

Cases Disposed of Without Consideration by the Court. 270 U. S.

Circuit Court of Appeals for the Second Circuit denied. *Messrs. Herbert Barry, A. G. Thacher, and J. K. Summers* for petitioners. *Mr. William O. Badger, Jr.*, for respondent.

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No. 1036. BENJAMIN GRATZ *v.* JAMES S. MCKEE, NELLIE CANON BLIVEN, EXECUTRIX OF WILLIAM E. BLIVEN, DECEASED, ET AL. April 12, 1926. Petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. S. Mayner Wallace* for petitioner. No appearance for respondents.

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CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, FROM JANUARY 12, 1926, TO AND INCLUDING APRIL 12, 1926.

No. 133. R. GLAVIN AND LAURA M. GLAVIN *v.* COMMONWEALTH TRUST COMPANY OF PITTSBURGH. Appeal from the Circuit Court of Appeals for the Ninth Circuit. January 13, 1926. Dismissed with costs, on motion of appellants. *Messrs. W. P. Guthrie and Charles J. Williams* for appellants. *Messrs. James H. Richards and Oliver O. Haga* for appellee.

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No. 128. CHARLES MARX, EXECUTOR, *v.* ELIZABETH REINECKE. Error to the Court of Appeals of the State of Maryland. January 13, 1926. Dismissed with costs, on motion of plaintiff in error. *Messrs. John S. Strahorn and B. Harris Henderson* for plaintiff in error. *Messrs. William P. Cole, Jr. and Lawrence E. Ensor* for defendant. in error.

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No. 456. CONSOLIDATED COAL COMPANY *v.* UNITED STATES. Appeal from the Court of Claims. January 15, 1926. Dismissed, on motion of appellant; and mandate

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granted. *Messrs. J. Harry Covington, Ralph Crews, and Spencer Gordon* for appellant. *The Attorney General* for the United States.

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No. 739. *MRS. IDA HUGHES v. STATE OF GEORGIA.* Error to the Supreme Court of the State of Georgia. January 18, 1926. Dismissed with costs, on motion of plaintiff in error. *Messrs. Charles Clark and R. R. Jackson* for plaintiff in error. No appearance for defendant in error.

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No. 167. *CONVOY STEAMSHIP COMPANY, LIMITED, OWNER OF THE STEAMSHIP WILLDOMINO, HER ENGINES, BOILERS, ETC. v. CHARLES PFIZER & COMPANY, INC.* See *ante*, p. 641.

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No. 322. *CITIES SERVICE OIL COMPANY v. CITY OF MARYSVILLE, KANSAS, ET AL.* Error to the Supreme Court of the State of Kansas. January 25, 1926. Dismissed with costs, on motion of plaintiff in error. *Messrs. Theodore F. Garver and W. W. Redmond* for plaintiff in error. *Mr. Edgar C. Bennett* for defendants in error.

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No. 646. *EVERETT FLINT DAMON, NEXT FRIEND OF LEW GOON WONG, v. JOHN T. JOHNSON, UNITED STATES IMMIGRATION COMMISSIONER AT BOSTON, MASSACHUSETTS.* Appeal from the District Court of the United States for the District of Massachusetts. January 25, 1926. Dismissed with costs, on motion of appellant. *Mr. E. F. Damon* for appellant. No appearance for appellee.

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No. 927. *BEN C. JONES AND COMPANY v. WEST PUBLISHING COMPANY.* Error to the Circuit Court of Appeals for the Fifth Circuit. January 27, 1926. Docketed

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and dismissed on motion of *Mr. Tench T. Marye* in behalf of counsel for the defendant in error.

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No. 296. UNITED STATES *v.* ARTHUR L. BACKMAN, MASTER OF THE SCHOONER FRANCES LOUISE, ETC. Appeal from the District Court of the United States for the District of Massachusetts. February 1, 1926. Dismissed, and mandate granted, on motion of appellant. *Solicitor General Mitchell* and *Assistant Attorney General Willebrandt* for the United States. *Messrs. William H. Lewis* and *Matthew L. McGrath* for appellee.

