behalf of Mr. Theodore A. Bell for the petitioners, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 638. Quong Ham Wah Company, plaintiff in error, *v.* Industrial Accident Commission of the State of California et al. Joint motion to advance submitted by Mr. Charles H. Bates in behalf of counsel.

No. 676. George Francis Rowe, petitioner, *v.* John M. Boyle, as U. S. marshal, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Abner H. Ferguson for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 155. The United States of America *ex rel.* Milwaukee Social Democratic Publishing Company, plaintiff in error, *v.* Albert S.

Burleson, Postmaster General, etc. Leave granted to file brief herein as *amicus curiæ* on motion of Mr. Seth Shepard for Workingmen's Cooperative Publishing Association.

No. 647. John W. Seaman et al., appellants, *v.* Samuel W. Adler. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. W. J. Hughes for the petitioner and by Mr. Edw. W. Foristel for the respondent.

No. 274. The Supreme Tribe of Ben Hur, appellant, *v.* Aurelia J. Cauble et al. Submitted by Mr. Charles M. McCabe, Mr. Samuel D. Miller, and Mr. William H. Thompson for the appellant and by Mr. William C. Bachelder for the appellees.

No. 141. Blumenstock Brothers Advertising Agency, plaintiff in error, *v.* The Curtis Publishing Company. In error to the United States Circuit Court of Appeals for the Seventh Circuit. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 559. Truman H. Newberry et al., plaintiffs in error, *v.* The United States of America. Argument continued by Mr. Solicitor General Frierson and Mr. Frank C. Dailey for the defendant in error and concluded by Mr. Charles E. Hughes for the plaintiffs in error.

No. 392. Central Union Trust Company of New York, etc., plaintiff in error, *v.* Francis P. Garvan as Alien Property Custodian;

No. 393. Edwin G. Merrill et al., etc., plaintiffs in error, *v.* Francis P. Garvan as Alien Property Custodian;

No. 394. J. Markham Marshall et al., etc., plaintiffs in error, *v.* Francis P. Garvan as Alien Property Custodian;

No. 395. J. Markham Marshall et al., etc., plaintiffs in error, *v.* Francis P. Garvan as Alien Property Custodian; and

No. 396. Metropolitan Trust Company, etc., plaintiff in error, *v.* Francis P. Garvan as Alien Property Custodian. Four and one-half hours allowed for the argument, on motion of Mr. Emory R. Buckner in that behalf. Argument commenced by Mr. Emory R. Buckner for the plaintiff in error in Nos. 394 and 395 and continued by Mr. Perry D. Trafford for the plaintiffs in error in Nos. 392 and 393.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 11, will be as follows: Nos. 392 (to 396), 614, 608, 609, 476 (and 550), 129, 131, 132, 133, and 134.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 11, 1921.

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

Arthur S. Burket, of Columbus, Ohio.; Raymond N. Beebe, of Chicago, Ill.; Samuel Leighton Frooms, of New York City; Boris M. Komar, of Boston, Mass.; and Arthur C. Brown, of Kansas City, Mo., were admitted to practice.

No. 476. United Shoe Machinery Corporation et al., appellants, *v.* The United States of America. Reassigned for argument on February 28 next, after the cases heretofore assigned for that day, on motion of Mr. Solicitor General Frierson for the appellee.

No. 550. The United States of America, appellant, *v.* United Shoe Machinery Corporation et al. Appeal from the District Court of the United States for the Eastern District of Missouri. Dismissed, on motion of Mr. Solicitor General Frierson for the appellant.

No. —, original. *Ex parte* In the matter of the city of Dallas, petitioner. Motion for leave to file petition for a writ of mandamus herein submitted by Mr. Francis Marion Etheridge for the petitioner.

No. 392. Central Union Trust Company of New York, etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 393. Edwin G. Merrill et al., etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 394. J. Markham Marshall et al., etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 395. J. Markham Marshall et al., etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian; and

No. 396. Metropolitan Trust Company, etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian. Argument continued by Mr. Walter F. Taylor for the plaintiff in error in No. 396, by Mr. Lucien H. Boggs and Mr. Assistant Attorney General Spelacy for the defendant in error, and concluded by Mr. Emory A. Buckner for the plaintiffs in error in Nos. 394 and 395.

No. 614. Charles L. Baender, appellant, *v.* Frank Barnett, Sheriff, etc. Argued by Mr. Levi Cooke for the appellant and by Mr. Assistant Attorney General Stewart for the appellee.

No. 608. Merchants Loan & Trust Company, Trustee, etc., plaintiff in error, *v.* Julius F. Smietanke, formerly United States Collector of Internal Revenue, etc. Argument commenced by Mr. Albert M. Kales for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 12, will be as follows: Nos. 608, 609, 129, 131, 132, 133, 134, 135, 136, and 137.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 12, 1921.

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

Max W. Zabel, of Chicago, Ill.; Luman W. Goodenough, of Detroit, Mich.; Arthur J. Lacy, of Detroit, Mich.; Gustavus Loevinger, of St. Paul, Minn.; Roscoe C. McCulloch, of Canton, Ohio; Curtis C. Curtis, of Canton, Ohio; and James Joseph Collins, of Dallas, Tex., were admitted to practice.

No. 608. Merchants Loan & Trust Company, Trustee, etc., plaintiff in error, *v.* Julius F. Smietanka, formerly United States Collector of Internal Revenue, etc. Argument continued by Mr. Solicitor General Frierson for the defendant in error, and concluded by Mr. Albert M. Kales for the plaintiff in error.

No. 609. Eldorado Coal & Mining Company, plaintiff in error, *v.* Harry W. Mager, Collector, etc. Argued by Mr. Hubert Pope for the plaintiff in error, and by Mr. Solicitor General Frierson for the defendant in error.

No. 129. The Heirs of Samuel Garland, deceased, appellants, *v.* The Choctaw Nation. Argued by Mr. Harry Peyton for the appellants, and by Mr. Solicitor General Frierson for the appellee. One week allowed both sides to file briefs on the right to appeal.

No. 131. American Steel Foundries, petitioner, *v.* James T. Newton, Commissioner of Patents. Argument commenced by Mr. George L. Wilkinson for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 13, will be as follows: Nos. 131, 132, 133, 134, 135, 136, 137, 139 (and 113), 142, and 143.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 13, 1921.

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

Percy E. Towne, of San Francisco, Calif., J. Colby Bassett, of Boston, Mass., W. L. G. Gibson, Pittsburgh, Pa., Harris E. Galpin, Muskegon, Mich., Archibald Lindsey, Washington, D. C., David R. Faries, Los Angeles, Calif., and Wm. J. Peck, Peoria, Ill., were admitted to practice.

No. 142. Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* Thomas M. Reynolds. Passed per stipulation of counsel pursuant to the twenty-sixth rule.

No. 131. American Steel Foundries, petitioner, *v.* Robert Whitehead, Commissioner of Patents. Argument continued by Mr. Nathan Heard for the Simplex Electric Heating Co., by special leave of court, and concluded by Mr. George L. Wilkinson for the petitioner.

No. 132. Henry Ralph and Mary Thoms, plaintiffs in error, *v.* Harry W. Howarth, administrator, etc. Argument commenced by Mr. Byron G. Burbank for the plaintiffs in error. The court declined to hear further argument.

No. 133. Panama Railroad Company, plaintiff in error, *v.* Noel Pigott, a minor, by his guardian ad litem George Morrell. Submitted by Mr. Frank Feuille for the plaintiff in error, and by Mr. Theodore C. Hinckley for the defendant in error.

No. 134. The Washington-Oregon Railroad & Navigation Company, appellant, *v.* The United States. Argued by Mr. William R. Harr for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

No. 136. The Western Pacific Railroad Company, appellant, *v.* The United States. Argued by Mr. William C. Prentiss for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

No. 135. The United States of America ex rel. C. E. Sykes, plaintiff in error, *v.* John Barton Payne, Secretary of the Interior. Argument commenced by Mr. Francis W. Clements for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

Day call for Friday, January 14, will be as follows: Nos. 135, 137, 139 (and 113), 143, 144, 145, 147, 148, 149, and 150.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 14, 1921.

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

William Archer Purrington, of New York City; Ralph J. Schwarz, of New Orleans, La.; George W. Wylie, of New York City; Francis B. Critchlow, of Salt Lake City, Utah; and Frank J. McConnell, of New York City, were admitted to practice.

No. —, original. *Ex parte* In the matter of Hussein Lutfi Bey, Master of the Turkish Government Steamship *Gul Djemal*, petitioner. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. John M. Woolsey for the petitioner. Suggestions of the Spanish ambassador on behalf of the Turkish or Ottoman Government submitted by Mr. Frank J. McConnell in that behalf.

No. 135. The United States of America *ex rel.* C. E. Sykes, plaintiff in error, *v.* John Barton Payne, Secretary of the Interior. Argument continued by Mr. Francis W. Clements for the plaintiff in error, by Mr. Leslie C. Garnett for the defendant in error, and concluded by Mr. Francis W. Clements for the plaintiff in error.

No. 137. Fitch, Cornell & Company, plaintiff in error, *v.* The Atchison, Topeka & Santa Fe Railway Company. Argument commenced by Mr. Harold G. Aron for the plaintiff in error. The Court declined to hear counsel for the defendant in error.

No. 139. The Baldwin Company et al., appellants, *v.* R. S. Howard Company. Argued by Mr. Lawrence Maxwell for the appellants, and by Mr. Samuel S. Watson for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 17, will be as follows: Nos. 143, 144, 145, 147, 148, 149, 150, 151, 152, and 154.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 17, 1921.

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

John Allen DeWeese, of Denver, Colo.; Harry G. Wexler, of Chicago, Ill.; Robert Ingersoll Marsh, of Indianapolis, Ind.; Washington E. Hudson, of Tulsa, Okla.; Arthur E. Nelson, of St. Paul, Minn.; Edward A. Kole, of New York City; Jerry C. Murphy, of Juneau, Alaska; Rollin L. McNitt, of Los Angeles, Calif.; Wylie C. Margeson, of New York City; F. Carroll Taylor, of New York City; Percival H. Truman, of Chicago, Ill.; Warren Bigelow, of New York City; Nelson J. Bozarth, of Valparaiso, Ind.; and Fred H. Davis, of Tallahassee, Fla., were admitted to practice.

No. 105. Pere Marquette Railway Company, petitioner, *v.* J. F. French & Company. On writ of certiorari to the Supreme Court of the State of Michigan. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis. (Mr. Justice Holmes took no part in the consideration or decision of this case.)

No. 337. Eugene Sol Louie, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth 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 Brandeis. (The Chief Justice took no part in the consideration or decision of this case.)

No. 117. St. Louis & San Francisco Railway Company, plaintiff in error, *v.* The Public Service Commission of the State of Missouri. In error to the Supreme Court of the State of Missouri. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Pitney and Mr. Justice Clarke.

No. 18, original. *Ex parte* In the matter of James Thomson Muir, Master, etc., petitioner. Rule to show cause discharged and petition

for a writ of prohibition and/or a writ of mandamus herein dismissed. Opinion by Mr. Justice Van Devanter.

No. 262. W. S. Bullock, Judge, etc., et al., plaintiffs in error, *v.* The State of Florida, upon the relation of the Railroad Commission of the State of Florida. In error to the Supreme Court of the State of Florida. Writ of error dismissed for want of jurisdiction. Writ of certiorari granted. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 214. J. W. Goldsmith, Jr.-Grant Company, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of Georgia. Judgment affirmed. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice McReynolds.

Mr. Justice McKenna also announced the following orders of the court:

No. 132. Henry Ralph and Mary Thoms, plaintiffs in error, *v.* Harry W. Howarth, Administrator, etc. In error to the Supreme Court of the State of Nebraska. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by act of September 6, 1916, c. 448, section 2, 39 Stat., 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S., 1.

No. 135. The United States of America *ex rel.* C. E. Sykes, plaintiff in error, *v.* John Barton Payne, Secretary of the Interior. In error to the Court of Appeals of the District of Columbia. *Per curiam*: Dismissed for want of jurisdiction upon authority of subdivision 5 of section 250 of the Judicial Code: *United States ex rel. Champion Lumber Co. v. Fisher*, Secretary of the Interior, 227 U. S., 445.

No. 137. Fitch, Cornell & Company, plaintiff in error, *v.* The Atchison, Topeka & Santa Fe Railway Company. In error to the Supreme Court of the State of New York. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, section 2, 39 Stat., 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S., 1.

No. 168. Louis H. Denee, plaintiff in error, *v.* Peter Morrison. In error to the Supreme Court of the State of Washington. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, section 2, 39 Stat., 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S., 1.

No. —, original. Ex parte In the matter of The City of Dallas, petitioner. Motion for leave to file a petition for a writ of mandamus herein denied.

No. —, original. Ex parte In the matter of Hussein Lutfi Bey, Master, etc., petitioner. Motion for leave to file a petition for writs of prohibition and/or mandamus herein denied.

No. 638. Quong Ham Wah Company, plaintiff in error, *v.* Industrial Accident Commission of the State of California et al. Motion to advance granted, and cause assigned for argument on Monday, February 28 next, after the cases heretofore assigned for that day.

No. 374. Pueblo of Laguna, appellant, *v.* Jose Candelaria et al. Motion for further consideration of the motion to dismiss or affirm denied.

No. 620. Illinois Central Railroad Company, plaintiff in error, *v.* C. B. Johnson. Petition for a writ of certiorari herein denied.

No. 627. Joshua Sykes et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 631. John Barton Payne, as Agent, etc., petitioner, *v.* Industrial Accident Commission of the State of California et al. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. 647. John W. Seaman et al., appellants, *v.* Samuel W. Adler. Petition for a writ of certiorari herein denied.

No. 658. Lee Wing Wah et al., petitioners, *v.* Edward White, as Commissioner of Immigration, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 660. The First National Bank of Casselton, North Dakota, petitioner, *v.* Frank M. Smith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 661. The Director General of Railroads, petitioner, *v.* Mabel Bennett, Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 662. The Director General of Railroads, petitioner, *v.* Minnie Templin, Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 667. Walker D. Hines, as Agent, etc., petitioner, *v.* Harvey K. Keyser. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 676. George Francis Rowe, petitioner, *v.* John M. Boyle, as United States Marshal, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 347. Miller & Lux (Inc.), plaintiff in error, *v.* The Sacramento & San Joaquin Drainage District. Motion to advance submitted by Mr. Hiram W. Johnson in that behalf.

No. 600. Anchor Company, appellant, *v.* The P. & M. Company. Suggestion of diminution of the record and motion for writ of certiorari submitted by Mr. Melville D. Church in behalf of Mr. Melville Church for the appellant.

No. 129. The Heirs of Samuel Garland, deceased, appellants, *v.* The Choctaw Nation. Leave granted to file reply brief, on motion of Mr. Harry Peyton for the appellants.

No. 647. John W. Seaman, et al., appellants, *v.* Samuel W. Adler. Motion to dismiss submitted by Mr. Joseph W. Bailey in behalf of counsel for the appellee in support of the motion. Leave granted to file brief in opposition, on motion of Mr. William L. Frierson in behalf of counsel for the appellants.

No. —, original. *Ex parte* In the matter of The National Park Bank of New York, petitioner. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. Warren Bigelow in behalf of counsel for the petitioner.

No. 259. Virginia Trust Company et al., Executors, etc., plaintiffs in error, *v.* The Commonwealth of Virginia et al. Suggestion of diminution of the record and motion for writ of certiorari submitted by Mr. John S. Barbour for the plaintiffs in error in support of same and Mr. J. D. Hank, jr., for defendants in error, in opposition thereto.

No. 586. Alexander New et al., Receivers, etc., petitioners, *v.* Effie McMillan, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Arthur Miller and Mr. Ephraim H. Foster for the petitioners.

No. 664. British Columbia Mills Tug & Barge Company, petitioner, *v.* A. W. Milroie. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles H. Farrell and Mr. W. B. Stratton for the petitioner, and by Mr. William H. Gorham for the respondent.

No. 666. Kokoma Steel Wire Company, petitioner, *v.* The Republic of France. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John R. Browne for the petitioner.

No. 672. Carlisle Packing Company, petitioner, *v.* Ole Sandanger. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. James A. Kerr and Mr. Evan S. McCord for the petitioner.

No. 600. Anchor Company, appellant, *v.* The P. & M. Company. Motion to dismiss or affirm submitted by Mr. Otto R. Barnett for the appellee in support of the motion, and by Mr. Melville Church for the appellant in opposition thereto.

No. 469. The Pullman Company, petitioner, *v.* The State Industrial Commission. On writ of certiorari to the Supreme Court, Appellate Division, Third Department, of the State of New York. Dismissed per stipulation.

No. 151. James R. Ward, plaintiff in error, *v.* The People of the State of Illinois ex rel. Chicago Bar Association. Passed.

No. 143. The United States of America, plaintiff in error, *v.* L. C. Russell. Argued by Mr. Assistant Attorney General Stewart for the plaintiff in error, and by Mr. Otto Christensen for the defendant in error.

No. 144. Kenneth D. Steere, appellant, *v.* W. W. Beaty et al. Argued by Mr. George Warner Swain for the appellant, and by Mr. W. B. Council for the appellees.

No. 145. Charles S. Sickel, plaintiff in error, *v.* The Commonwealth of Virginia. Argued by Mr. J. D. Hank, jr., for the defendant in error, and submitted by Mr. David H. Leake and Mr. Walter Leake for the plaintiff in error.

No. 147. The United States of America, plaintiff in error, *v.* William E. Rogers et al.; and

No. 148. The United States of America, plaintiff in error, *v.* Margie L. Highsmith. Argument commenced by Mr. Assistant Attorney General Garnett for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 18, will be as follows: Nos. 147 (and 148), 149, 150, 152, 154, 155, 156, 157, 158 (and 187), and 160.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 18, 1921.

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

Walter J. Suthon, jr., of New Orleans, La.; A. Kingsley Love, of Leonardtown, Md.; W. W. Giffen, of Niles, Ohio; Martin L. Haines, of Los Angeles, Calif.; Edward Stafford, of Washington, D. C.; and Henry S. Ballard, of Columbus, Ohio, were admitted to practice.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Fourth report of receiver filed, on motion of Mr. John S. Flannery, of counsel for receiver.

No. 169. Wabash Railroad Company, plaintiff in error, *v.* Board of Review of Cook County, Illinois. In error to the Supreme Court of the State of Illinois. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 156. Postal Telegraph Cable Company, plaintiff in error, *v.* The City of Fremont. Submitted by Mr. John N. Sebrell, jr., for the plaintiff in error, and by Mr. R. E. Evans for the defendant in error.

No. 157. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Daniel J. Perry. Passed.

No. 147. The United States of America, plaintiff in error, *v.* William E. Rogers et al.; and

No. 148. The United States of America, plaintiff in error, *v.* Margie L. Highsmith. Argument concluded by Mr. Assistant Attorney General Garnett for the plaintiff in error, and submitted by Mr. George S. Downer for the defendant in error.

No. 149. Armour & Company et al., appellants, *v.* The City of Dallas et al. Argued by Mr. Francis Marion Etheridge for the appellants, and by Mr. Thomas J. Freeman and Mr. James J. Collins for the appellees.

No. 150. Louis F. Nagel, plaintiff in error, *v.* The State of Iowa. Submitted by Mr. W. D. Milligan for the plaintiff in error, and by Mr. H. M. Havner and Mr. F. C. Davidson for the defendant in error.

No. 152. The New Orleans Land Company, appellant, *v.* Leader Realty Company (Ltd.). Argued by Mr. Charles Louque for the appellant, and submitted by Mr. William Winans Wall and Mr. Gustave Lemle for the appellee.

No. 154. Ben B. Lindsey, plaintiff in error, *v.* The People of the State of Colorado at the relation of John A. Rush, District Attorney, etc. Argued by Mr. Edward P. Costigan for the plaintiff in error, and submitted by Mr. Victor E. Keyes for the defendant in error. Leave granted counsel for plaintiff in error to file additional brief within seven days.

No. 155. The United States of America *ex rel.* Milwaukee Social Democratic Publishing Company, plaintiff in error, *v.* Albert S. Burleson, Postmaster General, etc. Argument commenced by Mr. Henry F. Cochems for plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 19, will be as follows: Nos. 155, 158 (and 187), 160, 161, 163, 165, 166, 167 (and 317 and 555), 170, and 171.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 19, 1921.

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

James F. Terry, of Boston, Mass.; Walter E. Kelly, of Washington, D. C.; William E. Baubie, of Detroit, Mich.; John J. Irving, of Binghamton, N. Y.; Paul E. Duzeski, of Chicago, Ill.; Percy L. Housel, of Riverhead, N. Y.; Maxwell V. Beghtol, of Lincoln, Nebr.; and Richard S. Wiggin, of Minneapolis, Minn., were admitted to practice.

No. 167. Giuseppe Cavallaro, petitioner, *v.* Steamship Carlo Poma, her engines, etc., Kingdom of Italy, Claimant;

No. 317. Giovanni Luzzato et al., etc., appellants, *v.* The Steamship Pesaro, etc.; and

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation, Limited, etc., et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Charles Henry Butler in that behalf.

No. 165. Joseph B. Beutel et al., plaintiffs in error, *v.* Oscar G. Foreman et al., Trustees, etc. In error to the Supreme Court of the State of Illinois. Dismissed with costs, pursuant to the tenth rule.

No. 155. The United States of America ex rel. Milwaukee Social Democratic Publishing Company, plaintiff in error, *v.* Albert S. Burleson, Postmaster General, etc. Argument continued by Mr. Henry F. Cochems for the plaintiff in error, by Mr. William H. Lamar for the defendant in error, and concluded by Mr. Solicitor General Frierson for the defendant in error.

No. 158. Silver King Coalition Mines Company, petitioner, *v.* Conkling Mining Company; and

No. 187. Silver King Coalition Mines Company, appellant, *v.* Conkling Mining Company. Argument commenced by Mr. Thomas Marioneaux for the petitioner and appellant, continued by Mr. F. B. Critchlow and Mr. William W. Ray for the respondent and appellee, and concluded by Mr. Thomas Marioneaux for the petitioner and appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 20, will be as follows: Nos. 160, 161, 163, 166, 170, 171, 172, 173, 174, and 175.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 20, 1921.

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

Ralph H. Monroe, of Fairfield, Iowa; Albert E. Steinem, of Washington, D. C.; Albert J. Weisberg, of Chicago, Ill.; Edgar Liberty Wood, of Milwaukee, Wis.; Kossuth Kent Kennon, of Milwaukee, Wis.; and George J. Carew, of Youngstown, Ohio, were admitted to practice.

No. 160. Maggie Harjo, appellant, *v.* W. A. Kunkle et al. Argued by Mr. Lewis C. Lawson for the appellant, and submitted by Mr. Preston C. West and Mr. A. A. Davidson for the appellees.

No. 161. Hartford Life Insurance Company, plaintiff in error, *v.* Cecelia Blinco, administratrix, etc. Argued by Mr. Frederick W. Lehmann for the plaintiff in error, and by Mr. Charles E. Morrow for the defendant in error.

No. 163. The Great Northern Railway Company, plaintiff in error, *v.* The City of Minneapolis. Argued by Mr. E. C. Lindley for the plaintiff in error, and by Mr. Richard S. Wiggin for the defendant in error.

No. 166. Alaska Fish Salting & By-Products Company, plaintiff in error, *v.* Walstein G. Smith. Argument commenced by Mr. R. E. Robertson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 21, will be as follows: Nos. 166, 170, 171, 172, 173, 174, 175, 176, 177, and 178.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 21, 1921.

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

William N. Vaile, of Denver, Colo., William H. Ferguson, of Denver, Colo., and George J. Breaker, of St. Louis, Mo., were admitted to practice.

No. 178. St. Louis, Iron Mountain & Southern Railway Company et al., appellants, *v.* J. F. Hasty & Sons et al. Submitted by Mr. George A. McConnell and Mr. John M. Moore for the appellants and by Mr. W. E. Hemingway, Mr. G. B. Rose, Mr. D. H. Cantrell, and Mr. J. F. Loughborough for the appellees.

No. 166. Alaska Fish Salting & By-Products Company, plaintiff in error, *v.* Walstein G. Smith. Argument continued by Mr. R. E. Robertson for the plaintiff in error, by Mr. J. C. Murphy for the defendant in error, and concluded by Mr. R. E. Robertson for the plaintiff in error.

No. 170. Sanger Bros., a copartnership, etc., plaintiffs in error, *v.* Emily Hunsucker et al. Submitted by Mr. Henry C. Coke for the plaintiffs in error. No appearance for the defendants in error.

No. 171. Stark Bros. Nurseries & Orchards Company, petitioner, *v.* William P. Stark et al., trustees, etc. Argued by Mr. Andrew B. Remick for the petitioner and by Mr. Xenophen P. Wilfley for the respondents.

No. 172. Edward Rutledge Timber Company et al., appellants, *v.* Alra G. Farrell. Argued by Mr. Stiles W. Burr for the appellants and by Mr. S. M. Stockslager for the appellee. Leave granted Mr. Stiles W. Burr to file reply brief for appellants within one week.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 24, will be as follows: Nos. 173, 174, 175, 176, 177, 2 Original, 179, 180, 181, and 182.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 24, 1921.

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

Otis Wingo, of DeQueen, Ark.; Thomas J. Fitzgerald, of Washington, D. C.; John P. Bramhall, of Washington, D. C.; Bennett C. Clark, of St. Louis, Mo.; Maurice T. Dooling, jr., of San Francisco, Calif.; R. B. F. Hummer, of Henryetta, Okla.; Raymond H. Kenyon, of Minneapolis, Minn.; J. W. Kridelbaugh, of Chariton, Iowa; Ashby Williams, of Washington, D. C.; Ellis A. Yost, of Morgantown, W. Va.; and George P. Cooper, of Huntsville, Ala., were admitted to practice.

No. 25. Peter Geddes et al., appellants, *v.* Anaconda Copper Mining Company et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the District of Montana for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clarke. Mr. Justice McReynolds concurs.

No. 130. E. Hilton Jackson, receiver of the First Cooperative Building Association of Georgetown, D. C., petitioner, *v.* John Lewis Smith and Edwin L. Wilson. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment of the Court of Appeals of the District of Columbia reversed with costs, and judgment of the Supreme Court of the District of Columbia affirmed with costs; and cause remanded to the said Supreme Court. Opinion by Mr. Justice Brandeis.

No. 86. The Journal and Tribune Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 121. George G. La Motte and Anna Marx La Motte, appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree modified

and affirmed; and cause remanded to the District Court of the United States for the District of Oklahoma. Opinion by Mr. Justice Van Devanter.

No. 133. Panama Railroad Company, plaintiff in error, *v.* Noel Pigott, a minor, by his guardian ad litem, George Morrell. In error to United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Canal Zone. Opinion by Mr. Justice Holmes.

No. 392. Central Union Trust Company of New York, individually and as trustee, etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 393. Edwin G. Merrill et al., individually and as trustees, etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 394. J. Markham Marshall et al., as trustees, etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian;

No. 395. J. Markham Marshall et al., as trustees, etc., plaintiffs in error, *v.* Francis P. Garvan, as Alien Property Custodian; and

No. 396. Metropolitan Trust Company of the City of New York, trustee, etc., plaintiff in error, *v.* Francis P. Garvan, as Alien Property Custodian. In error to the United States Circuit Court of Appeals for the Second Circuit. Judgments affirmed with costs; and causes remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes.

Mr. Justice McKenna announced the following orders of the Court:

No. 145. Charles S. Sickel, plaintiff in error, *v.* The Commonwealth of Virginia. In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon authority of *Murdock v. City of Memphis*, 20 Wall., 590; *Ross v. Oregon*, 227 U. S., 150, 164; *Southern Pacific Co. v. Schuyler*, 227 U. S., 601, 610; *Enterprise Irrigation District v. Canal Co.*, 243 U. S., 157, 164.

No. 150. Louis F. Nagel, plaintiff in error, *v.* The State of Iowa. In error to the Supreme Court of the State of Iowa. Per curiam: Dismissed for want of jurisdiction upon authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, section 2, 39 Stat., 726; *Jett Brothers Distilling Co. v. City of Carrollton*, 252 U. S., 1.

No. 160. Maggie Harjo, appellant, *v.* W. A. Kunkle, Prairie Oil & Gas Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want

of jurisdiction upon authority of *Farrell v. O'Brien*, 199 U. S., 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S., 225, 232; *Goodrich v. Ferris*, 214 U. S., 71, 79; *Toop v. Ulysses Land Co.*, 237 U. S., 580, 583; *United Security Co. v. American Fruit Produce Co.*, 238 U. S., 140, 142; *Sugarman v. United States*, 249 U. S., 182, 184; *Berkman v. United States*, 250 U. S., 114, 118; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S., 193.

No. 163. *The Great Northern Railway Company*, plaintiff in error, *v. The City of Minneapolis*. In error to the Supreme Court of the State of Minnesota. Per curiam: Dismissed for want of jurisdiction upon authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, section 2, 39 Stat., 726; *Jett Bros. Distilling Co. v. City of Carrollton*, 252 U. S., 1.

No. 170. *Sanger Bros.*, a copartnership, etc., plaintiffs in error, *v. Emily Hunsucker et al.* In error to the Court of Civil Appeals, Second Supreme Judicial District of the States of Texas. Per curiam: Dismissed for want of jurisdiction upon authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, section 2, 39 Stat., 726; *Jett Brothers Distilling Co. v. City of Carrollton*, 252 U. S., 1.

No. 647. *John W. Seaman et al.*, appellants, *v. Samuel W. Adler*. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *Hull v. Burr*, 234 U. S., 712, 720; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S., 575, 577; *Louisville & Nashville R. R. Co. v. Western Union Telegraph Co.*, 237 U. S., 300, 302; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S., 439, 444.

