

DECISIONS PER CURIAM, FROM JANUARY 13, 1925, TO AND INCLUDING APRIL 13, 1925, NOT INCLUDING ACTION ON PETITIONS FOR WRITS OF CERTIORARI.

No. 698. UNITED STATES EX REL. FINK *v.* TOD, COMMISSIONER OF IMMIGRATION. Certiorari to the Circuit Court of Appeals for the Second Circuit. January 13, 1925. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Southern District of New York with directions to discharge the petitioner, upon confession of error by *Solicitor General Beck*, for respondent. *Mr. Max J. Kohler* and *Mr. Louis Marshall* for petitioner.

No. 172. COWOKOCHEE *v.* JAMES A. CHAPMAN AND R. M. McFARLIN. Argued January 15, 1925. Decided January 15, 1925. Writ of error dismissed. *Mr. Lewis C. Lawson* for plaintiff in error. No appearance for defendant in error. See post, p. 572.

No. —, Original. *Ex parte*: IN THE MATTER OF FRANK C. MEBANE. Submitted January 12, 1925. Decided January 19, 1925. Motion for leave to file a petition for a writ of mandamus herein denied. *Mr. Benjamin Catchings* for petitioner.

No. —, Original. *Ex parte*: IN THE MATTER OF BENJAMIN CATCHINGS. Submitted January 12, 1925. Decided January 19, 1925. Motion for leave to file a petition for a writ of mandamus herein denied. *Mr. Benjamin Catchings*, pro se.

No. 534. ELLIS N. BLACK *v.* LURA W. BLACK. Error to the Supreme Court of the State of Ohio. Motion to

dismiss submitted January 12, 1925. Decided January 19, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. Frank Davis, Jr.*, for defendant in error, in support of the motion. *Mr. John S. Black*, for plaintiff in error, in opposition to the motion.

No. 165. O. H. CHRISP *v.* JAMES C. DAVIS, DIRECTOR GENERAL, AS AGENT. Error to the Supreme Court of the State of Arkansas. Submitted January 14, 1925. Decided January 19, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. Leslie C. Garnett* and *Mr. J. Merrick Moore* for plaintiff in error. *Mr. A. A. McLaughlin* for defendant in error.

No. 186. NICODEMUS B. HURR ET AL., *v.* EVERETT W. DAVIS ET AL. Error to the Supreme Court of the State of Minnesota. Submitted January 15, 1925. Decided January 19, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. Robert C. Bell* for plaintiffs in error. No appearance for defendants in error.

No. 172. COWOKOCHEE *v.* JAMES A. CHAPMAN ET AL. Error to the Supreme Court of the State of Oklahoma. Argued January 15, 1925. Announced January 19, 1925.

267 U. S.

Decisions Per Curiam, Etc.

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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. Lewis C. Lawson*, for plaintiff in error. No appearance for defendant in error. (Judgment entered January 15, 1925.) See ante, p. 571.

No. 217. *BARTLETT & KLING v. UNITED STATES.* Appeal from the Court of Claims. Argued for appellant January 21, 1925. Decided January 21, 1925. Judgment affirmed, without prejudice. *Mr. Benj. Carter* for appellant. *Solicitor General Beck* and *Mr. Merrill E. Otis*, Special Assistant to the Attorney General, for the United States.

No. 190. *PROPRIETORS OF THE LOCKS AND CANALS ON MERRIMACK RIVER v. BOSTON AND MAINE RAILROAD.* Error to the Land Court of the State of Massachusetts. Argued January 19, 1925. Decided January 26, 1925. *Per Curiam.* Dismissed for the want of jurisdiction upon the authority of *Hulbert v. Chicago*, 202 U. S. 275, 280; *Cleveland & Pittsburgh R. R. Co. v. Cleveland*, 235 U. S. 50, 53; *Hiawasse River Power Co. v. Carolina-Tennessee Power Co.*, 252 U. S. 341, 344. *Mr. H. M. Davis*, with whom *Mr. Felix Rackeman* was on the brief, for plaintiffs in error. *Mr. A. R. Tisdale* for defendants in error.

No. 213. *BOARD OF DIRECTORS OF MILLER LEVEE DISTRICT No. 2 v. PRAIRIE PIPE LINE COMPANY.* Appeal from the Circuit Court of Appeals for the Eighth Circuit. Argued January 21, 1925. Decided January 26, 1925. Dismissed for the want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Southern*

Pacific Co. v. Stewart, 245 U. S. 359, 362; *Barnett v. Kunkel*, 264 U. S. 16, 21. *Mr. Henry Moore, jr.*, for appellant. *Mr. W. H. Arnold, jr.*, with whom Messrs. *W. H. Arnold, T. J. Flannelly*, and *H. C. Black* were on the brief, for appellee.

