

Cases Disposed of Without Consideration by the Court. 269 U.S.

cuit Court of Appeals for the Sixth Circuit denied. *Mr. Ferdinand Henry Wurzer* for petitioners. *Solicitor General Mitchell* and *Assistant Attorney General Willebrandt* for the United States.

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No. 848. *JOHN W. LANGLEY v. UNITED STATES*. January 11, 1926. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Henry E. Davis* for petitioner. *Solicitor General Mitchell* and *Assistant Attorney General Willebrandt* for the United States.

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CASES DISPOSED OF WITHOUT CONSIDERATION  
BY THE COURT, FROM OCTOBER 5, 1925, TO  
AND INCLUDING JANUARY 11, 1926.

No. 77. *UNITED STATES v. UNION ELECTRIC LIGHT & POWER COMPANY*. Error to the District Court of the United States for the Eastern District of Missouri. October 5, 1925. Judgment reversed; and cause remanded for further proceedings, on joint motion submitted by *Solicitor General Mitchell* in that behalf. *Messrs. Jerry A. Matthews, Thomas Bond and Josephus C. Trimble* for defendant in error.

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No. 132. *UNITED STATES v. BRILLIANT COAL COMPANY*. Appeal from the Court of Claims. October 5, 1925. Dismissed, on motion of *Solicitor General Mitchell* for the United States. *Mr. John London* for appellee.

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No. 176. *C. C. BELKNAP GLASS COMPANY v. UNITED STATES*. Appeal from the District Court of the United States for the Western District of Washington. October 5, 1925. Decree reversed; and cause remanded for fur-

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ther proceedings, on confession of error submitted by *Solicitor General Mitchell* for the United States. *Mr. George W. Korte* for appellant.

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No. 20. CAPITAL CITY WATER COMPANY *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI. Error to the Supreme Court of the State of Missouri. October 5, 1925. Dismissed, per stipulation. *Messrs A. Z. Patterson* and *Robert A. Brown* for plaintiff in error. *Mr. L. H. Breur* for defendant in error.

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No. 21. WILLIAM B. THOMPSON *v.* THE CITY OF ST. LOUIS ET AL. Error to the Supreme Court of the State of Missouri. October 5, 1925. Dismissed, per stipulation. *Messrs. W. B. Thompson* and *Ford W. Thompson* for plaintiff in error. *Mr. William K. Koerner* for defendants in error.

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No. 323. FEDERAL RESERVE BANK OF ATLANTA *v.* LEO J. DRUM ET AL. Error to the District Court of the United States for the Northern District of Georgia. October 5, 1925. Dismissed with costs, on motion of *Messrs. Hollins N. Randolph* and *Robert S. Parker*, for plaintiff in error. *Mr. Sanders McDaniel* for defendants in error.

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No. 508. A. L. HARTLINE *v.* UNITED STATES. On petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit. October 5, 1925. Dismissed, on motion of *Mr. J. L. Howard* for petitioner. The *Attorney General* for the United States.

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No. 582. JOHN B. BAILEY *v.* UNITED STATES. On petition for a writ of certiorari to the Circuit Court of Ap-



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peals for the Fifth Circuit. October 5, 1925. Dismissed, on motion of *Messrs. John J. Bonhan, A. A. Lawrence and E. H. Abrahams* for petitioner. The *Attorney General* for the United States.

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No. 616. *THE INTERSTATE COOPERAGE COMPANY v. RONALD S. SWAIN*. On petition for a writ of certiorari to the Supreme Court of the State of North Carolina. October 5, 1925. Dismissed, on motion of *Mr. John H. Small* for petitioner. *Mr. P. W. McMullen* for respondent.

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No. 5, original. *THE STATE OF NEW YORK v. THE BULLS FERRY CHEMICAL COMPANY*. October 5, 1925. Dismissed, per stipulation. *Messrs. F. LaGuardia and Edgar Bromberger* for complainant. *Mr. Julian A. Gregory* for defendant.

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No. 6, original. *THE STATE OF NEW YORK v. VALVOLINE OIL COMPANY*. October 5, 1925. Dismissed, per stipulation. *Messrs. F. LaGuardia and Edgar Bromberger* for complainant. *Mr. Henry B. Twombly* for defendant.

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No. 7, original. *THE STATE OF NEW YORK v. MIDLAND LINSEED PRODUCTS COMPANY OF NEW JERSEY*. October 5, 1925. Dismissed, on authority of *Messrs. F. LaGuardia and Edgar Bromberger* for complainant. *Mr. Albert C. Wall* for defendant.

