

DECISIONS PER CURIAM, FROM OCTOBER 3, 1921, TO AND INCLUDING FEBRUARY 27, 1922, NOT INCLUDING ACTION ON PETITIONS FOR WRITS OF CERTIORARI.

No. 20, Original. STATE OF OKLAHOMA *v.* STATE OF TEXAS. Order entered October 5, 1921.

It is ordered that the interveners herein claiming under or through the State of Texas be permitted to appear before the commissioner now taking evidence respecting the true boundary line along the south bank of Red River and to present evidence bearing on that question and in support of their claims; and the evidence so presented shall be subject to rebuttal in the same way and at the same time as that presented by the State of Texas.

No. —, Original. *Ex parte*: IN THE MATTER OF MARY ELLEN BAIN, PETITIONER. Submitted October 4, 1921. Decided October 10, 1921. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. Samuel Russell* for petitioner. *Mr. Assistant Attorney General Nebeker* in opposition to the petition.

No. 54. JOHN ARMSTRONG CHALONER *v.* W. GILMER DUNN. Error to the District Court of the United States for the Western District of Virginia. Motion for injunction, and motion to quash injunction and to dismiss writ of error submitted October 4, 1921. Decided October 10, 1921. Dismissed for the want of jurisdiction. *Mr. Hollins N. Randolph* and *Mr. Sidney J. Dudley* for plaintiff in error. *Mr. W. Gwynn Gardiner* for defendant in error.

No. 104. PEOPLE OF THE STATE OF MICHIGAN EX REL. ALEX. J. GROESBECK, ATTORNEY GENERAL, ETC. *v.* DETROIT

UNITED RAILWAY. Error to the Supreme Court of the State of Michigan. Motion to dismiss or affirm submitted October 4, 1921. Decided October 10, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Pawhuska v. Pawhuska Oil & Gas Co.*, 250 U. S. 394. *Mr. Merlin Wiley, Mr. Clare Raton and Mr. Sheridan F. Master* for plaintiff in error. *Mr. Elliott G. Stevenson and Mr. William L. Carpenter* for defendant in error.

No. 158. CORNELIA G. GOODRICH ET AL. *v.* WEST LUMBER COMPANY. Error to the Supreme Court of the State of Texas. Motion to dismiss or affirm submitted October 4, 1921. Decided October 10, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the ground that there is no federal question presented in the record. *Gasquet v. Lapeyre*, 242 U. S. 367, 369-370. *Mr. Hannis Taylor* for plaintiffs in error. *Mr. H. M. Garwood* for defendant in error.

No. 301. CHARLES O'CONNOR ET AL. *v.* JOHN SLAKER, ACTING ADMINISTRATOR, ETC., ET AL. Error to the Supreme Court of the State of Nebraska. Motion to dismiss or affirm submitted October 4, 1921. Decided October 10, 1921. *Per Curiam*. Dismissed for want of jurisdiction on the ground that there is no federal question presented in the record. *Gasquet v. Lapeyre*, 242 U. S. 367, 369-370. *Mr. James M. Johnson* for plaintiffs in error. *Mr. Henry H. Wilson, Mr. Elmer J. Burkett and Mr. W. T. Thompson* for defendants in error.

No. 353. LOUISIANA RAILWAY & NAVIGATION COMPANY *v.* R. E. WILLIAMS. Error to the Circuit Court of Appeals for the Fifth Circuit. Motion to dismiss or affirm sub-

257 U. S.

Decisions Per Curiam, Etc.

mitted October 4, 1921. Decided October 10, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Sugarman v. United States*, 249 U. S. 182, 184; with imposition of five per cent. penalty under the 23rd Rule. *Mr. E. H. Randolph* for plaintiff in error. *Mr. S. P. Jones* for defendant in error.

No. 20, Original. STATE OF OKLAHOMA *v.* STATE OF TEXAS. Orders entered October 17, 1921.

