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Decisions Per Curiam, Etc.

DECISIONS PER CURIAM, FROM MARCH 29, 1921,
TO AND INCLUDING JUNE 6, 1921, NOT IN-
CLUDING ACTION ON PETITIONS FOR WRITS
OF CERTIORARI.

NO. 198. MISSOURI, KANSAS & TEXAS RAILWAY COMPANY ET AL. *v.* HANNAH L. ZUBER. On writ of certiorari to the Supreme Court of the State of Oklahoma. Argued January 28, 1921. Decided April 11, 1921. *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. 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. See writ of error dismissed, February 28, 1921, 255 U. S. 561. Mr. M. D. Green, with whom Mr. Joseph M. Bryson, Mr. J. R. Cottingham, Mr. Clifford L. Jackson, Mr. Samuel W. Hayes, Mr. Gardiner Lathrop, Mr. C. S. Burg and Mr. Alex. Britton were on the brief, for plaintiffs in error and petitioners. Mr. Charles W. Smith, for defendant in error and respondent, submitted.

NO. 194. J. L. HUDSON *v.* O. L. HOPKINS, AS COUNTY TREASURER, ETC.; and

NO. 195. WILLIAM E. MCGUIRE, AS ADMINISTRATOR, ETC. *v.* E. J. MCCURDY, AS COUNTY TREASURER, ETC. Error to the Supreme Court of the State of Oklahoma. Submitted April 12, 1921. Decided April 18, 1921. *Per Curiam*. Dismissed for the want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. Mr. Elmer

E. Grinstead for plaintiffs in error. *Mr. S. P. Freeling* for defendants in error.

NO. 245. *N. W. PALMER ET AL. v. RACHEAL KING ET AL.* Error to the Supreme Court of the State of Oklahoma. Submitted March 21, 1921. Decided April 18, 1921. *Per Curiam.* Dismissed for the want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. C. S. Arnold* for plaintiffs in error. *Mr. Elmer D. Means* for defendants in error.

NO. 716. *HERBERT DARLINGTON v. HARRY W. MAGER, COLLECTOR OF INTERNAL REVENUE FOR THE FIRST DISTRICT OF ILLINOIS.* Error to the District Court of the United States for the Northern District of Illinois. Argued April 14, 1921. Decided April 18, 1921. *Per Curiam.* Affirmed with costs, upon authority of the Act of February 24, 1919, c. 18, § 213a, 40 Stat. 1057, 1065; Act of September 8, 1916, c. 463, § 2 (a), 39 Stat. 756, 757; *Merchants' Loan & Trust Co. v. Smietanka*, 255 U. S. 509; *Eldorado Coal & Mining Co. v. Mager*, 255 U. S. 522; *Goodrich v. Edwards*, 255 U. S. 527; and *Walsh v. Brewster*, 255 U. S. 536. *Mr. Herbert Pope*, with whom *Mr. Rush C. Butler*, *Mr. James J. Forstall* and *Mr. E. B. Prettyman* were on the brief, for plaintiff in error. *The Solicitor General* for defendant in error.

NO. 800. *ULRICA DAHLGREN PIERCE, AS TRUSTEE, ETC. v. JOHN V. DAHLGREN.* Appeal from the Circuit Court

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of Appeals for the Sixth Circuit. Petition for a writ of certiorari and motion to dismiss submitted April 11, 1921. Decided April 18, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony 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. *Mr. J. Warren Keifer* for appellant and petitioner. *Mr. Lawrence Maxwell*, *Mr. Frederic R. Coudert* and *Mr. Howard Thayer Kingsbury* for appellee and respondent. [Certiorari denied, see *post*, 692.]

No. —, ORIGINAL. *Ex parte*: IN THE MATTER OF THOMAS G. MORAN, PETITIONER. Submitted February 28, 1921. Decided April 25, 1921. Motion for leave to file petition for writs of certiorari, prohibition, and mandamus denied. *Mr. William J. Hennessey* for petitioner.

No. —, Original: *Ex parte*: IN THE MATTER OF HENRY O. HOLLANDER, PETITIONER. Submitted February 28, 1921. Decided April 25, 1921. Motion for leave to file petition for writs of certiorari, prohibition, and mandamus denied. *Mr. William J. Hennessey* for petitioner.

