

DECISIONS PER CURIAM, FROM FEBRUARY 28, 1922, TO AND INCLUDING MAY 1, 1922, NOT INCLUDING ACTION ON PETITIONS FOR WRITS OF CERTIORARI.

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No. —, Original. *Ex parte*: IN THE MATTER OF JAMES C. CANTRILL ET AL., PETITIONERS. March 6, 1922. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. Chapin Brown* and *Mr. Raymond Hudson* for petitioners.

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No. —, Original. *Ex parte*: IN THE MATTER OF JAMES J. O'BRIEN, PETITIONER. March 6, 1922. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. James J. O'Brien pro se*.

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No. —, Original. *Ex parte*: IN THE MATTER OF LINK-BELT COMPANY, PETITIONER. March 6, 1922. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. Henry S. Robbins* and *Mr. Morris M. Townley* for petitioner.

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No. 135. BANK OF STURGEON *v.* STANLEY PALMER. Error to the Supreme Court of the State of Missouri. Argued March 2, 1922. Decided March 6, 1922. *Per Curiam*. Dismissed for want of jurisdiction. § 237, 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. Don C. Carter*, with whom *Mr. N. T. Gentry* was on the brief, for plaintiff in error. *Mr. Major J. Lilly*, with whom *Mr. James P. McBaine* and *Mr. Boyle G. Clark* were on the brief, for defendant in error.

No. 143. ABO LAND COMPANY *v.* ROMAN TENORIO, SHERIFF, ETC. Error to the Supreme Court of the State of New Mexico. Submitted March 1, 1922. Decided March 6, 1922. *Per Curiam*. Dismissed for want of jurisdiction. § 237, 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. Bernard S. Rodey and Mr. Pearce C. Rodey* for plaintiff in error. No appearance for defendant in error.

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No. 743. CHARLES L. CRAIG *v.* THOMAS D. MCCARTHY, UNITED STATES MARSHAL, ETC., ET AL. See *post*, 617.

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Nos. 671 and 40. CHARLES D. NEWTON, AS ATTORNEY GENERAL OF NEW YORK, ET AL. *v.* BROOKLYN UNION GAS COMPANY. Appeals from the District Court of the United States for the Southern District of New York. Argued March 9, 1922. Decided March 13, 1922. *Per Curiam*. Affirmed with costs, upon the authority of the *New York Gas Cases*, *ante*, 165, 178, 180. *Mr. James A. Donnelly*, with whom *Mr. John P. O'Brien* and *Mr. Harry Hertzoff* were on the briefs, for Lewis, District Attorney. *Mr. Wilber W. Chambers*, with whom *Mr. Charles D. Newton*, *Mr. Clarence R. Cummings* and *Mr. Charles E. Buchner*, were on the briefs, for Newton, Attorney General. *Mr. William N. Dykman*, with whom *Mr. Jackson A. Dykman* and *Mr. Edward J. Crummey* were on the brief, for appellee.

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No. 152. BOROUGH OF EDGEWOOD *v.* WILKINSBURG & EAST PITTSBURGH STREET RAILWAY COMPANY ET AL; and

No. 266. BOROUGH OF EDGEWOOD *v.* PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA



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ET AL. Error to the Supreme Court of the State of Pennsylvania. Argued March 6, 1922. Decided March 13, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Hunter v. Pittsburgh*, 207 U. S. 161, 178; *Pawhuska v. Pawhuska Oil Co.*, 250 U. S. 394, 397; *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*, 257 U. S. 609; *Chicago v. Chicago Railways Co.*, 257 U. S. 617; *Avon v. Detroit United Railway*, 257 U. S. 618. Mr. M. W. Acheson, Jr., with whom Mr. Charles A. Jones, Mr. John D. Meyer, Mr. Roy G. Bostwick and Mr. James R. Sterrett were on the brief, for plaintiff in error. Mr. Edwin W. Smith, with whom Mr. John F. Weiss and Mr. Frank M. Hunter were on the briefs, for defendants in error. Mr. H. B. Gill, by leave of court, filed a brief as *amicus curiae*.