Upon the motion of Francis Chanate and others claiming under Indian allotments, they are granted leave to intervene herein and to file the petition of intervention tendered with such motion.

The motion of the Melish Consolidated Placer Mining Association for a modification of the order of June 1, 1921, in so far as it relates to the Burke-Senator well, is denied without prejudice to a renewal of such motion if in the further progress of this cause it becomes necessary or proper to renew the same.

The motion of the Melish Consolidated Placer Mining Association for the return of wells Nos. 152, 153, and 160, to the custody of the receiver, is denied without prejudice to a renewal of such motion if in the further progress of this cause it becomes necessary or proper to renew the same.

No. 25. ALBERT RENNIE *v.* JOHN W. GIBSON. Error to the Supreme Court of the State of Oklahoma. Submitted October 6, 1921. Decided October 17, 1921. *Per Curiam*. Dismissed for want of jurisdiction. Section 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726; *Jett Bros Distilling Co.*

v. *City of Carrollton*, 252 U. S. 1, 5-6. Mr. John A. McClure for plaintiff in error. Mr. R. B. Brown for defendant in error.

No. 17. EDWARD C. WARD v. STATE OF WASHINGTON ET AL. Error to the Supreme Court of the State of Washington. Argued October 6, 1921. Decided October 17, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Gasquet v. Lapeyre*, 242 U. S. 367, 369-370. Mr. W. F. Magill, with whom Mr. H. S. Wilson, Mr. Donald MacMaster and Mr. Geo. A. Brodie were on the briefs, for plaintiff in error. Mr. L. L. Thompson, with whom Mr. Nat. U. Brown was on the brief, for defendants in error.

No. 171. R. D. LANGAN ET AL. v. CITY OF LOUISVILLE. Error to the Court of Appeals of the State of Kentucky. Argued October 4, 1921. Decided October 17, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Manhattan Life Insurance Co. v. Cohen*, 234 U. S. 123, 136; *Consolidated Turnpike v. Norfolk, &c. Ry. Co.*, 228 U. S. 596, 600. Mr. John Bryce Baskin, with whom Mr. Alex. Pope Humphrey was on the brief, for plaintiffs in error. Mr. Harry E. Tincher, with whom Mr. Jos. S. Lawton and Mr. M. H. Thatcher were on the briefs, for defendant in error.

No. 229. TENNESSEE, ALABAMA & GEORGIA RAILROAD COMPANY v. W. M. DRAKE. Error to the United States Circuit Court of Appeals for the Fifth Circuit. Motion to dismiss submitted October 10, 1921. Decided October 17, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444; (2) Section 3, Act of September 6, 1916, c. 448, 39 Stat. 726,

257 U. S.

Decisions Per Curiam, Etc.

727. *Mr. Samuel Bosworth Smith and Mr. George E. Maddox* for plaintiff in error. *Mr. George Westmoreland* for defendant in error.

No. —, Original. *Ex parte*: IN THE MATTER OF OREGON EILERS MUSIC HOUSE, PETITIONER. Submitted October 4, 1921. Decided October 24, 1921. Motion for leave to file petition for a writ of prohibition herein denied. *Mr. Will R. King, Mr. Thomas Mannix and Mr. C. A. A. McGee* for petitioner. *Mr. Levi Cooke and Mr. William C. Bristol* for respondent.

No. 370. LEHIGH VALLEY RAILROAD COMPANY *v.* JOHN LYSAGHT, LIMITED. Error to the Circuit Court of Appeals for the Second Circuit. Motion to dismiss or affirm submitted October 17, 1921. Decided October 24, 1921. *Per Curiam*. Dismissed for lack of jurisdiction in this court upon the authority of *Southern Pacific Co. v. Stewart*, 245 U. S. 359. *Mr. Charles A. Boston, Mr. Edgar H. Boles, Mr. George S. Hobart and Mr. Lindley M. Garrison* for plaintiff in error. *Mr. W. Kintzing Post* for defendant in error.