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No. 8, original. *THE STATE OF NEW YORK v. CORN PRODUCTS REFINING COMPANY*. October 5, 1925. Dismissed, per stipulation. *Messrs. F. LaGuardia and Edgar Bromberger* for complainant. *Mr. Frank H. Hall* for defendant.

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No. 9, original. *THE STATE OF NEW YORK v. BARRETT MANUFACTURING COMPANY*. October 5, 1925. Dismissed, per stipulation. *Messrs. F. LaGuardia and Edgar Bromberger* for complainant. *Mr. Clark McKercher* for defendant.

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No. 10, original. *THE STATE OF SOUTH DAKOTA v. THE STATE OF MINNESOTA*. October 5, 1925. Dismissed, per stipulation. *Messrs. Clarence C. Caldwell, M. H. Boutell, John Lind, Byron S. Payne and Oliver E. Sweet* for complainant. *Messrs. John E. Palmer, Charles R. Pierce, Charles E. Houston and Clifford L. Hilton* for defendant.

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No. 1. *AUDITORE CONTRACTING COMPANY, INC., ET AL. v. FOREIGN TRADE BANKING CORPORATION*. October 5, 1925. Certiorari to the Circuit Court of Appeals for the Second Circuit. Dismissed, per stipulation. *Mr. Alvin C. Cass* for petitioner. *Messrs. John M. Woolsey and Delbert M. Tibbetts* for respondent.

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No. 2. *RAILROAD AND WAREHOUSE COMMISSION OF THE STATE OF MINNESOTA ET AL. v. DULUTH STREET RAILWAY COMPANY*. October 5, 1925. Appeal from the District Court of the United States for the District of Minnesota. Dismissed, per stipulation. *Messrs. Clifford L. Hilton, Henry C. Flannery and John B. Richards* for appellants. *Messrs. W. D. Bailey and Oscar Mitchell* for appellee.

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No. 9. *CHRISS LANDSBERG, PETITIONER, v. THE SAN FRANCISCO & PORTLAND STEAMSHIP COMPANY*. October 5, 1925. On petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit. Dismissed for want of prosecution. *Mr. Chriss Landsberg, pro se*. No appearance for respondent.



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No. 12. JOHN L. ANDERSON *v.* THE CITY OF MACON ET AL. October 6, 1925. Error to the Supreme Court of the State of Georgia. Dismissed with costs, on motion of *Mr. Warren Grice* for plaintiff in error. *Messrs. Harry S. Stozier* and *H. D. Russell* for defendant in error.

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No. 19. ROAD IMPROVEMENT DISTRICT No. 1 OF CLARK COUNTY, ARKANSAS, ET AL., ETC., *v.* CHARLES S. THORNTON ET AL. October 7, 1925. Appeal from the Circuit Court of Appeals for the Eighth Circuit. Dismissed, subject to a motion to restore showing satisfactory evidence of cause for delay to be submitted within 10 days. *Messrs. James P. Lavin* and *John W. Murphy* for appellants. *Messrs. Thomas G. Nairn, Louis Henry Chalmers, Alexander Britton, Challen B. Ellis* and *Leslie C. Hardy* for appellees.

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No. 28. THE PIQUA HOSIERY COMPANY *v.* UNITED STATES. October 8, 1925. Appeal from the Court of Claims. Dismissed per stipulation. *Messrs. Frank Davis, Jr.,* and *W. B. Stewart* for appellant. *The Attorney General* for the United States.

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No. 17. STANLEY P. HALL ET AL., ADMINISTRATORS, ETC. *v.* F. ALEXANDER CHANDLER ET AL., ETC. October 8, 1925. Appeal from the Circuit Court of Appeals for the First Circuit. Dismissed for the want of jurisdiction. *Messrs. Walter B. Grant, Arthur V. Harper* and *Stanley P. Hall* for appellants. *Mr. Judd Dewey* for appellees.

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No. 546. NEWPORT NEWS SHIPBUILDING AND DRY DOCK COMPANY *v.* JOSEPH W. ISHERWOOD, ETC., TRUSTEE. October 9, 1925. On petition for writ of certiorari to the

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Circuit Court of Appeals for the Fourth Circuit. Dismissed on motion of *Messrs. Junius Parker and G. S. Ferguson, Jr.*, for petitioner. *Messrs. C. V. Meredith, F. P. Fish, Hubert Howson and Charles N. Howson* for respondent.

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No. 757. *SWIFT AND COMPANY v. FEDERAL TRADE COMMISSION*. October 9, 1925. On petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit. Dismissed per stipulation. *Messrs. Albert H. Veeder, Henry Veeder and James M. Sheean* for petitioner. No appearance for respondent.