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No. 297. UNITED STATES *v.* ARTHUR L. BACKMAN, MASTER OF THE SCHOONER FRANCES LOUISE, ETC. Appeal from the District Court of the United States for the District of Massachusetts. February 1, 1926. Dismissed, and mandate granted, on motion of appellant. *Solicitor General Mitchell* and *Assistant Attorney General Willebrandt* for the United States. *Messrs. William H. Lewis* and *Matthew L. McGrath* for appellee.

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No. 298. UNITED STATES *v.* ARTHUR L. BACKMAN, MASTER OF THE SCHOONER FRANCIS LOUISE, ETC. Appeal from the District Court of the United States for the District of Massachusetts. February 1, 1926. Dismissed, and mandate granted, on motion of appellant. *Solicitor General Mitchell* and *Assistant Attorney General Willebrandt* for the United States. *Messrs. William H. Lewis* and *Matthew L. McGrath* for appellee.

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No. 339. UNITED STATES *v.* HARRY RITCEY, MASTER OF THE BRITISH SCHOONER MARJORIE E. BACHMAN, ETC., ET AL. Appeal from the District Court of the United States for the District of Massachusetts. February 1, 1926.



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Dismissed, and mandate granted, on motion of appellant. *Solicitor General Mitchell* and *Assistant Attorney General Willebrandt* for the United States. *Messrs. William H. Lewis* and *Matthew L. McGrath* for appellee.

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NO. 340. UNITED STATES *v.* HARRY RITCEY, MASTER OF THE BRITISH SCHOONER MARJORIE E. BACHMAN, ETC., ET AL. Appeal from the District Court of the United States for the District of Massachusetts. February 1, 1926. Dismissed, and mandate granted, on motion of appellant. *Solicitor General Mitchell* and *Assistant Attorney General Willebrandt* for the United States. *Messrs. William H. Lewis* and *Matthew L. McGrath* for appellee.

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NO. 341. UNITED STATES *v.* HARRY RITCEY, MASTER OF THE BRITISH SCHOONER MARJORIE E. BACHMAN, ETC., ET AL. Appeal from the District Court of the United States for the District of Massachusetts. February 1, 1926. Dismissed, and mandate granted, on motion of appellant. *Solicitor General Mitchell* for the United States. *Messrs. William H. Lewis* and *Matthew L. McGrath* for appellees.

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NO. 501. UNITED STATES *v.* SOUTHERN RAILWAY COMPANY. Appeal from the Court of Claims. February 1, 1926. Dismissed, and mandate granted, on motion of appellant. *Solicitor General Mitchell* for the United States. No appearance for appellee.

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NO. 716. UNITED STATES *v.* CENTRAL RAILROAD COMPANY OF NEW JERSEY. See *ante*, p. 644.

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No. 85. GEORGE H. KELLY ET AL., COPARTNERS, ETC., *v.* DWIGHT F. DAVIS, SECRETARY OF WAR, ET AL. Appeal from the District Court of the United States for the Northern District of California. February 1, 1926. Dismissed with costs, and mandate granted, on motion of *Mr. Eugene West* in behalf of *Mr. William F. Humphrey* for the appellants. *Solicitor General Mitchell* and *Mr. Alfred A. Wheat*, Special Assistant to the Attorney General, for the appellees.

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No. 873. ROSARIO MACCIENO *v.* UNITED STATES. See *ante*, p. 629.

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No. 261. HUBERT WORK, SECRETARY OF THE INTERIOR, *v.* W. H. MASON. Appeal from the Court of Appeals of the District of Columbia. March 1, 1926. Dismissed and mandate granted on motion of appellant. *Solicitor General Mitchell* for appellant. *Messrs. F. W. Clements* and *Alexander Britton* for appellee.

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No. 831. UNITED STATES *v.* CENTRAL RAILROAD COMPANY OF NEW JERSEY. Appeal from the Court of Claims. March 1, 1926. Dismissed and mandate granted on motion of appellant. *Solicitor General Mitchell* for the United States. *Mr. Alexander H. Elder* for appellee.

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No. 235. FLORIDA EAST COAST RAILWAY COMPANY *v.* BAKER & HOLMES COMPANY ET AL. Appeal from the District Court of the United States for the Southern District of Florida. March 1, 1926. Dismissed with costs on motion of appellants. *Messrs. Frank W. Gwathmey* and *Scott M. Loftin* for appellant. No appearance for appellee.