No. 43. PHILADELPHIA & READING RAILWAY COMPANY *v.* AMY SMITH. Certiorari to the Supreme Court of the State of Pennsylvania. Submitted October 17, 1921. Decided November 7, 1921. *Per Curiam*. Reversed with costs, upon authority of *Philadelphia & Reading Ry. Co. v. Di Donato*, 256 U. S. 327. *Mr. George Gowen Parry* for petitioner. *Mr. Roscoe R. Koch* for respondent.

No. 44. ABDUL SAMAD *v.* HENRY BEHRANDT, U. S. MARSHAL, ETC., ET AL. Appeal from the District Court of the United States for the Eastern District of Michigan. Ar-

gued October 18, 1921. Decided November 7, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Brolan v. United States*, 236 U. S. 216, 217-218; *Sugarman v. United States*, 249 U. S. 182, 185. *Mr. Hannis Taylor* for appellant. *Mr. William C. Herron* with whom *Mr. Assistant Attorney General Stewart* and *Mr. H. S. Ridgely* were on the brief, for appellees.

NO. 111. JULIA BOYLAN ET AL. *v.* UNITED STATES. Error to the Circuit Court of Appeals for the Second Circuit. Motion to dismiss submitted October 24, 1921. Decided November 7, 1921. *Per Curiam*. Dismissed for want of jurisdiction, due to failure to apply for writ of error within the statutory period which began with the date of the entry of the final judgment of the Circuit Court of Appeals to which the writ of error issued, and not with date of the entry of the judgment in the District Court under the mandate of the Circuit Court of Appeals. Act of September 6, 1916, c. 448, § 6, 39 Stat. 726, 727. *Mr. William F. Santry* and *Mr. E. Leland Hunt* for plaintiffs in error. *Mr. Solicitor General Beck* and *Mr. Assistant Attorney General Riter* for the United States.

NO. —, Original. *Ex parte*: IN THE MATTER OF BRADY W. WARNER, PETITIONER. Submitted November 7, 1921. Decided November 14, 1921. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. Frans E. Lindquist* for petitioner.

NO. 369. LEHIGH VALLEY RAILROAD COMPANY *v.* ALLIED MACHINERY COMPANY OF AMERICA. Error to the Circuit Court of Appeals for the Second Circuit. Motion to dismiss or affirm submitted November 7, 1921. Decided November 14, 1921. *Per Curiam*. Dismissed for

257 U. S.

Decisions Per Curiam, Etc.

want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577, 578. *Mr. Edgar H. Boles, Mr. Charles A. Boston, Mr. George S. Hobart and Mr. Lindley M. Garrison* for plaintiff in error. *Mr. Hartwell Cabell* for defendant in error.

No. —, Original. THE TEXAS-CHEROKEES AND ASSOCIATE BANDS *v.* STATE OF TEXAS. Motion for leave to file bill of complaint submitted November 14, 1921. Decided November 21, 1921. *Per Curiam*. The motion for leave to file an original bill of complaint in this case is denied upon authority of *Cherokee Nation v. Georgia*, 5 Pet. 1. *Mr. William Sulzer* for complainant.

No. 616. JOHN HILL JR., ET AL. *v.* HENRY C. WALLACE, SECRETARY OF AGRICULTURE, ET AL. Appeal from the District Court of the United States for the Northern District of Illinois. Motion to advance and for an order preserving status quo submitted November 15, 1921. Order entered November 21, 1921.

ORDER.—Motion to advance herein is granted, and the case is set for January 3, 1922, after the cases specially set for that day; and it is ordered, the appellees not objecting, that the Board of Trade of the City of Chicago and its directors, appellees, are restrained from seeking or accepting from the Secretary of Agriculture a designation of said board of trade as a "contract market" under the Act of Congress approved August 24, 1921, entitled "The Future Trading Act," or from admitting to membership in said board any representative of any coöperative association of producers as required by said act, or from modifying its rules or by-laws, as required by said Future Trading Act, in order to entitle said board of trade to be

designated as a "contract market," and from otherwise complying with the terms of said act prior to the final judgment of the court herein.

