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Decisions Per Curiam, Etc.

DECISIONS PER CURIAM, FROM APRIL 12, 1927,  
TO AND INCLUDING JUNE 6, 1927, OTHER  
THAN DECISIONS ON PETITIONS FOR WRITS  
OF CERTIORARI.

No. —, original. EX PARTE: IN THE MATTER OF BARBER ASPHALT COMPANY. April 18, 1927. The motion for leave to file petition for writ of mandamus herein is denied. *Messrs. John W. Davis, Charles Neave, Samuel E. Hibben, Henry N. Paul, and Edward L. Patterson* for petitioner.

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No. —, original. EX PARTE: IN THE MATTER OF LAKEWOOD ENGINEERING COMPANY. April 18, 1927. The motion for leave to file a petition for a writ of mandamus herein is denied without prejudice to the right to file a petition for a writ of certiorari. *Mr. Frank E. Dennett* for petitioner.

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No. 220. FOSTER KELTON AND HERBERT KELTON *v.* WALLACE KELTON. Error to the Supreme Court of the State of Tennessee. Argued March 11, 1927. Decided April 18, 1927. *Per Curiam*. Dismissed on the authority of *Cuyahoga Power Co. v. Northern Realty Co.*, 244 U. S. 300, 302, 303; *Second National Bank v. First National Bank*, 242 U. S. 600, 602; *San Antonio & Aransas Pass Railway Co. v. Wagner*, 241 U. S. 476, 477. *Mr. Haskell B. Talley* for plaintiffs in error. No appearance for defendant in error.

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No. 671. HUMBOLDT LAND & CATTLE COMPANY *v.* ROBERT A. ALLEN, STATE ENGINEER OF NEVADA, AND INDIVIDUALLY, ET AL. Appeal from the District Court of the United States for the District of Nevada. Argued April 11, 1927. Decided April 18, 1927. *Per Curiam*. Af-

firmed on the authority of *Chicago Great Western Railway Co. v. Kendall*, 266 U. S. 94, 100-101. Mr. Henry A. Guiler, with whom Messrs. Jesse C. Adkins, Albert C. Aiken, and Sterling Carr were on the brief, for appellant. Mr. George B. Thatcher, with whom Mr. M. A. Diskin was on the brief, for appellees.

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No. 246. ALLAN PINKERTON, DOING BUSINESS AS PINKERTONS' NATIONAL DETECTIVE AGENCY, AND CORPORATIONS AUXILIARY COMPANY *v.* EUGENE WENGERT, JOHN W. WOLLER, GEORGE PAGE, AND CHARLES REICHENBACH. Appeal from the District Court of the United States for the Eastern District of Wisconsin. Argued March 17, 1927. Decided April 18, 1927. *Per Curiam*. Affirmed on the authority of *Lehon v. City of Atlanta*, 242 U. S. 53. Mr. F. H. Wood, with whom Mr. Roberts Steinmetz was on the brief, for appellants. Mr. Eugene Wengert, *pro se*, with whom Mr. Daniel W. Sullivan was on the brief, for appellees.

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No. 14, original. STATE OF NEW YORK *v.* STATE OF ILLINOIS AND SANITARY DISTRICT OF CHICAGO. April 18, 1927. Upon consideration of several motions and suggestions filed in this cause by the respective parties, it is ordered:

1. The answer heretofore filed by the defendants in this cause to the bill of complaint in the related case of *State of Michigan v. State of Illinois and Sanitary District of Chicago* may and shall be accepted and treated as their answer to the bill of complaint in this cause, other than Paragraph III thereof;

2. The motion of the defendants in this cause to strike from the bill of complaint Paragraph III thereof is set down for hearing on Monday next, at the head of the cases assigned for that day; and

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3. The motion of the complainants for an order requiring the defendants in this cause to answer Paragraph III of the bill of complaint is deferred until after the motion of the defendants to strike out that paragraph is heard and disposed of. See *ante*, p. 488.

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No. 283. GOULD-MERSEREAU COMPANY *v.* WILLIAMS BROS. AIRCRAFT CORPORATION. Certiorari to the Circuit Court of Appeals for the Second Circuit. Argued April 21, 1927. Decided April 21, 1927. *Per Curiam*. The decree of the Circuit Court of Appeals is reversed upon the authority of *Alexander Milbourn Co. v. Davis-Bournonville Co.*, 270 U. S. 390, and the cause is remanded to that court for reconsideration with special regard to the decision in that case. *Mr. William S. Pritchard*, with whom *Mr. Ernest G. Metcalfe* was on the brief, for petitioner. *Messrs. D. A. Usina, Hervey S. Knight*, and *George L. Wilkinson* were on the brief for respondent.

