

147. *Mr. Lloyd L. Duke* for plaintiff in error. *Messrs. Benjamin J. Gibson and Neill Garrett* for defendant in error.

No. 158. RANDOLPH HENRY, TRUSTEE IN BANKRUPTCY OF THE ESTATE OF FREE SERVICE PHARMACY, INC., BANKRUPT, *v. W. A. IRWIN AND THOMAS E. PAYNE*. Error to the Supreme Court of Appeals of the State of Virginia. Submitted March 22, 1926. Decided April 12, 1926. *Per Curiam*. Dismissed upon the authority of *McCain v. Des Moines*, 174 U. S. 168, 181; *Western Union Tel. Co. v. Ann Arbor R. R. Co.*, 178 U. S. 239, 243; *Spencer v. Duplan Silk Co.*, 191 U. S. 526, 530; *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147; (2) *California Powder Works v. Davis & Co.*, 151 U. S. 389, 393; *Gaar, Scott & Co. v. Shannon*, 223 U. S. 468, 470; *Consol. Turnpike Co. v. Norfolk & Ocean View R. R. Co.*, 228 U. S. 596, 599; *Yazoo & Miss. Valley R. R. Co. v. Brewer*, 231 U. S. 245, 249; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S. 300, 303; *Municipal Securities Corp. v. Kansas City*, 246 U. S. 63; *Bilby v. Stewart*, 246 U. S. 255, 257; *Farson, Son & Co. v. Bird*, 248 U. S. 268, 271. *Mr. Randolph Henry* for plaintiff in error. *Messrs. Harvey B. Apperson and Charles D. Fox, Jr.*, for defendants in error.

PETITIONS FOR CERTIORARI GRANTED, FROM
JANUARY 12, 1926, TO AND INCLUDING APRIL
12, 1926.

No. 847. UNITED STATES, EX REL. SKINNER & EDDY CORPORATION, *v. J. R. McCARL*, COMPTROLLER GENERAL OF THE UNITED STATES. January 18, 1926. Petition for writ of certiorari to the Court of Appeals of the District

270 U. S.

Decisions Granting Certiorari.

of Columbia granted. *Messrs. Louis Titus and J. Barrett Carter* for petitioner. *Solicitor General Mitchell* for respondent.

No. 836. *YANKTON SIOUX TRIBE OF INDIANS v. UNITED STATES*. January 18, 1926. Petition for writ of certiorari to the Court of Claims granted. *Mr. Jennings C. Wise* for petitioner. *Solicitor General Mitchell* for the United States.

No. 839. *PORTNEUF MARSH VALLEY CANAL COMPANY v. HOWARD W. BROWN AND JOHN R. CHAPIN, AS TRUSTEES*. January 18, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. J. H. Peterson, T. C. Coffin, and D. C. McDougall* for petitioner. No appearance for respondents.

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

No. 846. *ATLANTIC COAST LINE RAILROAD COMPANY v. GEORGE L. WIMBERLEY, JR., ADMINISTRATOR, ETC.* March 8, 1926. Petition for writ of certiorari to the Supreme Court of the State of North Carolina granted. *Mr. Thomas W. Davis* for petitioner. *Mr. Joseph B. Ramsey* for respondent.

No. 860. *TOXAWAY MILLS v. UNITED STATES*. March 3, 1926. Petition for writ of certiorari to the Court of Claims granted. *Messrs. James Craig Peacock and John W. Townsend* for petitioner. *Solicitor General Mitchell* and *Assistant Attorney General Galloway* for the United States.

No. 901. BALTIMORE STEAMSHIP COMPANY ET AL. *v.* VERNON PHILLIPS, AN INFANT, BY VERNON PHILLIPS, HIS GUARDIAN AD LITEM. March 3, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Mitchell* and *Mr. Chauncey G. Parker* for petitioners. *Mr. Vernon S. Jones* for respondent.