No. 221. JOHN CLAY ET AL., COPARTNERS, ETC., *v.* THE DISTRICT COURT OF THE TWELFTH DISTRICT OF THE STATE OF COLORADO, ETC. Error to the Supreme Court of the State of Colorado. Argued January 22, 1925. Decided January 26, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. P. A. Wells* and *Mr. Wm. V. Hodges*, for plaintiff in error. *Mr. LaFayette Twitchell* for defendant in error.

No. 228. BEN C. DAVISSON *v.* STATE OF NEW MEXICO. Error to the Supreme Court of the State of New Mexico. Motion to dismiss submitted January 23, 1925. Decided January 26, 1925. *Per Curiam*. Dismissed for the 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; (2) *Hurtado v. California*, 110 U. S. 516. *Mr. Milton J. Helmick* and *Mr. John W. Armstrong* for defendant in error in support of the motion, submitted. No brief filed for plaintiff in error.

No. 203. MATTHEW LOWE *v.* BENJAMIN E. DYSON, U. S. MARSHAL and

No. 204. WILLIAM P. MCCARTHY *v.* BENJAMIN E. DYSON, U. S. MARSHAL. Error to the District Court of the United States for the Southern District of Florida.

267 U. S.

Decisions Per Curiam, Etc.

Argued January 19, 1925. Decided January 26, 1925. *Per Curiam*. Affirmed, upon the authority of *Riddle v. Dyche*, 262 U. S. 333, 335; *Goto v. Lane*, 265 U. S. 393, 401. *Mr. Merwin S. Bobst* for plaintiffs in error. *Solicitor General Beck* and *Assistant Attorney General Donovan* for the United States.

No. 760. INDIAN REFINING COMPANY *v.* JOHN C. TAYLOR. Error to the Supreme Court of the State of Indiana. Motion to dismiss submitted January 26, 1925. Decided February 2, 1925. *Per Curiam*. Dismissed for want of jurisdiction, upon the authority of (1) *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195; (2) *Texas Co. v. Brown*, 258 U. S. 466, 477, 478. *Mr. U. S. Lesh*, for defendant in error, in support of the motion to dismiss. *Mr. James W. Noel*, *Mr. John Wallace Young* and *Mr. Richmond Wied*, for plaintiff in error, in opposition to the motion.

No. 247. JOSEPH O'MARA *v.* HARRY C. CRAMPTON. Error to the Supreme Court of the State of Indiana. Argued January 26, 27, 1925. Decided February 2, 1925. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Missouri & Kansas Interurban Ry. Co. v. Olathe*, 222 U. S. 185, 186; *Haseltine v. Bank*, 183 U. S. 130, 131; *Schlosser v. Hemphill*, 198 U. S. 173, 175. *Mr. Henry W. Moore* for plaintiff in error. *Mr. Henry Adamson*, for defendant in error, submitted.

No. 251. G. L. CENTER *v.* UNITED STATES. Error to the District Court of the United States for the Western District of South Carolina. Argued January 27, 1925. Decided February 2, 1925. *Per Curiam*. Affirmed, upon

the authority of *Bordeau v. McDowell*, 256 U. S. 465, 475. Mr. Assistant Attorney General Donovan for the United States. Mr. Richard A. Ford, for plaintiff in error, submitted.

No. 242. FORREST P. TAYLOR *v.* UNITED STATES. APPEAL FROM THE COURT OF CLAIMS. Argued January 26, 1925. Decided February 2, 1925. *Per Curiam*. Affirmed, upon the authority of *Brawley v. United States*, 96 U. S. 168, 173; *Willard Co. v. United States*, 262 U. S. 489, 494. Mr. Harry Peyton for appellant. Mr. Alfred A. Wheat, Special Assistant to the Attorney General, with whom Solicitor General Beck was on the brief, for the United States.

No. 271. ANTHONY COLORA *v.* STATE OF NEW JERSEY. Error to the Court of Errors and Appeals of the State of New Jersey. Submitted January 29, 1925. Decided February 2, 1925. *Per Curiam*. Affirmed, upon the authority of *Viglotti v. Pennsylvania*, 258 U. S. 403; *Molinari v. Maryland*, 263 U. S. 685. Mr. Edmund A. Hayes for plaintiff in error. Mr. Joseph E. Stricker for defendant in error.