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No. 6, original. STATE OF OKLAHOMA *v.* STATE OF TEXAS, UNITED STATES, INTERVENER. April 25, 1927. The report filed herein March 14, 1927, by the boundary commissioners showing the work done, time employed and expenses incurred in the survey, marking and mapping of particular portions of the boundary between the States of Texas and Oklahoma along the south bank of the Red River, from the eastern limit of Lamar County, Texas, to the eastern boundary of the State of Oklahoma, pursuant to the decree of March 12, 1923, (261 U. S. 340) is approved and adopted. The compensation of the commissioners for the work done by them, as shown in such report, is fixed at \$8,937.50 for Arthur D. Kidder, and at \$11,525.00 for Arthur A. Stiles. The expenses incurred,

as shown in the report, and the compensation here allowed shall be charged as part of the costs in this cause and shall be borne and paid by the three parties to the cause in the proportions specified in said decree of March 12, 1923. The parties severally shall be credited with the amounts advanced by them, as shown in the report; and they shall advance additional amounts to pay the compensation of the commissioners, as here allowed, and the balance of \$694.25 due to Arthur D. Kidder for expenses paid by him, as shown in the report.

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No. 6, original. STATE OF OKLAHOMA *v.* STATE OF TEXAS, UNITED STATES, INTERVENER. April 25, 1927. On consideration of the fourth report of the commissioners, heretofore selected to run, locate and mark portions of the boundary between the States of Texas and Oklahoma along the south bank of the Red River, showing that they have run, located and marked particular portions of such boundary between the eastern limit of Lamar County, Texas, and the eastern boundary of the State of Oklahoma, which fourth report was presented herein February 21, 1927;

And no objection or exception to such report being presented, although the time therefor has expired;

It is now adjudged, ordered and decreed as follows:

1. The said report is in all respects confirmed;
2. The boundary line delineated and set forth in the said report and on the accompanying maps is established and declared to be the true boundary between the States of Texas and Oklahoma along the Red River at the several places designated in such report, subject, however, to such changes as hereafter may be wrought by the natural and gradual processes known as erosion and accretion as specified in the second, third and fourth

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paragraphs of the decree rendered herein March 12, 1923, (261 U. S. 340).

3. The clerk of this Court shall transmit to the Chief Magistrates of the States of Texas and Oklahoma copies of this decree, duly authenticated under the seal of this Court, together with copies of the said fourth report and of the accompanying maps.

4. As it appears that the commissioners appointed to run, locate and mark portions of the boundary along the south bank of the Red River have completed their work conformably to the decree of March 12, 1923, the said commissioners are hereby discharged.

5. The clerk of this Court shall distribute and deliver to the Chief Magistrates of the States of Texas and Oklahoma and the Secretary of the Interior all copies of the first, second, third and fourth boundary reports made by the commissioners, with the accompanying maps, now in the clerk's hands, save that he shall retain twenty copies of each for purposes of certification and other needs that may arise in his office.

6. Except as otherwise specially ordered by this Court, the costs in this cause pertaining to the adjudication and settlement of the boundary between the two States along the Red River shall be borne in equal parts by the State of Oklahoma, the State of Texas and the United States.

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No. 280. ANDREW W. MELLON, DIRECTOR GENERAL OF RAILROADS, *v.* LEAH M. GRAY, ADMINISTRATRIX OF THE ESTATE OF GLEN E. GRAY. Certiorari to the Circuit Court of Appeals for the First Circuit. Submitted April 19, 1927. Decided April 25, 1927. *Per Curiam*. Reversed on the authority of *Reading Co. v. Koons*, 271 U. S. 58. *Messrs. Merrill Shurtleff and Charles H. Blatchford* for petitioner. *Mr. Hollis R. Bailey* for respondent.

No. 278. SCHUMAN BROTHERS, A COPARTNERSHIP, CONSISTING OF MORRIS SCHUMAN AND JOSEPH M. SCHUMAN, v. FIRST NATIONAL BANK OF SKIATOOK. Error to the Supreme Court of the State of Oklahoma. Argued April 19, 1927. Decided April 25, 1927. *Per Curiam*. Writ of error dismissed under § 237 of the Judicial Code as amended by the Act of February 13, 1925, 43 Stat. 936, and the writ treated as an application herein for a writ of certiorari is also denied. *Mr. C. L. Yancey*, with whom *Mr. Claude H. Rosenstein* was on the brief, for plaintiffs in error. *Messrs. Dale C. Dillon* and *B. A. Lewis* were on the brief for defendant in error.

