

While the question is not free from difficulty, we cannot escape the conclusion that had Congress intended that this credit should be given not only for the purpose of computing future pay, but with a view to readjusting past compensation, and giving gratuities for years past, it would have declared its purpose in more distinct terms.

The construction here given is consistent with the declared purpose of the act; it gives to the law a future, not a retrospective operation, and, in our judgment, carries out the expressed purpose of Congress in passing the law.

Judgment of the Court of Claims affirmed.

NORTHERN SECURITIES COMPANY v. UNITED
STATES.

APPEAL FROM THE UNITED STATES CIRCUIT COURT FOR THE
DISTRICT OF MINNESOTA.

No. 277. Submitted November 16, 1903.—Decided November 30, 1903.

Motion for leave to file brief as *amicus curiæ* denied.

Mr. A. A. Hoehling, Jr., for Mr. Charles Fisk Beach, applicant.

THE CHIEF JUSTICE: In support of this motion certain letters were presented showing that request was made of counsel for the respective parties for their consent to the application, and that they withheld direct consent, leaving the matter entirely to the court to determine. When the motion was submitted objection to the granting of leave was made by counsel for appellees.

Where in a pending case application to file briefs is made by counsel not employed therein, but interested in some other

pending case involving similar questions, and consent is given, the court has always exercised great liberality in permitting this to be done. And doubtless it is within our discretion to allow it in any case when justified by the circumstances. *Green v. Biddle*, 8 Wheat. 1, 17; *Florida v. Georgia*, 17 How. 478, 491; *The Gray Jacket*, 5 Wall. 370. It does not appear that applicant is interested in any other case which will be affected by the decision of this case; as the parties are represented by competent counsel, the need of assistance cannot be assumed; and consent has not been given.

Leave to file must, therefore, be

Denied.