Also, that during the pendency of said cause in this court and for twenty (20) days after final judgment herein the appellees, Henry C. Wallace, Secretary of Agriculture of the United States; David H. Blair, Commissioner of Internal Revenue of the United States; Charles F. Clyne, United States District Attorney for the Northern District of Illinois; and John C. Cannon, Collector of Internal Revenue for the First District of Illinois, and each of their successors in office, are restrained from collecting, or attempting to collect, by suit, criminal prosecution, or otherwise, from appellants, or any other member of said board of trade, any tax or penalty which may have accrued or been incurred under said Future Trading Act, or from taking during said period any other steps against said board of trade or any of its members to enforce or compel their compliance with, or punish for noncompliance with, any of the provisions of said Trading Act.

This order is made upon condition that within ten (10) days herefrom the appellants execute unto the appellees herein and file in this cause a good and sufficient bond in the sum of twenty-five thousand dollars (\$25,000), with sureties to be approved by the clerk of this court, and conditioned that the appellants will promptly pay any and all damages which may be suffered by the appellees herein, or any of them, by reason of the granting or continuance of this order, if it is ultimately adjudged that the said Future Trading Act is a valid act in whole or in part. *Mr. Henry S. Robbins* for appellants. *Mr. Solicitor General Beck* for appellees. [For order modifying the above, see *ante*, 310.]

No. 20, Original. STATE OF OKLAHOMA v. STATE OF TEXAS. November 21, 1921. Order entered authorizing payments to counsel and to the receiver.

257 U. S.

Decisions Per Curiam, Etc.

No. 61. CITY OF CHICAGO *v.* CHICAGO RAILWAYS COMPANY ET AL. Error to the Supreme Court of the State of Illinois. Argued November 8, 9, 1921. Decided November 21, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Pawhuska v. Pawhuska Oil & Gas Co.*, 250 U. S. 394; *Chicago v. Dempcy*, 250 U. S. 651. *Mr. Chester E. Cleveland*, with whom *Mr. Samuel A. Ettelson* and *Mr. George B. Gillespie* were on the brief, for plaintiff in error. *Mr. Harry P. Weber*, with whom *Mr. W. W. Gurley*, *Mr. James M. Sheean* and *Mr. George W. Miller* were on the brief, for defendants in error.

No. 64. LEOPOLD STERNBERGER ET AL. *v.* CONTINENTAL MINES, POWER & REDUCTION COMPANY. Error to the Supreme Court of the State of Colorado. Submitted November 15, 1921. Decided November 21, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 582, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195. *Mr. Norton Montgomery* for plaintiffs in error. *Mr. Morrison Shafroth* for defendant in error.

No. 66. CORNELIUS C. WATTS ET AL. *v.* STATE OF ARIZONA AT THE RELATION, ETC., OF IGNATIUS BURGOON, TREASURER, ETC. Error to the Supreme Court of the State of Arizona. Argued November 16, 1921. Decided November 21, 1921. *Per Curiam*. Dismissed for want of jurisdiction. Section 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. *Mr. S. L. Kingan* and *Mr. Joseph W. Bailey*, with whom *Mr. Herbert Noble*, *Mr. Hartwell P. Heath* and *Mr. Conrad H. Syme* were on the brief, for plaintiffs in

error. *Mr. Leslie C. Hardy*, with whom *Mr. W. J. Galbraith* was on the brief, for defendant in error.