No —, original. Ex parte in the matter of the National Park Bank of New York, petitioner. Motion for leave to file petition for a writ of mandamus herein granted, and a rule to show cause awarded returnable Monday, February 28, next.

No. 347. *Miller & Lux, Incorporated*, plaintiff in error, *v. The Sacramento and San Joaquin Drainage District*. Motion to advance granted, and cause assigned for argument on Monday, February 28, next, after the cases heretofore assigned for that day.

No. 259. *Virginia Trust Company et al.*, executors, etc., plaintiffs in error, *v. The Commonwealth of Virginia et al.* Motion for a writ of certiorari on suggestion of diminution of the record granted.

No. 600. *Anchor Company*, appellant, *v. The P. & M. Company*. Further consideration of the motion to dismiss or affirm in this cause postponed to the hearing on the merits.

No. 672. Carlisle Packing Company, petitioner, *v.* Ole Sandanger. Petition for a writ of certiorari to the Supreme Court of the State of Washington granted.

No. 586. Alexander New and Henry C. Ferris, receivers, etc., petitioners, *v.* Effie McMillan, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 666. Kokomo Steel Wire Company, petitioner, *v.* The Republic of France. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 265. The Missouri Pacific Railway Company, plaintiff in error, *v.* McGrew Coal Company; and

No. 290. Anna Lang, as administratrix, etc., petitioner, *v.* New York Central Railroad Company. Ordered that these cases, which have heretofore been placed on the summary docket, be assigned for argument, at the head of the call, on Monday, February 28 next.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervenor. *Order.* The motion of the Sinclair Oil and Gas Company, filed herein on December 20, 1920, for an order to require Frederic A. Delano, Esq., receiver, to refund to it one-sixteenth ($\frac{1}{16}$) of the proceeds of the oil produced from certain premises in said motion described and heretofore deposited with said receiver pursuant to the order of this court, together with the interest collected thereon by said receiver, and to require said receiver to surrender and pay to said Sinclair Oil and Gas Company one-sixteenth ($\frac{1}{16}$) of the oil or the proceeds thereof delivered to said receiver since the 15th day of October, 1920, is hereby denied, without prejudice.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervenor. *Order.* The petition of the Oklahoma Petroleum and Gasoline Company, filed herein on December 20, 1920, for an order requiring Frederic A. Delano, Esq., receiver, to file a statement of expenses incurred by him from May 16, 1920, to July 1, 1920, in operating certain wells designated in said petition, and requiring said receiver to pay to said company the proceeds of one-sixteenth ($\frac{1}{16}$) of the oil produced from said wells from April 1, 1920, to November 15, 1920, and the interest collected by said receiver upon said proceeds, and requiring said receiver to refund to said company one-third ($\frac{1}{3}$) of the three-sixteenths ($\frac{3}{16}$) of the proceeds of the oil from said wells paid to said receiver since November 15, 1920, and that said company be not required hereafter to pay to said receiver more than two-sixteenths ($\frac{2}{16}$) of the oil and gas produced from said wells, and for other relief, is hereby denied, without prejudice.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervener. *Order.* The motion of C. J. Benson, William Murdock, and James R. Armstrong, filed herein December 20, 1920, for an order requiring Frederic A. Delano, Esq., receiver, to file an inventory of certain material and equipment purchased by him and paid for out of the proceeds of the oil produced by him from certain premises in said motion described, and to account for the value thereof; and requiring said receiver to file forthwith an itemized statement of moneys charged by him against certain wells and a statement of all sums of money realized by him from certain wells, and for other relief, as in said motion specified, is hereby denied without prejudice.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervener. *Order:* Upon consideration of the motion of Southwest Petroleum Company, filed herein January 3, 1921, for an order directing Frederic A. Delano, Esq., receiver herein, to return to said company pursuant to the order of June 7, 1920, a certain well known as receiver's well No. One hundred and eighty (180), together with the land appurtenant thereto and the structures, equipment, and material pertaining to said well, and the response of the receiver to said motion filed January 5, 1921, and the response of the United States filed January 22, 1921. It is ordered that said receiver do return to said Southwest Petroleum Company said well No. One hundred and eighty (180), which lies south of the south edge of the sand bed of the Red River as it was on the 1st day of April, 1920 (marked generally by the border line of vegetation along the edge of the flood plain), together with the land appurtenant thereto lying to the south of the south edge of the sand bed of said river, and the structures, equipment, and material pertaining to said well, and the net proceeds of the production thereof that have come to the hands of said receiver, less operating expenses and reservations, upon terms that said Southwest Petroleum Company comply with the provisions contained in the order of this court made June 7, 1920, respecting the return of certain lands lying south of the south edge of the sand bed of said river which were on the 1st day of April, 1920, in the possession of persons claiming under patents from the State of Texas, and not included in the river bed lands as in said order defined.

Mr. Justice McKenna also announced that the Court will take a recess from Monday, the 31st instant, to Monday, February 28 next.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervener. Leave granted to submit response of The United States to

the motion of The Southwest Petroleum Company for the return of receiver's well No. 180, and the appurtenants, and response of The United States to the motion of The Sinclair Oil & Gas Company to be relieved of the payment of any of the general expenses and costs of the receivership, etc., on motion of Mr. Solicitor General Frierson for the United States.

No. 523. The United States of America, plaintiff in error, *v.* Boze Yuginovich et al. Motion to advance submitted by Mr. Solicitor General Frierson for the plaintiff in error.

No. 646. Joseph H. Burdeau, appellant, *v.* J. C. McDowell. Motion to advance submitted by Mr. Solicitor General Frierson for the appellant.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervenor. Motion of General Oil Company to set aside, amend, and change decree dated December 6, 1920, submitted by Mr. K. C. Barkley in that behalf, with leave to Mr. John S. Flannery, of counsel for the receiver, to file brief in opposition on or before Friday next.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervenor. Motion of National Petroleum & Refining Company for the return of patented lands submitted by Mr. K. C. Barkley in that behalf, with leave to Mr. John S. Flannery, of counsel for receiver, to file brief in opposition on or before Friday next.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervenor. Motion of T. P. Roberts and A. H. Britain to require the receiver to return certain patented lands submitted by Mr. A. H. Carrigan in that behalf, with leave to Mr. John S. Flannery, of counsel for receiver, to file brief in opposition on or before Friday next.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervenor. Motion of T. P. Roberts and A. H. Britain to require the receiver to account and pay to them twenty thousand dollars and interest, submitted by Mr. A. H. Carrigan in that behalf, with leave to Mr. John S. Flannery, of counsel for receiver, to file brief in opposition on or before Friday next.

No. 686. Great Northern Railway Company et al., petitioners, *v.* Merchants Elevator Company. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. John F. Finerty and Mr. F. G. Dorety for the petitioners.

No. —, original. *Ex parte* In the matter of Lincoln Gas & Electric Light Company, petitioner. Motion for leave to file petition for a

writ of mandamus herein submitted by Mr. Robert A. Brown and Mr. Maxwell V. Beghtol for the petitioner.

No. 605. Arthur J. Dahn, petitioner, *v.* Walker D. Hines, Director General of Railroads of the United States. Substitution of John Barton Payne, as Director General of Railroads, in place of Walker D. Hines, resigned, as the party respondent herein, ordered, on motion of Mr. Walter C. Clephane in that behalf.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervenor. Motion of Continental Oil Company for leave to intervene submitted by Mr. Seth Shepard in that behalf, with leave to Mr. John S. Flannery, of counsel for receiver, to file brief in opposition on or before Friday next.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States of America, intervenor. Motion of Continental Oil Company for direction to the receiver with reference to the protection of land claimed by said company against drainage through wells on adjacent land, submitted by Mr. Seth Shepard in behalf of counsel, with leave to Mr. John S. Flannery, of counsel for receiver, to file brief in opposition on or before Friday next.

No. 671. Commerce Trust Company, petitioner, *v.* Samuel Rusnak, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. W. H. Sears, Mr. Eugene L. Garey, Mr. Paul L'Amoreaux, and Mr. Lewis A. Stebbins for the petitioner.

No. 618. The City of Hillsboro, Oregon, plaintiff in error, *v.* Public Service Commission of Oregon, etc., et al. Motion to dismiss or affirm submitted by Mr. Alexander Britton in behalf of Mr. Charles A. Hart for the defendants in error in support of the motion.

No. 520. New Bedford Dry Dock Company, appellant, *v.* Blake G. Purdy, claimant of the Steamer Jack-O-Lantern. Motion to advance submitted by Mr. William H. Donovan in behalf of Mr. Lee M. Friedman for the appellant.

No. —, original. Ex parte in the matter of Matthew Addy Steamship & Commerce Corporation, petitioner. Motion for leave to file a petition for writ of mandamus herein submitted by Mr. Ashby Williams in behalf of counsel for the petitioner.

No. 684. William M. Duncan, receiver, etc., petitioner, *v.* Horace F. Baker, receiver, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Arthur O. Fording for the petitioner, and by Mr. John Quinn for the respondent.

No. 629. William R. Castle et al., trustees, etc., petitioners, *v.* Julia White Castle. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, with costs, on motion of counsel for petitioners.

No. 179. The De Lamar Company, Limited, plaintiff in error, *v.* The United States of America. Submitted by Mr. Richard H. Johnson for the plaintiff in error, and by Mr. Solicitor General Frierson, Mr. Assistant Attorney General Nebeker, and Mr. Assistant Attorney General Underwood for the defendant in error with leave to counsel to file additional brief on or before January 31st.

No. 173. Clay Arthur Pierce et al., appellants, *v.* The United States of America. Argued by Mr. Louis Marshall for the appellants, and by Mr. Solicitor General Frierson for the appellee.

No. 174. W. E. Stewart, plaintiff in error, *v.* E. G. McAllister et al. Argued by Mr. Don A. Bliss for the plaintiff in error, and submitted by Mr. J. C. George for the defendants in error.

No. 175. The United States of America, plaintiff in error, *v.* The American Chicle Company. Argued by Mr. Solicitor General Frierson for the plaintiff in error, and by Mr. Charles P. Spooner for the defendant in error.

No. 176. The Supreme Lodge of the Knights of Pythias, plaintiff in error, *v.* Sallie N. Overton. Argued by Mr. Lawrence Cooper for the plaintiff in error. No appearance for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 25, will be as follows: Nos. 177, 2 (original), 180, 181, 182, 167 (and 317 and 555), 183, 185, 186, and 188.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 25, 1921.

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

Edward Sandford, of New York City; Jesse B. Adams, of Washington, D. C.; Walter E. Blount, of Washington, D. C.; and Walter W. Stevens, of Washington, D. C., were admitted to practice.

No. 185. Iowa Gas & Electric Company, appellant, *v.* The City of Mount Pleasant, Iowa, et al. Continued, per stipulation.

No. 177. The Standard Fashion Company, petitioner, *v.* Magrane-Houston Company. Argued by Mr. Charles E. Hughes for the petitioner. No appearance for the respondent.

No. 2, original. The People of the State of New York, complainant, *v.* The State of New Jersey et al. Three and one-half hours allowed for the reargument of this case, on motion of Mr. Charles E. Hughes for the complainant. Reargued by Mr. Charles E. Hughes for the complainant, and by Mr. Adrian Riker and Mr. George W. Wickersham for the defendants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 26, will be as follows: Nos. 180, 181, 182, 167 (and 317 and 555), 183, 186, 188, 189, 190, and 191.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 26, 1921.

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

Ray M. Wardall, of Seattle, Wash.; Rufus W. Pearson, of Washington, D. C.; Walter W. Preston, of Washington, D. C.; Floyd L. Lanham, of Chicago, Ill.; Jacob S. White, of Indianapolis, Ind.; Newton K. Fox, of Washington, D. C.; and Edward M. White, of Indianapolis, Ind., were admitted to practice.

No. 691. The United States of America, plaintiff in error, *v.* A. Z. Hutto et al.; and

No. 692. The United States of America, plaintiff in error, *v.* A. Z. Hutto. Motion to advance submitted by Mr. Solicitor General Frierson for the plaintiff in error.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Motion to advance submitted by Mr. Solicitor General Frierson in behalf of counsel. Leave granted to file brief of the United States as *amicus curiæ*, on motion of Mr. Solicitor General Frierson in that behalf.

No. 663. David M. Goodrich, plaintiff in error, *v.* William H. Edwards, United States Collector of Internal Revenue for the Second District of the State of New York. Motion to advance submitted by Mr. Fletcher Lewis in behalf of counsel.

No. 648. Carlos Carmelo Garcia, appellant, *v.* James B. Holohan, United States Marshal for the Northern District of California, et al. Motion for leave to proceed in forma pauperis submitted by Mr. Charles Warren for the appellant.

No. 180. Southern Iowa Electric Company, appellant, *v.* The City of Chariton, Iowa, et al. Argued by Mr. Emmet Tinley for the appellant, and by Mr. J. W. Kridelbaugh for the appellees.

No. 181. The State of Kansas on the relation of Richard J. Hopkins, Attorney General, et al., appellants, *v.* Wichita Natural Gas Company et al. Appeal from the District Court of the United States for the District of Kansas. Dismissed with costs, on motion of counsel for the appellants.

No. 182. Beter Wilson, plaintiff in error, *v.* Republic Iron & Steel Company et al. Continued, per stipulation.

No. 167. Giuseppe Cavallaro, petitioner, *v.* Steamship Carlo Poma, her engines, etc., Kingdom of Italy, claimant;

No. 317. Giovanni Luzzato et al., etc., appellants, *v.* The Steamship Pesaro, etc.; and

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation, Ltd., Owner of the Steamship Baron Ogilvy, et al. Argument commenced by Mr. Oscar R. Houston for the petitioner in No. 167 and the appellants in No. 317, continued by Mr. Van Vechten Veeder for the respondent in No. 167, by Mr. John M. Woolsey for the appellee in No. 317, by Mr. Harold V. Amberg for the petitioner in No. 167 and the appellants in No. 317, and by Mr. John W. Griffin for the petitioner in No. 555.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 27, will be as follows: Nos. 167 (and 317, and 555), 183, 186, 188, 189, 190, 191, 193, 194 (and 195), and 196.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 27, 1921.

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

Christian H. Lehman, of Detroit, Mich.; LeRoy C. Lyon, of Detroit, Mich.; J. Francis Mahon, of Detroit, Mich.; John A. Reed, of Cedar Rapids, Iowa; Julian Hartridge, of New York City; Fred R. Schmalzriedt, of Detroit, Mich.; William Lucking, of Detroit, Mich.; Clarence W. Videan, of Detroit, Mich.; Frank C. Lee, of Memphis, Tenn.; James M. Jeffries, of Detroit, Mich.; and Maurice Dabney Green, of Muskogee, Okla., were admitted to practice.

No. 110. Yee Bow, plaintiff in error, *v.* The City of Cleveland et al. In error to the Supreme Court of the State of Ohio. Dismissed, per stipulation.

No. 193. Rose Hansen, administratrix, etc., petitioner, *v.* New York Central & Hudson River Railroad Company. On petition for writ of certiorari to the Circuit Court of Hudson County, State of New Jersey. Dismissed for want of prosecution.

No. 194. J. L. Hudson, plaintiff in error, *v.* O. L. Hopkins, as county treasurer, etc.; and

No. 195. William E. McGuire, as administrator, etc., plaintiff in error, *v.* E. J. McCurdy, as county treasurer, etc. Passed temporarily.

No. 196. William Breiholz et al., plaintiffs in error, *v.* The Board of Supervisors of Pocahontas County, Iowa, et al. Passed temporarily.

No. 167. Giuseppe Cavallaro, petitioner, *v.* Steamship *Carlo Poma*, her engines, etc., Kingdom of Italy, claimant;

No. 317. Giovanni Luzzato et al., etc., appellants, *v.* The Steamship *Pesaro*, etc.; and

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation, Limited, etc., et al. Argument continued by Mr. John

W. Griffin for the petitioner in No. 555, and concluded by Mr. John M. Woolsey for the respondents in No. 555.

No. 183. Union Pacific Railroad Company, petitioner, *v.* James J. E. Burke. Argued by Mr. Oscar R. Houston for the petitioner and by Mr. Arthur W. Clement for the respondent.

No. 186. Lower Vein Coal Company, appellant, *v.* Industrial Board of Indiana et al. Argument commenced by Mr. William H. Thompson for the appellant, continued by Mr. E. M. White and Mr. John A. Riddle for the appellees, and concluded by Mr. Henry W. Moore for the appellant.

No. 188. Anchor Oil Company, appellant, *v.* W. H. Gray et al. Argued by Mr. Preston C. West for the appellees and submitted by Mr. John Devereux for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 28, will be as follows: Nos. 189, 190, 191, 198, 200, 201, 202, 203, 204, and 205.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 28, 1921.

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

Loran Charles Stevenson, of Seattle, Wash., was admitted to practice.

No. 636. St. Louis-San Francisco Railway Company, appellant, *v.* George H. Middelkamp, State Treasurer, etc. Substitution of Lorenzo D. Thompson, as State treasurer, and Jesse W. Barrett, as attorney general, as parties appellees herein, ordered, on motion of Mr. S. T. Taliaferro in that behalf.

No. 189. Iowa Electric Company, appellant, *v.* City of Fairfield, Iowa, et al. Argued by Mr. John A. Reed for the appellant and by Mr. Ralph H. Munro for the appellees.

No. 190. Muscatine Lighting Company, appellant, *v.* City of Muscatine, Iowa, et al. Argued by Mr. William Chamberlain for the appellant. No appearance for the appellees.

No. 191. S. A. McHenry et al., plaintiffs in error, *v.* Bankers Trust Company et al. Argued by Mr. Don A. Bliss for the plaintiffs in error and submitted by Mr. B. F. Louis and Mr. D. W. Glasscock (p. p.) for the defendants in error.

No. 198. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Hannah L. Zuber. Argued by Mr. M. D. Green for the plaintiffs in error and petitioners and submitted by Mr. Charles W. Smith for the defendant in error and respondent.

No. 202. Michael Maguire et al., plaintiffs in error, *v.* Timothy A. Reardon et al., etc., et al. Argued by Mr. Maurice T. Dooling, jr., for the defendants in error and submitted by Mr. J. F. Riley for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

13331—21—60

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 31, 1921.

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

William Webb Venable, of Meridian, Miss.; John Francis Crosby, of Hartford, Conn.; G. Earl Shaffer, of Tulsa, Okla.; C. B. Rockwood, of Sapulpa, Okla.; James S. Havens, of Rochester, N. Y.; Alfred P. W. Seaman, of New York City; and J. D. Atwood, of Roswell, N. Mex., were admitted to practice.

No. 107. Port of Seattle, appellant, *v.* Oregon & Washington Railroad Company and J. F. Duthie & Company. Appeal from the District Court of the United States for the Western District of Washington. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 120. Charles K. Hogan, appellant, *v.* William H. O'Neill, chief of police of the city of East Orange, New Jersey. Appeal from the District Court of the United States for the District of New Jersey. Final order affirmed with costs. Opinion by Mr. Justice Pitney.

No. 166. Alaska Fish Salting and By-Products Company, plaintiff in error, *v.* Walstein G. Smith. In error to the District Court, Division No. 1, of the Territory of Alaska. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 171. Stark Bros. Nurseries and Orchards Company, petitioner, *v.* William P. Stark et al., trustees doing business under the name and style of William P. Stark Nurseries. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Missouri. Opinion by Mr. Justice Holmes.

No. 460. Victor L. Berger et al. *v.* The United States of America. On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit. First question certified answered in the affirmative. Second question certified answered that, to the extent indicated in the opinion, Judge Landis had a lawful right to pass upon the sufficiency of the affidavit. Third question certified answered in the negative. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day and Mr. Justice Pitney. Specially dissenting: Mr. Justice McReynolds.

No. 421. Alexander Kahn et al., appellants, *v.* August V. Anderson, warden of the United States Penitentiary at Leavenworth, Kansas. Appeal from the District Court of the United States for the District of Kansas. Final order affirmed with costs. Opinion by Mr. Chief Justice White.

No. 285. William J. Givens, appellant, *v.* Fred G. Zerbst, warden of the United States Penitentiary at Atlanta, Georgia. Appeal from the District Court of the United States for the Northern District of Georgia. Final order affirmed with costs. Opinion by Mr. Chief Justice White.

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

No. 191. S. A. McHenry et al., plaintiffs in error, *v.* Bankers Trust Company et al. In error to the Court of Civil Appeals, First Supreme Judicial District of the State of Texas. Per curiam: Dismissed for want of jurisdiction under the act of September 6, 1916.

No. 176. The Supreme Lodge of the Knights of Pythias, plaintiff in error, *v.* Sallie N. Overton. In error to the Supreme Court of the State of Alabama. Per curiam: Dismissed for want of jurisdiction: 1. Act of September 6, 1916. See *Jett Bros. Co. v. City of Carrollton*, 252 U. S. 1, 6.

No. 174. W. E. Stewart, plaintiff in error, *v.* E. G. McAllister et al. In error to the Court of Civil Appeals, Fourth Supreme Judicial District of the State of Texas. Per curiam: Dismissed for want of jurisdiction: 1. Act of September 6, 1916. 2. *Goodrich v. Ferris*, 214 U. S. 71, 79; *Toop v. Ulysees Land Company*, 237 U. S. 580, 583; *United Security Co. v. American Fruit Produce Co.*, 238 U. S. 140, 142; *Sugarman v. United States*, 249 U. S. 182, 184; *Berkman v. United States*, 250 U. S. 114, 118; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193.

No. 154. Ben B. Lindsey, plaintiff in error, *v.* The People of the State of Colorado at the relation of John A. Rush, district attorney, etc. In error to the Supreme Court of the State of Colorado. Per curiam: Dismissed for want of jurisdiction under the act of September 6, 1916.

No. —, Original. Ex parte in the matter of Lincoln Gas & Electric Company, petitioner. Motion for leave to file petition for writ of mandamus herein granted, and rule to show cause awarded returnable on Monday, March 14, next.

No. —, Original. Ex parte in the matter of Matthew Addy Steamship & Commerce Corporation, petitioner. Motion for leave to file petition for writ of mandamus herein granted, and rule to show cause awarded returnable on Monday, March 14, next.

No. 600. Anchor Company, appellant, *v.* The P. & M. Company. Motion for a writ of certiorari on suggestion of diminution of the record herein granted, and the matter presented with the suggestion ordered filed as the return to the writ.

No. 520. New Bedford Dry Dock Company, appellant, *v.* Blake G. Purdy, claimant of the steamer "Jack-O-Lantern." Motion to advance for oral argument denied, but the case will be taken on printed briefs if counsel are so advised.

No. 523. The United States of America, plaintiff in error, *v.* Boze Yuginovich et al. Motion to advance granted, and cause assigned for argument on Monday, February 28, next, after the cases heretofore assigned for that day.

No. 646. Joseph H. Burdeau, appellant, *v.* J. C. McDowell. Motion to advance granted, and cause assigned for argument on Monday, February 28, next, after the cases heretofore assigned for that day.

No. 663. David M. Goodrich, plaintiff in error, *v.* William H. Edwards, United States collector of internal revenue, etc. Motion to advance granted, and cause assigned for argument on Monday, February 28, next, after the cases heretofore assigned for that day.

No. 691. The United States of America, plaintiff in error, *v.* A. Z. Hutto et al.; and

No. 692. The United States of America, plaintiff in error, *v.* A. Z. Hutto. Motion to advance granted, and cases assigned for argument on Monday, April 11, next.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Motion to advance granted, and cause assigned for argument on Monday, February 28, next, after the cases heretofore assigned for that day.

No. 648. Carlos Carmelo Garcia, appellant, *v.* James B. Holohan, U. S. Marshal, etc. Motion for leave to proceed *in forma pauperis* herein denied.

No. 664. British Columbia Mills Tug & Barge Company, petitioner, *v.* A. W. Milroie. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 686. Great Northern Railway Company et al., petitioners, *v.* Merchants Elevator Company. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 671. Commerce Trust Company, petitioner, *v.* Samuel Rusnak, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 684. William M. Duncan, receiver, etc., petitioner, *v.* Horace F. Baker, receiver, etc., et al. Petition for a writ of certiorari to

the United States Circuit Court of Appeals for the Third Circuit denied.

No. 259. Virginia Trust Company et al., executors, etc., plaintiffs in error, *v.* The Commonwealth of Virginia et al. Motion to dismiss submitted by Mr. John R. Saunders and Mr. J. D. Hank, jr., for the defendants in error in support of the motion, and by Mr. John S. Barbour for the plaintiffs in error in opposition thereto.

No. 668. Doehler Die-Casting Company et al., appellants, *v.* Brooklyn Union Gas Company. Motion to advance submitted by Mr. Daniel Davenport in behalf of counsel for the appellants in support of the motion, and by Mr. William N. Dykman for the appellee in opposition thereto.

No. 677. Ed. Hagen et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. A. H. Ferguson and Mr. John J. Sullivan for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 659. Charles Wooster et al., petitioners, *v.* Union Pacific Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. C. C. Flansburg and Mr. W. H. Thompson for the petitioners, and by Mr. N. H. Loomis and Mr. C. A. Magaw for the respondent.

No. 685. Jewel Carmen, petitioner, *v.* Fox Film Corporation et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Nathan Burkan and Mr. William J. Hughes for the petitioner, and by Mr. Saul E. Rogers for the respondent.

No. 2. Eastman Kodak Company et al., appellants, *v.* The United States of America. Appeal from the District Court of the United States for the Western District of New York. Dismissed, on motion of counsel for the appellants, and mandate granted.

No. 362. The Petroleum Company of Louisiana, appellant, *v.* L. A. Tumlin et al. Appeal from the District Court of the United States for the Western District of Louisiana. Dismissed, with costs, on motion of counsel for the appellants.

No. 305. Otto Mueller et al., plaintiffs in error, *v.* Northern Pacific Railway Company. Motion to dismiss submitted by Mr. Charles W. Bunn for the defendant in error in support of the motion, and by Mr. Dallas V. Halverstadt and Mr. L. C. Stevenson for the plaintiffs in error in opposition thereto.

Adjourned until Monday, February 28, next, at 12 o'clock.

The day call for Monday, February 28, will be as follows: Nos. 265, 290, 524 (and 525), 397, 636, 640, 476, 638, 347, 523, 646, 663, and 694.

SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 28, 1921.

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

Seiford M. Stellwagen, of Minneapolis, Minn.; Leon F. Cooper, of Washington, D. C.; Robert D. Bartlett, of Baltimore, Md.; J. Kemp Bartlett, jr., of Baltimore, Md.; Albert C. Hunt, of Tulsa, Okla.; John London, of Birmingham, Ala.; Wilford Hearn, of Washington, D. C.; Z. B. Harrison, of Blytheville, Ark.; Mary E. Laird, of Washington, D. C.; Max G. Cohen, of New York City; A. Colton Lewis, of Clifton, Va.; Erle Pettus, of Birmingham, Ala.; Wallace Streater, of Washington, D. C.; Frank H. Haskell, of Portland, Me.; John C. Williams, of Houston, Tex.; George E. Kimball, of Boston, Mass.; Joseph A. Mahoney, of Boston, Mass.; William J. Matthews, of Chicago, Ill.; Dale D. Drain, of Washington, D. C.; J. F. Aldine Chambers, of Atlanta, Ga.; Charles N. Willard, of Kinsley, Kans.; Andrew J. Aldridge, of Birmingham, Ala.; D. M. Powell, of Greenville, Ala.; Harry B. Skillman, of Indianapolis, Ind.; J. B. Densmore, of Washington, D. C.; James D. Meredith, of Sacramento, Calif.; Harry Gottesfeld, of San Francisco, Calif.; Frederick A. Henry, of Cleveland, Ohio; Harry A. Clark, of Washington, D. C.; Ransom H. Gillette, of Troy, N. Y.; James W. Carpenter, of New Haven, Conn.; Francis G. Riche, of Denver, Colo.; Ewing P. Philbin, of Woodmere, N. Y.; Clair B. Hughes, of New York City; Henry S. Conrad, of Kansas City, Mo.; Thomas O. Stokes, of St. Louis, Mo.; Jesse W. Barrett, of St. Louis, Mo.; Samuel R. Gerstein, of New York City; Frank C. Briggs, of New York City; Thomas Henry Keogh, of New York City; Ralph E. Moody, of New York City; Kenneth F. Burgess, of Chicago, Ill.; E. Barrett Prettyman, of Washington, D. C.; Charles S. Peery, of San Francisco, Calif.; Edwin V. Guinan, of New York City; Preston D. Richards, of Salt Lake City, Utah; Richard T. Lynch, of New York City; and John E. Benton, of Keene, N. H., were admitted to practice.

No. 250. Felix Gouled *v.* The United States of America. On a certificate from the United States Circuit Court of Appeals for the

Second Circuit. First, second, third, fourth, fifth, and sixth questions certified answered in the affirmative. Opinion by Mr. Justice Clarke.

No. 114. Lawrence Amos, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Eastern District of South Carolina. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke.

No. 183. Union Pacific Railroad Company, petitioner, *v.* James J. E. Burke. On writ of certiorari to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 24, original. *Ex parte* in the matter of The Chicago, Rock Island & Pacific Railway Company, petitioner. On petition for a writ of prohibition and/or a writ of mandamus. Rule to show cause discharged, and petition dismissed. Opinion by Mr. Justice Brandeis. (Mr. Justice Day took no part in the consideration or decision of this case.)