No. 311. CITY OF NEW YORK *v.* BROOKLYN UNION GAS COMPANY. Appeal from the District Court of the United States for the Southern District of New York. Argued April 29, 1921. Decided May 16, 1921. *Per Curiam*. Dismissed for the want of jurisdiction upon the

authority of the *City of New York v. Consolidated Gas Co.*, 253 U. S. 219. *Mr. Vincent Victory*, with whom *Mr. James A. Donnelly* and *Mr. Henry Hertzoff* were on the brief, for appellant. *Mr. William N. Dykman*, for appellee, submitted.

No. —, Original. *Ex parte*: IN THE MATTER OF EXPORTERS OF MANUFACTURERS' PRODUCTS, INC., PETITIONER. Submitted May 2, 1921. Decided May 16, 1921. Motion for leave to file petition for a writ of mandamus and/or a writ of prohibition herein denied. *Mr. Henry M. Ward* for petitioner.

No. —, Original. *Ex parte*: IN THE MATTER OF C. C. HARTWELL COMPANY, LIMITED, ET AL., PETITIONERS. Submitted May 2, 1921. Decided May 16, 1921. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. William B. Grant* for petitioners.

No. —, Original. *Ex parte*: IN THE MATTER OF D. H. RIDDLE, PETITIONER. Submitted May 2, 1921. Decided May 16, 1921. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. Benjamin Carter* for petitioner.

No. 288. HOUSTON & TEXAS CENTRAL RAILROAD COMPANY *v.* CITY OF ENNIS ET AL. Error to the Court of Civil Appeals, Fifth Supreme Judicial District, State of Texas. Argued April 26, 1921. Decided June 1, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237, Judicial Code, as amended by the

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Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. See writ of certiorari denied (252 U. S. 583). *Mr. Jesse Andrews*, with whom *Mr. J. L. Gammon* and *Mr. H. M. Garwood* were on the brief, for plaintiff in error. *Mr. Rhodes S. Baker*, with whom *Mr. William Thompson* was on the brief, for defendants in error.

NO. 318. DWELLING BUILDING & LOAN ASSOCIATION ET AL. *v.* WINFIELD S. MACHENRY, TRUSTEE IN BANKRUPTCY. Appeal from the Circuit Court of Appeals for the Third Circuit. Submitted April 29, 1921. Decided June 1, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of the Act of January 28, 1915, c. 22, § 4, 38 Stat. 803, as amended by the Act of September 6, 1916, c. 448, § 3, 39 Stat. 726, 727. *Mr. Joseph Gilfillan* and *Mr. George S. Graham* for appellants. *Mr. H. Edgar Barnes* and *Mr. Owen J. Roberts* for appellee.

No. —, Original. *Ex parte*: IN THE MATTER OF THE STATE OF LOUISIANA, PETITIONER. Submitted May 16, 1921. Decided June 1, 1921. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. L. E. Hall* for petitioner.

NO. 801. MCKITTRICK OIL COMPANY *v.* SOUTHERN PACIFIC RAILROAD COMPANY. Error to the District Court of Appeal, Second Appellate District, Division No. 1, of the State of California. Motion to dismiss or affirm submitted June 1, 1921. Decided June 6, 1921. *Per Curiam*. Dismissed for the want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by

the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. George E. Whitaker* and *Mr. Fred Dennett* for plaintiff in error. *Mr. Frank Thunen* for defendant in error. [See *post*, 695.]

PETITIONS FOR WRITS OF CERTIORARI
GRANTED, FROM MARCH 29, 1921, TO AND
INCLUDING JUNE 6, 1921.

No. 766. NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY *v.* DAVID FRUCHTER, AN INFANT, ETC.; AND
No. 767. NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY *v.* SAM FRUCHTER. April 11, 1921. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. James W. Carpenter* for petitioner. *Mr. Leon Sanders* for respondents.

No. 776. AUDITORE CONTRACTING COMPANY, INC., ET AL. *v.* FOREIGN TRADE BANKING CORPORATION. April 11, 1921. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Alvin C. Cass* for petitioners. *Mr. John M. Woolsey* and *Mr. Delbert M. Tibbetts* for respondent. *The Solicitor General* and *Mr. A. F. Myers*, by leave of court, as *amici curiæ*.

No. 783. CHARLES W. ANDERSON, COLLECTOR OF INTERNAL REVENUE *v.* NEW YORK LIFE INSURANCE COMPANY. Motion to set aside order granting certiorari submitted April 11, 1921. Decided April 18, 1921. Order granting writ of certiorari herein set aside to enable a