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No. 163. WINEHILL & ROSENTHAL *v.* STATE OF LOUISIANA. Error to the Supreme Court of the State of Louisiana. Submitted March 10, 1922. Decided March 13, 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. Gustave Lemle for plaintiffs in error. Mr. H. Garland Dupre, Mr. A. V. Coco and Mr. C. C. Friedrichs for defendant in error.

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No. 161. ANCHOR COMPANY *v.* P. & M. COMPANY. Appeal from the District Court of the United States for the Southern District of New York. Argued March 10, 1922. Decided March 13, 1922. *Per Curiam*. Affirmed upon the authority of *Tyler Co. v. Ludlow-Saylor Wire Co.*, 236 U. S. 723; *Chicago Car Heating Co. v. Gold Car*

*Heating & Lighting Co.*, 245 U. S. 631. *Mr. Edwin B. H. Tower, Jr.*, with whom *Mr. Melville Church* and *Mr. Wylie C. Margeson* were on the brief, for appellant. *Mr. Otto R. Barnett* for appellee.

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No. 20, Original. *STATE OF OKLAHOMA v. STATE OF TEXAS*. Submitted March 13, 1922. Decided March 20, 1922. Motion of the State of Arkansas for leave to file petition in intervention in this cause denied. *Mr. Walter Holland* for the State of Arkansas.

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No. 299. *LEON MOREL v. PERCY A. BAKER, AS SUPERINTENDENT OF IMMIGRATION STATION*. Appeal from the Circuit Court of Appeals for the Second Circuit. Motion to dismiss submitted March 13, 1922. Decided March 20, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Lau Ow Bew v. United States*, 144 U. S. 47, 58; *Horn v. Mitchell*, 243 U. S. 247, 249. *Mr. Ernie Adamson* for appellant. *Mr. Solicitor General Beck* and *Mr. H. S. Ridgely* for appellee.

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No. 746. *CARLOS C. CORBETT v. STATE OF SOUTH CAROLINA*. Error to the Supreme Court of the State of South Carolina. Motion to dismiss submitted March 13, 1922. Decided March 20, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) *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; *Bruce v. Tobin*, 245 U. S. 18, 19. (2) § 237, 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. Cole L. Blease* and *Mr. W. C. Wolfe* for plaintiff in error. *Mr. Charles A. Douglas* and *Mr. Hugh H. Obear* for defendant in error.



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No. 168. *J. N. McBRIDE v. STATE OF IDAHO*. Error to the Supreme Court of the State of Idaho. Submitted March 17, 1922. Decided March 20, 1922. *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) *Crane v. Campbell*, 245 U. S. 304. *Mr. Patrick H. Loughran* and *Mr. M. H. Eustace* for plaintiff in error. *Mr. Roy L. Black* and *Mr. Albert H. Conner* for defendant in error.

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No. 499. *G. D. COLLINS ET AL. v. J. J. BYRNES, SHERIFF, ETC.* Error to the Superior Court in and for the City and County of San Francisco, State of California. Motion to dismiss submitted March 20, 1922. Decided March 27, 1922. *Per Curiam*. Dismissed for want of jurisdiction. § 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. George D. Collins*, *Mr. Maxwell McNutt* and *Mr. William H. Metson* for plaintiffs in error. *Mr. John W. Preston* for defendant in error.

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No. 352. *D. A. WILLIAMS ET AL. v. JOHN K. SCUDDER ET AL.* Error to the Supreme Court of the State of Ohio. Motion to dismiss or affirm submitted March 20, 1922. Decided March 27, 1922. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) *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. (2) *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. *Mr. Smith W. Bennett* for plaintiffs in error. *Mr. John G. Price* and *Mr. Roy Martin* for defendants in error.

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No. 185. *JIM DENSON v. STATE OF GEORGIA*. Error to the Supreme Court of the State of Georgia. Argued March 22, 1922. Decided March 27, 1922. *Per Curiam*. Dismissed for want of jurisdiction. § 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. John Randolph Cooper* for plaintiff in error. *Mr. George M. Napier*, with whom *Mr. Seward M. Smith* was on the brief, for defendant in error, submitted.