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No. 344. *INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY v. JOHN ROOSEVELT SNEED ET AL.* October 19, 1925. Error to the Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs, on motion of *Mr. R. M. Hudson* on behalf of *Mr. Samuel B. Dabney* for the appellant.

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No. 155. *ROBERT S. LEE ET AL. v. THE PEOPLE OF THE STATE OF ILLINOIS EX REL. LOUIS L. EMMERSON, SECRETARY OF STATE OF THE STATE OF ILLINOIS*. October 19, 1925. Error to the Supreme Court of the State of Illinois. Dismissed with costs, pursuant to the eleventh rule. *Mr. Robert Stewart Lee* for plaintiffs in error. *Mr. Edward J. Brundage* for defendant in error.

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No. 300. *MERCHANTS MUTUAL AUTOMOBILE LIABILITY INSURANCE COMPANY OF BUFFALO, N. Y. v. PHEBE M. BENNETT, AS ADMINISTRATRIX, ETC.* October 19, 1925. Error to the Supreme Court of the State of New York. Dismissed with costs, pursuant to the eleventh rule. *Mr.*

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*Anthony J. Ernest* for plaintiff in error. No appearance for defendant in error.

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No. 321. UNITED STATES EX REL. MARY STRUP *v.* GEORGE WILLIAMS, CRIMINAL SHERIFF FOR THE PARISH OF ORLEANS, LOUISIANA. October 19, 1925. Appeal from the District Court of the United States for the Eastern District of Louisiana. Dismissed with costs, pursuant to the eleventh rule. *Mr. Girault Farrar* for appellant. No appearance for appellee.

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No. 519. HENDERSON-WAITS LUMBER COMPANY *v.* W. F. CROFT, FOR THE USE AND BENEFIT OF THE FIRST NATIONAL BANK OF DE FUNIAK SPRINGS, FLORIDA. October 19, 1925. Error to the Supreme Court of the State of Florida. Dismissed with costs, pursuant to the eleventh rule. *Mr. W. W. Flournoy* for plaintiff in error. No appearance for defendant in error.

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No. 78. CARRIE E. ROWLEY *v.* THE STATE OF IOWA. October 20, 1925. Error to the Supreme Court of the State of Iowa. Dismissed with costs, on motion of *Mr. John E. Mulvaney* for plaintiff in error. *Mr. Ben J. Gibson* for defendant in error.

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No. 82. J. EDMUND MICHAEL *v.* UNITED STATES. October 21, 1925. Appeal from the Court of Claims. Dismissed on motion of *Mr. Horace S. Whitman* for appellant. *The Attorney General* for the United States.

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No. 83. W. CARL HOLLOWAY *v.* UNITED STATES. October 21, 1925. Appeal from the Court of Claims. Dismissed, on motion of *Mr. Horace S. Whitman* for appellant. *The Attorney General* for the United States.



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No. 84. FRANK SCHATZ, ADMINISTRATOR OF MICHAEL H. FISHER, *v.* UNITED STATES. October 21, 1925. Appeal from the Court of Claims. Dismissed, on motion of *Mr. Horace S. Whitman* for appellant. *The Attorney General* for the United States.

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No. 86. MILES W. GIBBONS *v.* UNITED STATES. October 22, 1925. Appeal from the District Court of the United States for the Northern District of Ohio. Decree reversed, on confession of error, on motion of *Mr. Alfred A. Wheat* for the appellee; and cause remanded for further proceedings. *Mr. Joseph C. Breitenstein* for appellant.

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No. 140. PATRICK JOYCE *v.* UNITED STATES. October 26, 1925. Appeal from the District Court of the United States for the Northern District of Ohio. Judgment reversed, on confession of error; and cause remanded for further proceedings, on motion of *Solicitor General Mitchell* for the appellee. *Mr. Joseph C. Breitenstein* for appellant.

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No. 760. INTERSTATE REFINERIES, INC., *v.* KAW BOILER WORKS COMPANY. October 26, 1925. On petition for a certiorari to the Supreme Court of the State of Kansas. Dismissed, on motion of *Messrs. James M. Johnson* and *Donald W. Johnson* for petitioner. *Messrs. Edwin S. McAnany* and *Clyde Taylor* for respondent.

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No. 136. THOMAS W. MILLER, ALIEN PROPERTY CUSTODIAN, ET AL. *v.* GEORGE ARTHUR CLAUSEN ET AL. November 16, 1925. Appeal from the Circuit Court of Appeals for the Eighth Circuit. *Frederick C. Hicks*, present Alien Property Custodian, ordered substituted as a party ap-



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pellant herein, on motion of *Solicitor General Mitchell* for the appellants. Dismissed, on motion of *Solicitor General Mitchell* for the appellants; and mandate granted. No appearance for appellees.