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No. 2, original. STATE OF NEW MEXICO v. STATE OF TEXAS. May 2, 1927. On consideration of the report of *Charles Warren, Esq.*, the special master herein, respecting the services rendered by him as such special master;

It is ordered and decreed by the Court that the amount of the compensation of such special master for his services rendered herein be fixed at the sum of thirty-five hundred dollars, and that one-half of the same be paid by each of the parties hereto.

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No. 398. MANASSAS BATTLEFIELD CONFEDERATE PARK, INC., E. W. R. EWING, PRESIDENT, ETC., ET AL. v. B. LYNN ROBERTSON, W. E. TRUSSLER, ET AL. Error to the Supreme Court of Appeals of the State of Virginia. Motion to dismiss submitted April 25, 1927. Decided May 2, 1927. *Per Curiam*. Writ of error dismissed for want of a final judgment in the Supreme Court of Appeals of Virginia under § 237 of the Judicial Code, as amended by the Act of February 13, 1925, 43 Stat. 936, and on the authority of *Missouri & Kansas Interurban Railway v. City*

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of Olathe, 222 U. S. 185. Messrs. Morgan H. Beach, Thomas R. Keith, and Robert A. Hutchison for defendants in error, in support of the motion. Messrs. E. W. R. Ewing, *pro se*, and Charles A. Douglas for plaintiffs in error, in opposition thereto.

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No. —, original. EX PARTE: JOSEPH G. SAUNDERS. May 2, 1927. The motion for leave to file petition for a writ of mandamus herein is denied without prejudice to a petition for a writ of certiorari to be filed within the limitation of the statute. *Mr. Joseph G. Saunders, pro se.*

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No. 583. GILLILAND OIL COMPANY *v.* STATE OF ARKANSAS EX REL. H. W. APPLGATE, ATTORNEY GENERAL. Error to the Supreme Court of the State of Arkansas. Submitted April 25, 1927. Decided May 2, 1927. *Per Curiam.* Affirmed on the authority of *Roberts & Schaefer Co. v. Emmerson*, 271 U. S. 50; *St. Louis Southwestern Ry. Co. v. Arkansas*, 235 U. S. 350; *Harris v. Bell*, 254 U. S. 103. *Mr. G. W. Hendricks* for plaintiff in error. Messrs. *J. S. Utley, H. W. Applegate, and William T. Hammock* for defendant in error.

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No. 293. INVESTORS SYNDICATE *v.* ADAM McMULLEN, GOVERNOR OF NEBRASKA, AND CLARENCE G. BLISS, SECRETARY OF DEPARTMENT OF TRADE & COMMERCE, ETC. Error to the Supreme Court of the State of Nebraska. Argued April 25, 1927. Decided May 2, 1927. *Per Curiam.* Affirmed on the authority of *Bank of Augusta v. Earle*, 13 Pet. 519; *Paul v. Virginia*, 8 Wall. 168; and *Pembina Consolidated Silver Mining & Milling Co. v. Pennsylvania*, 125 U. S. 181. *Mr. Arthur C. Spencer,*

with whom *Messrs. C. Petrees Peterson, Robert W. Devoe,* and *Henry M. Isaacs* were on the brief, for plaintiff in error. *Messrs. O. S. Spillman, Geo. W. Ayres,* and *George L. Basye* were on the brief for defendants in error.

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NO. 294. HENRY CLAY PIERCE *v.* W. J. BARKER, J. W. TARTAR, AND INDUSTRIAL COMMISSION OF WISCONSIN. Error to the Supreme Court of the State of Wisconsin. Argued April 25, 1927. Decided May 2, 1927. *Per Curiam.* Affirmed on the authority of *Booth Fisheries Co. v. Industrial Commission of Wisconsin*, 271 U. S. 208. *Messrs. Clarence J. Hartley and J. A. Fowler* for plaintiff in error, submitted. *Mr. T. L. McIntosh*, with whom *Mr. Herman L. Ekern* was on the brief, for defendants in error.