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No. 201. *CITY OF SAPULPA ET AL. v. OKLAHOMA NATURAL GAS COMPANY*. Error to the Supreme Court of the State of Oklahoma. Submitted March 24, 1922. Decided March 27, 1922. *Per Curiam*. Dismissed upon the authority of *Hunter v. Pittsburgh*, 207 U. S. 161, 178; *Pawhuska v. Pawhuska Oil Co.*, 250 U. S. 394; *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*, 257 U. S. 609; *Chicago v. Chicago Railways Co.*, 257 U. S. 617; *Avon v. Detroit United Railway*, 257 U. S. 618; *Edgewood v. Wilkinsburg & East Pittsburgh Street Ry. Co.*, ante, 604. *Mr. James F. Lawrence*, *Mr. Van H. Albertson* and *Mr. T. L. Blakemore* for plaintiffs in error. *Mr. D. A. Richardson*, *Mr. C. B. Ames*, *Mr. Russell G. Lowe*, *Mr. T. G. Chambers* and *Mr. B. A. Ames* for defendant in error.



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No. 250. EVELYN P. FERRY *v.* HENRY L. CORBETT ET AL. Appeal from the Circuit Court of Appeals for the Ninth Circuit. Submitted March 20, 1922. Decided April 10, 1922. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Oregon, per stipulation of counsel that this case abide decision in case No. 177, *ante*, 314. *Mr. Charles Haldane* for appellant. *Mr. Joseph Simon* for appellees.

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No. 555. OGDEN PORTLAND CEMENT COMPANY *v.* PUBLIC UTILITIES COMMISSION OF UTAH;

No. 556. UNION PORTLAND CEMENT COMPANY *v.* PUBLIC UTILITIES COMMISSION OF UTAH; and

No. 574. UTAH IDAHO CENTRAL RAILROAD COMPANY *v.* PUBLIC UTILITIES COMMISSION OF UTAH. Error to the Supreme Court of the State of Utah. Motion to affirm submitted March 27, 1922. Decided April 10, 1922. *Per Curiam*. Affirmed upon the authority of *Union Dry Goods Co. v. Georgia Public Service Corporation*, 248 U. S. 372, 375-376; *Producers Transportation Co. v. Railroad Commission of California*, 251 U. S. 228, 232. *Mr. C. R. Hollingsworth*, *Mr. Hiram H. Henderson* and *Mr. J. A. Howell* for plaintiffs in error. *Mr. Henry H. Cluff*, *Mr. C. C. Parsons* and *Mr. John F. MacLane* for defendant in error.

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No. 198. JULIA LAMERE MICKADIET ET AL. *v.* ALBERT B. FALL, SECRETARY OF THE INTERIOR. Error to the Court of Appeals of the District of Columbia. Submitted March 24, 1922. Decided April 10, 1922. *Per Curiam*. Affirmed upon the authority of *Lane v. Mickadiet*, 241 U. S. 201. *Mr. Edward F. Colladay*, *Mr. Harry S. Barger*, *Mr. Howard Saxton*, *Mr. P. H. Marshall* and *Mr. B. B. Pettus* for plaintiffs in error. *Mr. Solicitor General Beck* and *Mr. Blackburn Esterline* for defendant in error.

No. —, Original. *Ex parte*: IN THE MATTER OF WISE & FELDER, RECEIVERS, ETC., PETITIONERS. April 17, 1922. Motion for leave to file petition for a writ of mandamus herein denied. *Mr. Charles H. Tuttle* and *Mr. Saul S. Myers* for petitioners.

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No. —, Original. *Ex parte*: IN THE MATTER OF SAMUEL SINGER, PETITIONER. April 17, 1922. Motion for leave to file petition for a writ of habeas corpus herein denied. *Mr. J. Mercer Davis* for petitioner.

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No. —, Original. *Ex parte*: IN THE MATTER OF TOLEDO SCALE COMPANY, PETITIONER. April 17, 1922. Motion for leave to file petition for writ of prohibition and mandamus herein denied, without prejudice. *Mr. George D. Welles* for petitioner.