No. 149. Armour & Company et al., appellants, *v.* The City of Dallas et al. Appeal from the District Court of the United States for the Northern District of Texas. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 439. Charles I. Dawson, Attorney General of the State of Kentucky et al., appellants, *v.* Kentucky Distilleries and Warehouse Company; and

No. 582. Charles I. Dawson, as Attorney General of the Commonwealth of Kentucky, et al., appellants, *v.* The J. & A. Freiberg Company, Inc. Appeals from the District Courts of the United States for the Eastern and Western Districts of Kentucky. Decrees affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 152. The New Orleans Land Company, appellant, *v.* Leader Realty Company, Ltd. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 172. Edward Rutledge Timber Company et al., appellants, *v.* Alra G. Farrell. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree of Circuit Court of Appeals reversed with costs, and decree of the District Court of the United States for the District of Idaho affirmed with costs, and cause remanded to the said district court. Opinion by Mr. Justice McReynolds.

No. 202. Michael Maguire et al., plaintiffs in error, *v.* Timothy A. Reardon et al., as Commissioners, etc. In error to the District Court

of Appeal of the State of California in and for the First Appellate District, Division One. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 178. St. Louis, Iron Mountain & Southern Railway Company et al., appellants, *v.* J. F. Hasty & Sons et al. Appeal from the District Court of the United States for the Eastern District of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 442. The United States, appellant, *v.* Stanley Field, as Executor of the Estate of Kate Field, deceased. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 317. Giovanni Luzzato et al., etc., appellants, *v.* The Steamship "Pesaro," etc. Appeal from the District Court of the United States for the Southern District of New York. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

No. 167. Giuseppe Cavallaro, petitioner, *v.* Steamship "Carlo Poma," her Engines, etc.; Kingdom of Italy, Claimant. 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 Van Devanter.

No. 495. Patrick H. Bodkin, appellant, *v.* William B. Edwards. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of California. Opinion by Mr. Justice Van Devanter.

No. 614. Charles L. Baender, appellant, *v.* Frank Barnett, as sheriff of Alameda County, California. Appeal from the District Court of the United States for the Northern District of California. Final order affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 17. John Barton Payne, Secretary of the Interior et al., appellants, *v.* Central Pacific Railway Company. Appeal from the Court of Appeals of the District of Columbia. Decree modified and affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 546. Max W. Stoehr, suing in his own behalf, etc., et al., appellants, *v.* James N. Wallace et al. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 147. The United States of America, plaintiff in error, *v.* William E. Rogers et al. In error 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 New Mexico. Opinion by Mr. Justice Day.

No. 148. The United States of America, plaintiff in error, *v.* Margie L. Highsmith. In error 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 New Mexico. Opinion by Mr. Justice Day.

No. 492. Detroit United Railway, appellant, *v.* City of Detroit et al. Appeal from the District Court of the United States for the Eastern District of Michigan. Decree affirmed. Opinion by Mr. Justice Day.

No. 199. Charles E. Smith, appellant, *v.* Kansas City Title & Trust Company et al. Appeal from the District Court of the United States for the Western District of Missouri. Decree affirmed with costs. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Holmes and Mr. Justice McReynolds. (Mr. Justice Brandeis took no part in the consideration or decision of this case.)

No. 158. Silver King Coalition Mines Company, petitioner, *v.* Conkling Mining 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 District of Utah for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. (The Chief Justice took no part in the consideration or decision of this case.)

No. 187. Silver King Coalition Mines Company, appellant, *v.* Conkling Mining Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes. (The Chief Justice took no part in the consideration or decision of this case.)

No. 125. Vandalia Railroad Company, plaintiff in error, *v.* Gustav A. Schnull et al., etc., et al. In error to the Supreme Court of the State of Indiana. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 156. Postal Telegraph-Cable Company, plaintiff in error, *v.* The City of Fremont. In error to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 161. Hartford Life Insurance Company, plaintiff in error, *v.* Cecelia Blincoe, administratrix of the estate of Rosa Barber, de-

ceased. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Holmes, Mr. Justice Van Devanter, and Mr. Justice McReynolds.

No. 143. The United States of America, plaintiff in error, *v.* L. C. Russell. In error to the District Court of the United States for the Northern District of Illinois. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 186. Lower Vein Coal Company, appellant, *v.* Industrial Board of Indiana et al. Appeal from the District Court of the United States for the District of Indiana. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 91. El Banco Popular de Economias y Prestamos de San Juan, P. R., appellant, *v.* Elias B. Wilcox. Appeal from the United States Circuit Court of Appeals for the First Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 84. T. M. Duche & Sons, Limited, petitioner, *v.* American Schooner "John Twohy," her Tackle, etc. 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. Chief Justice White.

No. 324. The United States of America, plaintiff in error, *v.* L. Cohen Grocery Company. In error to the District Court of the United States for the Eastern District of Missouri. Judgment affirmed. Opinion by Mr. Chief Justice White. Concurring: Mr. Justice Pitney and Mr. Justice Brandeis.

No. 558. Weeds, Inc., et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of New York. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White. Concurring: Mr. Justice Pitney and Mr. Justice Brandeis.

No. 407. C. A. Weed & Company, appellant, *v.* Stephen T. Lockwood, as United States Attorney for the Western District of New York. Appeal from the District Court of the United States for the Western District of New York. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White. Mr. Justice Pitney concurs in the result.

No. 376. John E. Kinnane, United States Attorney for the Eastern District of Michigan, appellant, *v.* Detroit Creamery Company et al.

Appeal from the District Court of the United States for the Eastern District of Michigan;

No. 377. The United States of America, plaintiff in error, *v.* Ben B. Swartz. In error to the District Court of the United States for the Eastern District of Michigan; and

No. 378. The United States of America, plaintiff in error, *v.* Jacob M. Smith. In error to the District Court of the United States for the Eastern District of Michigan. Decree and judgments affirmed. Opinion by Mr. Chief Justice White. Mr. Justice Pitney concurs in the result.

No. 357. Harry B. Tedrow, as United States District Attorney for the District of Colorado, appellant, *v.* A. T. Lewis & Son Dry Goods Company et al. Appeal from the District Court of the United States for the District of Colorado. Decree affirmed with costs. Opinion by Mr. Chief Justice White. Mr. Justice Pitney concurs in the result.

No. 367. R. E. Kennington et al., appellants, *v.* A. Mitchell Palmer et al. Appeal from the District Court of the United States for the Southern District of Mississippi. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White. (Mr. Justice Pitney concurs in the result.)

No. 418. The G. S. Willard Company et al., appellants, *v.* A. Mitchell Palmer et al. Appeal from the District Court of the United States for the Northern District of Ohio. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White. (Mr. Justice Pitney concurs in the result.)

No. 457. Oglesby Grocery Company, plaintiff in error, *v.* The United States of America. In error to the District court of the United States for the Northern District of Georgia. Judgment reversed, and cause remanded with directions to set aside the sentence and quash the indictment. Opinion by Mr. Chief Justice White. (Mr. Justice Pitney concurs in the result.)

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

No. 144. Kenneth D. Steere, appellant, *v.* W. W. Beatty et al. Appeal from the District Court of the United States for the Western District of North Carolina. Per curiam: Dismissed for the want of jurisdiction upon authority of: (1) *Ex parte* In the matter of Leaf Tobacco Board of Trade of the City of New York, 222 U. S., 578, 581. (2) *Farrell v. O'Brien*, 199 U. S., 89, 100; *Goodrich v. Ferris*, 214 U. S., 71, 79; *Brolan v. United States*, 236 U. S., 216, 218; *Sugarman v. United States*, 249 U. S., 182, 184.

No. 179. The DeLamar Company, Limited, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Idaho. Per curiam: Dismissed for want of jurisdiction upon the authority of *Toop v. Ulysses Land Co.*, 237 U. S., 580, 582; *United Security Co. v. American Fruit Produce Co.*, 238 U. S., 140, 142; *Sugarman v. United States*, 249 U. S., 182, 184.

No. 198. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Hannah L. Zuber. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of *California Powder Works v. Davis*, 151 U. S., 389, 393; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S., 300, 303; *Bilby v. Stewart*, 246 U. S., 255, 257; *Farson, Son & Co. v. Bird*, 248 U. S., 268, 271.

No. 259. Virginia Trust Company et al., executors etc., plaintiffs in error, *v.* The Commonwealth of Virginia et al. In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat., 726.

No. 305. Otto Mueller et al., plaintiffs in error, *v.* Northern Pacific Railway Company. In error to the Supreme Court of the State of Washington. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat., 726.

No. 618. City of Hillsboro, Oregon, plaintiff in error *v.* Public Service Commission of Oregon, etc., et al. In error to the Supreme Court of the State of Oregon. Per curiam: Dismissed for want of jurisdiction on authority of (1) section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; (2) *Union Dry Goods Co. v. Georgia Public Service Corporation*, 248 U. S. 372; (3) *Hunter v. Pittsburgh*, 207 U. S. 161, 178; *Pawhuska v. Pawhuska Oil Co.*, 250 U. S. 394, 397.

No. 668. Doehler Die Casting Company et al., appellants, *v.* Brooklyn Union Gas Company. Motion to advance denied.

No. 659. Charles Wooster et al., petitioners, *v.* Union Pacific Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska denied.

No. 677. Ed. Hagen et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 685. Jewel Carmen, petitioner, *v.* Fox Film Corporation et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 369. American Column & Lumber Company et al., appellants, *v.* The United States of America. Restored to the docket for reargument.

No. 711. Marie E. Scheurle, administratrix, etc., petitioner, *v.* One-piece Bifocal Lens Company. Motion for leave to proceed in forma pauperis herein denied.

No. 23, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Leave granted to submit response to motions of General Oil Co., et al., on motion of Mr. Solicitor General Frierson for the United States.

No. 679. American Bank and Trust Company et al., appellants, *v.* Federal Reserve Bank of Atlanta et al. Motion to advance submitted by Mr. Solicitor General Frierson and Mr. Hollins N. Randolph for the appellees, in support of the motion, and by Mr. Alex. W. Smith for the appellants in opposition thereto.

No. 620. Illinois Central Railroad Company, plaintiff in error, *v.* C. B. Johnson. Motion to dismiss submitted by Mr. William Augustus Denson for the defendant in error in support of the motion, and by Mr. Augustus Benners, Mr. W. S. Horton, and Mr. R. V. Fletcher for the plaintiff in error in opposition thereto.

No. 523. The United States of America, plaintiff in error, *v.* Boze Yuginovich et al. Leave granted to file brief as amicus curiæ, on motion of Mr. Wayne B. Wheeler in that behalf.

No. 742. James J. Walsh, Collector of Internal Revenue, plaintiff in error, *v.* Frederick F. Brewster. Motion to advance for hearing after No. 663, submitted by Mr. Barry Mohun for the defendant in error.

No. 731. Marcus Brown Holding Company, Inc., appellant, *v.* Marcus Feldman et al. Motion to advance for hearing after No. 640 submitted by Mr. Joseph A. Seidman for the appellant.

No. —, original. Ex parte In the Matter of Hussein Lutfi Bey, Master, etc., petitioner. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus submitted by Mr. John M. Woolsey and Mr. Frank J. McConnell for the petitioner.

No. 705. The National Order of the Daughters of Isabella, petitioner, *v.* National Circle, Daughters of Isabella. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Abram J. Rose for the petitioner, and by Mr. George D. Watrous for the respondent.

No. 389. Cornelius C. Watts et al., petitioners, *v.* Ely Real Estate & Investment Company. Motion to dismiss for want of prosecution submitted by Mr. E. W. Bradford in behalf of Mr. Selim Franklin for the respondent in support of the motion, and by Mr. S. L.

Kingan, Mr. Herbert Noble, and Mr. Hartwell P. Heath for the petitioners in opposition thereto.

No. —, original. Ex parte In the matter of William Bradley et al., petitioners. Motion for leave to file petition for writ of certiorari to the District Court of the United States for the Southern District of New York submitted by Mr. Ralph E. Moody for the petitioners.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Leave granted to file brief as amicus curiæ herein, on motion of Mr. Charles W. Needham for the Interstate Commerce Commission. Motion for leave to make oral argument herein submitted.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Leave granted to file brief as amicus curiæ herein, on motion of Mr. John E. Benton in that behalf. Motion for leave to make oral argument herein submitted.

No. 491. Western Union Telegraph Company, petitioner, *v.* Esteve Brothers Company. Motion to advance submitted by Mr. Paul E. Lesh in behalf of counsel for the petitioner.

No. 6, original. The State of Arkansas, complainant, *v.* The State of Mississippi. Motion for confirmation of report of commissioners and suggestions in support of same submitted by Mr. J. S. Utley, Mr. J. M. Moore, and Mr. Herbert Pope for the complainant, and by Mr. Marcellus Green, Mr. Gerald Fitzgerald, and Mr. Garner Wynn Green for the defendant.

No. 716. Herbert Darlington, plaintiff in error, *v.* Harry W. Mager, Collector of Internal Revenue, etc. Motion to advance submitted by Mr. Herbert Pope, Mr. Rush C. Butler, and Mr. James J. Forstall for the plaintiff in error.

No. —, original. Ex parte In the matter of Thomas G. Moran, petitioner. Motion for leave to file petition for writs of certiorari, prohibition and mandamus submitted by Mr. A. Warner Parker in behalf of Mr. William J. Hennessey for the petitioner.

No. —, original. Ex parte In the matter of Henry O. Hollander, petitioner. Motion for leave to file petition for writs of certiorari, prohibition and mandamus submitted by Mr. A. Warner Parker in behalf of Mr. William J. Hennessey for the petitioner.

No. 429. Alice Harn et al., plaintiffs in error, *v.* Interstate Building and Loan Company et al. Motion to dismiss or affirm submitted by Mr. Enoch A. Chase and Mr. W. F. Wilson for the defendant in error in support of the motion, and by Alice Harn and Mr. W. F. Harn, pro se, in opposition thereto.

No.—, original. The Egry Register Company, petitioner, *v.* The Standard Register Company. Motion for leave to file petition in contempt submitted by Mr. A. H. Semmes in behalf of Mr. H. A. Toulmin and Mr. H. A. Toulmin, Jr., for the petitioner.

No. 656. The Nashville, Chattanooga & St. Louis Railway, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Fitzgerald Hall for the petitioner, and by Mr. Solicitor General Frierson and Mr. Robert P. Frierson for the respondent.

No. 678. Louise Marie Bailey Shannon et al. (heirs), etc. (et al.), petitioners, *v.* Gulf Production Company et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Ned B. Morris and Mr. W. W. Moore for the petitioners, and by Mr. H. M. Garwood, Mr. A. D. Lipscomb, Mr. Monte M. Lemann, and Mr. J. Blanc Monroe for the respondents.

No. 682. Mrs. Julia A. Whitehead, petitioner, *v.* Railway Mail Association. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Robert Mayes for the petitioner, and by Mr. William H. Watkins for the respondent.

No. 696. George A. Callicotte, petitioner, *v.* Chicago, Rock Island & Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. K. B. Randolph and Mr. Arthur L. Oliver for the petitioner, and by Mr. John E. Dolman for the respondent.

No. 697. G. A. Barnett, petitioner, *v.* Roland R. Conklin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. G. L. Harvey and Mr. James A. Reed for the petitioner, and by Mr. Leslie J. Lyons for the respondent.

No. 701. Carl H. Wright, petitioner, *v.* Inter-Urban Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Iowa submitted by Mr. Samuel A. Anderson for the petitioner, and by Mr. Horatio F. Dale for the respondent.

No. 703. Bates County, Missouri, et al., petitioners, *v.* A. V. Wills et al., partners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank Hagerman for the petitioners, and by Mr. John F. Green for the respondents.

No. 704. The New York Central Railroad Company, petitioner, *v.* Perfetti Cosmo. Petition for a writ of certiorari to the Supreme

Court, Appellate Division, Third Judicial Department, of the State of New York, submitted by Mr. Robert E. Whalen for the petitioner.

No. 715. Hamilton Investment Company et al., petitioners, *v.* Otto Bollman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Henry J. Aaron for the petitioner, and by Mr. Dwight S. Bobb for the respondent.

No. 717. Samuel J. Masters et al., petitioners, *v.* Charles A. Hartmann et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Wilton J. Lambert for the petitioners, and by Mr. W. Gwynn Gardiner for the respondents.

No. 718. J. A. Calhoun, Sr., as Administrator, etc., petitioner, *v.* Southern Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. L. D. Jennings, Mr. John H. Clifton, and Mr. A. S. Harby for the petitioner, and by Mr. S. R. Prince, Mr. H. O'B. Cooper, and Mr. F. G. Tompkins for the respondent.

No. 719. Max Wagman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William E. Baubie for the petitioner.

No. 721. Clifford D. Houk, petitioner, *v.* Charles V. Weddell et al. Petitioner for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harry S. Mecartney for the petitioner, and by Mr. Horace Kent Tenney, Mr. Roger Sherman, and Mr. Harry A. Parkin for the respondents.

No. 729. Churchward International Steel Company, petitioner, *v.* Bethlehem Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the third circuit submitted by Mr. F. P. Warfield and Mr. H. S. Duell for the petitioner, and by Mr. Charles Neave, Mr. Joseph C. Fraley, and Mr. Clarence D. Kerr for the respondent.

No. 733. Carl E. Spicer, as administrator, etc., petitioner, *v.* New York Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the fifth circuit submitted by Mr. S. H. Dent, jr., and Mr. D. M. Powell for the petitioner, and by Mr. James H. McIntosh, Mr. Benjamin P. Crum, and Mr. Leon Weil for the respondent.

No. 738. St. Louis-San Francisco Railway Company, petitioner, *v.* Joseph S. McIntyre, administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. William F. Evans and Mr. Edward T. Miller for the petitioner, and by Mr. Xenophon P. Wilfley and Mr. Robert W. Hall for the respondent.

No. 740. The Chesapeake & Ohio Railway Company, petitioner, *v.* L. N. Arrington. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. J. M. Perry for the petitioner.

No. 760. William D. Haywood et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Otto Christensen for the petitioners.

No. 512. Keokuk & Hamilton Bridge Company, appellant, *v.* Fred Salm, jr., et al. Motion to dismiss submitted by Mr. Earl W. Wood for the appellees in support of the motion, and by Mr. Felix T. Hughes for the appellant in opposition thereto.

No. 612. United States Fidelity & Guaranty Company et al., plaintiffs in error, *v.* Travelers Insurance Machine Company. Motion to dismiss or affirm submitted by Mr. David R. Castleman for the defendant in error in support of the motion, and by Mr. William Marshall Bullitt for the plaintiffs in error in opposition thereto.

No. 255. Oregon Short Line Railroad Company, plaintiff in error, *v.* Boise Commercial Club. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 646. Joseph H. Burdeau, appellant, *v.* J. C. McDowell. Re-assigned for Monday, April 11 next, on motion of Mr. Solicitor General Frierson in that behalf.

No. 27. Original. Ex parte in the matter of D. H. Riddle, petitioner. Argument commenced by Mr. John London for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 1, will be as follows: Nos. 265, 290, 524 (and 525), 397, 636, 640, 476, 638, 347, 523, 663, and 694.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 1, 1921.

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

Joseph P. Tumulty, of Washington, D. C.; T. W. Sims, of West Linden, Tenn.; Marion E. Rhodes, of Potosi, Mo.; L. L. Leonard, of St. Louis, Mo.; O. H. B. Bloodworth, jr., of Forsyth, Ga.; Joseph A. Corr, of New York City; Lionel Teller Schlesinger, of Philadelphia, Pa.; Samuel C. Major, of Fayette, Mo.; W. L. Harding, of Sioux City, Iowa; I. A. Smith, of Independence, Mo.; A. H. Sambor, of East Chicago, Ind.; Caldwell Myers, of New York City, and Samuel McGowan, of Laurens, S. C., were admitted to practice.

No. 742. James J. Walsh, collector of internal revenue, plaintiff in error, *v.* Frederick F. Brewster. Motion to advance for hearing after case No. 663 granted.

No. 731. Marcus Brown Holding Company, appellant, *v.* Marcus Feldman et al. Motion to advance for hearing with case No. 640 granted.

No. 636. St. Louis-San Francisco Railway Company, appellant, *v.* Lorenzo D. Thompson, State treasurer, etc., et al. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. Thomas O. Stokes in that behalf.

No. 62. The Seaboard Air Line Railway, appellant, *v.* The United States. Assigned for Monday, April 11 next, on motion of Mr. Benjamin Carter for the appellant.

No. 523. The United States of America, plaintiff in error, *v.* Boze Yuginovich et al. Appearance of Mr. Frank B. Ebbert withdrawn, on motion of Mr. Frank B. Ebbert in that behalf.

No. 27, Original. *Ex parte* In the matter of D. H. Riddle, petitioner. Argument continued by Mr. Solicitor General Frierson and Mr. Erle Pettus for the respondent, and concluded by Mr. Benjamin Carter for the petitioner.

No. 265. The Missouri Pacific Railway Company, plaintiff in error, *v.* McGrew Coal Company. Argued by Mr. E. J. White for the plaintiff in error, and by Mr. E. A. Krauthoff for the defendant in error.

No. 290. Anna Lang, as administratrix, etc., petitioner, *v.* New York Central Railroad Company. Argued by Mr. Hamilton Ward for the plaintiff in error, and by Mr. Maurice C. Spratt for the defendant in error.

No. 524. The United States of America, plaintiff in error, *v.* The Coronado Beach Company; and

No. 525. The United States of America, appellant, *v.* Coronado Beach Company. Argument commenced by Mr. Assistant Attorney General Garnett for plaintiff in error and appellant, and continued by Mr. P. F. Dunne for the defendant in error and appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 2, will be as follows: Nos. 524 (and 525), 397, 636, 640, 731, 476, 638, 347, 523, 663, 742, and 694.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 2, 1921.

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

J. W. Ross, of Jackson, Tenn.; Joseph E. Alexander, of Winston-Salem, N. C.; Roscoe Cox, of Chandler, Okla.; David Bernstein, of New York City; Clarence C. Reed, of Brockton, Mass.; and A. D. Stevens, of Springfield, Ill., were admitted to practice.

No. 422. Henri Eunice Moncravie Van Tine, etc., et al., appellants, *v.* Luella Moncravie. Motion to dismiss or affirm submitted by Mr. William A. Ayres in behalf of Mr. Alfred M. Jackson for the appellee in support of the motion.

No. 731. Marcus Brown Holding Company, Inc., appellant, *v.* Marcus Feldman et al. Leave granted to file brief herein as amicus curiae, on motion of Mr. Lewis M. Isaacs in that behalf.

No. 524. The United States of America, plaintiff in error, *v.* The Coronado Beach Company; and

No. 525. The United States of America, appellant, *v.* Coronado Beach Company. Argument continued by Mr. P. F. Dunne for the defendant in error and appellee, and concluded by Mr. Assistant Attorney General Garnett for the plaintiff in error and appellant.

No. 397. William Hollis et al., appellants, *v.* Charles W. Kutz, etc., et al., as Commissioners etc., et al. Argued by Mr. Roscoe F. Walter for the appellants, by Mr. Ben S. Minor for Washington Gas Light Company, and by Mr. F. H. Stephens for the Public Utilities Commission.

No. 636. St. Louis-San Francisco Railway Company, appellant, *v.* Lorenzo D. Thompson, State Treasurer, etc. Argument commenced by Mr. Edward T. Miller for the appellant, and continued by Mr. Frank W. McAllister for the appellee, and by Mr. Henry S. Conrad for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 3, will be as follows: Nos. 636, 640, 731, 476, 638, 347, 523, 663, 742, and 694.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 3, 1921.

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

Frank M. Libby, of Portland, Me.; Jerome F. Donovan, of New York City; Thomas Brennan, of Boston, Mass.; Charles Swindall, of Woodward, Okla.; David I. Johnston, of Oklahoma City, Okla.; Fred S. Purnell, of Attica, Ind.; Everett Sanders, of Terre Haute, Ind.; H. L. Godwin, of Dunn, N. C.; Francis Thralls, of Washington, D. C.; Ernest R. Bell, of Fairmont, W. Va.; and Charles L. Housholder, of Knoxville, Tenn., were admitted to practice.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion to instruct receiver, etc., submitted by Mr. Joseph W. Bailey for the defendant.

No. 636. St. Louis-San Francisco Railway Company, appellant, *v.* Lorenzo D. Bailey, State Treasurer, etc. Argument concluded by Mr. Henry S. Conrad for the appellant. Ten days allowed counsel for appellee to file additional brief herein, and five days thereafter allowed counsel for appellant to file answer thereto.

No. 640. Julius Block, etc., plaintiff in error, *v.* Louis Hirsh. On motion of Mr. Solicitor General Frierson, leave was granted Mr. Henry H. Glassie to make oral argument on behalf of the United States. Argued by Mr. Jesse C. Adkins for the plaintiff in error, by Mr. Henry H. Glassie for The United States as *amicus curiæ*, by special leave of court, and by Mr. William G. Johnson for the defendant in error.

No. 731. Marcus Brown Holding Company, appellant, *v.* Marcus Feldman et al. On motion of Mr. William D. Guthrie, leave was granted him to take part in the oral argument on behalf of the attorney general of New York. Three hours allowed for the oral argument. Argument commenced by Mr. Joseph A. Seidman for the appellant.

Adjourned until to-morrow at 11.30 o'clock.

The day call for Monday, March 7, will be as follows: Nos. 731, 476, 638, 347, 523, 663, 742, 694, 200, and 201.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 4, 1921.

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

The Chief Justice announced that the Court will take a recess to attend the Inauguration of the President of the United States.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 7, will be as follows: Nos. 731, 476, 638, 347, 523, 663, 742, 694, 200, and 201.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 7, 1921.

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

Nathaniel N. Bernstein, of Michigan City, Ind.; Royal D. Mead, of Honolulu, Hawaii; Ralph M. Hoyt, of Madison, Wis.; N. Otis Rockwood, of New York City; Robert L. Henry, jr., of Washington, D. C.; Francis H. Bohlen, of Philadelphia, Pa.; W. Frederic Davis, jr., of Woburn, Mass.; John Holley Clark, jr., of New York City; and Frank Bernard Smith, of New Orleans, La., were admitted to practice.

No. 155. The United States of America ex rel. Milwaukee Social Democratic Publishing Company, plaintiff in error, *v.* Albert S. Burleson, Postmaster General of the United States. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Clarke. Dissenting: Mr. Justice Brandeis and Mr. Justice Holmes.

No. 173. Clay Arthur Pierce, Henry Clay Pierce, and Pierce Investment Company, appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Eastern District of Missouri. Opinion by Mr. Justice Brandeis.

No. 6. Wirt K. Winton, Administrator, etc., et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws. Appeal from the Court of Claims. Judgment reversed, and cause remanded for further findings of fact as specified in the opinion of this court. Opinion by Mr. Justice Pitney. (Mr. Justice Van Devanter and Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 7. J. S. Bounds, Attorney in Fact for T. A. Bounds, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 8. John London, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 9. Walter S. Field and Madison M. Lindly, appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 10. J. J. Beckham, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 11. William N. Vernon, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws; and

No. 12. Katie A. Howe, Executrix of the Estate of Chester Howe, deceased, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws. Appeals from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney. (Mr. Justice Van Devanter and Mr. Justice McReynolds took no part in the consideration or decision of these cases.)

No. 128. John Barton Payne, Secretary of the Interior, et al., appellants, *v.* The State of New Mexico. Appeal from the Court of Appeals of the District of Columbia. Decree modified and affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 274. The Supreme Tribe of Ben Hur, appellant, *v.* Aurelia J. Cauble et al. Appeal from the District Court of the United States for the District of Indiana. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day.

No. 134. The Oregon-Washington Railroad and Navigation Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna. Mr. Justice Pitney and Mr. Justice Clarke concur in the result.

No. 136. The Western Pacific Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna. Mr. Justice Pitney and Mr. Justice Clarke concur in the result.

No. 87. The United States of America, appellant, *v.* The Diamond Coal & Coke Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed; and cause remanded to the District Court of the United States for the District of Wyoming with directions to set aside its decree of dismissal and to overrule the motion to dismiss and for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 159. Willis D. Williams and Azel Williams, plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the District of Indiana. Judgment affirmed. Opinion by Mr. Chief Justice White.

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

No. 422. Henri Eunice Moncravie Van Tine, now Harrison, et al., appellants, *v.* Luella Moncravie. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Hull v. Burr* (234 U. S., 712, 720); *St. Anthony's Church v. Pennsylvania R. R. Co.* (237 U. S., 575, 577); *Delaware, Lackawanna & Western R. R. Co. v. Yurkonic* (238 U. S., 439, 444); (2) *Spencer v. Duplan Silk Co.* (191 U. S., 526, 530); *Devine v. Los Angeles* (202 U. S., 313, 333); *Shulthis v. McDougal* (225 U. S., 561, 569); *Merriam Co. v. Syndicate Publishing Co.* (237 U. S., 618).

No. 429. Alice Harn and W. F. Harn, plaintiffs in error, *v.* Interstate Building and Loan Company et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2, 39 Stat., 726).

No. 612. United States Fidelity & Guaranty Company et al., plaintiffs in error, *v.* Travelers Insurance Machine Company. In error to the Court of Appeals of the State of Kentucky. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2, 39 Stat., 726).

No. 620. Illinois Central Railroad Company, plaintiff in error, *v.* C. B. Johnson. In error to the Supreme Court of the State of Alabama. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (c. 448, sec. 2, 39 Stat., 726).

No. —, original. Ex parte In the matter of William Bradley et al., petitioners. Motion for leave to file petition for a writ of certiorari herein denied.

No. —, original. (Ex parte In the matter of) The Egly Register Company, petitioner. Motion for leave to file petition in contempt herein denied.

No. 491. Western Union Telegraph Company, petitioner, *v.* Esteve Brothers & Company. Motion to advance granted, and cause assigned for argument on Monday, April 11 next, after the cases heretofore assigned for that day.

No. 679. American Bank & Trust Company et al., appellants, *v.* Federal Reserve Bank of Atlanta et al. Motion to advance granted, and cause assigned for argument on Monday, April 11 next, after the cases heretofore assigned for that day.