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No. 392. *FREDERICK C. HICKS, AS ALIEN PROPERTY CUSTODIAN, ET AL. v. ADOLF J. BECKER.* November 16, 1925. Appeal from the Circuit Court of Appeals for the Second Circuit. Dismissed, on motion of *Solicitor General Mitchell* for the appellants; and mandate granted. No appearance for appellee.

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No. 8. *HARRY GLASSMAN v. ROBERT C. RAND, TEMPORARY RECEIVER, ETC.* November 16, 1925. On writ of certiorari to the Circuit Court of Appeals for the Second Circuit. Dismissed for want of prosecution. *Dorothy Fooks* and *Mr. S. Leighton Fooks* for petitioner. No appearance for respondent.

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No. 13. *RILEY SMITH v. THE STATE OF NEBRASKA.* November 16, 1925. Error to the Supreme Court of the State of Nebraska. Dismissed for want of prosecution. *Messrs. E. D. O'Sullivan* and *C. J. Southard* for plaintiff in error. No appearance for defendant in error.

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No. 14. *RAY A. LOWER v. THE STATE OF NEBRASKA.* November 16, 1925. Error to the Supreme Court of the State of Nebraska. Dismissed for want of prosecution. *Messrs. E. D. O'Sullivan* and *C. J. Southard* for plaintiff in error. No appearance for defendant in error.

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No. 15, original. *THE STATE OF ARKANSAS v. THE STATE OF MISSISSIPPI.* November 16, 1925. Bill of complaint

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dismissed, on motion of counsel for the complainant. *Messrs. William J. Driver and J. S. Utley* for complainant. *Mr. John W. Cutrer* for defendant.

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NO. 803. AMERICAN FEATURE FILM COMPANY *v.* JOHN H. TRUMBULL, GOVERNOR OF THE STATE OF CONNECTICUT, ET AL. November 17, 1925. Appeal from the District Court of the United States for the District of Connecticut. Dismissed, per stipulation. *Mr. George W. Wickersham* for appellant. No appearance for appellees.

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NO. 681. THE STATE OF OHIO EX REL. JOSEPH HANSON *v.* JAMES W. CALDWELL, RECEIVER, ET AL. November 30, 1925. Error to the Court of Appeals for the Sixth Appellate District of the State of Ohio. Dismissed with costs, on motion of *Mr. Oliver B. Snider* for plaintiff in error. No appearance for defendants in error.

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NO. 756. GULF & SHIP ISLAND RAILROAD COMPANY *v.* F. L. RILEY MERCANTILE COMPANY ET AL. December 7, 1925. Error to the Circuit Court of Jefferson Davis County, State of Mississippi. Dismissed with costs, on motion of *Mr. T. J. Wills* for plaintiff in error. No appearance for defendants in error.

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NO. 277. PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI, ETC., ET AL. *v.* THE LOUISIANA WATER COMPANY. December 9, 1925. Appeal from the District Court of the United States for the Western District of Missouri. Dismissed, per stipulation. *Mr. L. H. Breuer* for appellants. *Messrs. Frank H. Mason and North F. Gentry* for appellee.



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No. 182. UNITED FUEL GAS COMPANY *v.* THE PUBLIC SERVICE COMMISSION OF WEST VIRGINIA ET AL. January 4, 1926. Appeal from the District Court of the United States for the Southern District of West Virginia. Dismissed with costs, on motion of *Mr. Harold A. Ritz* for appellant. *Messrs. Robert S. Spilman* and *C. W. Strickling* for appellees.

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No. 350. THE NEW YORK CENTRAL RAILROAD COMPANY *v.* THE LAKEWOOD ENGINEERING COMPANY. January 4, 1926. Error to the District Court of the United States for the Northern District of Ohio. Dismissed, per stipulation. *Mr. S. H. West* for plaintiff in error. *Mr. Mark A. Copeland* for defendant in error.

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No. 131. THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY *v.* THE STATE OF KANSAS EX REL., THE PUBLIC UTILITIES COMMISSION FOR THE STATE OF KANSAS ET AL. January 11, 1926. Error to the Supreme Court of the State of Kansas. Dismissed with costs, on motion of *Messrs. Alexander Britton, Alfred A. Scott, Alfred G. Armstrong* and *Gardiner Lathrop* for plaintiff in error. *Mr. C. B. Griffith* for defendants in error.

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