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No. 290. KANSAS CITY, CLAY COUNTY & ST. JOSEPH RAILWAY COMPANY *v.* GEORGE S. GRIER, ADMINISTRATOR, ETC. Error to the Supreme Court of the State of Missouri. Motion to dismiss or affirm submitted April 10, 1922. Decided April 17, 1922. *Per Curiam*. Judgment affirmed with costs. *Mr. John E. Dolman* for plaintiff in error. *Mr. Vinton Pike* for defendant in error.

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No. 816. GEORGE H. ENGELHARD, RECEIVER, ETC., *v.* GEORGE J. SCHROEDER ET AL. Appeal from the Circuit Court of Appeals for the Third Circuit. Motion to dismiss or affirm submitted April 10, 1922. Decided April 17, 1922. *Per Curiam*. Decree affirmed with costs; and cause remanded to the District Court of the United States for the District of New Jersey. *Mr. Gustavus A. Rogers* and *Mr. A. F. Jenks* for appellant. *Mr. Harry Lane* for appellees.



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No. —, Original. *Ex parte*: IN THE MATTER OF ERWIN R. BERGDOLL, PETITIONER. April 24, 1922. Motion for leave to file a petition for a writ of habeas corpus denied. *Mr. Joseph D. Shewalter* for petitioner.

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No. —, Original. *Ex parte*: IN THE MATTER OF FIDELITY & DEPOSIT COMPANY OF MARYLAND ET AL. April 24, 1922. Motion for leave to defer reprinting previous record on application for certiorari granted. Motion for leave to file petition for writ of mandamus herein denied. *Mr. Charles Markell, Mr. Edward Osgood Brown and Mr. Edwin J. Marshall* for petitioners.

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No. 62. JOE ALI ET AL. *v.* DAVID LEHRHAUPT, IMMIGRATION INSPECTOR, ETC. Appeal from the District Court of the United States for the Western District of New York. Motion to dismiss submitted April 17, 1922. Decided April 24, 1922. *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. See *Samad v. Behrandt*, 257 U. S. 613. *Mr. Hannis Taylor* for appellants. *Mr. Solicitor General Beck* for appellee.

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No. 239. VIRGINIA BAILEY ET AL. *v.* OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY. Error to the Supreme Court of the State of Oregon. Motion to dismiss submitted April 17, 1922. Decided April 24, 1922. *Per Curiam*. Dismissed for want of jurisdiction. § 237, 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. Thomas Mannix and Mr. George Arthur Brown* for plaintiffs in error. *Mr. H. W. Clark, Mr. A. C. Spencer and Mr. John F. Reilly* for defendant in error.

No. —, Original. JOHN DOE, DEMISE OF THE COMMONWEALTH OF MASSACHUSETTS, *v.* CITY OF ROCHESTER; AND

No. —, Original. COMMONWEALTH OF MASSACHUSETTS *v.* EUGENE VAN VOORHIS ET AL., COMMISSIONERS OF APPRAISAL. Argued April 24, 1922. Decided April 24, 1922. Motions for leave to file declarations herein denied, without prejudice to filing of motions for leave to file bills in equity for the same purpose. *Mr. E. H. Abbott, Jr.*, for plaintiffs. *Mr. Eugene Van Voorhis* for Van Voorhis et al.

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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. May 1, 1922. Motion requesting the court to deliver an opinion in this case denied. *Mr. George W. Tucker* and *Mr. Everett V. Abbott*, for plaintiff in error, in support of the motion. [See 257 U. S. 619.]

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No. —, Original. *Ex parte*: IN THE MATTER OF CARL PARKER, PETITIONER. May 1, 1922. Motion for leave to file petition for a writ of habeas corpus herein denied. *Mr. Walter Holland* for petitioner.

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No. 232. HARTFORD LIFE INSURANCE COMPANY *v.* GARLAND S. JOHNSON, ADMINISTRATOR, ETC. Appeal from the District Court of the United States for the Western District of Missouri. Submitted April 24, 1922. Decided May 1, 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. James C. Jones*, *Mr. Lon O. Hocker*, *Mr. Frank H. Sullivan*, *Mr. George F. Haid*, *Mr. E. H. Angert* and *Mr. James C. Jones, Jr.*, for appellant. *Mr. Matthew A. Fyke* and *Mr. Peyton A. Parks* for appellee.