No. 716. Herbert Darlington, plaintiff in error, *v.* Harry W. Mager, Collector of Internal Revenue, etc. Motion to advance granted, and cause assigned for argument on Monday, April 11 next, after the cases heretofore assigned for that day.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Motion of the Interstate Commerce Commission for leave to participate by its counsel in the oral argument in this case granted. Motion on behalf of various States for leave to participate in the oral argument granted, to the extent, only, of permitting the movers to be heard orally by one counsel selected to represent them.

No. 389. Cornelius C. Watts et al., petitioners, *v.* Ely Real Estate & Investment Company. Motion to dismiss the petition for writ of certiorari in this case for want of prosecution granted.

No. 512. Keokuk & Hamilton Bridge Company, appellant, *v.* Fred Salm, jr., et al. Further consideration of the motion to dismiss in this case postponed to the hearing on the merits.

No. 656. The Nashville, Chattanooga & St. Louis Railway, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 678. Louise Marie Bailey Shannon et al., heirs, etc., et al., petitioners, *v.* Gulf Production Company et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 682. Mrs. Julia A. Whitehead, petitioner, *v.* Railway Mail Association. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 696. George A. Callicotte, petitioner, *v.* Chicago, Rock Island & Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 697. G. A. Barnett, petitioner, *v.* Roland R. Conklin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 701. Carl H. Wright, petitioner, *v.* Inter-Urban Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 703. Bates County, Missouri, et al., petitioners, *v.* A. V. Wills, et al., partners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 704. The New York Central Railroad Company, petitioner, *v.* Perfetti Cosmo. Petition for a writ of certiorari to the Supreme

Court, Appellate Division, Third Judicial Department, of the State of New York, denied.

No. 705. The National Order of the Daughters of Isabella, petitioner, *v.* National Circle, Daughters of Isabella. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 715. Hamilton Investment Company et al., petitioners, *v.* Otto Bollman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 717. Samuel J. Masters et al., petitioners, *v.* Charles A. Hartmann et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 719. Max Wagman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 721. Clifford D. Houk, petitioner, *v.* Charles V. Weddell et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 729. Churchward International Steel Company, petitioner, *v.* Bethlehem Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 733. Carl E. Spicer, as Administrator, etc., petitioner, *v.* New York Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 738. St. Louis-San Francisco Railway Company, petitioner, *v.* Joseph S. McIntyre, Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 740. The Chesapeake & Ohio Railway Company, petitioner, *v.* L. N. Arrington. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 519. Hulett C. Merritt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted, the transcript of record heretofore filed as an exhibit to the petition to stand as a return to the writ.

No. 519. Hulett C. Merritt, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Reversed, on confession of error by Mr. Solicitor General Frierson; and cause remanded to the District Court of the United States for the Southern District of California for further proceedings.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Substitution as two of the appellants, William J. Morgan, present attorney general of the State of Wisconsin, and George B. Clementson, present district attorney of Grant County, State of Wisconsin, in place of John J. Blaine and Frank C. Meyer, former attorney general and district attorney, respectively, ordered, on motion of Mr. Bruce Scott for the appellee.

No. 712. Mutual Life Insurance Company of New York, plaintiff in error, *v.* Mary S. Liebing. Petition for a writ of certiorari herein submitted by Mr. Frederic D. McKenney, Mr. S. W. Fordyce, Mr. John H. Holliday, Mr. Thomas W. White, Mr. W. H. Woodward, and Mr. Frederick L. Allen for the plaintiff in error in support of the petition, and by Mr. James J. O'Donohue for the defendant in error in opposition thereto.

No. 737. Industrial Accident Commission of the State of California, petitioner, *v.* John Barton Payne, as Agent, etc. Petition for a writ of certiorari to the District Court of Appeal, Second Appellate District, Division Two, of the State of California, submitted by Mr. Warren H. Pillsbury for the petitioner, and by Mr. A. S. Halsted and Mr. Alex. Britton for the respondent.

No. 700. Charles L. Killgore, petitioner, *v.* H. W. Skinner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. H. M. Garwood for the petitioner.

No. 713. Phoenix Portland Cement Company, petitioner, *v.* Baltimore & Ohio Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William Jay Turner for the petitioner, and by Mr. H. B. Gill for the respondent.

No. 727. Finkbine Lumber Company, petitioner, *v.* Gulf & Ship Island Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. A. White for the petitioner, and by Mr. B. E. Eaton for the respondent.

No. 732. Thomas H. Matters, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John Lee Webster and Mr. Frank H. Gaines for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 734. The Texas Company, petitioner, *v.* The Commonwealth of Virginia. Petition for a writ of certiorari to the Supreme Court

of Appeals for the State of Virginia submitted by Mr. Thomas H. Willcox and Mr. Herman Block for the petitioner.

No. 749. Jose Tayas Sons Company, petitioner, *v.* The Pompeian Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar for the petitioner.

No. 754. Dundee Petroleum Company, petitioner, *v.* R. P. Clay. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. W. A. Ledbetter and Mr. H. L. Stuart for the petitioner, and by Mr. F. E. Riddle and Mr. E. G. McAdams for the respondent.

No. 775. Walker D. Hines, Director General of Railroads, et al., petitioners, *v.* H. H. Smith. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. J. C. South, Mr. Edw. J. White, and Mr. W. P. Waggener, for the petitioner.

No. 551. Southern Paper Company, plaintiff in error, *v.* Stokes V. Robertson, State Revenue Agent, etc. Motion to dismiss or affirm submitted by Mr. George Butler for the defendant in error in support of the motion, and by Mr. W. A. White for the plaintiff in error in opposition thereto.

No. 731. Marcus Brown Holding Company (Inc.), appellant, *v.* Marcus Feldman et al. Argument continued by Mr. William D. Guthrie for the Attorney General of New York as amicus curiae, by special leave of court, by Mr. David L. Podell for the appellees, and concluded by Mr. Joseph A. Seidman for the appellant.

No. 476. United Shoe Machinery Corporation et al., appellants, *v.* The United States of America. Three hours allowed each side in the argument. Argument commenced by Mr. Charles F. Choate, jr., for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 8, will be as follows: Nos. 476, 638, 347, 523, 663, 742, 694, 200, 201, and 203.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 8, 1921.

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

Thomas W. Thompson, of Detroit, Mich., and Charles W. Blood, of Newton, Mass., were admitted to practice.

No. 742. James J. Walsh, Collector of Internal Revenue, plaintiff in error, *v.* Frederick F. Brewster. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. H. Edgar Barnes in that behalf.

No. 203. Everglades Sugar & Land Company et al., plaintiffs in error, *v.* Napoleon B. Broward Drainage District et al. In error to the Supreme Court of the State of Florida. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. 476. United Shoe Machinery Corporation et al., appellants, *v.* The United States of America. Argument continued by Mr. Charles F. Choate, jr., for the appellants, by Mr. La Rue Brown and Mr. Leo A. Rogers for the United States, and by Mr. Cordenio A. Severance for the appellants, and by Mr. Elias Field for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 9, will be as follows: Nos. 476, 638, 347, 523, 663, 742, 694, 200, 201, and 204.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 9, 1921.

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

Walter Norman Maguire, of Stamford, Conn.; William M. Haulsee, of Wewoka, Okla.; and Albert Woodruff Gray, of New York City, were admitted to practice.

Mr. Solicitor General Frierson presented the Hon. Harry M. Daugherty, Attorney General of the United States, and it was ordered that his commission be recorded.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Leave granted to file brief herein as *amicus curiae*, on motion of Mr. Forney Johnston in that behalf.

No. 30, original. *Ex parte* in the matter of Matthew Addy Steamship & Commerce Corporation, petitioner. Motion for an injunction submitted by Mr. Ashby Williams for the petitioner.

No. 785. Czarnikow Rionda Company et al., petitioners, *v.* Binghamton Steamship Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John G. Milburn, Mr. T. Catesby Jones, Mr. George Whitefield Betts, jr., and Mr. Robert McLeod Jackson for the petitioner, and by Mr. James K. Symmers and Mr. Edward E. Blodgett for the respondents.

No. 204. David M. Simpson, plaintiff in error, *v.* The Board of Supervisors of Kossuth County, Iowa, et al. In error to the Supreme Court of the State of Iowa. Dismissed with costs, pursuant to the tenth rule.

No. 476. United Shoe Machinery Corporation et al., appellants, *v.* The United States of America. Argument continued by Mr. Elias Field for the appellee, and concluded by Mr. Frederick P. Fish for the appellants.

No. 638. Quong Ham Wah Company, plaintiff in error, *v.* Industrial Accident Commission of the State of California et al. Argued by Mr. Warren Gregory for the plaintiff in error, and by Mr. Warren H. Pillsbury for the defendants in error.

No. 347. Miller & Lux (Inc.), plaintiff in error, *v.* The Sacramento and San Joaquin Drainage District. Argument commenced by Mr. Edward F. Treadwell for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 10, will be as follows: Nos. 347, 523, 663, 742, 694, 200, 201, 205, 207, and 209.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 10, 1921.

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

Mark Hyman, of New York City; John Charles Helms, of Oklahoma City, Okla.; Grahame H. Powell, of Washington, D. C.; John Alfred Anderson, of Boston, Mass.; William Ellsworth Tucker, of Boston, Mass.; and Glenn Willett, of Washington, D. C., were admitted to practice.

No. 369. American Column & Lumber Company et al., appellants, *v.* The United States of America. Assigned for reargument on Monday, April 11 next, on motion of Mr. Solicitor General Frierson for the appellee.

No. 207. Albert Rennie, plaintiff in error, *v.* John W. Gibson. Passed, on account of sickness of counsel.

No. 347. Miller & Lux, Incorporated, plaintiff in error, *v.* The Sacramento and San Joaquin Drainage District. Argument continued by Mr. Edward F. Treadwell for the plaintiff in error, and concluded by Mr. Charles S. Peery for the defendant in error.

No. 523. The United States of America, plaintiff in error, *v.* Boze Yuginovich et al. Argued by Assistant Attorney General Adams for the plaintiff in error, and by Mr. Ransom H. Gillett for the defendants in error.

No. 663. David M. Goodrich, plaintiff in error, *v.* William H. Edwards, U. S. Collector of Internal Revenue; and

No. 742. James J. Walsh, Collector of Internal Revenue, plaintiff in error, *v.* Frederick F. Brewster. One hour and a half allowed each side, on motion of Mr. Solicitor General Frierson in that behalf. Argument commenced by Mr. William D. Guthrie, of counsel for the plaintiff in error in No. 663 and defendant in error in No. 742, continued by Mr. Solicitor General Frierson for the defendant in error in No. 663 and plaintiff in error in No. 742.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 11, will be as follows: Nos. 663 (and 742), 694, 200, 201, 205, 209, 210, 211, 212 (and 213), and 216.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 11, 1921.

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

Edward L. Corbett, of New York City; Francis H. Caskin, jr., of Danvers, Mass.; and Ralph A. Stewart, of Boston, Mass., were admitted to practice.

No. 663. David M. Goodrich, plaintiff in error, *v.* William H. Edwards, United States Collector of Internal Revenue; and

No. 742. James J. Walsh, Collector of Internal Revenue, plaintiff in error, *v.* Frederick F. Brewster. Leave granted to file brief as *amicus curiæ* herein, on motion of Mr. Hoke Smith in that behalf.

No. 211. The Choctaw, Oklahoma & Gulf Railroad Company et al., appellants, *v.* B. W. Mackey, as County Treasurer, etc., et al. Passed, per stipulation, on account of sickness of counsel.

No. 216. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* Nichols & Company. Passed temporarily.

No. 663. David M. Goodrich, plaintiff in error, *v.* William H. Edwards, United States Collector of Internal Revenue; and

No. 742. James J. Walsh, Collector of Internal Revenue, plaintiff in error, *v.* Frederick F. Brewster. Argument continued by Mr. Solicitor General Frierson for the defendant in error in No. 663 and the plaintiff in error in No. 742, and concluded by Mr. Henry F. Parmelee for the defendant in error in No. 742.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Nine hours allowed for oral argument, on motion of Mr. Alfred P. Thom in that behalf. Argument commenced by Mr. M. B. Olbrich for the appellants, and continued by Mr. Bruce Scott for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 14, will be as follows: Nos. 694, 200, 201, 205, 209, 210, 212 (and 213), 142, 221, and 222.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 14, 1921.

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

Alfred H. McAdoo, of Los Angeles, Calif.; Ira J. Partlow, of Keystone, W. Va.; John Edgar Hoover, of Washington, D. C.; Charles Hershenstein, of Jersey City, N. J.; Charles G. Robson, of Washington, D. C.; Frank S. Quinn, of Texarkana, Ark.; Gilbert R. Swink, of Norfolk, Va.; George L. Meade, of Rochester, N. Y.; and William H. Pace, of Washington, D. C., were admitted to practice.

No. 123. John Barton Payne, Secretary of the Interior, and Clay Tallman, Commissioner of the General Land Office, plaintiffs in error, *v.* The United States of America *ex rel.* Allen L. Newton. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs *nunc pro tunc* as of December 16, 1920. Opinion by Mr. Justice Van Devanter.

The Chief Justice announced the following orders of the Court:

No. 551. Southern Paper Company, plaintiff in error, *v.* Stokes V. Robertson, State Revenue Agent. In error to the Supreme Court of the State of Mississippi. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat., 726.

No. 737. Industrial Accident Commission of the State of California, petitioner, *v.* John Barton Payne, as Agent, *etc.* (Los Angeles & Salt Lake Railway Company). Petition for a writ of certiorari to the District Court of Appeal, Second Appellate District, Division 2, of the State of California, granted.

No. 718. J. A. Calhoun, Sr., as Administrator, *etc.*, petitioner, *v.* Southern Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina denied.

No. 700. Charles L. Killgore, petitioner, *v.* H. W. Skinner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 713. Phoenix Portland Cement Company, petitioner, *v.* Baltimore & Ohio Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 727. Finkbine Lumber Company, petitioner, *v.* Gulf & Ship Island Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 734. The Texas Company, petitioner, *v.* The Commonwealth of Virginia. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 749. Jose Tayas' Sons Company, petitioner, *v.* The Pompeian Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 754. Dundee Petroleum Company, petitioner, *v.* R. P. Clay. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 785. Czarnikow Rionda Company et al., petitioners, *v.* Binghamton Steamship Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 592. John S. Kendall, Administrator, etc., et al., appellants, *v.* Paul A. Ewert. Motion to dismiss or affirm submitted by Mr. Henry C. Lewis for the appellee in support of the motion, and Mr. Arthur S. Thompson for appellants in opposition thereto.

No. 743. Southern Pacific Company, petitioner, *v.* John J. Thomas, Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Arizona submitted by Mr. Charles H. Bates, Mr. Francis M. Hartman, Mr. William F. Herrin, and Mr. Henly C. Booth for the petitioner, and by Mr. O. T. Richey for the respondent.

No. 695. O. O. Askren, Attorney General of the State of New Mexico, et al., appellants, *v.* The Continental Oil Company. Motion to advance submitted by Mr. Patrick H. Loughran in that behalf.

No. 726. William G. McAdoo, Director General of Railroads, et al., petitioners, *v.* Neva M. McCoy, Administratrix, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas submitted by Mr. Alexander Britton, Mr. J. W. Terry, Mr. A. H. Culwell, and Mr. Gardiner Lathrop for the petitioners, and by Mr. George E. Wallace and Mr. C. B. Hudspeth for the respondent.

No. 744. John Barton Payne, Agent (substituted for Walker D. Hines, Director General of Railroads), petitioner, *v.* Mrs. Virgie Mills, Administrator, etc. Petition for a writ of certiorari to the

Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas submitted by Mr. F. H. Prendergast for the petitioner, and by Mr. Cone Johnson and Mr. James M. Edwards for the respondent.

No. 758. North Carolina Railroad Company, petitioner, *v.* Evelyn K. Lee, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. S. R. Prince, Mr. H. O'B. Cooper, Mr. John N. Wilson, and Mr. L. E. Jeffries for the petitioner, and by Mr. R. C. Strudwick for the respondent.

No. 759. Edward Anderson et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Otto Christensen for the petitioners, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 774. John Barton Payne, as Agent, etc., petitioner, *v.* Katharine McL. Smith, Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. L. A. Manchester for the petitioner, and by Mr. D. F. Anderson for the respondent.

No. 222. John Horstmann Company, appellant, *v.* The United States. Continued, per stipulation.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Argument continued by Mr. Bruce Scott for the appellee, by Mr. John E. Benton as amicus curiæ on behalf of 43 States, by special leave of Court, and by Mr. Alfred P. Thom for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 15, will be as follows: Nos. 694, 200, 201, 205, 209, 210, 212 (and 213), 142, 221, and 223.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 15, 1921.

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

Fred H. Lysons, of Seattle, Wash.; Herbert W. Clark, of San Francisco, Cal.; Edwin B. H. Tower, jr., of Milwaukee, Wis.; Harry B. Anderson, of Memphis, Tenn.; Edward M. Evarts, of New York City; and Roy St. Lewis, of Holdenville, Okla., were admitted to practice.

No. 694. Railroad Commission of Wisconsin et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company. Argument continued by Mr. Alfred P. Thom for the appellee, by Mr. Patrick H. Farrell for the Interstate Commerce Commission, by special leave of court, and concluded by Mr. M. B. Olbrich for the appellants.

No. 28, Original. *Ex parte* In the matter of National Park Bank of New York, petitioner. Argued by Mr. Edwin V. Guinan for the petitioner.

No. 29, Original. *Ex parte* In the matter of Lincoln Gas & Electric Light Company, petitioner. Argument commenced by Mr. Robert A. Brown for the petitioner, and continued by Mr. C. Petrus Peterson for The City of Lincoln.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 16, will be as follows: Nos. 200, 201, 205, 209, 210, 212 (and 213), 142, 221, 223, and 224.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 16, 1921.

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

Ewin L. Davis, of Fullahoma, Tenn.; Joseph W. Byrns, of Nashville, Tenn.; Henry Heidelberg, of San Francisco, Calif.; Robson D. Brown, of Pittsburgh, Pa.; Charles J. O'Neill, of Washington, D. C.; and C. Paul Tallmadge, of Chicago, Ill., were admitted to practice.

No. 286. New York Trust Company et al., as executors, etc., plaintiffs in error, *v.* Mark Eisner. Leave granted to file brief herein as amicus curiae, on motion of Mr. J. E. Markham in that behalf.

No. 209. Yee Won, petitioner, *v.* Edward White, as Commissioner of Immigration, etc. Passed, per stipulation, on motion of Mr. M. Walton Hendry in that behalf.

No. 29, original. *Ex parte* In the matter of Lincoln Gas & Electric Light Company, petitioner. Argument concluded by Mr. C. Petrus Peterson for The City of Lincoln.

No. 200. Frey & Son, Incorporated, plaintiff in error, *v.* The Cudahy Packing Company. Argument commenced by Mr. Horace T. Smith for the plaintiff in error, continued by Mr. Gilbert H. Montague for the defendant in error, and concluded by Mr. Charles Markell for the plaintiff in error.

No. 201. Charlotte Harbor & Northern Railway Company, plaintiff in error, *v.* W. G. Welles et al., etc. Submitted by Mr. James M. Gifford for the plaintiff in error. No appearance for the defendant in error.

No. 205. The Kansas City Southern Railway Company et al., plaintiffs in error, *v.* Road Improvement District No. 6 of Little River County, Arkansas. Argument commenced by Mr. Samuel W. Moore for the plaintiffs in error, continued by Mr. John J. DuLaney for the defendant in error, and by Mr. James B. McDonough for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 17, will be as follows: Nos. 205, 210, 212 (and 213), 142, 221, 223, 224, 225, 229, and 231.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 17, 1921.

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

Arnold L. Guesmer, of Minneapolis, Minn.; George F. Graham, of Louisville, Ky.; Charles E. Morganston, jr., of Washington, D. C.; Robert M. McCormick, of New York City; Joseph F. Murray, of New York City; William Byrnes, of New York City; and Roscoe R. Koch, of Pottsville, Pa., were admitted to practice.

No. 205. The Kansas City Southern Railway Company et al., plaintiffs in error, *v.* Road Improvement District No. 6 of Little River County, Ark. Argument concluded by Mr. James B. McDonough for the plaintiffs in error.

No. 210. The Western Union Telegraph Company, petitioner, *v.* Eugene E. Southwick. Submitted by Mr. Rush Taggart, Mr. Francis Raymond Stark, and Mr. Joseph L. Egan for the petitioner. No appearance for the respondent.

No. 212. Frank M. Hoy, appellant, *v.* Franklin K. Lane, Secretary of the Interior; and

No. 213. The United States of America ex rel. Edmund O. Waltis, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Submitted by Mr. Harry A. Hegarty for the appellant and plaintiff in error, and by Mr. Assistant Attorney General Garnett and Mr. H. L. Underwood for the appellee and defendant in error.

No. 142. Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* Thomas M. Reynolds. Argued by Mr. Robert G. Dodge for the plaintiff in error, and by Mr. William E. Tucker for the defendant in error.

No. 221. Henry Friedman, appellant, *v.* The United States. Argument commenced by Mr. Charles A. Keigwin for the appellant, continued by Mr. Solicitor General Frierson for the appellee, and concluded by Mr. Charles A. Keigwin for the appellant.

No. 223. Norfolk-Southern Railroad Company, petitioner, *v.* M. R. Owens. Argued by Mr. W. B. Rodman, jr., for the petitioner. No appearance for the respondent.

No. 224. The State of Minnesota on the relation of C. D. Whipple, plaintiff in error, *v.* Oscar Martinson, sheriff, etc. Argued by Mr. Thomas E. Latimer for the plaintiff in error and by Mr. James E. Markham for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 18, will be as follows: Nos. 225, 229, 231, 234, 235, 236, 237, 238, 240, and 242 (and 243).

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 18, 1921.

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

Max J. Laposky, of Brownsville, Pa., Hewitt Griggs Robertson, of Washington, D. C., and Charles E. Buchner, of New York City, were admitted to practice.

No. 806. The United States of America, appellant, *v.* The Western Union Telegraph Company. Motion to advance submitted by Mr. Solicitor General Frierson for the appellant.

No. 807. Charles D. Newton, as Attorney General of the State of New York, et al., appellants, *v.* Consolidated Gas Company of New York. Motion to advance submitted by Mr. Charles E. Buchner for the appellants.

No. 225. John M. Anderson, plaintiff in error, *v.* Peter W. Durr, as former Auditor, et al. Passed, on account of death of the plaintiff in error.

No. 229. Western Fuel Company *v.* Antone Garcia, as Administrator, etc. Argued by Mr. Joseph F. Murray for the Western Fuel Company, and by Mr. Henry Heidelberg for Garcia, as Administrator, etc.

No. 231. The State of Washington *ex rel.* McPherson Brothers Company, plaintiff in error, *v.* Douglas County et al. Submitted by Mr. Peter McPherson for the plaintiff in error, and by Mr. L. L. Thompson for the defendant in error.

No. 234. John P. Galbraith, petitioner, *v.* John Vallely, Trustee, etc. Argued by Mr. Fred B. Dodge for the petitioner. No appearance for the respondent.

No. 235. Dahnke-Walker Milling Company, plaintiff in error, *v.* C. T. Bondurant. Argued by Mr. John C. Doolan for the plaintiff in error, and submitted by Mr. M. Walton Hendry for the defendant in error.

No. 236. C. R. Privett et al., appellants, *v.* The United States of America et al. Argued by Mr. Preston C. West for the appellants, and by Mr. Assistant Attorney General Garnett for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 21, will be as follows: Nos. 237, 238, 240, 242 (and 243), 244, 245, 246, 247, 249, and 251.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 21, 1921.

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

William E. Hayes, of Washington, D. C.; Arthur C. Pickering, of Washington, D. C.; Arthur B. King, of New York City; Joseph A. Alvy, of New York City; Aaron M. Becker, of New York City; Mahlon C. Masterson, of Washington, D. C.; Edward N. Abbey, of New York City; Cecil H. Clegg, of Fairbanks, Alaska; and Robert W. Otto, of Jefferson City, Mo., were admitted to practice.

No. 27, original. *Ex parte* In the matter of D. H. Riddle, petitioner. On petition for a writ of mandamus. Rule to show cause discharged and petition denied. Opinion by Mr. Justice Holmes.

No. 397. William Hollis and Sam Goodman, appellants, *v.* Charles W. Kutz, chairman, et al., etc., constituting the Public Utilities Commission of the District of Columbia, et al. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 638. Quong Ham Wah Company, plaintiff in error, *v.* Industrial Accident Commission of the State of California et al. In error to the Supreme Court of the State of California. Dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

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

No. 142. Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* Thomas M. Reynolds. In error to the Superior Court of the State of Massachusetts. *Per curiam*: Affirmed with costs upon the authority of *St. Louis Railway Co. v. Alexander*, 227 U. S. 218.

No. 210. The Western Union Telegraph Company, petitioner, *v.* Eugene E. Southwick. On a writ of certiorari to the Court of Civil Appeals for the Seventh Supreme Judicial District of the State of Texas. *Per curiam*: Reversed with costs and cause remanded for further proceedings upon the authority of *Postal Telegraph-Cable Co. v. Warren-Godwin Lumber Co.*, 251 U. S. 27; *Western Union Telegraph Co. v. Boegli*, 251 U. S. 315.

No. 231. The State of Washington *ex rel.* McPherson Brothers Company, plaintiff in error, *v.* Douglas County and Superior Court of Chelan County, Washington. In error to the Supreme Court of the State of Washington. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stats. 726.

No. 695. O. O. Askren, attorney general of the State of New Mexico, et al., appellants, *v.* The Continental Oil Company. Motion to advance granted, and cause assigned for argument on Monday, April 11 next, after the cases heretofore assigned for that day.

No. 806. The United States of America, appellant, *v.* The Western Union Telegraph Company. Motion to advance granted, and cause assigned for argument on Monday, April 11 next, after the cases heretofore assigned for that day.

No. 807. Charles D. Newton, as attorney general of the State of New York, et al., etc., appellants, *v.* Consolidated Gas Company of New York. Motion to advance granted, and cause assigned for argument on Monday, October 10 next.

No. 592. John S. Kendall, administrator, etc., et al., appellants, *v.* Paul A. Ewert. Further consideration of the motion to dismiss or affirm in this cause postponed to the hearing on the merits.

No. 201. Charlotte Harbor & Northern Railway Company, plaintiff in error, *v.* W. G. Welles et al., etc. Restored to the docket for oral argument.

No. 229. Western Fuel Company *v.* Antone Garcia, as administrator, etc. Restored to the docket for reargument, and a writ of certiorari ordered to issue to bring up the entire record and cause.

No. 758. North Carolina Railroad Company, petitioner, *v.* Evelyn K. Lee, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 732. Thomas H. Matters, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 775. Walker D. Hines, Director General of Railroads, and Missouri Pacific Railroad Co., petitioners, *v.* H. H. Smith. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 726. William G. McAdoo, Director General of Railroads, et al., petitioners, *v.* Neva M. McCoy, Administratrix, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas denied.

No. 743. Southern Pacific Company, petitioner, *v.* John J. Thomas, Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Arizona denied.

No. 744. John Barton Payne, Agent, etc., petitioner, *v.* Mrs. Virgie Mills, Administratrix, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas denied.

No. 759. Edward Anderson et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

The Chief Justice also announced that there will be no session of the court on Friday, the 25th instant, that day being Good Friday.

The Chief Justice also announced that the court will take a recess from Monday, the 28th instant, to Monday, April 11 next.

No. 276. The United States of America, appellant, *v.* Francis Fay, alias Fay Yong. Appeal from the District Court of the United States for the Southern District of New York. Dismissed on motion of Mr. Solicitor General Frierson for the appellant.

No. 277. The United States of America, appellant, *v.* William Chan, alias William Shan. Appeal from the District Court of the United States for the Southern District of New York. Dismissed on motion of Mr. Solicitor General Frierson for the appellant.

No. 810. The United States, appellant, *v.* C. W. Phellis. Motion to advance submitted by Mr. Solicitor General Frierson for the appellant.

No. 811. The United States, appellant, *v.* Alan H. Woodward et al., as executors, etc. Motion to advance submitted by Mr. Solicitor General Frierson for the appellant.

No. 632. Charles Corneli, appellant, *v.* George H. Moore, collector of internal revenue; and

No. 633. George H. Ghio, appellant, *v.* George H. Moore, collector of internal revenue. Motion to advance submitted by Mr. Solicitor General Frierson for the appellee.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion on behalf of A. E. Pearson and others for leave to intervene submitted by Mr. W. B. Jaynes in that behalf.

No. 636. St. Louis-San Francisco Railway Company, appellant, *v.* Lorenzo D. Thompson, State Treasurer of the State of Missouri, et al. Leave granted to file reply brief on motion of Mr. Robert W. Otto for the appellee.

No. 264. Ernest B. Dane, plaintiff in error, *v.* Charles L. Burrill;

No. 509. Ernest B. Dane, plaintiff in error, *v.* Fred J. Burrell, treasurer and receiver general of the Commonwealth of Massachusetts; and

No. 720. Ernest B. Dane, plaintiff in error, *v.* James Jackson, treasurer and receiver general. Motion to advance submitted by Mr. Frank Davis, jr., in that behalf.

No. 751. Boston and Maine Railroad, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Archibald Tisdale and Mr. George E. Kimball for the petitioner, and by Assistant Attorney General Adams for the respondent.

No. 777. Jesse G. Darrow, petitioner, *v.* The Postal Telegraph-Cable Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Paul J. Sherwood for the petitioner, and by Mr. Henry A. Knapp for the respondent.

No. 244. Mike Blanset, appellant, *v.* Oscar Cardin, as guardian of Jesse Daylight, a minor, et al. Passed per stipulation.