No. 72. EASTMAN JONES, A MINOR, ETC. *v.* H. O. SEIFERT ET AL. Error to the Supreme Court of the State of Oklahoma. Submitted November 17, 1921. Decided November 21, 1921. *Per Curiam*. Dismissed for want of jurisdiction. Section 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. *Mr. W. F. Semple* and *Mr. W. E. Utterback* for plaintiff in error. *Mr. W. Y. Dilley* and *Mr. C. S. Arnold* for defendants in error.

No. 362. KRAUSS BROTHERS LUMBER COMPANY *v.* BOARD OF ASSESSORS FOR THE PARISH OF ORLEANS ET AL. Error to the Supreme Court of the State of Louisiana. Motion to dismiss or affirm submitted November 21, 1921. Decided December 5, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 314; *Consolidated Turnpike Co. v. Norfolk, &c. Ry. Co.*, 228 U. S. 596, 600; *Pennsylvania Hospital v. Philadelphia*, 245 U. S. 20, 24. (2) *Brown v. Houston*, 114 U. S. 622; *Coe v. Errol*, 116 U. S. 517; *American Steel & Wire Co. v. Speed*, 192 U. S. 500; *Bacon v. Illinois*, 227 U. S. 504, 514. *Mr. Burt W. Henry* for plaintiff in error. *Mr. Harry P. Sneed* and *Mr. J. D. Moore* for defendants in error. [See *post*, 636.]

No. 560. TOWNSHIP OF AVON ET AL. *v.* DETROIT UNITED RAILWAY. Error to the Supreme Court of the State of Michigan. Motion to dismiss or affirm submitted December 5, 1921. Decided December 12, 1921. *Per Curiam*.

257 U. S.

Decisions Per Curiam, Etc.

Dismissed for want of jurisdiction upon the authority of *Pawhuska v. Pawhuska Oil & Gas Co.*, 250 U. S. 394, 397; *Hunter v. Pittsburgh*, 207 U. S. 161, 178; *Kansas City v. Public Service Commission of Missouri*, 250 U. S. 652; *Hillsboro v. Public Service Commission of Oregon*, point (3), 255 U. S. 562; *Groesbeck v. Detroit United Railway*, ante, 609. Mr. Glenn C. Gillespie for plaintiffs in error. Mr. Elliott G. Stevenson and Mr. William L. Carpenter for defendant in error.

No. 92. UNITED STATES EX REL. ROBERT A. WIDENMANN *v.* CHARLES E. HUGHES, AS SECRETARY OF STATE, ETC. Error to the Court of Appeals of the District of Columbia. Motion to dismiss or affirm submitted December 12, 1921. Decided December 19, 1921. *Per Curiam*. Affirmed upon the authority of the *National Prohibition Cases*, 253 U. S. 350. Mr. George W. Tucker and Mr. Everett V. Abbott for plaintiff in error. Mr. Solicitor General Beck for defendant in error.

No. 155. UNITED STATES EX REL. HARRY S. MECARTNEY *v.* BAINBRIDGE COLBY, SECRETARY OF STATE ET AL. Error to the Court of Appeals of the District of Columbia. Motion to dismiss or affirm submitted December 12, 1921. Decided December 19, 1921. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195. Mr. Harry S. Mecartney and Mr. W. C. Sullivan for plaintiff in error. Mr. Solicitor General Beck for defendants in error.

No. 592. CITY OF LOUISVILLE *v.* LOUISVILLE RAILWAY COMPANY. On certificate from the Circuit Court of Ap-

peals for the Sixth Circuit. Argued December 16, 1921. Decided December 19, 1921. *Per Curiam*. Dismissed for the want of jurisdiction. *Mr. J. S. Lawton*, with whom *Mr. William T. Baskett* and *Mr. M. H. Thatcher* were on the briefs, for City of Louisville. *Mr. Churchill Humphrey*, with whom *Mr. Alex. Pope Humphrey* and *Mr. Edward P. Humphrey* were on the briefs, for Louisville Railway Company.