No. 921. FEDERAL TRADE COMMISSION *v.* AMERICAN TOBACCO COMPANY. March 8, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Mitchell* and *Messrs. Bayard T. Hainer* and *Adrien F. Busick* for petitioner. *Messrs. Junius Parker* and *Jonathan H. Holmes* for respondent.

No. 923. ANDREW W. MELLON, AS DIRECTOR GENERAL OF RAILROADS, *v.* LEAH M. GRAY, ADMINISTRATRIX OF THE ESTATE OF GLEN E. GRAY. March 8, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Mr. Merrill Shurtleff* for petitioner. *Mr. Hollis R. Bailey* for respondent.

No. 909. E. A. EDENFIELD *v.* UNITED STATES. March 15, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Frank H. Saffold* for petitioner. *Solicitor General Mitchell*, *Assistant Attorney General Willebrandt*, and *Mr. John J. Byrne* for the United States.

No. 928. GOULD-MERSEREAU COMPANY *v.* WILLIAMS BROS. AIRCRAFT CORPORATION. March 15, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for

270 U. S.

Decisions Granting Certiorari.

the Second Circuit granted. *Mr. Ernest G. Metcalfe* for petitioner. *Messrs. Harvey S. Knight and George L. Wilkinson* for respondent.

No. 972. DAVID W. PHILLIPS, COLLECTOR OF INTERNAL REVENUE FOR THE TWELFTH PENNSYLVANIA DISTRICT, *v.* INTERNATIONAL SALT COMPANY. March 15, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Mitchell* for petitioner. *Mr. Henry B. Twombly* for respondent.

No. 981. U. SHERMAN JOINES *v.* WILLIAM M. PATTERSON, DOROTHY A. MCFARLAND, NÉE PATTERSON, SHELBY A. PATTERSON ET AL. March 15, 1926. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma granted. *Mr. William G. Davisson* for petitioner. No appearance for respondents.

No. 984. INDEPENDENT COAL AND COKE COMPANY AND CARBON COUNTY LAND COMPANY *v.* UNITED STATES AND CARBON COUNTY. March 22, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. William D. Riter and Frank K. Nebeker* for petitioners. *Solicitor General Mitchell, Assistant Attorney General Parmenter, and Mr. Harry S. Underwood* for the United States.

No. 985. EDWARD C. TWIST *v.* PRAIRIE OIL & GAS COMPANY. March 22, 1926. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit granted. *Mr. D. Hayden Linebaugh* for petitioner. No appearance for respondent.

No. 986. EDWARD C. TWIST, ALBERT T. TWIST, AND JESSIE L. PAYNE, NÉE TWIST *v.* PRAIRIE OIL & GAS COMPANY. March 22, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Mr. D. Hayden Linebaugh* for petitioner. No appearance for respondent.

No. 999. PAN AMERICAN PETROLEUM & TRANSPORT COMPANY AND PAN AMERICAN PETROLEUM COMPANY *v.* UNITED STATES. March 22, 1926. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Frank J. Hogan, Frederic R. Kellogg, Henry W. O'Melveney, and Walter K. Fuller* for petitioners. *Messrs. Atlee Pomerene and Owen J. Roberts* for the United States.

No. 887. NEW YORK CENTRAL RAILROAD COMPANY *v.* WHEELING CAN COMPANY. April 12, 1926. On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia. *Mr. John C. Palmer, Jr.*, for petitioner. No appearance for respondents. See *post*, p. 645. Order denying the petition for certiorari in this case of the date of March 1, 1926, is hereby vacated and it is ordered that a writ of certiorari shall issue thereby making consideration of the petition for rehearing herein unnecessary.

PETITIONS FOR CERTIORARI DENIED OR DISMISSED, FROM JANUARY 12, 1926, TO AND INCLUDING APRIL 12, 1926.

No. 842. OTTO L. MORRIS *v.* UNITED STATES. January 18, 1926. Petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr.*