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NO. 295. FORT WORTH & DENVER CITY RAILWAY *v.* STATE OF TEXAS. Error to the Court of Civil Appeals, Seventh Supreme Judicial District, State of Texas. Argued April 25, 1927. Decided May 2, 1927. *Per Curiam.* Dismissed as frivolous on 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. Town of Graham*, 253 U. S. 193, 195; and *Seaboard Air Line v. Padgett*, 236 U. S. 668, 671. *Mr. Rush H. Holland*, with whom *Messrs. Ellis Douthit, J. H. Barwise, George E. Strong,* and *J. D. Dooley* were on the brief, for plaintiff in error. *Messrs. Claude Pollard, Garnett May,* and *D. A. Simmons* were on the brief for the State of Texas.

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NO. 297. DAVID W. PHILLIPS, COLLECTOR OF INTERNAL REVENUE, *v.* INTERNATIONAL SALT COMPANY. Certiorari to the Circuit Court of Appeals for the Third Circuit.

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Argued April 25, 1927. Decided May 2, 1927. *Per Curiam*. Reversed on the authority of *Edwards v. Chile Copper Co.*, 270 U. S. 452. Assistant Attorney General Willebrandt, with whom Solicitor General Mitchell and Mr. Sewall Key were on the brief, for petitioner. Mr. Henry B. Twombly for respondent. Mr. E. Crosby Kindleberger, and Messrs. George E. Holmes and Randolph E. Paul, filed briefs as *amici curiae* by special leave of Court.

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No. 375. W. A. FROST, DOING BUSINESS UNDER THE NAME OF MITCHELL GIN COMPANY *v.* CORPORATION COMMISSION OF OKLAHOMA, FRED CAPHAW, ET AL., ETC. Appeal from the District Court of the United States for the Western District of Oklahoma. Argued April 26, 27, 1927. Decided May 2, 1927. *Per Curiam*. Affirmed on the authority of *Chicago Great Western Railway Co. v. Kendall*, 266 U. S. 94, 100. Messrs. Robert M. Rainey and Streeter B. Flynn, with whom Mr. George M. Green was on the brief, for appellant. Mr. E. S. Ratliff, with whom Mr. Edwin B. Dabney was on the brief, for appellees.

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No. 794. WILL NORRIS *v.* STATE OF LOUISIANA. Error to the Supreme Court of the State of Louisiana. Submitted April 27, 1927. Decided May 2, 1927. *Per Curiam*. Dismissed on the authority of (1) *Hebert v. Louisiana*, 272 U. S. 312, and (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. Town of Graham*, 253 U. S. 193, 195; *Seaboard Air Line v. Padgett*, 236 U. S. 668, 671. Messrs. George W. Smith and A. Owsley Stanley for plaintiff in error. Messrs. E. R. Schowalter and M. M. Irwin for defendant in error.

No. 880. JOSEPH B. FIFE AND WALTER W. FIFE *v.* LOUISIANA STATE BOARD OF MEDICAL EXAMINERS;

No. 881. JOSEPH B. FIFE AND WALTER W. FIFE *v.* STATE OF LOUISIANA; and

No. 882. JOSEPH B. FIFE AND WALTER W. FIFE *v.* STATE OF LOUISIANA. Error to the Supreme Court of the State of Louisiana. Argued April 27, 28, 1927. Decided May 2, 1927. *Per Curiam*. Affirmed on the authority of *Dent v. West Virginia*, 129 U. S. 114; *Douglas v. Noble*, 261 U. S. 165; and *Graves v. Minnesota*, 272 U. S. 425. *Mr. Donelson Caffery* for plaintiffs in error. *Messrs. M. M. Irwin, E. D. Saunders, and T. S. Walmsley*, with whom *Mr. Percy Saint* was on the brief, for defendants in error.

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No. 317. BISSELL LUMBER COMPANY *v.* THEODORE FEHRMAN. Error to the Circuit Court of Lincoln County, State of Wisconsin. Submitted April 28, 1927. Decided May 2, 1927. *Per Curiam*. Dismissed on the authority of (1) *Pizitz Dry Goods Co. v. Yeldell*, *ante*, p. 112 and (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. Town of Graham*, 253 U. S. 193, 195; and *Seaboard Air Line v. Padgett*, 236 U. S. 668, 671. *Messrs. Theo. W. Brazeau and B. R. Goggins* for plaintiff in error. *Mr. F. J. Smith* for defendant in error.