No. 288. FIRST NATIONAL BANK OF MOBILE *v.* UNITED STATES. Appeal from the District Court of the United States for the Southern District of Alabama. Argued January 30, 1925. Decided February 2, 1925. *Per Curiam*. Affirmed, upon the authority of *Essgee v. United States*, 262 U. S. 151, 155; *Hale v. Henkel*, 201 U. S. 43, 69; *Wilson v. United States*, 221 U. S. 361, 382; *Wheeler v. United States*, 226 U. S. 478, 490. Mr. Merrill E. Otis, with whom Solicitor General Beck was on the brief, for the United States. Mr. Gregory L. Smith, for appellant, submitted.

267 U. S.

Decisions Per Curiam, Etc.

No. —, Original. EX PARTE BARKER. February 2, 1925. *Per Curiam*. Application for leave to file petition for a writ of habeas corpus denied, upon the authority of section 338 of the Criminal Code; *United States v. Pridgeon*, 153 U. S. 48, 63; Application for leave to proceed in forma pauperis denied.

No. 250. YADKIN RAILROAD COMPANY ET AL. v. ADA SIGMON, ADMINISTRATRIX, ETC. On writ of certiorari to the Supreme Court of the State of North Carolina. Argued January 27, 1925. Decided February 2, 1925. *Per Curiam*. Reversed, and remanded for further proceedings, upon the authority of *Davis v. Kennedy*, 266 U. S. 147; *Frese v. Chicago, Burlington & Quincy R. R. Co.*, 263 U. S. 1, 3. *Mr. S. R. Prince*, with whom *Mr. H. O. B. Cooper*, *Mr. B. S. Womble* and *Mr. L. E. Jeffries* were on the brief for petitioners. *Mr. T. D. Maness* for respondent.

No. 275. DENNIS B. CHAPIN v. D. A. WALKER, UNITED STATES MARSHAL. Appeal from the District Court of the United States for the Western District of Texas. Submitted January 29, 1925. Decided February 2, 1925. *Per Curiam*. Cause transferred to the Circuit Court of Appeals for the Fifth Circuit, upon the authority of the act of September 14, 1922, c. 305, 42 Stat. 837; *Heitler v. United States*, 260 U. S. 438. *Mr. C. M. Chambers*, for appellant. *Solicitor General Beck*, *Assistant Attorney General Donovan* and *Mr. H. S. Ridgley* for the United States.

No. 341. UNITED STATES v. LUCIA NAPONIELLO ET AL. Error to the District Court of the United States for the Northern District of Illinois. Motion to dismiss submitted November 17, 1924. Decided March 2, 1925. *Per*

Curiam. Dismissed for the want of jurisdiction upon the authority of *Farmers and Mechanics National Bank v. Wilkinson*, 266 U. S. 503; *Union Trust Co. v. Westhus*, 228 U. S. 519, 522-524; *Brown v. Alton Water Co.*, 222 U. S. 325, 331-334. *Mr. Charles N. Goodnow* for defendants in error in support of the motion. *Solicitor General Beck* and *Assistant Attorney General Donovan* for the United States in opposition to the motion.

No. 562. *CORBY ESTATE v. CITY OF ST. JOSEPH.* Error to the Supreme Court of the State of Missouri. Motion to dismiss submitted January 12, 1925. Decided March 2, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. John E. Dolman* for plaintiff in error. *Mr. H. K. White* for defendant in error.

No. 226. *SALLIE CANARD v. R. E. SNELL, JR., ET AL.* Error to the Supreme Court of the State of Oklahoma. Argued January 22, 23, 1925. Decided March 2, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. Lewis C. Lawson* for plaintiff in error. *Mr. Joseph C. Stone* for defendants in error. See post, p. 596.

No. 254. *JOSELEY TIGER v. AARON DRUMRIGHT ET AL.* Error to the Supreme Court of the State of Oklahoma. Argued January 27, 28, 1925. Decided March 2, 1925. *Per Curiam.* Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as

267 U. S.

Decisions Per Curiam, Etc.

amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. Lewis C. Lawson* for plaintiff in error. *Mr. Malcolm E. Rosser* for defendants in error, submitted.

No. 267. *W. C. SINGLETON v. STATE OF GEORGIA*. Error to the Supreme Court of the State of Georgia. Submitted January 29, 1925. Decided March 2, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. *Mr. G. Y. Harrell* and *Mr. John C. Cooper* for plaintiff in error, submitted. No brief filed for defendant in error.