No. 17, Original. COMMONWEALTH OF PENNSYLVANIA *v.* STATE OF WEST VIRGINIA; and

No. 18, Original. STATE OF OHIO *v.* STATE OF WEST VIRGINIA. Argued December 8, 9, 1921. Order entered January 9, 1922.

It is ordered that these cases be restored to the docket for reargument on February 27, with special reference to the questions: (1) Whether the suit was not prematurely brought as no action has been taken either by the State or by the state commission under the statute, and (2) Whether the bill presents a cause justiciable between the two States parties to the action.

No. 368. THOMAS SNYDER, ON BEHALF OF HIMSELF, ETC. *v.* GEORGE G. DAVIDSON JR., INDIVIDUALLY AND AS COLLECTOR OF CUSTOMS, ETC., ET AL. Appeal from the District Court of the United States for the Western District of New York. Argued January 3, 4, 1922. Decided January 9, 1922. *Per Curiam*. Dismissed for want of jurisdiction, upon the authority of *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577-578. *Mr. Basil Robillard* for appellant. *Mr. Assistant Attorney General Ottinger*, with whom *Mr. Solicitor General Beck* and *Mr. Harvey B. Cox* were on the brief, for appellees. *Mr. John W. Beaumont*, by leave of court, filed a brief as *amicus curiae*.

257 U. S.

Decisions Per Curiam, Etc.

No. 20, Original. STATE OF OKLAHOMA *v.* STATE OF TEXAS. January 16, 1922. Order entered making allowance to commissioner appointed to take and return testimony in this cause for his services and his expenses.

No. 144. FRANK H. SCHURMANN *v.* UNITED STATES. Appeal from the Circuit Court of Appeals for the Ninth Circuit. Motion to dismiss submitted January 3, 1922. Decided January 16, 1922. *Per Curiam*. Proof of proper notice for motion having now been produced, the motion to dismiss is granted and the appeal is dismissed upon the authority of *Lau Ow Bew v. United States*, 144 U. S. 47, 58; *Horn v. Mitchell*, 243 U. S. 247, 249. *Mr. Harvey M. Friend* for appellant. *Mr. Solicitor General Beck* for the United States.

No. 85. KANSAS CITY MOTION PICTURE MACHINE OPERATORS, ETC., ET AL. *v.* JOHN E. HUGHES ET AL., ETC. Error to the Supreme Court of the State of Missouri. Argued January 13, 1922. Decided January 16, 1922. *Per Curiam*. Dismissed for the want of jurisdiction. Section 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. *Mr. William J. Hughes*, *Mr. Frank P. Walsh* and *Mr. Joseph W. Folk*, for plaintiffs in error, submitted. *Mr. Charles M. Miller*, with whom *Mr. J. W. Dana* was on the brief, for defendants in error.

No. —, Original. *Ex parte*: IN THE MATTER OF ESSEX RUBBER COMPANY, PETITIONER. Submitted January 16, 1922. Decided January 30, 1922. Motion for leave to file a petition for a writ of prohibition, and the petition for a writ of certiorari, herein, denied. *Mr. Thomas J.*

Johnston and Mr. Lucius E. Varney for petitioner. *Mr. Charles A. Brown* for respondent.

No. 133. LUTHER M. NESMITH *v.* STATE OF OHIO. Error to the Supreme Court of the State of Ohio. Motion to dismiss submitted January 16, 1922. Decided January 30, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195. *Mr. Smith W. Bennett and Mr. Benjamin F. James* for plaintiff in error. *Mr. John G. Price* for defendant in error.