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No. 992. DAVID ATKINS *v.* STATE OF OHIO. Error to the Supreme Court of the State of Ohio. Argued April 28, 1927. Decided May 2, 1927. *Per Curiam*. Writ of error dismissed under § 237 of the Judicial Code as amended by the Act of February 13, 1925, 43 Stat. 936, and, treating the writ of error as an application for a writ of certiorari, certiorari is denied. *Mr. E. L. Mills*, with

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whom *Messrs. Smith W. Bennett* and *T. J. Denkenherd* were on the brief, for plaintiff in error. *Messrs. Edward C. Turner, Henry W. Harter, Jr.,* and *C. B. McClintock* were on the brief for the State of Ohio.

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No. 308. MIDLAND OIL COMPANY *v.* BENJAMIN BALL. Error to the Supreme Court of the State of Oklahoma. Argued April 29, 1927. Decided May 2, 1927. *Per Curiam*. Writ of error dismissed for want of a federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; and *Norton v. Whiteside*, 239 U. S. 144, 147. *Mr. Samuel N. Hawkes*, with whom *Mr. Hayes McCoy* was on the brief, for plaintiff in error. *Messrs. J. I. Howard, Frank T. McCoy, E. E. Grinstead,* and *William S. Hamilton* were on the brief for defendant in error.

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No. 154. W. T. PHILLIPS, JR., ET AL., ETC., SUBSTITUTED FOR OKLAHOMA NATURAL GAS COMPANY *v.* STATE OF OKLAHOMA. Error to the Supreme Court of the State of Oklahoma. Petition for certiorari submitted April 25, 1927. Decided May 2, 1927. *Per Curiam*. Writ of error dismissed under § 237 of the Judicial Code as amended by the Act of February 13, 1925, 43 Stat. 936, and, treating the writ of error as an application for writ of certiorari, certiorari is denied. *Messrs. Streeter B. Flynn, Robert M. Rainey, David A. Richardson,* and *Samuel W. Hayes* for plaintiffs in error. *Messrs. Edwin D. Dabney, E. S. Ratliff,* and *George F. Short* for the State of Oklahoma.

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No. 15, original. THOMAS CONTRERAS *v.* UNITED STATES. May 16, 1927. The motion for leave to file amended petition for a writ of mandamus herein is denied. *Mr. Thomas Contreras, pro se.* No appearance for the United States.

No. 579. 103 PARK AVENUE COMPANY *v.* EXCHANGE BUFFET CORPORATION, CITY OF NEW YORK, AND CHARLES L. CRAIG, COMPTROLLER OF THE CITY OF NEW YORK. Error to the Supreme Court of the State of New York. Motion to dismiss or affirm submitted May 2, 1927. Decided May 16, 1927. *Per Curiam.* Dismissed for lack of a federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. *Mr. Melville D. Church* in behalf of *Messrs. Clifton V. Edwards, George P. Nicholson, and J. Joseph Lilly* for defendants in error, in support of the motion. *Messrs. Spencer Gordon and James R. Deering* for plaintiff in error, in opposition thereto.

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No. —, original. EX PARTE: IN THE MATTER OF HARRY B. STILZ. May 16, 1927. The motion for leave to file in the Court of Claims a petition in the nature of a bill of review is denied. *Mr. Harry B. Stilz, pro se.*

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No. —. THOMAS DESMOND, SHERIFF, *v.* MILO EGGERS. May 16, 1927. The motion for a stay of execution in this case is denied. No appearance for appellant. *Messrs. John F. Dore and George F. Vandever* for appellee.

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No. —, original. EX PARTE: IN THE MATTER OF JOSEPH Y. SAUNDERS. May 16, 1927. The motion for leave to file petition for writ of habeas corpus is denied without prejudice to the filing of a petition for writ of habeas corpus in the District Court of the United States for the District of Georgia. *Mr. Joseph Y. Saunders, pro se.*

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No. 864. JAMES WILLOS *v.* STATE OF OREGON. Error to the Supreme Court of the State of Oregon. Argued April

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27, 1927. Decided May 16, 1927. *Per Curiam*. Dismissed for lack of a federal question on the authority of *Kelley v. Oregon*, 273 U. S. 589. *Mr. Thomas Mannix* was on the brief for plaintiff in error. *Mr. John H. Carson* for the State of Oregon.