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No. 283. CHARLES H. GRAVES *v.* STATE OF MINNESOTA. Error to the Supreme Court of the State of Minnesota. March 1, 1926. Dismissed with costs on motion of plaintiff in error. *Messrs. George S. Grimes and Russell C. Rosenquest* for plaintiff in error. *Messrs. Clifford L. Hilton and James E. Markham* for defendant in error.

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No. 356. OSCAR T. RULLMAN *v.* WILLIAM W. WHEELOCK ET AL., RECEIVERS, ETC., ET AL. March 1, 1926. Dismissed pursuant to the Eleventh Rule. *Mr. L. C. Boyle* for plaintiff in error. No appearance for defendants in error.

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No. 908. UNITED STATES *v.* LOUISVILLE AND NASHVILLE RAILROAD COMPANY. See *ante*, p. 645.

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No. 663. EDWARD B. GRAVES ET AL. *v.* CAMBRIA STEEL COMPANY ET AL. Appeal from the District Court of the United States for the Southern District of New York. March 8, 1926. The motion to transfer this case to the United States Circuit Court of Appeals for the Second Circuit is denied and the case is dismissed for failure of the appellants to comply with sections 2 and 9 of Rule 11. *Mr. Harmon S. Graves* for appellants. *Mr. Fred H. Wood* for appellees.

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No. 343. FRED L. WOODWORTH, COLLECTOR OF INTERNAL REVENUE, *v.* JACOB FREY. Error to the District Court of the United States for the Eastern District of Michigan. March 8, 1926. Dismissed with costs and mandate granted on motion of plaintiff in error. *Solicitor General Mitchell* for the plaintiff in error. No appearance for defendant in error.



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No. 215. *ATCHISON, TOPEKA & SANTA FE RY. CO. v. F. G. BUTTON*. Error to the Circuit Court of Appeals for the Eighth Circuit. March 12, 1926. Dismissed with costs on motion of plaintiff in error. *Messrs. J. R. Cottingham, Robert M. Rainey, and Streeter B. Flynn* for plaintiff in error. *Messrs. Charles J. Kappler and Charles H. Merrilat* for defendant in error.

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No. 238. *DUREZ COMPANY, INC. v. BAKELITE CORPORATION*. See *ante*, p. 657.

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No. 418. *DAVID H. BLAIR, COMMISSIONER OF INTERNAL REVENUE, AND BURNS POE, COLLECTOR OF INTERNAL REVENUE FOR THE DISTRICT OF WASHINGTON, v. JOE DUKICH*. Appeal from the District Court of the United States for the Eastern District of Washington. April 12, 1926. Dismissed with costs and mandate granted on motion of appellants. *Solicitor General Mitchell* for appellants. *Mr. E. W. Robertson* for appellee.

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No. 687. *UNITED STATES v. METAL PRODUCTS COMPANY*. Appeal from the Court of Claims. April 12, 1926. Dismissed and mandate granted on motion of appellant. *Solicitor General Mitchell* for the United States. *Messrs. Frederic D. McKenney and John S. Flannery* for appellee.

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No. 467. *MRS. ELIZABETH HUFF AND R. E. HUFF v. IRVING PAGE, RECEIVER OF THE FIRST NATIONAL BANK OF LAWTON, OKLAHOMA*. Error to the Circuit Court of Appeals for the Fifth Circuit. April 12, 1926. Dismissed per stipulation of counsel. *Mr. W. F. Weeks* for plaintiffs in error. *Messrs. B. H. Shear, E. E. Blake, and F. W. Fischer* for defendant in error.

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No. 468. *R. E. HUFF v. IRVING PAGE, RECEIVER OF THE FIRST NATIONAL BANK OF LAWTON, OKLAHOMA.* Error to the Circuit Court of Appeals for the Fifth Circuit. April 12, 1926. Dismissed per stipulation of counsel. *Mr. W. F. Weeks* for plaintiff in error. *Messrs. B. H. Shear, E. E. Blake, and F. W. Fischer* for defendant in error.

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No. 884. *LESLIE ALBERT PORTER v. CITY OF LEWISTON, WILLIAM THOMPSON, CHARLES AUGUSTUS PARKER, ET AL.* Error to the Supreme Court of the State of Idaho. April 12, 1926. Dismissed pursuant to § 2 of rule 11. *Mr. Robert D. Leeper* for plaintiff in error. *Mr. James E. Babb* for defendants in error.