No. 344. KING COUNTY *v.* HEWITT-LEA LUMBER COMPANY. Error to the Supreme Court of the State of Washington. Motion to dismiss and petition for a writ of certiorari submitted January 23, 1922. Decided January 30, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Schlosser v. Hemphill*, 198 U. S. 173, 175; *Louisiana Navigation Co. v. Oyster Commission of Louisiana*, 226 U. S. 99, 101; *Coe v. Armour Fertilizer Works*, 237 U. S. 413, 418, 419; *Gray's Harbor Co. v. Coats-Fordney Co.*, 243 U. S. 251, 255; *Bruce v. Tobin*, 245 U. S. 18, 19. Writ of certiorari denied upon the same ground. *Mr. Howard A. Hanson and Mr. Malcolm Douglas* for plaintiff in error. *Mr. James B. Howe* for defendant in error.

No. 609. CONTINENTAL INSURANCE COMPANY ET AL. *v.* UNITED STATES ET AL.; and

No. 610. SEWARD PROSSER ET AL. *v.* UNITED STATES ET AL. Appeals from the District Court of the United States for the Eastern District of Pennsylvania. Argued January 18, 19, 1922. Order entered February 27, 1922.

257 U. S.

Decisions Per Curiam, Etc.

It is ordered that these cases be restored to the docket for reargument, as the first cases for hearing April 10 next, on the question whether the decree in the District Court, from which these are appeals, is in conformity with the opinion of this court in *United States v. Reading Co.*, 253 U. S. 26, and that the Attorney General be advised of this order.

No. 75. PUEBLO OF LAGUNA *v.* JOSE CANDELARIA ET AL. Appeal from the District Court of the United States for the District of New Mexico. Argued January 12, 13, 1922. Decided February 27, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195. *Mr. Francis C. Wilson* for appellant. *Mr. Frank W. Clancy* for appellees.

No. 112. P. H. HARRIS *v.* UNITED STATES. Appeal from the Circuit Court of Appeals for the Eighth Circuit. Argued January 25, 1922. Decided February 27, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *United States v. Krall*, 174 U. S. 385, 389-391; *German National Bank v. Speckert*, 181 U. S. 405, 409; *United States v. Beatty*, 232 U. S. 463, 466. *Mr. Charles B. Stuart*, *Mr. John F. Sharp* and *Mr. Marion K. Cruce*, for appellant, submitted. *Mr. Assistant Attorney General Riter*, with whom *Mr. Solicitor General Beck* and *Mr. H. L. Underwood* were on the brief, for the United States.

No. 115. MISSOURI PACIFIC RAILROAD COMPANY *v.* IZARD COUNTY HIGHWAY IMPROVEMENT DISTRICT No. 1. Error to the Supreme Court of the State of Arkansas. Submitted January 26, 1922. Decided February 27, 1922. *Per Curiam*. Dismissed for want of jurisdiction. Section

237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726; *Jett Bros. Distinguishing Co. v. Carrollton*, 252 U. S. 1, 5-6. Mr. Edward J. White, Mr. Thomas B. Pryor and Mr. Samp Jennings for plaintiff in error. Mr. Joseph S. Utley for defendant in error.

No. 125. GUSTAVUS FRENCH HARVEY ET AL. *v.* UNION TRACTION COMPANY, J. D. SIGGINS, PRESIDENT. Appeal from the District Court of the United States for the District of Kansas. Submitted January 25, 1922. Decided February 27, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195. Mr. Gustavus French Harvey for appellants. Mr. John J. Jones for appellee.

No. 420. J. DAN BLACKISTONE *v.* LEONARD W. GROOMES. Error to the Court of Appeals of the District of Columbia. Motion to dismiss submitted January 30, 1922. Decided February 27, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195. Mr. Raymond M. Hudson for plaintiff in error. Mr. Joseph D. Sullivan for defendant in error.

PETITIONS FOR CERTIORARI GRANTED OR RESTORED TO DOCKET, FROM OCTOBER 3, 1921, TO AND INCLUDING FEBRUARY 27, 1922.

No. 314. DHARANDAS TULSIDAS ET AL. *v.* INSULAR COLLECTOR OF CUSTOMS. October 10, 1921. Petition for a writ of certiorari to the Supreme Court of the Philippine