No. 245. N. W. Palmer et al., plaintiffs in error, *v.* Racheal King et al. Submitted with leave to counsel for both sides to file briefs hereafter.

No. 247. Natron Soda Company, appellant, *v.* The United States. Continued, per stipulation.

No. 249. Charles W. Steene et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of New York. Reversed, on confession of error, and remanded for further proceedings, on motion of Mr. Solicitor General Frierson for the defendant in error.

No. 237. Sarah Mary Wall, Administratrix, etc., plaintiff in error, *v.* Chesapeake & Ohio Railway Company. Argued by Mr. C. Paul Tallmadge for the plaintiff in error, and Mr. Worth E. Caylor for the defendant in error.

No. 238. Bank of Minden et al., plaintiffs in error, *v.* Mrs. Louie Clement, Administratrix, etc. Submitted by Mr. J. D. Wilkinson for the defendant in error. No brief filed for the plaintiffs in error.

No. 240. The Merchants' National Bank of Richmond, Virginia, plaintiff in error, *v.* The City of Richmond. Argued by Mr. Legh R. Page for the plaintiff in error, and submitted by Mr. H. R. Pollard and Mr. George Wayne Anderson for the defendant in error.

No. 242. Hiram Chase, jr., a minor, etc., appellant, *v.* The United States of America; and

No. 243. Mary Gilpin, a minor, etc., appellant, *v.* The United States of America. Leave granted counsel for Omaha Indians to file

brief and participate in the oral argument, on motion of Mr. Assistant Attorney General Garnett in that behalf. Argument commenced by Mr. John Lee Webster for the appellant, and continued by Mr. Assistant Attorney General Garnett for the appellee, and Mr. D. C. Anderson for the Omaha Tribe of Indians, by special leave of court.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 22, will be as follows: Nos. 242 (and 243), 246, 251, 252, 253, 254, 256, 258, 260, and 261.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 22, 1921.

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

Henry H. Babcock, of Pittsburgh, Pa.; Joseph V. Zottarelli, of Cleveland, Ohio; Halsey Sayles, of Elmira, N. Y.; J. Fred Schaffer, of Sunbury, Pa.; Franklin Chappell, of Louisville, Ky.; and John D. Rippey, of St. Louis, Mo., were admitted to practice.

No. 783. Charles W. Anderson, collector of internal revenue, etc., petitioner, *v.* New York Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Frierson and Assistant Attorney General Adams for the petitioner.

No. 745. John Gilmore, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George E. Wallace for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. W. C. Herron for the respondent.

No. 254. Bethlehem Motors Corporation et al., plaintiffs in error, *v.* George W. Flynt, sheriff, etc., et al. Submitted by Mr. J. E. Alexander for the plaintiffs in error, and by Mr. James S. Manning for the defendants in error.

No. 256. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* The United States. Submitted by Mr. Alexander Britton and Mr. Gardiner Lathrop for the appellant, and by Mr. Assistant Attorney General Davis for the appellee.

No. 242. Hiram Chase, jr., a minor, by his next friend, Hiram Chase, appellant, *v.* The United States of America; and

No. 243. Mary Gilpin, a minor, by her next friend, Samuel Gilpin, appellant, *v.* The United States of America. Argument continued by Mr. O. C. Anderson for the Omaha Tribe of Indians, by special leave of court, and concluded by Mr. John Lee Webster for the appellants.

No. 246. The United States of America, plaintiff in error, *v.* Charles G. A. Pfitsch. Argued by Mr. Assistant Attorney General

Davis for the plaintiff in error, and by Mr. Arthur B. King for the defendant in error.

No. 251. J. J. Dillon, appellant, *v.* R. W. Gloss, deputy collector of internal revenue. Argued by Mr. Levi Cooke for the appellant, and by Assistant Attorney General Adams for the appellee.

No. 252. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* H. A. F. Ault. Argued by Mr. Robert E. Wiley for the plaintiffs in error, and submitted by Mr. Frank Pace for the defendant in error.

No. 253. The United States, appellant, *v.* L. P. and J. A. Smith. Argument commenced by Mr. Assistant Attorney General Davis for the appellant, and continued by Mr. John E. Morley for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 23, will be as follows: Nos. 253, 258, 260, 261, 263, 264, 268 (and 269), 270, 273, and 279.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 23, 1921.

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

Frank C. Curtis, of Troy, N. Y.; Chapin B. Bauman, of Washington, D. C.; Earl F. Nelson, of St. Louis, Mo.; Leonard B. Fowler, of Carson City, Nev.; Maurice Cohn, of Paterson, N. J.; Percy H. Clark, of Philadelphia, Pa.; and Paul C. Wagner, of Philadelphia, Pa., were admitted to practice.

No. 268. J. Leroy Nickel et al., as trustee, etc., et al., plaintiffs in error, *v.* George A. Cole, as State controller of the State of Nevada;

No. 269. Nellie Miller Nickel et al., as trustees, etc., et al., plaintiffs in error, *v.* The State of Nevada. Leave granted to file brief herein as *amicus curiae*, on motion of Mr. Frederic D. McKenney in that behalf.

No. 258. The National Surety Company, appellant, *v.* The County of Leflore in the State of Mississippi. Appeal from the District Court of the United States for the Northern District of Mississippi. Dismissed with costs on motion of counsel for the appellant.

No. 264. Ernest B. Dane, plaintiff in error, *v.* Charles L. Burrill. Passed temporarily.

No. 253. The United States, appellant, *v.* L. P. & J. A. Smith. Argument continued by Mr. John E. Morley for the appellees, and concluded by Mr. Assistant Attorney General Davis for the appellant.

No. 260. Henry Krichman, petitioner, *v.* The United States of America. Argued by Mr. Edward Schoen for the petitioner, and by Mr. W. C. Herron for the respondent. Leave granted counsel for the petitioner to file reply brief within two weeks.

No. 261. The St. Louis & East St. Louis Electric Railway Company, plaintiff in error, *v.* The State of Missouri at the relation and to the use of James Hagerman, jr., collector, etc. Argued by Mr.

Joseph S. Clark for the plaintiff in error, and by Mr. Thomas G. Rutledge for the defendant in error.

No. 263. City of San Antonio et al., appellants, *v.* San Antonio Public Service Company. Argument commenced by Mr. R. J. McMillan for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 24, will be as follows: Nos. 263, 268 (and 269), 270, 273, 279, 280 (and 281), 282 (and 283 and 284), 286, 287, and 288.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 24, 1921.

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

James A. Donovan, of Lawrence, Mass.; Walter S. Logan, of New York City; Richard E. Harvey, of Portland, Me.; George A. Henshaw, of Oklahoma City, Okla.; and Frank L. Hanley, of Providence, R. I., were admitted to practice.

No. 238. Bank of Minden et al., plaintiffs in error, *v.* Mrs. Louie Clement, Administratrix, etc. Leave granted to file brief of the plaintiff in error, on motion of Mr. L. J. Heller in that behalf.

No. 264. Ernest B. Dane, plaintiff in error, *v.* Charles L. Burrill. In error to the Supreme Judicial Court of the State of Massachusetts. Dismissed without costs, per stipulation.

No. 263. City of San Antonio et al., appellants, *v.* San Antonio Public Service Company. Argument continued by Mr. R. J. McMillan for the appellants, by Mr. S. J. Brooks for the appellee, and concluded by Mr. R. J. McMillan for the appellant.

No. 268. J. Leroy Nickel et al., as Trustees, etc., et al., plaintiffs in error, *v.* George A. Cole, as State Controller of the State of Nevada; and

No. 269. Nellie Miller Nickel et al., as Trustees, etc., et al., plaintiffs in error, *v.* The State of Nevada. Argued by Mr. Edward F. Treadwell for the plaintiffs in error, and by Mr. Leonard B. Fowler for the defendant in error.

No. 270. The Vicksburg, Shreveport & Pacific Railway Company et al., plaintiffs in error, *v.* Anderson-Tully Company. Argued by Mr. S. W. Moore for the plaintiff in error, and by Mr. Harry B. Anderson for the defendant in error.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 28, 1921.

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

W. J. Rutledge, jr., of Dallas, Tex.; James C. McMath, of Chicago, Ill.; Bruce L. Casteel, of Washington, D. C.; Walter R. Mayne, of St. Louis, Mo.; Robert S. Haskell, of Los Angeles, Calif.; C. A. Summers, of Muskogee, Okla.; George P. Brauburger, of New York City; Fred Barnett, of Hammond, Ind.; and Cato Sells, of Cleburne, Tex., were admitted to practice.

No. 608. The Merchants' Loan & Trust Company, as trustee, etc., plaintiff in error, *v.* Julius F. Smietanka, formerly United States Collector of Internal Revenue for the First District of the State of Illinois. In error to the District Court of the United States for the Northern District of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Clarke. (Mr. Justice Holmes and Mr. Justice Brandeis, because of prior decisions of the court, concur only in the judgment.)

No. 609. Eldorado Coal and Mining Company, plaintiff in error, *v.* Harry W. Mager, Collector of Internal Revenue for the First District of Illinois. In error to the District Court of the United States for the Northern District of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Clarke. (Mr. Justice Holmes and Mr. Justice Brandeis, because of prior decisions of the court, concur only in the judgment.)

No. 663. David M. Goodrich, plaintiff in error, *v.* William H. Edwards, United States Collector of Internal Revenue for the Second District of the State of New York. In error to the District Court of the United States for the Southern District of New York. Judgment reversed in part and affirmed in part; and cause remanded to the said district court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke. (Mr. Justice Holmes and Mr. Justice Brandeis, because of prior decisions of the court, concur only in the judgment.)

No. 742. James J. Walsh, Collector of Internal Revenue, plaintiff in error, *v.* Frederick F. Brewster. In error to the District Court of

the United States for the District of Connecticut. Judgment reversed in part and affirmed in part; and cause remanded to the said district court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke. (Mr. Justice Holmes and Mr. Justice Brandeis, because of prior decisions of the court, concur only in the judgment.)

No. 257. The State of Wyoming et al., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree of Circuit Court of Appeals reversed; and decree of the District Court of the United States for the District of Wyoming affirmed and case remanded to the District Court. Opinion by Mr. Justice Van Devanter.

No. 524. The United States of America, plaintiff in error, *v.* The Coronado Beach Company. In error to the District Court of the United States for the Southern District of California. Judgment affirmed. Opinion by Mr. Justice Holmes. (Mr. Justice Clarke took no part in the decision of this case.)

No. 525. The United States of America, appellant, *v.* Coronado Beach Company. Appeal from the District Court of the United States for the Southern District of California. Decree affirmed. Opinion by Mr. Justice Holmes. (Mr. Justice Clarke took no part in the decision of this case.)

No. 290. Anna Lang, as administratrix, etc., petitioner, *v.* New York Central Railroad Company. On writ of certiorari to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Clarke and Mr. Justice Day.

No. 221. Henry Friedman, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna. Mr. Justice Clarke took no part in the consideration and decision of this case.

The Chief Justice announced the following orders of the court:

No. 212. Frank M. Hoy, appellant, *v.* Franklin K. Lane, Secretary of the Interior; and

No. 213. The United States of America ex rel. Edmund O. Wattis, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Appeal from and in error to the Court of Appeals of the District of Columbia. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *United States v. Boutwell*, 17 Wall. 604, 607; *Pullman v. Knott*, 243 U. S. 447, 449; *Shaffer v. Howard*, 249 U. S. 200, 201; (2) act of February 8, 1899, c. 121, 30 Stat. 822; *LeCrone v. McAadoo*, 253 U. S. 217, 219.

No. 13, original. The State of Minnesota, complainant, *v.* The State of Wisconsin. Time for filing the report of the commissioners

appointed to run and mark the boundary line between the respective States extended from May 1 to July 1, 1921.

No. 509. Ernest B. Dane, plaintiff in error, *v.* Fred J. Burrell, Treasurer, etc.; and

No. 720. Ernest B. Dane, plaintiff in error, *v.* James Jackson, Treasurer, etc. Motion to advance granted, and cases assigned for argument on Monday, April 11 next, after the cases heretofore assigned for that day.

No. 811. The United States, appellant, *v.* Alan H. Woodward et al., as Executors, etc. Motion to advance granted, and cause assigned for argument on Monday, April 11 next, after the cases heretofore assigned for that day.

No. 632. Charles Corneli, appellant, *v.* George H. Moore, Collector of Internal Revenue; and

No. 633. George J. Ghio, appellant *v.* George H. Moore, Collector of Internal Revenue. Motion to advance granted, and cases assigned for argument on Monday, October 10 next, after the case heretofore assigned for that day.

No. 810. The United States, appellant, *v.* C. W. Phellis. Motion to advance granted, and cause assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 712. Mutual Life Insurance Company of New York, plaintiff in error, *v.* Mary S. Liebing. Further consideration of the petition for a writ of certiorari postponed to the hearing of the case on the writ of error.

No. 783. Charles W. Anderson, Collector of Internal Revenue, petitioner *v.* New York Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 774. John Barton Payne, as Agent, etc., petitioner, *v.* Katharine McL. Smith, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 745. John Gilmore, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 751. Boston and Maine Railroad, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 777. Jesse G. Darrow, petitioner, *v.* The Postal Telegraph-Cable Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 408. Sultzbach Clothing Company (Inc.), appellant, *v.* Stephen T. Lockwood, as United States Attorney for the Western District of New York. Appeal from the District Court of the United States for the Western District of New York. Decree reversed with costs, and cause remanded for further proceedings; on confession of error, on motion of Mr. Solicitor General Frierson for the appellee.

No. 499. Sehon, Stevenson & Company. plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of West Virginia. Judgment reversed, and cause remanded for further proceedings; on confession of error, on motion of Mr. Solicitor General Frierson for the appellee.

No. 379. The United States of America, plaintiff in error, *v.* Peoples Fuel & Feed Company. In error to the District Court of the United States for the District of Arizona. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 486. The United States of America, plaintiff in error, *v.* American Woolen Company et al. In error to the District Court of the United States for the Southern District of New York. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 688. The United States of America, plaintiff in error, *v.* Brooklyn Edison Company (Inc.), et al. In error to the District Court of the United States for the Southern District of New York. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 689. The United States of America, plaintiff in error, *v.* Brooklyn Edison Company (Inc.), et al. In error to the District Court of the United States for the Southern District of New York. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 735. The United States of America, plaintiff in error, *v.* Brooklyn Edison Company (Inc.), et al. In error to the District Court of the United States for the Southern District of New York. Dismissed, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. —, original. Ex parte In the matter of The United States, Owner of American steamship "Western Maid," petitioner. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. Solicitor General Frierson for the petitioner.

No. —, original. Ex parte In the matter of the United States, Former Requisitioned or Chartered Owner of the Auxiliary Schooner "Liberty," petitioner. Motion for leave to file petition for a writ of

prohibition and/or a writ of mandamus herein submitted by Mr. Solicitor General Frierson for the petitioner.

No. —, original. *Ex parte* In the matter of the United States, Former Requisitioned and Chartered Owner of the American Steamship "Carolinian," petitioner. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. Solicitor General Frierson for the petitioner.

No. 776. Auditors Contracting Company, Inc., et al., petitioners, *v.* Foreign Trade Banking Corporation. Leave granted to file brief herein as *amicus curiae*, on motion of Mr. Solicitor General Frierson in that behalf.

No. 706. Pennsylvania Railroad Company, plaintiff in error, *v.* Isaac C. Weber, Surviving Partner, etc. Motion to advance submitted by Mr. William A. Glasgow, jr., for the defendant in error.

No. 763. Ellsworth H. Green et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Samuel Herrick, Mr. Ed. S. Vaught, and Mr. John B. Dudley for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Harry S. Ridgely for the respondent.

No. 291. Archie J. McLaren, Administrator, etc., petitioner, *v.* L. G. Fleischer; and

No. 292. Robert L. Culpeper, petitioner, *v.* James M. Ocheltree. Motion to advance submitted by Mr. Patrick H. Loughran for the respondents.

No. 752. J. B. Flowers et al., petitioners *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit of Appeals for the Fifth Circuit submitted by Mr. W. F. Weeks and Mr. C. C. McDonald for the petitioners.

No. 764. Wagner Electric Manufacturing Company, petitioner, *v.* Lamar Lyndon. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Charles A. Houts for the petitioner, and by Mr. Lawrence C. Kingsland and Mr. John D. Rippey for the respondent.

No. 766. The New York, New Haven & Hartford Railroad Company, petitioner, *v.* David Fruchter, an infant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James W. Carpenter for the petitioner, and by Mr. Leon Sanders for the respondent.

No: 767. The New York, New Haven & Hartford Railroad Company, petitioner, *v.* Sam Fruchter. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James W. Carpenter for the petitioner, and by Mr. Leon Sanders for the respondent.

No. 769. Mary Flack, administratrix, etc., petitioner, *v.* the Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. John H. Atwood and Mr. Oscar S. Hill for the petitioner.

No. 772. Charles O'Connor et al., petitioners, *v.* John Slaker, acting administrator, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. James M. Johnson for the petitioners, and by Mr. John F. Kirkman, p. p.

No. 773. John Barton Payne, as agent, etc., petitioner, *v.* Matthew Foley. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Maine submitted by Mr. Evan Shelby and Mr. Frank M. Libby for the petitioner, and by Mr. Richard E. Harvey for the respondent.

No. 776. Auditore Contracting Company, Inc., et al., petitioners, *v.* Foreign Trade Banking Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alvin C. Cass for the petitioners, and by Mr. John M. Woolsey and Mr. Delbert M. Tibbetts for the respondent.

No. 787. J. Sidney Smith, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John Lee Webster for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 788. Charles M. Thompson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John Lee Webster for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 789. Clyde A. Smith, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John Lee Webster for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. Roy C. McHenry for the respondent.

No. 825. Edward A. Shedd et al., petitioners, *v.* The Calumet Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Fred Barnett for the petitioners.

Adjourned until Monday, April 11 next, at 12 o'clock.

The day call for Monday, April 11, 1921, will be as follows: Nos. 691 (and 692), 646, 62, 491, 679, 716, 369, 695, 806, 509 (and 720), and 811.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 11, 1921.

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

E. J. Smyer, of Birmingham, Ala.; John M. Boyle, of Tacoma, Wash.; E. Lowry Humes, of Pittsburgh, Pa.; Clarence M. Boyle, of Tacoma, Wash.; Burton Briggs Crane, of Los Angeles, Calif.; Frederick R. Conway, of Tacoma, Wash.; John H. Cantrell, of Chattanooga, Tenn.; Maynard Ramsey, of Jacksonville, Fla.; Robert S. Parker, of Atlanta, Ga.; Joseph C. Breitenstein, of Cleveland, Ohio; Floyd E. Pendell, of Casper, Wyo.; Sam K. Sullivan, of Newkirk, Okla.; Frank E. Dennett, of Milwaukee, Wis.; James Washington Cutshaw, of Chicago, Ill.; John K. M. Ewing, of Washington, D. C.; Vincent K. Butler, jr., of San Francisco, Calif.; Ellis Rosenberg, of Baltimore, Md.; Kennedy M. Thompson, of New York City; June C. Smith, of Centralia, Ill.; Edmund L. Jones, of Washington, D. C.; E. Bentley Hamilton, of Peoria, Ill.; Robert D. Eggleston, of New York City; John C. Benson, of Minneapolis, Minn.; Adam K. Stricker, of New York City; Elmer D. Means, of Stigler, Okla.; Leon T. Seawell, of Norfolk, Va.; Clay Tallman, of Tonopah, Nev.; Aubrey B. Fennell, of Washington, D. C.; James L. Nesbitt, of New York City; Daniel L. Brown, of Boston, Mass.; Tom L. Beauchamp, of Paris, Tex.; and Daniel Upthegrove, of St. Louis, Mo., were admitted to practice.

No. 28, original. *Ex parte* In the matter of National Park Bank of New York, petitioner. On petition for a writ of mandamus. Rule to show cause discharged and petition dismissed.

No. 265. The Missouri Pacific Railway Company, plaintiff in error, *v.* McGrew Coal Company. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 237. Sarah Mary Wall, Administratrix of the Estate of Edward Wall, deceased, plaintiff in error, *v.* Chesapeake & Ohio Railway Company. In error to the Supreme Court of the State of Illinois. Dismissed for want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 238. Bank of Minden et al., plaintiffs in error, *v.* Mrs. Louie Clement, Administratrix of the Succession of O. P. Clement, deceased. In error to the Supreme Court of the State of Louisiana. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke.

No. 347. Miller and Lux, Incorporated, plaintiff in error, *v.* Sacramento and San Joaquin Drainage District. In error to the Supreme Court of the State of California. Dismissed for want of jurisdiction. Petition for writ of certiorari herein denied. Opinion by Mr. Justice McReynolds.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervenor. Opinion by Mr. Justice Pitney. Decree to be submitted by counsel within thirty days. (Mr. Justice Clarke took no part in the consideration or decision of this case.)

No. 99. James A. Ownbey, plaintiff in error, *v.* John Pierpont Morgan et al., as executors of the estate of John Pierpont Morgan, deceased. In error to the Supreme Court of the State of Delaware. Judgment affirmed with costs. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds concurs in the result. The Chief Justice and Mr. Justice Clarke dissent.)

No. 104. Economy Light & Power Company, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 325. The United States of America, appellant, *v.* Northern Pacific Railway Company. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed, and cause remanded to the District Court of the United States for the District of Montana for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 6, original. The State of Arkansas, complainant, *v.* The State of Mississippi. Final decree entered. Announced by Mr. Justice Day.

No. 113. The Baldwin Company, petitioner, *v.* R. S. Howard Company. On petition for a writ of certiorari to the Court of Appeals of the District of Columbia; and

No. 139. The Baldwin Company and The Valley Gem Piano Company, appellants, *v.* R. S. Howard Company. Appeal from the Court

of Appeals of the District of Columbia. Petition for a writ of certiorari denied. Appeal dismissed for want of jurisdiction. Opinion by Mr. Justice Day.

No. 131. American Steel Foundries, petitioner, *v.* Robert Whitehead, Commissioner of Patents. On writ of certiorari to the Court of Appeals of the District of Columbia. Dismissed for want of jurisdiction. Opinion by Mr. Justice Day.

No. 224. The State of Minnesota on the relation of C. D. Whipple, plaintiff in error, *v.* Oscar Martinson, sheriff of Hennepin County, Minnesota. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 234. John P. Galbraith, petitioner, *v.* John Vallely, trustee in bankruptcy of Conrad C. Reiswig, bankrupt. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of North Dakota for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day.

No. 158. Silver King Coalition Mines Company, petitioner, *v.* Conkling Mining Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. On petition for rehearing. Decree of Circuit Court of Appeals reversed, with costs, and decree of District Court of the United States for the District of Utah affirmed, with costs, and cause remanded to the said district court. Opinion by Mr. Justice Holmes.

No. 242. Hiram Chase, jr., a minor, by his next friend, Hiram Chase, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the District of Nebraska. Opinion by Mr. Justice McKenna.

No. 243. Mary Gilpin, a minor, by her next friend, Samuel Gilpin, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the District of Nebraska. Opinion by Mr. Justice McKenna.

No. 253. The United States, appellant, *v.* L. P. and J. A. Smith. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna. (Mr. Justice Day and Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 180. Southern Iowa Electric Company, appellant, *v.* The City of Chariton, Iowa, et al.;

No. 189. Iowa Electric Company, appellant, *v.* City of Fairfield, Iowa, et al.; and

No. 190. Muscatine Lighting Company, appellant, *v.* City of Muscatine, Iowa, et al. Appeals from the District Court of the United States for the Southern District of Iowa. Decrees reversed with costs, and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 263. City of San Antonio et al., appellants, *v.* San Antonio Public Service Company. Appeal from the District Court of the United States for the Western District of Texas. Decree affirmed with costs. Opinion by Mr. Chief Justice White.

No. 198. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Hannah L. Zuber. On writ of certiorari to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Furness-Withy & Co. v. Yang-Tsze Insurance Association*, 242 U. S. 430; *Houston Oil Co. v. Goodrich* 245 U. S. 440; (2) *California Powder Works v. Davis*, 151 U. S. 398, 393; *Cuyahoga River Power Works v. Northern Realty Co.*, 244 U. S. 300, 303; *Bilby v. Stewart*, 246 U. S. 255, 257; *Farson, Son & Co. v. Bird*, 248 U. S. 268, 271. See writ of error dismissed, February 28, 1921.

No. —, original. Ex parte in the matter of The United States ("The Western Maid"), petitioner;

No. —, original. Ex parte in the matter of The United States ("The Liberty"), petitioner; and

No. —, original Ex parte in the matter of The United States ("The Carolinian"), petitioner. Motions for leave to file petitions for writs of prohibition and/or writs of mandamus herein granted, and rules to show cause awarded returnable on Monday, October 10, next.

No. 177. The Standard Fashion Company, petitioner, *v.* Magrane-Houston Company. Ordered that this case be restored to the docket for reargument, and the clerk is directed to notify the Attorney General of the United States of the pendency of this cause.

No. 246. The United States of America, plaintiff in error, *v.* Charles G. A. Pfitsch. Ordered that this case be restored to the docket for reargument on the question of jurisdiction.

No. 369. American Column & Lumber Company et al., appellants, *v.* The United States of America. Ordered that this case be reasigned for Monday, October 10 next, after the cases heretofore assigned for that day.

No. 706. Pennsylvania Railroad Company, plaintiff in error, *v.* Isaac C. Weber, Surviving Partner, etc. Motion to advance granted,

and cause assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 291. Archie J. McLaren, administrator, etc., petitioner, *v.* L. G. Fleischer; and

No. 292. Robert L. Culpepper, petitioner, *v.* James M. Ocheltree. Motion to advance denied.

No. 766. The New York, New Haven & Hartford Railroad Company, petitioner, *v.* David Fruchter, an infant, etc.; and

No. 767. The New York, New Haven & Hartford Railroad Company, petitioner, *v.* Sam Fruchter. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 776. Auditors Contracting Company, Inc., et al., petitioners, *v.* Foreign Trade Banking Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 760. William D. Haywood et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 752. J. B. Flowers et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 763. Ellsworth H. Green et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 764. Wagner Electric Manufacturing Company, petitioner, *v.* Lamar Lyndon. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 769. Mary Flack, Administratrix, etc., petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 772. Charles O'Connor et al., petitioners, *v.* John Slaker, Acting Administrator, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska denied.

No. 773. John Barton Payne, as Agent, etc., petitioner, *v.* Matthew Foley. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Maine denied.

No. 787. J. Sidney Smith, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 788. Charles M. Thompson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 789. Clyde A. Smith, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 825. Edward A. Shedd et al., petitioners, *v.* Calumet Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 853. Edgar A. Levy Leasing Company (Inc.), plaintiff in error, *v.* Jerome Siegel;

No. 854. The People of the State of New York ex rel. Brixton Operating Corporation, plaintiff in error, *v.* Edward B. La Fetra, a justice of the city court of the city of New York; and

No. 855. 810 West End Ave. (Inc.), plaintiff in error, *v.* Henry R. Stern. Motion to advance submitted by Mr. Lewis M. Isaacs in that behalf.

No. 849. The State of New York et al., appellants, *v.* The United States of America et al. Motion to advance submitted by Mr. J. E. Benton in that behalf.

No. 753. The Filer & Stowell Company, petitioner. *v.* Diamond Iron Works. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. W. G. Henderson, Mr. Frank E. Dennett, and Mr. Louis A. Lecher for the petitioner and by Mr. Frank A. Whiteley for the respondent.

No. 800. Ulrica Dahlgren Pierce, as trustee, etc., appellant, *v.* John V. Dahlgren. Petition for a writ of certiorari herein submitted by Mr. J. Warren Keifer for the appellant, in support of the petition, and by Mr. Lawrence Maxwell, Mr. Frederic R. Coudert, and Mr. Howard Thayer Kingsbury for the appellee, in opposition thereto.

No. 782. George N. Baxter, petitioner, *v.* William M. Safford et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George N. Baxter, pro se, and by Mr. Lawrence Maxwell, Mr. Charles P. Rogers, Mr. Henry H. Glassie, Mr. B. E. Hinton, and Mr. Constant Southworth for the respondents, with leave to the petitioner to file supplemental brief within one week.

No. 544. James J. Rafferty, Collector of Internal Revenue for the Philippine Islands, petitioner, *v.* Smith, Bell & Company (Limited);

No. 548. James J. Rafferty, as Collector of Internal Revenue for the Philippine Islands, petitioner, *v.* Compania General de Tabacos de Filipinas; and

No. 553. James J. Rafferty, Collector of Internal Revenue for the Philippine Islands. Motion to advance submitted by Mr. Charles Marvin for the petitioner.

No. 800. Ulrica Dahlgren Pierce, as Trustee, etc., appellant, *v.* John V. Dahlgren. Motion to dismiss submitted by Mr. Barry Mohun in behalf of Mr. Frederic R. Coudert, Mr. Howard Thayer Kingsbury, and Mr. Lawrence Maxwell for the appellee in support of the motion and by Mr. J. Warren Keifer for the appellant in opposition thereto.

No. 834. John W. Yates, petitioner, *v.* Charles R. Smith, Executor, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Samuel E. Darby for the petitioner.

No. 841. William Barber, petitioner, *v.* Otis Motor Sales Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel E. Darby for the petitioner and by Mr. Oscar W. Jeffrey and Mr. Robert D. Eggleston for the respondent.

No. 783. Charles W. Anderson, Collector of Internal Revenue, etc., petitioner, *v.* New York Life Insurance Company. Motion to set aside order granting writ of certiorari submitted by Mr. Frederic D. McKenney in behalf of Mr. James H. McIntosh for the respondent, and by Mr. Solicitor General Frierson for the petitioner.