No. 590. *J. C. CROWSON v. MICHAEL CODY ET AL.* Error to the Supreme Court of the State of Alabama. Submitted December 8, 1924. Decided March 2, 1925. Petition for rehearing denied. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6; *Ireland v. Woods*, 246 U. S. 323, 328; *Stadelman v. Miner*, 246 U. S. 544, 546; *Chicago Great Western R. R. Co. v. Basham*, 249 U. S. 164, 165; *Citizens' Bank v. Opperman*, 249 U. S. 448, 450. (See 266 U. S. 590.) *Mr. W. A. Gunter* for plaintiff in error. *Mr. Fred S. Ball* for defendants in error.

No. —. *Ex parte*: IN THE MATTER OF *IVAN GLAVADANOVIC*. March 2, 1925. Motion for leave to file a petition for a writ of mandamus herein denied. *Ivan Glavadanovic* pro se.

No. 389. GUARDIAN SAVINGS & TRUST COMPANY, TRUSTEE, *v.* ROAD IMPROVEMENT DISTRICT No. 7 OF POINSETT COUNTY, ARKANSAS. Order entered March 2, 1925.

ORDER. It is ordered by this court that the direction in the opinion heretofore filed [*ante*, p. 1] to send the case back to the District Court of the United States for the Eastern District of Arkansas is changed, and the case sent back to the Circuit Court of Appeals for the Eighth Circuit for further proceedings, and the mandate already issued shall be amended accordingly.

No. 13, Original. STATE OF OKLAHOMA *v.* STATE OF TEXAS, UNITED STATES, INTERVENER. IN EQUITY. Orders entered March 9, 1925. The report of the boundary commissioners herein of the work done and the time employed and expenses incurred in the survey, marking and mapping of the boundary between the States of Texas and Oklahoma, along the Red River in the Big Bend and Fort Augur areas pursuant to the decree of March 12, 1923, (261 U. S. 340) is approved and adopted. Compensation of commissioners fixed, to be charged, with the expenses shown in the report, as part of the costs of the case, to be borne and paid for by the three parties in the proportions specified in said decree, the parties to be credited with amounts already advanced.

[For the decree delivered on this day reciting and approving the report of survey along the Fort Augur area and establishing the boundary accordingly, see *ante*, p. 452.]

Motion of the National Petroleum & Refining Company for an order directing the receiver to recharge the expenses relating to well 169 denied.

Motion of the Supreme Oil Company, Sam Barkley and The Farmer's State Bank of Burkburnett, Texas, for particular relief specified therein, denied.

On consideration of the showing made by the Kirby Petroleum Company in response to the fourth paragraph

267 U. S.

Decisions Per Curiam, Etc.

of the order of January 19, 1925 [*ante*, p. 9], the receiver is instructed to pay to such company \$2,904.13 out of the net proceeds derived from well 139—such payment to be in full discharge of all claims against the receivership by reason of the work done and expenses incurred by such company and its predecessor, the Bass Petroleum Company, in drilling that well prior to the receivership. The objection made by Tom Testerman to the allowance and payment of this claim is overruled.

On consideration of that part of the thirteenth report of the receiver which shows at page 17 that certain net proceeds derived from wells within the portion of the receivership area adjudged to be in the State of Texas are without any known claimant, or belong to persons whose whereabouts are not known and who have not applied for them although warned to do so by due public notice, it is ordered that so much of such proceeds as remain thus unclaimed on April 15, 1925, be paid over to the State of Texas to the end that that State may take such action concerning the same as may be appropriate in respect of unclaimed property within the State. In making this payment the receiver is instructed to specify the well from which each fund was derived and otherwise to identify it as nearly as may be practicable.

The receiver is instructed to pay over to the Secretary of the Interior, as the representative of the United States, within ten days after the date of this order \$1,100,000.00 out of the remaining net impounded funds derived from river-bed wells and from interest or other additions to such funds.

The receiver is instructed to continue the disbursement of the funds in his custody according to the instructions and orders heretofore given, and otherwise to prepare for closing up the receivership during the present term of this court.

Final compensation of receiver and his counsel fixed, and payment authorized as expenses of the receivership.

The above orders were announced by Mr. Justice Van Devanter.