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NO. 222. JOHN BARTON PAYNE, AGENT, ETC., ET AL. *v.* INDUSTRIAL BOARD OF ILLINOIS ET AL. Error to the Circuit Court of Coles County, State of Illinois. Argued April 25, 1922. Decided May 1, 1922. *Per Curiam*. Dismissed for want of jurisdiction. Act of February 8, 1899, c. 121, 30 Stat. 822; *LeCrone v. McAdoo*, 253 U. S. 217, 219. *Mr. George B. Gillespie, Mr. H. N. Quigley, Mr. Leonard J. Hackney and Mr. James Vause, Jr.,* for plaintiffs in error, submitted. *Mr. Michael M. Doyle,* with whom *Mr. Bryan H. Tivnen and Mr. Thomas R. Figenbaum* were on the brief, for defendants in error.

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NO. 228. KEOKUK & HAMILTON BRIDGE COMPANY *v.* PEOPLE OF THE STATE OF ILLINOIS EX REL. JOHN H. MCCALLISTER, COUNTY TREASURER, ETC. Error to the Supreme Court of the State of Illinois. Submitted April 28, 1922. Decided May 1, 1922. *Per Curiam*. Dismissed for want of jurisdiction. § 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. F. T. Hughes* for plaintiff in error. *Mr. Lee Siebenborn and Mr. Clifton J. O'Harra* for defendant in error.

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NO. 216. CLEVE EDWARDS *v.* STATE OF GEORGIA. Error to the Supreme Court of the State of Georgia. Submitted April 24, 1922. Decided May 1, 1922. *Per Curiam*. Affirmed upon authority of *Vigliotti v. Pennsylvania*, ante, 403. *Mr. Carl N. Davie* for plaintiff in error. *Mr. George M. Napier and Mr. Seward M. Smith* for defendant in error.

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NO. 226. WILLARD M. LINDSEY *v.* J. WESTON ALLEN, ATTORNEY GENERAL OF THE STATE OF MASSACHUSETTS,

ET AL. Appeal from the District Court of the United States for the District of Massachusetts. Submitted April 28, 1922. Decided May 1, 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. See *Williams v. Scudder*, ante, 607. *Mr. Hector M. Hitchings* and *Mr. Henry N. Rice* for appellant. *Mr. J. Weston Allen* and *Mr. Arthur E. Seagrave* for appellees.

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PETITIONS FOR CERTIORARI GRANTED, FROM  
FEBRUARY 28, 1922, TO AND INCLUDING MAY  
1, 1922.

No. 735. HARTFORD LIFE INSURANCE COMPANY *v.* FRANK F. DOUDS ET AL., EXECUTORS, ETC. March 6, 1922. Petition for a writ of certiorari to the Supreme Court of the State of Ohio granted. *Mr. Harry B. Arnold*, *Mr. James C. Jones*, *Mr. Frank H. Sullivan* and *Mr. James C. Jones, Jr.*, for petitioner. *Mr. Smith W. Bennett* for respondents.

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No. 756. HARTFORD LIFE INSURANCE COMPANY *v.* ROBERT H. LANGDALE. March 6, 1922. Petition for a writ of certiorari to the Supreme Court of the State of Ohio granted. *Mr. Harry B. Arnold*, *Mr. James C. Jones*, *Mr. Frank H. Sullivan* and *Mr. James C. Jones, Jr.*, for petitioner. *Mr. Smith W. Bennett* for respondent.

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No. 775. TRANSPORTES MARITIMOS DO ESTADO, CLAIMANT, ETC. *v.* TIETJEN & LANG DRYDOCK COMPANY;

No. 776. TRANSPORTES MARITIMOS DO ESTADO, CLAIMANT, ETC. *v.* MAXWELL ROSE, DOING BUSINESS, ETC.;

No. 777. TRANSPORTES MARITIMOS DO ESTADO (IN PERSONAM) *v.* MAXWELL ROSE, DOING BUSINESS, ETC.;