No. 496. The Texas Company, appellant, *v.* J. J. Brown, Individually, etc., et al. Motion to advance submitted by Mr. J. L. Nesbitt in behalf of counsel.

No. 572. Charles S. Fairchild, appellant, *v.* Bainbridge Colby, Secretary of State of the United States, et al. Suggestion of resignation of Bainbridge Colby, as Secretary of State, and A. Mitchell Palmer, as Attorney General, of the United States, and motion to make Charles E. Hughes, as Secretary of State, and Harry M. Daugherty, as Attorney General, of the United States, the parties appellees herein, granted on motion of Mr. Alfred D. Smith for the appellant.

No. 794. John R. Bailey, petitioner, *v.* Mississippi Home Telephone Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Thomas M. B. Hicks for the petitioner, and by Mr. J. Fred Schaffer for the respondent.

No. 790. Carl A. Martin et al., etc., petitioners, *v.* Presidio Mining Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William Denman for the petitioners, and by Mr. R. T. Harding, Mr. Henry E. Monroe, and Mr. J. J. Dunne for the respondents.

No. 765. Panayiotis Panoulis, petitioner, *v.* National Equipment Company. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank C. Briggs for the petitioner, and by Mr. Livingston Gifford and Mr. William Quinby for the respondent.

No. 815. Samuel Vernon Estate (Inc.), petitioner, *v.* John J. Lyttle, as Receiver and Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick Seymour for the petitioner, and by Mr. Emanuel J. Myers for the respondent.

No. 833. Seaboard Transportation Company, petitioner, *v.* Boston, Cape Cod & New York Canal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Edward E. Blodgett for the petitioner, and by Mr. Thomas H. Mahony for the respondent.

No. 836. Standard Portland Cement Company, petitioner, *v.* J. R. Foley. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Augustus Benners for the petitioner.

No. 840. Gaston, Williams & Wigmore of Canada, Limited, petitioner, *v.* Philip A. Warner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Cletus Keating for the petitioner, and by Mr. Joseph P. Nolan for the respondent.

No. 842. The City of New York, petitioner, *v.* Lyndon R. Connett et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Vincent Victory for the petitioner, and by Mr. Samuel Seabury for the respondents.

No. 846. James S. McKee et al., petitioners, *v.* Benjamin Gratz. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank H. Sullivan, Mr. Lon O. Hocker, and Mr. George F. Haid for the petitioners, and by Mr. S. Mayner Wallace for respondent, concurring.

No. 861. Standard Oil Company, as Owner, etc., petitioner, *v.* the Steamship *Falls City*, Master and Claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Parker Kirlin, Mr. John M. Woolsey, Mr. Edward R. Baird, jr., and Mr. Robert S. Erskine for the petitioner, and by Mr. H. H. Little for the respondent.

No. 310. J. Q. Smith, Attorney General of the State of Alabama, et al., appellants, *v.* Wofford Oil Company. Appeal from the District Court of the United States for the Middle District of Alabama. Dismissed per stipulation.

No. 30, original. *Ex parte* In the matter of Matthew Addy Steamship & Commerce Corporation, petitioner. Argument commenced by Mr. T. K. Schmuck for the petitioner, continued by Mr. Edward R. Baird, jr., and Mr. Gilbert R. Swink for the respondent, and concluded by Mr. T. K. Schmuck for the petitioner.

No. 691. The United States of America, plaintiff in error, *v.* A. Z. Hutto et al.; and

No. 692. The United States of America, plaintiff in error, *v.* A. Z. Hutto. Argued by Mr. Assistant Attorney General Garnett for the plaintiff in error, and by Mr. Sam K. Sullivan for the defendants in error.

No. 646. Joseph H. Burdeau, appellant, *v.* J. C. McDowell. Argument commenced by Mr. Solicitor General Frierson for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 12, will be as follows: Nos. 646, 62, 491, 679, 716, 695, 806, 509 (and 720), 811, and 194 (and 195).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 12, 1921.

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

Royal E. T. Riggs, of New York City, and Manwell G. Wallace, of Richmond, Va., were admitted to practice.

No. 867. Charles D. Newton, as attorney general of the State of New York, et al., appellants, *v.* The Kings County Lighting Company. Motion to advance submitted by Mr. Charles E. Buchner for the appellants.

No. 868. Charles D. Newton, as attorney general of the State of New York, et al., appellants, *v.* New York & Queens Gas Company. Motion to advance submitted by Mr. Charles E. Buchner for the appellants.

No. 286. New York Trust Company, et al., as executors, etc., plaintiffs in error, *v.* Mark Eisner. Leave granted to file briefs herein as *amicus curiae* on motion of Mr. W. H. Hitchcock in that behalf.

No. 194. J. L. Hudson, plaintiff in error, *v.* O. L. Hopkins, as county treasurer, etc.; and

No. 195. William E. McGuire, as administrator, etc., plaintiff in error, *v.* E. J. McCurdy, as county treasurer, etc. Submitted by Mr. Elmer E. Grinstead for the plaintiffs in error, and by Mr. S. P. Freeling for the defendants in error.

No. 646. Joseph A. Burdeau, appellant, *v.* J. C. McDowell. Argument continued by Mr. Solicitor General Frierson for the appellant, by Mr. E. Lowry Humes for the appellee, and concluded by Mr. Solicitor General Frierson for the appellant.

No. 62. The Seaboard Air Line Railway, appellant, *v.* The United States. Reargued by Mr. Benjamin Carter for the appellant, and by Mr. Frank Davis, jr., for the appellee.

No. 491. Western Union Telegraph Company, petitioner, *v.* Esteve Brothers & Company. Argument commenced by Mr. Rush Taggart for the petitioner, and continued by Mr. Monte M. Lemann for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 13, will be as follows: Nos. 491, 679, 716, 695, 806, 509 (and 720), 811, 21, 209, and 244.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 13, 1921.

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

Samuel F. Leber, of Newark, N. J.; Inghram D. Hook, of Kansas City, Mo.; Louis Gonsalves, of Oakland, Calif.; George R. Craig, of Albuquerque, N. Mex.; Halbert H. McCluer, of Kansas City, Mo.; Philip Nichols, of Boston, Mass.; Charles O. Pengra, of Boston, Mass.; and Grenville P. North, of Omaha, Nebr., were admitted to practice.

No. 491. Western Union Telegraph Company, petitioner, *v.* Esteve Brothers & Company. Argument continued by Mr. Monte M. Lemann for the respondent and concluded by Mr. John G. Milburn for the petitioner.

No. 679. American Bank & Trust Company et al., appellants, *v.* Federal Reserve Bank of Atlanta. Leave granted to file brief herein as amicus curiae on motion of Mr. Solicitor General Frierson in that behalf. Three and one-half hours allowed for oral argument, on motion of Mr. Alexander W. Smith for the appellants. Argument commenced by Mr. Alexander W. Smith for the appellants and continued by Mr. Robert S. Parker and Mr. Hollins N. Randolph for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 14, will be as follows: Nos. 679, 716, 695, 806, 509 (and 720), 811, 21, 209, 244, and 157.

13831—21—85

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 14, 1921.

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

Chriss A. Bell, of Portland, Oreg.; T. T. McCarley, of Nashville, Tenn.; Nicholas G. Carbajal, of New Orleans, La.; Joseph F. Sarley, of Chicago, Ill.; Frederick Ezekiel DeCamp, of Lansing, Mich.; Elza O. Rogers, of Lebanon, Ind.; Samuel M. Castleton, of Atlanta, Ga.; and James S. Parker, of Flint, Mich., were admitted to practice.

No. 509. Ernest B. Dane, plaintiff in error, *v.* Fred J. Burrell, Treasurer, etc. In error to the Supreme Judicial Court of the State of Massachusetts. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 679. American Bank & Trust Company, et al., appellants, *v.* Federal Reserve Bank of Atlanta et al. Argument continued by Mr. Hollins N. Randolph for the appellees, and concluded by Mr. Alexander W. Smith for the appellants. Leave granted Mr. Alexander W. Smith to file reply brief for the appellants within one week.

No. 716. Herbert Darlington, plaintiff in error, *v.* Harry W. Mager, Collector, etc. Argued by Mr. Herbert Pope for the plaintiff in error, and by Mr. Solicitor General Frierson for the defendant in error.

No. 695. O. O. Askren, Attorney General, etc., et al., appellants, *v.* Continental Oil Company. Argument commenced by Mr. Harry S. Bowman for the appellants, continued by Mr. Charles R. Brock and Mr. E. R. Wright for the appellees, and concluded by Mr. Harry S. Bowman for the appellants.

No. 806. The United States, appellant, *v.* Western Union Telegraph Company. Argument commenced by Mr. Solicitor General Frierson for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 15, will be as follows: Nos. 806, 720, 811, 21, 209, 244, 157, 211, 273, and 279.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 15, 1921.

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

No. 246. The United States of America, plaintiff in error, *v.* Charles G. A. Pfitsch. Assigned for argument at the head of the call on the 25th instant, on motion of Mr. Solicitor General Frierson for the plaintiff in error.

No. 806. The United States, appellant, *v.* Western Union Telegraph Company. Argument continued by Mr. Solicitor General Frierson for the appellant, by Mr. Rush Taggart for the appellee, and concluded by Mr. Joseph P. Cotton for the appellee.

No. 720. Ernest B. Dane, plaintiff in error, *v.* James Jackson, Treasurer and Receiver General. Argued by Mr. Philip Nichols for the plaintiff in error, and by Mr. William Harold Hitchcock for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 18, will be as follows: Nos. 811, 21, 209, 244, 157, 211, 273, 279, 122, and 280 (and 281).

13831—21—87

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 18, 1921.

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

Samuel Bosworth Smith, of Chattanooga, Tenn.; Richard S. Holmes, of New York City; J. Waties Waring, of Charleston, S. C.; J. E. Sickler, of Scranton, Pa.; Henry J. Connolly, of Scranton, Pa.; Amos J. Peaslee, of New York City; George E. Whitaker, of Bakersfield, Calif.; Jacob B. Furry, of Muskogee, Okla.; J. Weston Allen, of Boston, Mass.; George Williams Mathews, of Cambridge, Mass.; Person A. Robbins, of San Francisco, Calif.; Thomas Ware Maires, of Brooklyn, N. Y.; Lawrence Lewis, of Denver, Colo.; James McKeag, of Chicago, Ill.; Palmer Hutcheson, of Houston, Tex.; William Perry Miller, of Muskogee, Okla.; George W. Dowell, of Du Quoin, Ill.; and George R. Beneman, of Washington, D. C., were admitted to practice.

No. 200. Frey & Son, Incorporated, plaintiff in error, *v.* The Cudahy Packing Company. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the District of Maryland. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Pitney, Mr. Justice Day, and Mr. Justice Clarke.

No. 236. C. R. Privett, John O. Mitchell, and J. E. Crosbie, appellants, *v.* The United States of America et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Van Devanter.

No. 256. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded with directions to reexamine the company's claim and award a judgment conforming to the views expressed in the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 640. Julius Block, Trading and Carrying on Business under the Name and Style of Whites, plaintiff in error, *v.* Louis Hirsh. In error to the Court of Appeals of the District of Columbia. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna, Mr. Chief Justice White, Mr. Justice Van Devanter, and Mr. Justice McReynolds.

No. 731. Marcus Brown Holding Company, Inc., appellant, *v.* Marcus Feldman et al. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna, Mr. Chief Justice White, Mr. Justice Van Devanter, and Mr. Justice McReynolds.

No. 194. J. L. Hudson, plaintiff in error, *v.* O. L. Hopkins, as County Treasurer, etc.; and

No. 195. William E. McGuire, as Administrator, etc., plaintiff in error, *v.* E. J. McCurdy, as County Treasurer, etc. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726.

No. 245. N. W. Palmer et al., plaintiffs in error, *v.* Racheal King et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726.

No. 716. Herbert Darlington, plaintiff in error, *v.* Harry W. Mager, Collector of Internal Revenue for the First District of Illinois. In error to the District Court of the United States for the Northern District of Illinois. Per curiam: Affirmed with costs, upon authority of the act of February 24, 1919, ch. 18, sec. 213a, 40 Stat. 1057, 1065; act of September 8, 1916, ch. 463, sec. 2 (a), 39 Stat. 756, 757; *Merchants Loan & Trust Co. v. Smietanka*, No. 608, *Eldorado Coal & Mining Co. v. Mager*, No. 609, *Goodrich v. Edwards*, No. 663, and *Walsh v. Brewster*, No. 742, decided March 28, 1921.

No. 800. Ulrica Dahlgren Pierce, as Trustee and Individually, appellant, *v.* John V. Dahlgren. Appeal from the United States Circuit Court of Appeals for the Sixth District. Per curiam: Dismissed for want of jurisdiction upon the authority of *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577; *Louisville & Nashville R. R. Co. v. Western Union Telegraph Co.*, 237 U. S. 300, 302; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444.

No. 14, original. The State of North Dakota, complainant, *v.* The State of Minnesota. Restored to the docket, and ordered that supplemental proofs be taken.

No. 783. Charles W. Anderson, Collector of Internal Revenue, etc., petitioner, *v.* New York Life Insurance Company. Order granting writ of certiorari herein set aside to enable a resubmission of the petition after due notice to counsel for the respondent.

No. 496. The Texas Company, appellant, *v.* J. J. Brown, Individually and as Commissioner of Agriculture of Georgia, et al. Motion to advance granted, and cause assigned for argument on Monday, October 10, next, after the cases heretofore assigned for that day.

No. 544. James J. Rafferty, Collector of Internal Revenue for the Philippine Islands, petitioner, *v.* Smith, Bell & Company, Limited.

No. 548. James J. Rafferty, as Collector of Internal Revenue for the Philippine Islands, petitioner, *v.* Compania General de Tabacos de Filipinas; and

No. 553. James J. Rafferty, as Collector of Internal Revenue for the Philippine Islands, petitioner, *v.* Visayan Refining Company. Motion to advance granted, and cases assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 849. The State of New York et al., appellants, *v.* The United States et al. Motion to advance granted, and cause assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 853. Edgar A. Levy Leasing Company, Inc., plaintiff in error, *v.* Jerome Siegel;

No. 854. The People of the State of New York ex rel. Brixton Operating Corporation, plaintiff in error, *v.* Edward B. La Fetra, a Justice of the City Court of the City of New York; and

No. 855. 810 West End Avenue, Inc., plaintiff in error, *v.* Henry R. Stern. Motion to advance granted, and cases assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 867. Charles D. Newton, as Attorney General of the State of New York, et al., etc., appellants, *v.* The Kings County Lighting Company; and

No. 868. Charles D. Newton, as Attorney General of the State of New York, et al., etc., appellants, *v.* New York & Queens Gas Company. Motion to advance granted, and cases assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 840. Gaston, Williams & Wigmore, of Canada (Limited), petitioner, *v.* Philip A. Warner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 846. James S. McKee et al., petitioners, *v.* Benjamin Gratz. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 753. The Filer & Stowell Company, petitioner, *v.* Diamond Iron Works. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 765. Panayiotis Panoulis, petitioner, *v.* National Equipment Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 794. John R. Bailey, petitioner, *v.* Mississippi Home Telephone Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 800. Ulrica Dahlgren Pierce, as Trustee, etc., appellant, *v.* John V. Dahlgren. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 815. Samuel Vernon Estate (Inc.), petitioner, *v.* John J. Lyttle, as receiver and trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 833. Seaboard Transportation Company, petitioner, *v.* Boston, Cape Cod & New York Canal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 834. John W. Yates, petitioner, *v.* Charles R. Smith, Executor, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 836. Standard Portland Cement Company, petitioner, *v.* J. R. Foley. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 841. William Barber, petitioner, *v.* Otis Motor Sales Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 842. The City of New York, petitioner, *v.* Lyndon R. Connett et al. etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 861. Standard Oil Company, as Owner of the Steamship John D. Rockefeller, petitioner, *v.* The Steamship Falls City, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 286. New York Trust Company et al., Executors, etc., plaintiffs in error, *v.* Mark Eisner. Leave granted to file brief herein as *amicus curiae*, on motion of Mr. John B. Gleason in that behalf.

No. 348. Southern Pacific Railroad Company, appellant, *v.* John Barton Payne, Secretary of the Interior, et al. Resignation of John Barton Payne, Secretary of the Interior, and Clay Tallman, Commissioner of the General Land Office, suggested by Mr. A. A. Hoehling for the appellant, and ordered that Albert B. Fall, Secretary of the Interior, and William Spry, Commissioner of the General Land Office, be made the parties appellees herein.

No. 801. McKittrick Oil Company, plaintiff in error, *v.* Southern Pacific Railroad Company. Petition for a writ of certiorari to the District Court of Appeal, Second Appellate District, Division No. 1, State of California, submitted by Mr. Fred Dennett and Mr. George E. Whitaker for the petitioner, and by Mr. Frank Thunen and Mr. A. A. Hoehling for the respondent.

No. 870. The State of Texas, appellant, *v.* Eastern Texas Railroad Company et al. Application for restraining order submitted by Mr. Tom L. Beauchamp for the appellant.

No. 843. Louis Karasik, et al., as Trustees, etc., petitioners, *v.* Henry Doscher et al., as Executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel Evans Maires for the petitioner and by Mr. Henry F. Cochrane for the respondents.

No. 780. J. C. Dysart, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Cecil H. Smith and Mr. William H. Atwell for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. William C. Herron for the respondent.

No. 781. Boston & Maine Railroad, petitioner, *v.* Timothy J. Desmond. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts submitted by Mr. Frederick N. Wier for the petitioner and by Mr. James H. Vahey for the respondent.

No. 873. Joseph Rosenblatt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Hershenstein for the petitioner and by Mr. Assistant Attorney General Stewart and Mr. William C. Herron for the respondent.

No. 874. Samuel Davidson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Allan R. Campbell and Mr. Mark Hyman for the petitioner and by Mr.

Assistant Attorney General Stewart and Mr. William C. Herron for the respondent.

No. 811. The United States, appellant, *v.* Alan H. Woodward et al., as executors, etc. Argument commenced by Mr. Solicitor General Frierson for the appellant, continued by Mr. E. J. Smyer for the appellees, and concluded by Mr. Frank Davis, jr., for the appellant.

No. 21. The United States of America, appellant, *v.* Southern Pacific Company et al. Three hours allowed each side for the oral argument, on motion of Mr. Solicitor General Frierson for the appellant. Argument commenced by Mr. Edward F. McClennenn for the appellant.

The day call for Tuesday, April 19, will be as follows: Nos. 21, 209, 244, 157, 211, 273, 279, 280 (and 281), 216, and 282 (and 283 and 284).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 19, 1921.

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

Fred Betts, of Miami, Fla.; William Stuart Fleming, of San Francisco, Calif.; Clinton H. McKay, of Memphis, Tenn.; William Flaherty, of Boston, Mass.; Frank K. Beal, of Chattanooga, Tenn.; and Jay Turley, of Turley, N. Mex., were admitted to practice.

No. 286. The New York Trust Company et al., as executors, etc., plaintiffs in error, *v.* Mark Eisner. Motion on behalf of the Commonwealth of Massachusetts for leave to participate in the oral argument submitted by Mr. J. Weston Allen.

No. 797. Joseph Ople, petitioner, *v.* George P. Weinbrenner, sheriff, etc. Petition for writ of certiorari to the Supreme Court of Missouri submitted by Mr. Charles A. Houts for the petitioner.

No. 798. Earl Miller, petitioner, *v.* George P. Weinbrenner, sheriff, etc. Petition for writ of certiorari to the Supreme Court of Missouri submitted by Mr. Charles A. Houts for the petitioner.

No. 799. Leo Clyne, petitioner, *v.* George P. Weinbrenner, sheriff, etc. Petition for writ of certiorari to the Supreme Court of Missouri submitted by Mr. Charles A. Houts for the petitioner.

No. 21. The United States of America, appellant, *v.* Southern Pacific Company et al. Argument continued by Mr. Edward F. McClennen for the appellants and continued by Mr. Garrett W. McEnerney for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 20, will be as follows: Nos. 21, 209, 244, 157, 211, 273, 279, 280 (and 281), 216, and 282 (and 283 and 284).

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 20, 1921.

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

Clyde D. Souter, of Newark, N. J.; Francis W. DeGroat, of Duluth, Minn.; Fletcher W. Fischer, of Wichita Falls, Tex.; Bailey E. Bell, of Tulsa, Okla.; Joseph Selligman, of Louisville, Ky.; and Jennie Loitman Barron, of Boston, Mass., were admitted to practice.

No. 286. New York Trust Company et al., as Executors, etc., plaintiffs in error, *v.* Mark Eisner. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. A. G. Agatin in that behalf.

No. 21. The United States of America, appellant, *v.* Southern Pacific Company et al. Argument continued by Mr. Garrett W. McEnerney for the appellees, and concluded by Mr. Joseph P. Blair for the appellees.

No. 190. Yee Won, petitioner, *v.* Edward White, as Commissioner of Immigration, etc. Submitted by Mr. M. Walton Hendry and Mr. John L. McNab for the petitioner, and by Mr. Solicitor General Frierson for the respondent.

No. 244. Mike Blanset, appellant, *v.* Oscar Cardin, as Guardian of Jesse Daylight, a minor, et al. Argument commenced by Mr. Henry C. Lewis for the appellant, continued by Mr. A. C. Wallace for the appellees, and Mr. Leslie C. Garnett for the United States, by special leave of the court, and concluded by Mr. Paul A. Ewert for the appellant.

No. 157. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Daniel J. Perry. Argued by Mr. C. O. Blake for the plaintiff in error, and submitted by Mr. Ed. S. Vaught and Mr. J. H. Everest for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 21, will be as follows: Nos 211, 273, 279, 280 (and 281), 216, 282 (and 283 and 284), 286, 287, 288, and (291 and 292).

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 21, 1921.

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

Nels J. Holter, of Chicago, Ill.; John G. Maher, of Lincoln, Nebr.; and Walter C. Van Emon, of Klamath Falls, Oreg., were admitted to practice.

No. 532. Wisconsin-Minnesota Light & Power Company, appellant, *v.* Railroad Commission of Wisconsin et al. Appeal from the District Court of the United States for the Western District of Wisconsin. Dismissed, per stipulation.

No. 287. Herman Wessels, appellant, *v.* John D. McDonald, commandant of the United States Navy Yard, Brooklyn, New York. Appeal from the District Court of the United States for the Eastern District of New York. Dismissed, per stipulation.

No. 211. The Choctaw, Oklahoma & Gulf Railroad Company et al., appellants, *v.* B. W. Mackey, as county treasurer, etc., et al. Argued by Mr. C. O. Blake for the appellants and by Mr. J. B. Furry for the appellees.

No. 273. Weber Electric Company, petitioner, *v.* E. H. Freeman Electric Company. Argued by Mr. Charles Neave for the petitioner and by Mr. Livingston Gifford for the respondent.

No. 279. Anna Heitmuller, plaintiff in error, *v.* Sylvanus Stokes. Argument commenced by Mr. Chapin Brown for the plaintiff in error and continued by Mr. Wharton E. Lester for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 22, will be as follows: Nos. 279, 280 (and 281), 216, 282 (and 283 and 284), 286, 288, 291 (and 292), 295, 296, and 297.

13331—21—91

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 22, 1921.

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

C. L. Kagey, of Beloit, Kans.; Hugh M. Wilkinson, of New Orleans, La.; E. C. Iden, of Albuquerque, N. Mex.; Arnold R. Baar, of Chicago, Ill.; Edward F. Moran, of San Francisco, Calif.; Adrien F. Busick, of McLean, Va.; and William Jennings Bryan, jr., of Tucson, Ariz., were admitted to practice.

No. 279. Anna Heitmuller, plaintiff in error, *v.* Sylvanus Stokes. Argument continued by Mr. Wharton E. Lester for the defendant in error and concluded by Mr. Chapin Brown for the plaintiff in error.

No. 280. The New York Central & Hudson River Railroad Company, plaintiff in error, *v.* York & Whitney Company; and

No. 281. York & Whitney Company, plaintiff in error, *v.* The New York Central & Hudson River Railroad Company. Argued by Mr. William L. Parsons for the railroad company and by Mr. Amos L. Taylor for York & Whitney Company.

No. 216. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* Nichols & Company. Argued by Mr. Charles N. Burch for the petitioners and by Mr. J. W. Cutrer for the respondent.

No. 282. The District of Columbia, petitioner, *v.* R. P. Andrews Paper Company;

No. 283. The District of Columbia, petitioner, *v.* Saks & Company; and

No. 284. The District of Columbia, petitioner, *v.* Abraham Lisner. Argument commenced by Mr. F. H. Stephens for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 25, will be as follows: Nos. 282 (and 283 and 284), 246, 286, 288, 291 (and 292), 295, 296, 297, 298, and 299.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 25, 1921.

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

Samuel S. Langley, of Murfreesboro, Ark.; Charles V. Meehan, of Washington, D. C.; Henry Adamson, of Terre Haute, Ind.; George Curtis Shinn, of Washington, D. C.; Francis J. McLoughlin, of New York City; Ira M. Flocker, of Santa Monica, Calif.; Robert E. Barry, of Washington, D. C.; Montgomery B. Angell, of Rochester, N. Y.; and Robert H. Lovett, of Peoria, Ill., were admitted to practice.

No. 268. J. Leroy Nickel et al., as trustees, etc., et al., plaintiffs in error, *v.* George A. Cole, as State Controller of the State of Nevada: and

No. 269. Nellie Miller Nickel et al., as trustees, etc., et al., plaintiffs in error, *v.* The State of Nevada. In error to the Supreme Court of the State of Nevada. Judgments affirmed with costs. Petitions for writs of certiorari denied. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna. (Mr. Justice Clarke took no part in the decision of this case.)

The Chief Justice announced the following orders of the court:

No. —, original. Ex parte In the matter of Thomas G. Moran, petitioner; and

No. —, original. Ex parte In the matter of Henry O. Hollander, petitioner. Motions for leave to file petitions for writs of certiorari, prohibition, and mandamus in these cases severally denied.

No. 870. The State of Texas, appellant, *v.* Eastern Texas Railroad Company et al. Motion for a restraining order in this case granted, and ordered that the case be advanced and assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 782. George N. Baxter, petitioner, *v.* William M. Safford et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 790. Carl A. Martin et al., etc., petitioners, *v.* Presidio Mining Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 780. J. C. Dysart, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 781. Boston & Maine Railroad, petitioner, *v.* Timothy J. Desmond. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts denied.

No. 797. Joseph Ople, petitioner, *v.* George P. Weinbrenner, Sheriff, etc.;

No. 798. Earl Miller, petitioner, *v.* George P. Weinbrenner, Sheriff, etc.; and

No. 799. Leo Clyne, petitioner, *v.* George P. Weinbrenner, Sheriff, etc. Petition for writs of certiorari to the Supreme Court of the State of Missouri denied.

No. 801. McKittrick Oil Company, plaintiff in error, *v.* Southern Pacific Railroad Company. Petition for a writ of certiorari herein denied.

No. 843. Louis Karasik et al., as Trustees, etc., petitioners, *v.* Henry Doscher et al., as Executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 873. Joseph Rosenblatt, petitioner, *v.* The United States of America; and

No. 874. Samuel Davidson, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

The Chief Justice also announced that the call of the docket will be suspended on Friday, the 29th instant, and the court will take a recess on Monday, May 2, to Monday, May 16.

The Chief Justice also announced that no petitions for writs of certiorari or motions, except motions for admission to practice, will be received after Tuesday, May 31, next.

No. 783. Charles W. Anderson, collector of internal revenue, etc., petitioner, *v.* New York Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit resubmitted by Mr. Solicitor General Frierson for the petitioner, and by Mr. James H. McIntosh for the respondent.

No. 246. The United States of America, plaintiff in error, *v.* Charles G. A. Pfitsch. Leave granted to file brief herein as *amicus curiae* on motion of Mr. R. E. T. Riggs in that behalf.

No. 881. Ford Motor Company, petitioner, *v.* Hotel Woodward Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John W. Davis, Mr. Alfred Lucking, and Mr. James M. Beck for the petitioner, and by Mr. Stephen C. Baldwin and Mr. Charles H. Tuttle for the respondent.

No. 869. Walker D. Hines, Director General of Railroads, etc., plaintiff in error, *v.* Cena I. Baechtel et al. Petition for a writ of certiorari herein submitted by Mr. Frederic D. McKenney and Mr. John Spalding Flannery for the plaintiff in error in support of the petition.

No. 869. Walker D. Hines, Director General of Railroads, etc., plaintiff in error, *v.* Cena I. Baechtel et al. Resignation of Walker D. Hines, as Director General of Railroads, suggested, and James C. Davis, his successor in office, made the party plaintiff in error herein, on motion of Mr. Frederic D. McKenney for the plaintiff in error.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file intervening petition submitted by Mr. John M. Taylor in that behalf.

No. 821. Arthur A. Jones et al., petitioners, *v.* Gregory Page, receiver, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of New Mexico submitted by Mr. Chapin Brown for the petitioners.

No. 851. Associated Oil Company, petitioner, *v.* Walter L. Miller and his wife, Mattie E. Miller, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles H. Bates in behalf of Mr. James A. Baker for the petitioner, and by Mr. Luther Nickels for the respondents.

No. 880. Snake Creek Mining and Tunnell Company, petitioner, *v.* Midway Irrigation Company et al. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. Frank K. Nebeker in that behalf.

No. 826. Bullock Tractor Company, petitioner, *v.* J. Herbert Knapp and Parker N. Black, partners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank Davis, jr., Mr. John S. Miller, Mr. Merritt Starr, Mr. Edward Osgood Brown, Mr. Thomas E. Haven, and Mr. James C. McMath for the petitioner, and by Mr. Phil D. Swing for the respondent.