No. 12, Original. STATE OF NEW MEXICO *v.* STATE OF COLORADO. In Equity. Motion for modification of decree submitted March 2, 1925. March 9, 1925, petition for modification of opinion in this cause denied. *Messrs. F. W. Clancy, O. A. Larrazolo and Jay Turley* for complainant. *Messrs. Wm. L. Boatright, Victor E. Keyes, Delph E. Carpenter, Oliver Dean and Chas. Roach*, for defendant.

No. —, Original. EX PARTE IN THE MATTER OF NICHOLAS J. CURTIS. March 9, 1925, motion for leave to file petition for mandate herein denied. *Nicholas J. Curtis*, pro se.

No. 705. AXEL W. HALLENBORG *v.* GREEN CONSOLIDATED COPPER COMPANY ET AL. Error to the Supreme Court of the State of New York. Motion to dismiss submitted March 2, 1925. Decided March 9, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. *Mr. Samuel Brennan*, with whom *Mr. Joseph B. Cotton* and *Mr. Roy F. Wrigley* were on the brief, for defendants in error in support of the motion to dismiss. *Mr. Edward L. Blackman* for plaintiff in error in opposition to the motion.

No. 309. FRANK DURAND ET AL. *v.* FIRST STATE BANK OF PHILIPSBURG. Error to the Supreme Court of the

267 U. S.

Decisions Per Curiam, Etc.

State of Montana. Submitted March 2, 1925. Decided March 9, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. *Mr. H. L. Maury* for plaintiffs in error. *Mr. R. E. McHugh* and *Mr. Milton S. Gunn* for defendant in error.

No. 364. NORTH PACIFIC STEAMSHIP COMPANY *v.* WILLIAM T. SOLEY. Error to the Supreme Court of the State of California. Submitted March 2, 1925. Decided March 9, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. *Mr. Ernest Clewe* for plaintiff in error. *Mr. Henry Heidelberg* and *Mr. Warren H. Pillsbury* for defendant in error.

No. —, Original. *Ex parte*: IN THE MATTER OF A. A. SANDERS. March 9, 1925. Motion for leave to file a petition for a writ of habeas corpus herein denied. A. A. *Sanders*, pro se.

No. 3, Original. STATE OF NEW MEXICO *v.* STATE OF TEXAS. March 10, 1925.

ORDER. It is ordered that the order heretofore made in this case, dated December 4, 1924, appointing Charles Warren, Esq., as special master, be amended by adding the following: "The master may in his discretion receive a brief of an *amicus curiae* whom the court has already permitted to file a brief in this cause."

No. 248. OLUF O. GILSETH *v.* A. G. RISTY ET AL. Error to the Circuit Court of Minnehaha County, South Dakota. Motion to dismiss submitted March 9, 1925. Decided March 16, 1925. *Per Curiam*. Dismissed for want of jurisdiction upon the 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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6; (2) *Champion Lumber Co. v. Fisher*, 227 U. S. 445, 450, 451; *Muse v. Arlington Hotel Co.*, 168 U. S. 430, 435; *United States v. Lynch*, 137 U. S. 280, 285. *Mr. William G. Porter* for defendants in error in support of the motion to dismiss. *Mr. C. O. Bailey* in opposition to the motion to dismiss.

No. 238. A. BRAMBINI ET AL. *v.* UNITED STATES ET AL.; and

No. 259. A. BRAMBINI ET AL. *v.* SUPERIOR COURT OF THE STATE OF CALIFORNIA, ETC., ET AL. Error to the Supreme Court of the State of California. Argued March 9, 1925. Decided March 16, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. *Mr. Robert Ash*, with whom *Mr. R. P. Henshall* was on the brief, for plaintiffs in error. *Messrs. W. B. Wheeler, Edward B. Dunford* and *U. S. Webb*, were on the brief for defendants in error.

No. 281. COUNTY OF TUOLUMNE ET AL. *v.* RAILROAD COMMISSION OF THE STATE OF CALIFORNIA ET AL. Error to the Supreme Court of the State of California. Argued March 9, 10, 1925. Decided March 16, 1925. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) section 237 of the Judicial Code, as amended by the

267 U. S.

Decisions Per Curiam, Etc.

act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6; (2) *Schuyler National Bank v. Bollong*, 150 U. S. 85, 88; *Erie R. R. Co. v. Purdy*, 185 U. S. 148, 154; *Louisville & Nashville R. R. Co. v. Woodford*, 234 U. S. 46, 51. Mr. William Grant, for plaintiffs in error. Mr. A. P. Cutten and Mr. Carl I. Wheat, with whom Mr. Hugh Gordon and Mr. Wm. B. Bosley were on the brief, for defendants in error.

No. 321. *E. E. McCalla Company et al. v. People of the State of California*. Error to the District Court of Appeal, Second Appellate District, of the State of California. Argued March 10, 1925. Decided March 16, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. Mr. F. L. Guereña, with whom Mr. U. S. Webb was on the brief, for defendant in error. Mr. Samuel Herrick for plaintiff in error, submitted.

No. 356. *Cattina Sala v. A. Crane et al.* Error to the Supreme Court of the State of Idaho. Motion to dismiss submitted March 10, 1925. Decided March 16, 1925. *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; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. Mr. John P. Gran for defendants in error, in support of the motion to dismiss. Messrs. C. C. Moore, Cyrus Drain and Dale D. Drain for plaintiff in error, in opposition to the motion to dismiss.

No. 196. *Bacon & Matheson Forge Company et al. v. United States*. Appeal from the Circuit Court of

Appeals for the Ninth Circuit. Argued March 9, 1925. Decided March 16, 1925. *Per Curiam*. Judgment affirmed upon the authority of *Hill v. United States*, 149 U. S. 593, 598; *Tempel v. United States*, 248 U. S. 121, 130; *Horstman Co. v. United States*, 257 U. S. 138, 146; *Klebe v. United States*, 263 U. S. 188, 191; *Pearson v. United States*, ante, p. 000. *Mr. Alfred A. Wheat*, Special Assistant to the Attorney General, with whom *Solicitor General Beck* and *Mr. Randolph S. Collins* were on the brief, for the United States. *Mr. William H. Graham* and *Mr. James Kieper* for appellants, submitted.

No. 48. FEDERAL TRADE COMMISSION *v.* HAMMOND, SNYDER & COMPANY;

No. 49. FEDERAL TRADE COMMISSION *v.* BALTIMORE GRAIN COMPANY; and

No. 50. FEDERAL TRADE COMMISSION *v.* H. C. JONES COMPANY, INC. Error to the District Court of the United States for the District of Maryland. Argued March 12, 1925. Decided March 16, 1925. *Per Curiam*. Judgments affirmed upon the authority of *Federal Trade Commission v. American Tobacco Co.*, 264 U. S. 298. *Mr. James A. Fowler*, with whom *Solicitor General Beck* and *Wm. H. Fuller* were on the brief, for plaintiff in error. *Mr. R. E. Lee Marshall* for defendant in error.

No. 650. HIAWASSEE RIVER POWER COMPANY *v.* CAROLINA TENNESSEE POWER COMPANY. Error to the Supreme Court of the State of North Carolina. Motion to dismiss or affirm submitted March 16, 1925. Decided March 23, 1925. Dismissed for want of jurisdiction upon the 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; *Jett Bros. Distilling Co. v. Carrollton*, 252

267 U. S.

Decisions Per Curiam, Etc.

U. S. 1, 5-6; (2) *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. J. C. Martin for defendant in error in support of the motion to dismiss or affirm. Messrs J. Crawford Biggs, John H. Frantz and R. M. McConnell for plaintiff in error in opposition to the motion.

No. 269. MISSOURI PACIFIC RAILROAD COMPANY *v.* WALNUT RIDGE-ALICIA ROAD IMPROVEMENT DISTRICT. Error to the Supreme Court of the State of Arkansas. Motion to dismiss or affirm submitted March 16, 1925. Decided March 23, 1925. Judgment affirmed upon the authority of *Missouri Pacific R. R. Co. v. Western Crawford Road Improvement District*, 266 U. S. 187. Messrs. G. B. Rose, D. H. Cantrell, J. F. Loughborough and A. W. Dobyns for defendant in error in support of the motion to dismiss or affirm. Messrs. Thomas B. Pryor, Edward J. White and Harry L. Ponder for plaintiff in error in opposition to the motion.

No. 767. UNITED STATES *v.* BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, OKLAHOMA, ET AL. Appeal from the Circuit Court of Appeals for the Eighth Circuit. Argued March 18, 1925. Decided April 13, 1925. *Per Curiam*. Decree affirmed, upon the authority of *Wright-Blodgett Co. v. United States*, 236 U. S. 397, 402; *Bodkin v. Edwards*, 255 U. S. 221, 223; *Brewer Oil Co. v. United States*, 260 U. S. 77, 86. Mr. S. W. Williams, Special Assistant to the Attorney General, with whom Solicitor General Beck and Assistant Attorney Wells were on the brief, for the United States. Mr. Preston A. Shinn for appellee.