No. 818. Erie Railroad Company, petitioner, *v.* Fred D. Ward. Petition for a writ of certiorari to the Supreme Court of the State

of New York submitted by Mr. Halsey Sayles for the petitioner, and by Mr. Thomas A. Sullivan for the respondent.

No. 824. Al Weathers, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles J. Hegerty and Mr. O. P. Hubbard for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. William C. Herron for the respondent.

No. 863. Clifford E. Treat, petitioner, *v.* Redtop Electric Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Lyon for the petitioner, and by Mr. Henry J. Lucke and Mr. Robert Watson for the respondent.

No. 872. Chicago Railway Equipment Company et al., petitioners, *v.* Henry D. Laughlin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harrison Musgrave and Mr. Henry R. Platt for the petitioners, and by Mr. Louis E. Hart for the respondent.

No. 880. Snake Creek Mining & Tunnel Company, petitioner, *v.* Midway Irrigation Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. H. R. MacMillan and Mr. John A. Marshall for the petitioner, and by Mr. A. B. Irvine for the respondents.

No. 886. Michigan Central Railroad Company, petitioner, *v.* C. A. Gustafson and John A. Anderson, copartners, etc. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Ralph M. Shaw and Mr. Frank E. Robson for the petitioner, and by Mr. Hobart P. Young for the respondents. Leave granted to file printed record hereafter.

No. 282. The District of Columbia, petitioner, *v.* R. P. Andrews Paper Company;

No. 283. The District of Columbia, petitioner, *v.* Saks & Company; and

No. 284. The District of Columbia, petitioner, *v.* Abraham Lisner. Argument continued by Mr. F. H. Stephens for the petitioner, by Mr. M. D. Rosenberg and Mr. Charles L. Frailey for the respondents, and concluded by Mr. F. H. Stephens for the petitioner.

No. 246. The United States of America, plaintiff in error, *v.* Charles G. A. Pfitsch. Reargued on question of jurisdiction by Mr. Frank Davis, jr., for the plaintiff in error, and submitted by Mr. Arthur B. King for the defendant in error.

No. 286. New York Trust Company et al., as Executors, etc., plaintiffs in error, *v.* Mark Eisner. Three hours allowed for oral argu-

ment, on motion of Mr. George Sutherland in that behalf. Leave granted to Mr. J. Weston Allen on behalf of The State of Massachusetts et al. to take part in the oral argument. Leave granted Mr. John B. Gleason on behalf of State comptroller of the State of New York to take part in the oral argument. Argument commenced by Mr. George Sutherland for the plaintiffs in error, and continued by Mr. John B. Gleason for the State comptroller of the State of New York.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 26, will be as follows: Nos. 286, 288, 291 (and 292), 295, 296, 297, 298, 299, 52, and 302.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 26, 1921.

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

Abraham Wernick, of Philadelphia, Pa.; John S. Fletcher, of Chattanooga, Tenn.; John Thomas Smith, of New York City; Thomas Mullen Woodward, of Washington, D. C.; Conrad Wolf, of Kokomo, Ind.; Andrew S. Caldwell, of Carbondale, Ill.; Frederick B. Colver, of New York City; Oscar A. Kropf, of Chicago, Ill.; R. H. Matthews, of McAlester, Okla.; Ezra Brainerd, jr., of Muskogee, Okla.; and Albert Chester Travis, of New York City, were admitted to practice.

No. 52. The Missouri, Kansas & Texas Railway Company, appellant, *v.* The United States. Submitted by Mr. Alexander Britton for the appellant, and by Mr. Assistant Attorney General Davis, Mr. J. Robert Anderson, and Mr. Assistant Attorney General Stewart for the appellee.

No. 302. J. W. Hurley, appellant, *v.* The Commission of Fisheries of Virginia et al. Continued, per stipulation.

No. 286. New York Trust Company et al., as Executors, etc., plaintiffs in error, *v.* Mark Eisner. Argument continued by Mr. John B. Gleason for the Comptroller of the State of New York, by special leave; by Mr. J. Weston Allen for The State of Massachusetts et al., by special leave; and by Mr. Solicitor General Frierson for the defendant in error; and concluded by Mr. George Sutherland for the plaintiffs in error.

No. 288. The Houston & Texas Central Railroad Company, plaintiff in error, *v.* The City of Ennis et al. Argued by Mr. Jesse Andrews for the plaintiff in error, and by Mr. Rhodes S. Baker for the defendants in error.

No. 291. Archie J. McLaren, Administrator, etc., petitioner, *v.* G. Fleischer; and

No. 292. Robert L. Culpepper, petitioner, *v.* James M. Ocheltree. Argument commenced by Mr. Samuel Herrick for the petitioners, and continued by Mr. Patrick H. Loughran for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 27, will be as follows: Nos. 291 (and 292), 295, 296, 297, 298, 299, 303, 307, 308, and 309.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 27, 1921.

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

Edwin Lockwood MacLean, of Seattle, Wash., Lewis A. Wetzel, of Miami, Okla., J. B. Harris, of Jackson, Miss., Frank E. Hohnan, of Salt Lake City, Utah, Henry T. Hunt, of Washington, D. C., Frank H. Towner, of Chicago, Ill., and Alfred S. Weill, of Philadelphia, Pa., were admitted to practice.

No. 850. Louis Sablowski et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William J. Fallon for petitioner and by Mr. Solicitor General Frierson and Mr. Robert P. Frierson for the respondent.

No. 308. Henry Albers, petitioner, *v.* The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed on confession of error on motion of Mr. Solicitor General Frierson for the respondent.

No. 291. Archie J. McLaren, Administrator, etc., petitioner, *v.* L. G. Fleischer; and

No. 292. Robert L. Culpepper, petitioner, *v.* James M. Ocheltree. Argument continued by Mr. Patrick H. Loughran for the respondents and concluded by Mr. Samuel Herrick for the petitioners.

No. 295. The United States of America, plaintiff in error, *v.* George E. Bowling et al. Argued by Mr. Leslie C. Garnett for the plaintiff in error and by Mr. Halbert H. McCluer for the defendants in error.

No. 296. The United States of America, petitioner, *v.* Aetna Explosives Company. Argument commenced by Mr. Assistant Attorney General Hanson for the petitioner and continued by Mr. Addison S. Pratt for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 28, will be as follows: Nos. 296, 297, 298, 299, 303, 307, 309, 311, 312, and 313.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 28, 1921.

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

. Marie A. Easby-Smith, of Washington, D. C., and Samuel H. West, of Cleveland, Ohio, were admitted to practice.

No. 312. Oklahoma Natural Gas Company, plaintiff in error, *v.* The State of Oklahoma et al. Continued, per stipulation.

No. 296. The United States of America, petitioner, *v.* Aetna Explosives Company. Argument concluded by Mr. Addison S. Pratt for the respondent.

No. 297. Philadelphia & Reading Railway Company, petitioner, *v.* Maria Domenica Di Donato. Argued by Mr. George Gowen Parry for the petitioner, and by Mr. Francis H. Bohlen for the respondent.

No. 298. Philadelphia & Reading Railway Company, petitioner, *v.* Marie E. Polk. Argued by Mr. George Gowen Parry for the petitioner, and by Mr. Francis M. McAdams for the respondent.

No. 299. Michigan Central Railroad Company, petitioner, *v.* Mark Owen & Company. Argued by Mr. Frank H. Towner for the petitioner, and by Mr. William B. Moulton for the respondent.

No. 303. Hannah T. Willson, plaintiff in error, *v.* Curtis C. McDonnell. Argument commenced by Mr. Henry E. Davis for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 29, will be as follows: Nos. 303, 307, 309, 311, 313, 314, 318, 320, 321, and 322.

13331—21—96

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 29, 1921.

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

Olive Stott Gabriel, of New York City; Morton Elmer Frank, of New York City; Alfred S. Pinkerton, of Worcester, Mass; Irving Hernott, of Chicago, Ill.; Ronald C. Oldham, of Richmond, Ky.; and Lyndol L. Young, of Los Angeles, Calif., were admitted to practice.

No. 314. William R. Begg et al., Receivers, etc., appellants, *v.* The City of New York et al. Passed, per stipulation.

No. 318. The Dwelling Building & Loan Association et al., appellants, *v.* Winfield S. MacHenry, Trustee, etc. Submitted by Mr. Joseph Gilfillan and Mr. George S. Graham for the appellants and by Mr. H. Edgar Barnes and Mr. Owen J. Roberts for the appellee.

No. 303. Hannah T. Willson, plaintiff in error, *v.* Curtis C. McDonnell. Argument continued by Mr. Henry E. Davis for the plaintiff in error and by Mr. Levi H. David for the defendant in error and concluded by Mr. Henry E. Davis for the plaintiff in error.

No. 307. John B. Sutton, Trustee, etc., appellant, *v.* The United States. Argued by Mr. John B. Sutton for the appellant and by Mr. Frank Davis, jr., for the appellee.

No. 309. Daniel Boyle et al., appellants, *v.* A. M. Holter Hardware Company et al. Continued, per stipulation.

No. 311. The City of New York, appellant, *v.* The Brooklyn Union Gas Company. Argued by Mr. Vincent Victory for the appellant and submitted by Mr. William N. Dykman for the appellees.

Adjourned until Monday next at 12 o'clock.

The call of the docket has been suspended for the term.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 2, 1921.

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

Cordell Hull, of Carthage, Tenn.; W. H. Watkins, of Chattanooga, Tenn.; Wilson Martindale Compton, of Wooster, Ohio; George O. Wallace, of Dallas, Tex.; Philip B. Perlman, of Baltimore, Md.; James R. Cooper, of De Land, Fla.; Joseph Stein, of Washington, D. C.; Charles S. Moore, of Washington, D. C.; William T. Kelley, of Washington, D. C.; Ferdinand Henry Wurzer, of Detroit, Mich.; Mark M. Horblit, of Boston, Mass.; Charles H. Farrell, of Washington, D. C.; and Martin E. Sheldon, of Seattle, Wash., were admitted to practice.

No. 2, original. The People of the State of New York, complainant, *v.* The State of New Jersey et al. Bill of complaint dismissed with costs without prejudice. Opinion by Mr. Justice Clarke.

No. 261. The St. Louis & East St. Louis Electric Railway Company, plaintiff in error, *v.* The State of Missouri at the relation and to the use of James Hagerman, jr., collector of the city of St. Louis, in the State of Missouri. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 559. Truman H. Newberry et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of Michigan. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds. Mr. Justice McKenna concurs in the opinion as applied to the statute under consideration, which was enacted prior to the seventeenth amendment, but he reserves the question of the power of Congress under that amendment. The Chief Justice dissents from the opinion, but concurs with a modification in the judgment of reversal. Mr.

Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke concur in the judgment, but dissent from the opinion.

No. 636. *St. Louis-San Francisco Railway Company*, appellant, *v.* Lorenzo D. Thompson, State Treasurer of the State of Missouri, et al. Appeal from the District Court of the United States for the Western District of Missouri. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the Court :

No. 23, original. *The State of Oklahoma*, complainant, *v.* *The State of Texas*. Motion of John M. Taylor et al. for leave to intervene denied.

No. 880. *Snake Creek Mining & Tunnel Company*, petitioner, *v.* *Midway Irrigation Company* et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 783. Charles W. Anderson, Collector of Internal Revenue, etc., petitioner, *v.* *New York Life Insurance Company*. Writ of certiorari heretofore issued recalled and petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 818. *Erie Railroad Company*, petitioner, *v.* Fred D. Ward. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 821. Arthur A. Jones et al., petitioners, *v.* Gregory Page, Receiver, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of New Mexico denied.

No. 824. Al Weathers, petitioner, *v.* *The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 826. *Bullock Tractor Company*, petitioner, *v.* J. Herbert Knapp and Parker N. Black, partners as Knapp & Black. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 850. Louis Sablowski et al., petitioners, *v.* *The United States*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 851. *Associated Oil Company*, petitioner, *v.* Walter L. Miller and his wife, Mattie E. Miller, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 863. Clifford E. Treat, petitioner, *v.* *Redtop Electric Company, Inc.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 869. James C. Davis, Director General of Railroads, etc., plaintiff in error, *v.* Cena I. Baechtel et al. Petition for a writ of certiorari herein denied.

No. 872. Chicago Railway Equipment Company et al., petitioners, *v.* Henry D. Laughlin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 881. Ford Motor Company, petitioner, *v.* Hotel Woodward Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 710. Julius F. Smietanka, Collector of Internal Revenue, etc., *v.* Indiana Steel Company. Motion to advance submitted by Mr. Solicitor General Frierson in that behalf.

No. 844. Clark T. Henderson, petitioner, *v.* The Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Henry H. Snelling in behalf of Mr. Melville Church, Mr. Wylie C. Margeson, and Mr. Edwin B. H. Tower, jr., for the petitioners.

No. —, original. *Ex parte* in the matter of Exporters of Manufacturers' Products, Inc., petitioner. Motion for leave to file petition for a writ of mandamus and/or a writ of prohibition herein submitted by Mr. Henry M. Ward for the petitioner.

No. —, original. *Ex parte* in the matter of C. C. Hartwell Company, Limited, et al., petitioners. Motion for leave to file petition for a writ of mandamus herein submitted by Mr. William B. Grant for the petitioners.

No. —, original. *Ex parte* in the matter of D. H. Riddle, petitioner. Motion for leave to file petition for a writ of mandamus herein submitted by Mr. Benjamin Carter for the petitioner.

No. 859. Louisiana & Pine Bluff Railway Company, appellant, *v.* The United States of America. Motion to advance submitted by Mr. Charles H. Farrell for the respondent.

No. 805. The Eureka Pipe Line Company, plaintiff in error, *v.* Walter S. Hallanan, State Tax Commissioner, et al. Petition for a writ of certiorari herein submitted by Mr. J. M. Beck and Mr. Frank L. Crawford for the plaintiff in error in support of the petition.

No. 805. The Eureka Pipe Line Company, plaintiff in error, *v.* Walter S. Hallanan, State Tax Commissioner, et al.; and

No. 835. United Fuel Gas Company, plaintiff in error, *v.* Walter S. Hallanan, State Tax Commissioner, etc., et al. Motion to advance and consolidate for hearing submitted by Mr. William G. Mathews for the defendants in error.

No. 823. John W. Keogh, plaintiff in error, *v.* Chicago & Northwestern Railway Company et al. Petition for a writ of certiorari herein submitted by Mr. H. P. Young for the plaintiff in error in support of the petition, and by Mr. R. V. Fletcher, Mr. Bruce Scott, Mr. O. W. Dynes, Mr. F. W. Dickinson, and Mr. Walter H. Jacobs for defendants in error in opposition thereto.

No. 835. United Fuel Gas Company, plaintiff in error, *v.* Walter S. Hallanan, State Tax Commissioner, etc., et al. Petition for a writ of certiorari herein submitted by Mr. Malcolm Jackson for the plaintiff in error in support of the petition.

No. 847. The Missouri, Kansas & Texas Railway Company of Texas et al., petitioners, *v.* United States Mortgage & Trust Company et al., Trustees. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alexander H. McKnight for the petitioners, and by Mr. Francis Marion Etheridge, Mr. Alfred A. Cook, and Mr. William Greenough for the respondents.

No. 848. James D. Hardin, petitioner, *v.* Union Trust Company of Philadelphia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. R. P. Stewart for the petitioner and by Mr. Chambers Kellar for the respondent.

No. 860. Fred B. Grant et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John L. Rich and Mr. T. M. Wampler for the petitioners and by Mr. Solicitor General Frierson and Mr. Robert P. Frierson for the respondent.

No. 865. Director General of Railroads, petitioner, *v.* Sarah A. Wilson, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of New Jersey submitted by Mr. George A. Bourgeois and Mr. Harry R. Coulomb for the petitioner.

No. 877. Charles Vincenti et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Ogle Marbury and Mr. Philip B. Perlman for the petitioners and by Assistant Attorney General Adams for the respondent.

No. 882. Nettie L. Scott, petitioner, *v.* Elizabeth K. De Fries, née Pilipo. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederick Milverton for the petitioner, with leave to counsel for the respondent to file brief in opposition within one week.

Adjourned until Monday, the 16th instant, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 16, 1921.

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

Joseph M. Mehl, of Story City, Iowa; Charles Orr Marshall, of Toledo, Ohio; David Sholtz, of Daytona, Fla.; Arthur W. Davidson, of Washington, D. C.; David Rines, of Boston, Mass.; Guy D. Goff, of Milwaukee, Wis.; Herman A. Dushkind, of New York City; James Ray Stillings, of Kenton, Ohio; Edward S. Clark, of Washington, D. C.; Sidney F. Smith, of Washington, D. C.; Elisha B. Carrier, of Los Angeles, Calif.; Rafael Morales y Guzman, of Madalacat, Pampanga, P. I.; Claude D. Randall, of Spokane, Wash.; Harry H. Shelton, of Washington, D. C.; Homer H. Sparks, of Wichita Falls, Tex.; Jacob L. Aaron, of Boston, Mass.; John M. Wheeler, of Muskogee, Okla.; James A. C. Palmer, of Washington, D. C.; Warren T. Spies, of Bartlesville, Okla.; Charles E. Byrne, of Chicago, Ill.; John J. Gorman, of Chicago, Ill.; Moe Levy, of Norfolk, Va.; Enloe V. Vernor, of Muskogee, Okla.; Grenville Clark, of New York City; Oscar W. Brecher, of Chicago, Ill.; Henry L. McCune, of Kansas City, Mo.; Frederick Transom, of Washington, D. C.; Martin E. Anderson, of Denver, Colo.; Samuel I. Jacobs, of Providence, R. I.; Abraham B. Keefer, of Washington, D. C.; Clarence W. Morris, of San Francisco, Calif.; R. R. Bell, of Oklahoma City, Okla.; and Edward R. Eliassen, of Oakland, Calif., were admitted to practice.

No. 270. *The Vicksburg, Shreveport & Pacific Railway Company et al., plaintiffs in error, v. Anderson-Tully Company.* In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and case remanded to the District Court of the United States for the Southern District of Mississippi. Opinion by Mr. Justice Clarke.

No. 30, original. *Ex parte* In the matter of Matthew Addy Steamship & Commerce Corporation, petitioner. Rule to show cause discharged and petition dismissed. Opinion by Mr. Justice Clarke.

No. 209. *Yee Won, petitioner, v. Edward White, as Commissioner of Immigration, Port of San Francisco.* On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded to the District Court

of the United States for the Northern District of California. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke.

No. 296. The United States of America, petitioner, *v.* Aetna Explosives Company. On writ of certiorari to the United States Court of Customs Appeals. Judgment affirmed. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke. (Mr. Justice Day took no part in the consideration or decision of this case.)

No. 280. The New York Central & Hudson River Railroad Company, plaintiff in error and petitioner, *v.* York & Whitney Company. In error and on writ of certiorari to the Superior Court of the State of Massachusetts. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Writ of error dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 281. York & Whitney Company, plaintiff in error and petitioner, *v.* New York Central & Hudson River Railroad Company. In error and on writ of certiorari to the Superior Court of the State of Massachusetts. Judgment affirmed with costs. Writ of error dismissed for want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 453. La Belle Iron Works, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds concurs in the result.)

No. 547. Elliott Frederick, Trustee in Bankruptcy of the Estate of John E. Schmidt, petitioner, *v.* The Fidelity Mutual Life Insurance Company of Philadelphia. On writ of certiorari to the Superior Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 251. J. J. Dillon, appellant, *v.* R. W. Gloss, deputy collector of United States internal revenue. Appeal from the District Court of the United States for the Northern District of California. Final order affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 279. Anna Heitmuller, plaintiff in error, *v.* Sylvanus Stokes. In error to the Court of Appeals of the District of Columbia. Judgment reversed, costs incurred on writ of error to be paid by defendant in error, and cause remanded to the Court of Appeals of the District of Columbia with direction to remand to the Supreme Court of the District of Columbia with instructions to dismiss the complaint. Opinion by Mr. Justice Day.

No. 260. Harry Krichman, 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 Southern

District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day.

No. 103. Robert B. Brown, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed, and cause remanded to the District Court of the United States for the Southern District of Texas for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Pitney and Mr. Justice Clarke.

No. 286. New York Trust Company et al., as executors of the last will and testament of J. Harsen Purdy, deceased, plaintiffs in error, *v.* Mark Eisner. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 679. American Bank & Trust Company et al., appellants, *v.* Federal Reserve Bank of Atlanta, Ga., et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Northern District of Georgia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 244. Mike Blanset, appellant, *v.* Oscar Cardin, as Guardian of Jesse Daylight, a minor, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice McKenna.

No. 297. Philadelphia & Reading Railway Company, petitioner, *v.* Maria Domenica Di Donato. On writ of certiorari to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Clarke.

No. 298. Philadelphia & Reading Railway Company, petitioner, *v.* Marie E. Polk. On writ of certiorari to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Clarke.

Mr. Justice McKenna also announced the following orders of the court:

No. 311. The City of New York, appellant, *v.* The Brooklyn Union Gas Company. Appeal from the District Court of the United States

for the Southern District of New York. Per curiam: Dismissed for the want of jurisdiction upon the authority of the City of New York *v. Consolidated Gas Company of New York et al.*, 253 U. S. 219.

No. —, original. Ex parte In the matter of Exporters of Manufacturers' Products, Inc., petitioner. Motion for leave to file petition for writs of mandamus and/or prohibition herein denied.

No. —, original. Ex parte In the matter of C. C. Hartwell Company, Limited, et al., petitioners. Motion for leave to file petition for writ of mandamus herein denied.

No. —, original. Ex parte In the matter of D. H. Riddle, petitioner. Motion for leave to file petition for a writ of mandamus herein denied.

No. 710. Julius F. Smietanka, Collector of Internal Revenue, etc., *v. Indiana Steel Company*. Motion to advance granted and cause assigned for argument on Monday, October 10, next, after the cases heretofore assigned for that day.

No. 805. The Eureka Pipe Line Company, plaintiff in error, *v. Walter S. Hallanan, State Tax Commissioner, et al.* and

No. 835. United Fuel Gas Company, plaintiff in error, *v. Walter S. Hallanan, State Tax Commissioner of the State of West Virginia, et al.* Motions to advance granted, and causes assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 859. Louisiana & Pine Bluff Railway Company, appellant, *v. The United States of America*. Motion to advance granted, and cause assigned for argument on Monday, October 10 next, after the cases heretofore assigned for that day.

No. 805. The Eureka Pipe Line Company, plaintiff in error, *v. Walter S. Hallanan, State Tax Commissioner, et al.*; and

No. 835. United Fuel Gas Company, plaintiff in error, *v. Walter S. Hallanan, State Tax Commissioner of the State of West Virginia, et al.* Further consideration of the petitions for writs of certiorari postponed until the hearing of the cases on the writs of error.

No. 886. Michigan Central Railroad Company, petitioner, *v. C. A. Gustafson et al.*, copartners etc. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 823. John W. Keogh, plaintiff in error, *v. Chicago & North Western Railway Company et al.* Petition for a writ of certiorari herein denied.

No. 844. Clark T. Henderson, petitioner, *v. The Commissioner of Patents*. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 847. The Missouri, Kansas & Texas Railway Company of Texas et al., petitioners, *v.* United States Mortgage & Trust Company et al., Trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 848. James D. Hardin, petitioner, *v.* Union Trust Company of Philadelphia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 860. Fred B. Grant et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 865. Director General of Railroads, petitioner, *v.* Sarah A. Wilson, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of New Jersey denied.

No. 877. Charles Vincenti et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 882. Nettie L. Scott, petitioner, *v.* Elizabeth K. DeFries, née Pilipo. Petition for a writ of certiorari to the United States Circuit court of Appeals for the Ninth Circuit denied.

No. 303. Hannah T. Willson, plaintiff in error, *v.* Curtis C. McDonnell. In this case counsel are requested to submit briefs upon the effect of the Ball Act (41 Stat. 298) upon the disposition of this case. The briefs to be filed on or before the 23d instant.

Mr. Justice McKenna also announced that the court will adjourn for the term on Monday, June 6, next.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion of The United States to set down the cause for final hearing as to certain parties submitted by Mr. Solicitor General Frierson for The United States.

Leave granted to file amended petition herein, on motion of Mr. Solicitor General Frierson for The United States. Leave granted to file reply to amended petition within seven days, on motion of Mr. G. Carroll Todd for The State of Texas.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion of Burke Divide Oil Company and others for an order appointing a commissioner to take testimony and to advance the cause for hearing in October, 1921, submitted by Mr. Jesse B. Roote in that behalf.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file amended petition of A. E. Pearson and others submitted by Mr. W. A. Ledbetter in that behalf.

Motion of Luther Eoff to have a certain tract of land made subject to the operation of the order of this court of June 7, 1920, and that

same be returned to him as therein provided, submitted by Mr. W. A. Ledbetter in that behalf.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file amended petition of intervention of the Delta Oil Company and J. B. Lawson submitted by Mr. F. W. Fischer in that behalf.

Motion for leave to file petition of intervention of R. L. Owen and others submitted by Mr. F. W. Fischer in that behalf.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Fifth report of receiver filed on motion of Mr. J. S. Flannery in that behalf.

No. 897. Cuno H. Rudolph et al., Commissioners of the District of Columbia, et al., petitioners, *v.* Mollie Schwartz. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Levi H. David for the petitioner, and by Mr. W. Gwynn Gardiner for the respondent.

No. 822. John C. Heald et al., Committee, etc., plaintiff in error, *v.* The District of Columbia. Motion to advance submitted by Mr. A. S. Worthington for the plaintiff in error.

No. 905. Mrs. Addie Prohaska, widow, etc., et al., petitioners, *v.* St. Paul Fire & Marine Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler and Mr. John D. Grace for the petitioner.

No. 891. Carleton Hunt et al., plaintiffs in error, *v.* The City of New Orleans et al. Motion for extension of time within which to submit petition for a writ of certiorari herein submitted by Mr. Frederick S. Tyler in behalf of counsel for the plaintiff in error.

No. —, original. The State of North Dakota ex rel. William Lemke, Attorney General, complainant, *v.* Chicago & Northwestern Railway Company et al. Motion for leave to file bill of complaint herein submitted by Mr. Karl Knox Gartner and Mr. William Lemke for the complainant.

No. 369. American Column & Lumber Company et al., appellants, *v.* The United States of America. Motion for a stay of part of injunction submitted by Mr. L. C. Boyle and Mr. G. Carroll Todd for the appellants in support of the motion and by Mr. Solicitor General Frierson and Mr. Henry S. Mitchell for the appellee in opposition thereto.

No. 901. Southern Pacific Company et al., petitioners, *v.* Olympian Dredging Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. C. F. R. Ogilby in behalf of Mr. E. J. Foulds and Mr. Elmer

Westlake for the petitioners, and by Mr. Thomas E. Haven for the respondent.

No. —, original. *Ex parte* In the matter of The State of Louisiana, petitioner. Motion for leave to file petition for a writ of mandamus herein submitted by Mr. L. E. Hall for the petitioner.

No. 875. Princess Amusement Company, petitioner, *v.* Jake Wells. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. T. T. McCarley for the petitioner.

No. 885. Alexis Georgian, petitioner, *v.* Byron H. Uhl, Acting Commissioner of Immigration, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Walter Nelles for the petitioner.

No. 893. Jacques Rouso, petitioner, *v.* Harry Solomon. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Joshua R. H. Potts for the petitioner, and by Mr. William F. Hall for the respondent.

No. 896. Herman & Herman, Inc., petitioner, *v.* The Steamship *Owego*, her engines, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Homer L. Loomis for the petitioner.

No. 900. Walker Bros. Company, petitioner, *v.* W. & H. Walker, Inc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Odin Roberts for the petitioner.

No. 903. J. E. Sistrunk, petitioner, *v.* J. T. Pendleton, Judge. Petition for a writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. J. E. Sistrunk, *pro se*.

No. 470. Charles F. Hunt, Executor, etc., appellant, *v.* The United States. Appeal from the Court of Claims. Stricken from the docket, on motion of counsel for the appellant.

Adjourned until Tuesday, the 31st instant, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 31, 1921.

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

Mr. Justice McKenna said:

“GENTLEMEN OF THE BAR: This empty chair, and the sombre drapery upon it, announce that since the last sitting of the Court a grievous affliction has come to the country, and to us, an affliction which to some of us and, it may be, to all of us, can never have complete solace. A great life has ceased to exist, one replete with achievements—achievements in many fields of endeavor, all typical and demonstrative of ability and merit, of which, to adopt the words of another, ‘it would be difficult to say anything that would transcend the bounds of a just and decorous eulogy.’ Eulogy, however, will be the purpose and appointment of another time, and of other lips than mine. To mine now is the humbler and sadder deputation to express the sorrow of my brethren and myself at the death of our Chief Justice. But, expressing a more poignant and personal sorrow, may I not say, at the death of our associate in duties, our companion in council, our friend and intimate. He was all of these to us, and by them animated and directed our work; his precedence veiled under a considerate courtesy, our intercourse with him made a real enjoyment. I use the word ‘enjoyment’ because I speak in retrospection—speak of a time upon which sorrow had not cast its shadow.

“I hope I shall be pardoned these personal considerations. I do not overlook or underestimate the greater abilities that attracted the Nation’s commendation in his life, and has caused the Nation’s sorrow in his death—a sorrow in which we participate. But his faculties need not be distinguished; they were comprehensive in their action, had connection and purpose, were as manifest in private life as in official life.

“In private life he was a gentleman in the best sense of that much-abused word. He was considerably kind and courteous, and not in passing show for he was incapable of artifice or dissimulation.

“In official life he had a high and earnest sense of duty, and duty to a judge has a special incentive, its object is justice and justice to the fullness of its definition: ‘The constant and perpetual wish to render to every man his rights.’ This wish was ever in the Chief Justice’s mind—its insistent motive and animation. And in this duty to the individual serious questions came—questions of the validity of laws and executive acts, and the ordination of the powers of the United States and the States, granted or reserved to them, respectively, by the Constitution. To the questions thus presented the Chief Justice directed a consideration proportioned to their immediate and ultimate effect, the public welfare depending upon them. He realized, as all of us must realize, that the necessity of passing upon them marks the place and power of the Federal judiciary in our scheme of government—the condition, it may be, of its stability and permanence, preserving always the splendid conception of the Constitution—one sovereignty constituted of many—it being supreme within the sphere of its powers; they being supreme within the sphere of their powers, resulting in Governments, National, and State, competent to encounter and resolve the problems incident to or emergent in the lives and affairs of a people.

“This is of the past in barest outline—What of the future? Anticipating it, I see no shadow on his fame, no lessening of his example nor of the impression his life and services have made upon the country. I venture comparisons. I make full concession of the recognized and illustrious merit of those who have preceded him. I make full admission, in assured prophecy, of the abilities of those who will succeed him, yet, considering his qualities and their exercises, I dare to say that, as he has attained, he will forever keep, a distinct eminence among the Chief Justices of the United States.

“In testimony of his worth, in tribute and respect to his memory, the court will adjourn until to-morrow at 12 o’clock.”

Adjourned until to-morrow at 12 o’clock.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JUNE 1, 1921.

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

Richard S. Field, of Fayette, Miss.; Joseph P. Uvick, of Omaha, Nebr.; J. N. Hutchins, of Orlando, Fla.; Clarence J. Rosebery, of Peoria, Ill.; John W. Freels, of East St. Louis, Ill.; Jesse L. Drennen, of Birmingham, Ala.; Ivan P. Tashof, of Washington, D. C.; J. Julien Southerland, of Washington, D. C.; C. Larimore Keeley, of Washington, D. C.; Antoinette Funk, of Washington, D. C.; John W. Preihs, of Pana, Ill.; Waldron K. Post, of New York City; Francis Carr, of Redding, Calif.; Thomas Jefferson Pitts, of Gorman, Tex.; Neyle Colquitt, of Savannah, Ga.; Basil Robillard, of Niagara Falls, N. Y.; John E. Biby, of Los Angeles, Calif.; Buell L. Matthews, of St. Louis, Mo.; Alexander Robert Fordyce, jr., of New York City; Simon C. Bates, of Springfield, Mo.; Roscoe C. Patterson, of Springfield, Mo.; Sidney C. Roach, of Linn Creek, Mo.; Harvey B. Cox, of Washington, D. C.; Walter C. Longstreth, of Philadelphia, Pa.; Oscar L. Young, of Laconia, N. H.; and Frank M. Stephen, of Hyattsville, Md., were admitted to practice.

No. 282. The District of Columbia, petitioner, *v.* R. P. Andrews Paper Company;

No. 283. The District of Columbia, petitioner, *v.* Saks & Company; and

No. 284. The District of Columbia, petitioner, *v.* Abraham Lisner. On writs of certiorari to the Court of Appeals of the District of Columbia. Judgments of the Court of Appeals of the District of Columbia reversed with costs, and judgments of the Supreme Court of the District of Columbia affirmed with costs; and causes remanded to the said Supreme Court. Opinion by Mr. Justice Clarke.

No. 720. Ernest B. Dane, plaintiff in error, *v.* James Jackson, Treasurer and Receiver General. In error to the Supreme Judicial Court of the State of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 211. The Choctaw, Oklahoma & Gulf Railroad Company et al., appellants, *v.* B. W. Mackey, as County Treasurer of Hughes County, Oklahoma, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Brandeis.

No. 216. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* Nichols & Company. On writ of certiorari to the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 246. The United States of America, plaintiff in error, *v.* Charles G. A. Pfitsch. In error to the District Court of the United States for the Southern District of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 252. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* H. A. F. Ault. In error to the Supreme Court of the State of Arkansas. Petition for a writ of certiorari herein denied. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 223. Norfolk-Southern Railroad Company, petitioner, *v.* M. R. Owens. On writ of certiorari to the Supreme Court of the State of North Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 491. Western Union Telegraph Company, petitioner, *v.* Esteve Brothers & Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of Louisiana for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice Pitney and Mr. Justice Clarke.

No. 307. John B. Sutton, Trustee of the Estate of Hillsboro Dredging Company, Bankrupt, appellant, *v.* The United States. Appeal from the Court of Claims. Decree affirmed, except as stated in the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 25, original. *Ex parte* In the matter of The State of New York, etc., et al., petitioner. Rule to show cause made absolute, and writ of prohibition granted. Opinion by Mr. Justice Pitney.

No. 26, original. *Ex parte* In the matter of The State of New York et al., Owners of the Steam Tug Queen City, petitioners. Rule to show cause made absolute, and writ of prohibition granted. Opinion by Mr. Justice Pitney.

No. 29, original. *Ex parte* In the matter of Lincoln Gas & Electric Company, petitioner. Rule to show cause discharged, and petition for writ of mandamus denied. Opinion by Mr. Justice Pitney.

No. 188. Anchor Oil Company, appellant, *v.* W. H. Gray et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Pitney.

No. 691. The United States of America, plaintiff in error, *v.* A. Z. Hutto et al. In error to the District Court of the United States for the Western District of Oklahoma. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Pitney.

No. 692. The United States of America, plaintiff in error, *v.* A. Z. Hutto. In error to the District Court of the United States for the Western District of Oklahoma. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 291. Archie J. McLaren, Administrator of the Estate of John McLaren, deceased, petitioner, *v.* L. G. Fleischer. On writ of certiorari to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 292. Robert L. Culpepper, petitioner, *v.* James M. Ocheltree. On writ of certiorari to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 295. The United States of America, plaintiff in error, *v.* George E. Bowling, et al. In error 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 Oklahoma with directions to grant a new trial. Opinion by Mr. Justice Van Devanter.

No. 523. The United States of America, plaintiff in error, *v.* Boze Yuginovich et al. In error to the District Court of the United States for the District of Oregon. Judgment affirmed. Opinion by Mr. Justice Day.

No. 646. Joseph A. Burdeau, appellant, *v.* J. C. McDowell. Appeal from the District Court of the United States for the Western District of Pennsylvania. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Brandeis and Mr. Justice Holmes.

No. 175. The United States of America, plaintiff in error, *v.* The American Chicle Company. In error to the District Court of the

United States for the Southern District of New York. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 254. Bethlehem Motors Corporation et al., plaintiffs in error, *v.* George W. Flynt, Sheriff of Forsyth County, North Carolina, et al. In error to the Supreme Court of the State of North Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 299. Michigan Central Railroad Company, petitioner, *v.* Mark Owen & Company. On writ of certiorari to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice McReynolds.

No. 129. The Heirs of Samuel Garland, deceased, appellants, *v.* The Choctaw Nation. Appeal from the Court of Claims. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McKenna. Mr. Justice McReynolds and Mr. Justice Clarke took no part in the consideration and decision of this case.

Mr. Justice McKenna also announced the following orders of the Court:

No. 288. The Houston & Texas Central Railroad Company, plaintiff in error, *v.* The City of Ennis et al. In error to the Court of Civil Appeals, Fifth Supreme Judicial District, State of Texas. *Per curiam*: Dismissed for want of jurisdiction, upon the authority of section 237, Judicial Code, as amended by the act of September 6, 1916, chapter 448, section 2 (39 Stat., 726). See writ of certiorari denied (252 U. S., 583).

No. 318. The Dwelling Building & Loan Association et al., appellants, *v.* Winfield S. MacHenry, Trustee in Bankruptcy. Appeal from the United States Circuit Court of Appeals for the Third Circuit. *Per curiam*: Dismissed for the want of jurisdiction, upon the authority of the act of January 28, 1915, chapter 22, section 4, as amended by the act of September 6, 1916, chapter 448, section 3 (39 Stat., 726, 727).

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. On application of A. E. Pearson and others, claimants of certain lands. Order granted authorizing the receiver to sink a well for oil and gas upon said lands.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. On motion of Luther Eoff, claiming to be owner of an oil and gas lease on a certain tract of land. Order granted authorizing the receiver to sink a well for oil and gas upon said land.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. On motion of J. R. Armstrong and others. Order appointing Frederick S. Tyler, Esq., special master to hear and report on the claims upon a certain fund in the hands of the receiver.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Upon considering the fifth report of the receiver. Order made instructing receiver as to development work, as to advertising for claims, etc.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Order appointing Frederick S. Tyler, Esq., commissioner, to take evidence of the parties respecting special issues joined upon the intervening petitions of E. Everitt Rowell, A. E. Pearson and others, the Burk Divide Oil Company, Consolidated, and the Mellish Consolidated Placer Mining Association, and the special issues raised by the State of Oklahoma as owner of certain school sections; and to report the evidence to the Court without findings or conclusions.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. On consideration of the fifth report of the receiver. Order made directing the judge of the United States District Court for the Northern District of Texas to show cause why a writ of prohibition should not be issued commanding him to desist from further entertaining jurisdiction of an action commenced by the Casa Oil Company against the receiver.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Order authorizing receiver to reimburse certain operators or drillers of wells their actual cost of such work.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Order appointing Frederick S. Tyler, Esq., commissioner, to take and report the evidence of the parties as to what constitutes the south bank of Red River, as to where along that bank the true boundary line is between the State of Oklahoma and the State of Texas and as to the proper mode of locating the same upon the ground.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Order directing that no petition in intervention be filed hereafter except upon special leave of the Court.

No. —, original. *Ex parte* In the matter of The State of Louisiana, petitioner. Motion for leave to file petition for a writ of mandamus herein denied.

No. —, original. North Dakota *ex rel.* Lemke *v.* C. N. W. Railway Company. Motions for leave to file original bill of complaint, and amendment to said original bill, granted and process ordered to issue returnable on Monday, October 3, 1921. Motion for an interlocutory injunction, to stay proceedings pending suit, denied.

No. 369. American Column & Lumber Company et al., appellants, *v.* The United States of America. Motion for stay of part of injunction denied.

No. 891. Carleton Hunt et al., plaintiffs in error, *v.* The City of New Orleans et al. Motion for extension of time within which to submit petition for writ of certiorari herein denied.

No. 822. John C. Heald et al., Committee, etc., plaintiffs in error, *v.* The District of Columbia. Motion to advance granted, and cause assigned for argument on Monday, October 10, 1921, after the cases heretofore assigned for that day.

No. 901. Southern Pacific Company et al., petitioners, *v.* Olympian Dredging Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 875. Princess Amusement Company, petitioner, *v.* Jake Wells. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 885. Alexis Georgian, petitioner, *v.* Byron H. Uhl, Acting Commissioner of Immigration, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 893. Jacques Rousso, petitioner, *v.* Harry Solomon. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 896. Herman & Herman, Inc., petitioner, *v.* The Steamship Owego, her engine, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 897. Cuno H. Rudolph et al., Commissioners, etc., et al., petitioners, *v.* Mollie Schwartz. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 900. Walker Bros. Company, petitioner, *v.* W. & H. Walker, Inc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 903. J. E. Sistrunk, petitioner, *v.* J. T. Pendleton, Judge. Petition for a writ of certiorari to the Supreme Court of the State of Georgia denied.

No. 905. Mrs. Addie Prohaska, widow, etc., et al., petitioners, *v.* St. Paul Fire & Marine Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 898. The United States of America, petitioner, *v.* Wesley L. Sisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Solicitor General Frierson for the petitioner.

No. 925. Federal Trade Commission, petitioner, *v.* The Curtis Publishing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Frierson and Mr. Adrien F. Busick for the petitioner, and by Mr. John G. Milburn, Mr. Joseph W. Welsh, Mr. John G. Milburn, jr., and Mr. Ralph B. Evans for the respondent.

No. 931. Federal Trade Commission, petitioner, *v.* Winsted Hosiery Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Frierson and Mr. Adrien F. Busick for the petitioner, and by Mr. Henry P. Molloy for the respondent.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion by the United States to set down the cause for hearing on the issues as to the south bank; response of the United States to the petition of intervention of R. L. Owen et al.; supplemental amended petition of intervention of the United States in further answer to the amended petition of A. E. Pearson et al.; response of the United States to the amended petition and application of the Delta Oil Company et al.; and observations of the United States upon the receiver's fifth report and his report on claims, submitted by Mr. Solicitor General Frierson for the United States.

No. 806. The United States of America, appellant, *v.* The Western Union Telegraph Company. Mr. Solicitor General Frierson called the attention of the Court to the Act of Congress approved May 27, 1921, as relating to this case. Leave granted Mr. Clarence R. Wilson to file suggestions in response within ten days.

No. 308. Henry Albers, petitioner, *v.* The United States of America. Motion for leave to intervene and present petition for rehearing submitted by Mr. C. L. McNary in that behalf.

No. —, original. The State of Texas, complainant, *v.* The Interstate Commerce Commission et al. Motion for leave to file a bill of complaint herein submitted by Mr. C. M. Cureton for the complainant.

No. 853. Edgar A. Levy Leasing Company, Inc., plaintiff in error, *v.* Jerome Siegel;

No. 854. The People of the State of New York ex rel. Brixton Operating Corporation, plaintiff in error, *v.* Edward B. La Fetra, a Justice of the City Court of the City of New York; and

No. 855. 810 West End Avenue, Inc., plaintiff in error, *v.* Henry R. Stern. Motion to dismiss or affirm submitted by Mr. H. H. Glassie, Mr. William D. Guthrie, Mr. Julius Henry Cohen, and Mr. Bernard Hershkopf for the defendant in error in support of the motion.

No. 451. Santa Fe Pacific Railroad Company, appellant, *v.* John Barton Payne, Secretary of the Interior;

No. 452. Santa Fe Pacific Railroad Company, appellant, *v.* John Barton Payne, Secretary of the Interior; and

No. 693. John Barton Payne, Secretary of the Interior, plaintiff in error, *v.* The United States of America ex rel. W. T. Mosier et al. Albert B. Fall, successor to John Barton Payne as Secretary of the Interior, substituted as a party appellee and plaintiff in error herein on motion of Mr. Alexander Britton in that behalf.

No. 695. O. O. Askren, Attorney General of the State of New Mexico, et al., appellants, *v.* The Continental Oil Company. Harry S. Bowman, successor to O. O. Askren as Attorney General of the State of New Mexico, substituted as a party appellant herein on motion of Mr. Frederick S. Tyler in that behalf.

No. 365. Rensselaer L. Curtis, Receiver, etc., appellant, *v.* John J. Connly et al. Death of Arthur W. Dennis, one of the appellees herein, suggested and motion for an order of publication granted, on motion of Mr. Lucien H. Boggs for the appellant.

No. 20, original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and

No. 21, original. The State of Ohio, complainant, *v.* The State of West Virginia. Motion that these cases be set down for argument and heard together submitted by Mr. P. P. Steptoe in that behalf, with leave to Mr. A. Leo Weil to file a brief in opposition to the motion.

No. 23, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file petition in intervention of D. D. Brunson et al. submitted by Mr. George Trice in that behalf.

No. 619. R. D. Langan et al., plaintiffs in error, *v.* The City of Louisville. Motion to advance submitted by Mr. C. R. McAtee in that behalf.

No. 801. McKittrick Oil Company, plaintiff in error, *v.* Southern Pacific Railroad Company. Motion to dismiss or affirm submitted by Mr. Frank Thunen for the defendant in error in support of the petition, and by Mr. George E. Whitaker and Mr. Fred Dennett for the plaintiff in error in opposition thereto.

No. 908. Old Dominion Beverage Corporation, petitioner, *v.* The Coca-Cola Company. Petitioner for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. William L. Symonds for the petitioner, and by Mr. Harold Hirsh and Mr. Edward S. Rogers for the respondent.

No. 707. Sarah F. Donley, petitioner, *v.* Erwin Ray Van Horn; and

No. 708. Sarah F. Donley, petitioner, *v.* Prescott West. Motion to postpone submission of petitions for writs of certiorari until the hearing on writs of error submitted by Mr. William R. Andrews in behalf of counsel for the petitioner.

No. 7, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Leave granted to file stipulations as to amendment to answer, as to replication, as to defendant's rejoinder, and as to appointment of commissioners and the taking of testimony and documentary evidence, on motion of Mr. John S. Matthews and Mr. John G. Sargent in that behalf.

No. 572. Charles S. Fairchild, appellant, *v.* Charles E. Hughes, Secretary of State of the United States, et al. Leave granted to file brief as amicus curiae herein, on motion of Mr. J. H. Adriaans in that behalf.

No. 711. Marie E. Scheurle, Administratrix, etc., petitioner, *v.* Onepiece Bifocal Lens Company. Petition for a writ of certiorari to the District Court of the United States for the District of Indiana submitted by Mr. Arthur E. Paige for the petitioner and by Mr. V. H. Lockwood for the respondent.

No. 871. The State Tax Commission of the State of New York, petitioner, *v.* The People of the State of New York ex rel. Alpha Portland Cement Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Claude T. Dawes for the petitioner and by Mr. Louis H. Porter for the respondent.

No. 909. W. E. Hamilton et al., petitioners, *v.* De Camp Glass Casket Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles C. Moore for the petitioners, and by Mr. J. B. Sizer and Mr. J. Reed Voight for the respondent.

No. 911. John P. Kline et al., etc., petitioners, *v.* Burke Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank S. Quinn and Mr. William H. Arnold for the petitioners.

No. 914. Lou Frazier, Administratrix, etc., petitioner, *v.* Interstate Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. William H. Werth for the petitioner.

No. 916. Gustav H. Jacobson, petitioner, *v.* The United States of America;

No. 917. Albert H. Wehde, petitioner, *v.* The United States of America; and

No. 918. George Paul Boehm, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Henry W. Freeman and Mr. Michael L. Igoe for the petitioner, and by Mr. Assistant Attorney General Stewart and Mr. William C. Herron for the respondent.

No. 921. Lehigh Valley Railroad Company, petitioner, *v.* John Lysaght, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Lindley M. Garrison, Mr. Edgar H. Boles, Mr. George S. Hobart, and Mr. Charles A. Boston for the petitioner and by Mr. W. Kintzing Post for respondent.

No. 922. Lehigh Valley Railroad Company, petitioner, *v.* Allied Machinery Company of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Lindley M. Garrison, Mr. Edgar H. Boles, Mr. George S. Hobart, and Mr. Charles A. Boston for the petitioner, and by Mr. Hartwell Cabell for the respondent.

No. 924. James C. Davis, Director General of Railroads, as Agent, etc., plaintiff in error, *v.* J. J. Smith, Jr., Administrator, etc. Petition for a writ of certiorari herein submitted by Mr. J. Blanc Monroe, Mr. Monte M. Lemann, Mr. A. S. Bozeman, Mr. L. E. Jeffries, Mr. S. R. Prince, and Mr. H. O'B. Cooper for the plaintiff in error in support of the petition.

No. 933. Fred Browne, plaintiff in error, *v.* Charles B. Thorn et al., etc. Petition for a writ of certiorari herein submitted by Mr. James B. McDonough for the plaintiff in error in support of the petition.

No. 923. Ike Applebaum, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Chester H. Krum for the petitioner.

No. 930. William Green, petitioner, *v.* Thomas B. Felder, Receiver, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Francis M. Scott and Mr. William J. Hughes for the petitioner, and by Mr. Frederic R. Kellogg for the respondent, with leave to Mr. Solicitor General Frierson to file suggestions hereafter.

Adjourned until Monday next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 6, 1921.

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

William J. L. Crank, of Denver, Colo.; Samuel Freudenthal, of Trinidad, Colo.; Frank J. Kelly, of Milwaukee, Wis.; Oscar R. Middleton, of Gibson City, Ill.; William G. Brantley, jr., of Washington, D. C.; Charles Clark, of Washington, D. C.; William Freeman, of Los Angeles, Calif.; Henry Uttal, of New York City; Alfred T. Davison, of New York City; John C. Carmichael, of Birmingham, Ala.; Harry F. Helwig, of Kendalville, Ind.; Joseph K. Hutchinson, of San Francisco, Calif.; James W. Good, of Chicago, Ill.; William Beye, of Chicago, Ill.; Elmer McD. Kintz, of Washington, D. C.; Summerfield S. Alexander, of Kingman, Kans.; M. Malcolm Slikes, of Philadelphia, Pa.; David B. Samuel, of Shreveport, La.; John C. Kleczka, of Milwaukee, Wis.; Frank J. Mazurkewicz, of Chicago, Ill.; Duncan Campbell Lee, of London, England; Charles A. Wetmore, jr., of Marysville, Calif.; John J. McSwain, of Greenville, S. C.; Louis J. Frank, of Brooklyn, N. Y.; Richard E. Bird, of Wichita, Kans.; and Thomas L. Lloyd, of Washington, D. C., were admitted to practice.

No. 273. Weber Electric Company, petitioner, *v.* E. H. Freeman Electric Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice Clarke.

No. 293. Western Union Telegraph Company, petitioner, *v.* S. B. Poston. On writ of certiorari to the Supreme Court of the State of South Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 16. Adelbert Harris, by his next friend, Albert Harris, *v.* the District of Columbia. On a certificate from the Court of Appeals of the District of Columbia. Question certified answered in the affirmative. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 62. The Seaboard Air Line Railway, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded with direction to afford reasonable opportunity to both sides for taking any additional proof rendered necessary by the withdrawal by the United States of a stipulation upon which reliance had been placed; and for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 205. The Kansas City Southern Railway Company et al., plaintiffs in error, *v.* Road Improvement District Number 6, of Little River County, Arkansas. In error to the Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 240. The Merchants' National Bank of Richmond, Virginia, plaintiff in error, *v.* The City of Richmond. In error to the Supreme Court of Appeals for the State of Virginia. Petition for writ of certiorari herein denied. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Brandeis.

No. 695. Harry S. Bowman, Attorney General of the State of New Mexico, et al., appellants, *v.* The Continental Oil Company. Appeal from the District Court of the United States for the District of New Mexico. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. —, Original. *Ex parte* in the matter of Hussein Lutfi Bey, Master, etc., petitioner. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein denied. Opinion by Mr. Justice Van Devanter.

No. 555. The Texas Company, petitioner, *v.* Hogarth Shipping Corporation, Limited, owner of the Steamship *Baron Ogilvy*, and Hugh Hogarth & Sons. 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 Van Devanter.

No. 811. The United States, appellant, *v.* Alan H. Woodward et al., as Executors, etc. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Van Devanter.

No. 52. The Missouri, Kansas & Texas Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

Mr. Justice McKenna announced the following orders of the court:

No. 801. McKittrick Oil Company, plaintiff in error, *v.* Southern Pacific Railroad Company. In error to the District Court of Appeal, Second Appellate District, Division No. 1, of the State of California. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916. (C. 448, section 2, 39 Stat. 726.)

No. 806. The United States of America, appellant, *v.* The Western Union Telegraph Company. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Counsel are requested to submit briefs concerning the effect of the act of Congress approved May 27, 1921, entitled: "An act to prevent the unauthorized landing of submarine cables in the United States," upon the future consideration and disposition of this cause. Same to be filed on or before the first day of the October Term, 1921, of this court.

No. —, Original. The State of Texas, complainant, *v.* The Interstate Commerce Commission. Motion for leave to file bill of complaint herein granted, and process ordered to issue returnable on Monday, October 3, next.

No. 20, Original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and

No. 21, Original. The State of Ohio, complainant, *v.* The State of West Virginia. These cases are set for hearing on Monday, December 5, next, and are directed to be heard consecutively.

No. 853. Edgar A. Levy Leasing Company, Inc., plaintiff in error, *v.* Jerome Siegel;

No. 854. The People of the State of New York ex rel. Brixton Operating Corporation, plaintiff in error, *v.* Edward B. La Fetra, a Justice of the City Court of the City of New York; and

No. 855. 810 West End Avenue, Inc., plaintiff in error, *v.* Henry R. Stern. Consideration of the motion to dismiss or affirm in these cases postponed until the hearing on the merits.

No. 619. R. D. Langan et al., plaintiffs in error, *v.* The City of Louisville. Motion to advance granted, and cause assigned for argument on the second day of the October Term, 1921.

No. 23, Original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion for leave to file petition in intervention of D. D. Brunson granted.

No. 308. Henry Albers, petitioner, *v.* The United States of America. Motion for leave to intervene and present a petition for rehearing denied.

No. 707. Sarah F. Donley, petitioner, *v.* Erwin Ray Van Horn; and

No. 708. Sarah F. Donley, petitioner, *v.* Prescott West. Motions to postpone the submission of petitions for writs of certiorari until the hearing on the writs of error in Nos. 831 and 832 denied.

No. 924. James C. Davis, Director General of Railroads, as Agent, etc., plaintiff in error, *v.* J. J. Smith, jr., Administrator, etc. Consideration of the petition for a writ of certiorari in this case postponed until the hearing on the writ of error.

No. 898. The United States of America, petitioner, *v.* Wesley L. Sischo. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 911. John P. Kline et al., as the Board of Improvement, etc., petitioners, *v.* Burke Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 925. Federal Trade Commission, petitioner, *v.* The Curtis Publishing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 931. Federal Trade Commission, petitioner, *v.* Winsted Hosiery Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 933. Fred Browne, plaintiff in error, *v.* Charles B. Thorn et al., Partners, etc. Petition for a writ of certiorari herein granted.

No. 711. Marie E. Scheuerle, Administratrix, etc., petitioner, *v.* Onepiece Bifocal Lens Company. Petition for a writ of certiorari to the District Court of the United States for the District of Indiana denied.

No. 871. The State Tax Commissioner of the State of New York, petitioner, *v.* The People of the State of New York ex rel. Alpha Portland Cement Company. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 908. Old Dominion Beverage Corporation, petitioner, *v.* The Coca Cola Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 909. W. E. Hamilton et al., petitioners, *v.* De Camp Glass Casket Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 914. Lou Frazier, Administratrix, etc., petitioner, *v.* Interstate Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 916. Gustav H. Jacobson, petitioner, *v.* The United States of America;

No. 917. Albert H. Wehde, petitioner, *v.* The United States of America, and

No. 918. George Paul Boehm, 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. 921. Lehigh Valley Railroad Company, petitioner, *v.* John Lysaght, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 922. Lehigh Valley Railroad Company, petitioner, *v.* Allied Machinery Company of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 923. Ike Applebaum, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 930. William Green, petitioner, *v.* Thomas B. Felder, Receiver, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 4, Original. The State of Wyoming, complainant, *v.* The State of Colorado et al.;

No. 13. American Steel Foundries, petitioner, *v.* The Tri-City Central Trades Council et al.;

No. 14. Adelbert A. Weiland, as State engineer, etc., et al., appellants, *v.* The Pioneer Irrigation Company;

No. 72. William Truax et al., etc., plaintiffs in error, *v.* Michael Corrigan et al.;

No. 157. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Daniel J. Perry;

No. 303. Hannah T. Willson, plaintiff in error, *v.* Curtis C. McDonnell; and

No. 476. United Shoe Machinery Corporation et al., appellants, *v.* The United States of America. These cases restored to the docket for reargument before a full bench.

No. 124. The Atherton Mills, appellant, *v.* Eugene T. Johnston et al. This case restored to the docket for reargument before a full bench, and the attention of counsel called to the question of the jurisdiction of the United States District Court.

No. 235. Dahnke-Walker Milling Company, plaintiff in error, *v.* C. T. Bondurant. This case restored to the docket for reargument before a full bench, and the attention of counsel called to the question of the jurisdiction of this Court.

Mr. Justice McKenna said:

"GENTLEMEN OF THE BAR: It is my sad office to announce that another sorrow has come to the Court in the death of Mr. James D. Maher, its clerk—a sorrow following close upon that of which this

empty chair is testimony—a sorrow having particular emphasis, and we are impelled to its expression and manifestation.

“Our association with him was personal and official. Where personal, he exhibited an attractive courtesy; where official, he impressed a sense of ability and that trust could be reposed in him.

“His connection with the Court began over a half a century ago—to be exact, in 1865, as a page, and from that humble beginning he rose successively to be junior clerk, deputy clerk, and clerk. By this advancement his ability was availed of as much as rewarded, and it was justified to the last moment of his service—service ending only with his life.

“What more need be said? The successive promotions proclaim his merit; verbal enunciation or eulogy of it is an unnecessary supplement. I, however, venture some particulars. Among other powers he had the power of taking pains, and that in high degree. It was a constituent of his efficiency which gave an assurance of exactness and confident reliance upon whatever he did or was to do.

“And he thought nothing a trouble; he was prompt, therefore, to grant any request or obey any direction, heightening thereby his courtesy or duty. In this I am repeating the appreciation of our Chief Justice, who in greater degree than the rest of us, had occasion to demand or receive the aid of Mr. Maher, and could make, therefore, an exact estimate of him and his services. And, of course, his exact and comprehensive knowledge of the procedural precedents and practices of the court was of inestimable service to the members of the bar, and he was always ready to render that service.

“One other word in summary of his merit and our appreciation of it: In private life he was as exact to fulfill his duties and obligations as he was in official life, and his example and services will remain with us a cherished and intimate memory; to those who succeed us they will be an instructive tradition.”

No. 5. The United States, appellant, *v.* American Can Company et al. Appeal from the District Court of the United States for the District of Maryland. Dismissed, on motion of Mr. Solicitor General Frierson for the appellant.

No. 29, original. Ex parte in the matter of Lincoln Gas & Electric Light Company, petitioner. Leave granted to present petition for rehearing within 60 days, on motion of Mr. C. B. Ellis in that behalf.

Order. The reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the

reports in one volume, it is, therefore, now here ordered that he publish an additional volume in this year pursuant to section 226 of the Judicial Code, approved March 3, 1911.

Order. It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued to the next term.

Adjourned to the time and place appointed by law.