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No. 313. REAL SILK HOSIERY MILLS *v.* CITY OF PIEDMONT, OLIVER ELLSWORTH, MAYOR, G. N. RICHARDSON, CITY ATTORNEY, ETC., ET AL. Certificate from the Circuit Court of Appeals for the Ninth Circuit. Argued April 29, 1927. Decided May 16, 1927. *Per Curiam*. Question No. 1 is answered *yes* on the authority of *Real Silk Hosiery v. City of Portland*, 268 U. S. 335. MR. JUSTICE BRANDEIS and MR. JUSTICE SANFORD dissent. In view of the answer to the first question, the second question needs none. *Mr. John G. Milburn*, with whom Messrs. *Ralph Bamberger*, *Henry B. Dinkelspeil*, and *Joseph W. Welsh* were on the brief, for appellant. *Mr. Edwin C. Brandenburg*, with whom Messrs. *G. N. Richardson*, *C. A. Brandenburg*, and *Louis M. Denit* were on the brief, for appellees.

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No. —, original. EX PARTE: IN THE MATTER OF T. L. SMITH. May 31, 1927. The motion for leave to file petition for a writ of mandamus herein is denied. *Mr. A. D. Lipscomb* for petitioner.

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No. —, original. EX PARTE: IN THE MATTER OF S. A. MOORE, TRUSTEE. May 31, 1927. The motion for leave to file petition for a writ of prohibition herein is denied. Messrs. *William T. George*, *Fred W. Goshorn*, *Claude L. Smith*, and *Wells Goodykoontz* for petitioner.

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No. —, original. EX PARTE: IN THE MATTER OF E. L. BURGET. May 31, 1927. The motion for leave to file

petition for a writ of mandamus herein is denied. *Mrs. E. L. Burget, pro se.*

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No. 749. STATE OF TEXAS *v.* DAVID FASKEN, A. FASKEN, ROBERT FASKEN, ET AL. Appeal from the District Court of the United States for the Western District of Texas. Motion to dismiss submitted May 16, 1927. Decided May 31, 1927. *Per Curiam.* Appeal dismissed for want of jurisdiction under the provisions of the Act of February 13, 1925, 43 Stat. 936. Motion of the appellant to transfer the case to the Circuit Court of Appeals for the Fifth Circuit is denied under the same Act. The motion in the alternative to docket as an original cause is denied without prejudice. *Mr. Charles L. Black* for appellees, in support of the motion. *Messrs. Dan Moody, Claude Pollard,* and *D. A. Simmons* for the State of Texas, in opposition thereto.

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No. 903. ANNA E. HOLLOWAY NONES, INDIVIDUALLY AND AS EXECUTRIX OF EDWARD LEE HOLLOWAY, DECEASED, *v.* GRACE SUZANNE HOLLOWAY, INFANT, AND MARIE CALOU, GUARDIAN OF THE PERSON & ESTATE OF GRACE SUZANNE HOLLOWAY, INFANT, ET AL.;

No. 904. ANNA E. HOLLOWAY NONES, INDIVIDUALLY AND AS EXECUTRIX OF EDWARD LEE HOLLOWAY, DECEASED, *v.* GRACE SUZANNE HOLLOWAY, INFANT, AND MARIE CALOU, GUARDIAN OF THE PERSON & ESTATE OF GRACE SUZANNE HOLLOWAY, INFANT, ET AL.;

No. 905. CLARENCE J. HOLLOWAY *v.* GRACE SUZANNE HOLLOWAY, INFANT, AND MARIE CALOU, GUARDIAN OF THE PERSON & ESTATE OF GRACE SUZANNE HOLLOWAY, INFANT, ET AL.; and

No. 906. CLARENCE J. HOLLOWAY *v.* GRACE SUZANNE HOLLOWAY, INFANT, AND MARIE CALOU, GUARDIAN OF THE PERSON & ESTATE OF GRACE SUZANNE HOLLOWAY,

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INFANT, ET AL. Error to the Court of Appeals of the State of Maryland. Motions to dismiss or affirm submitted April 30, 1927. Decided May 31, 1927. *Per Curiam*. Dismissed for want of a federal question on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; and *Norton v. Whiteside*, 239 U. S. 144, 147. *Messrs. Isaac L. Straus, Joseph C. France, and Charles McH. Howard* for defendants in error, in support of the motion. *Messrs. Edgar Allen Poe and E. Parkin Keech, Jr.*, for plaintiffs in error, in opposition thereto.

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No. 996. E. J. ANGELO, HARRY PHILLIPS, AND C. E. WALL, TRADING, ETC., ET AL. *v.* CITY OF WINSTON-SALEM, THOS. BARBER, MAYOR, AND J. A. THOMAS, ETC. Error to the Supreme Court of the State of North Carolina. Motion to dismiss or affirm submitted May 16, 1927. Decided May 31, 1927. *Per Curiam*. Affirmed on the authority of *Natal v. Louisiana*, 139 U. S. 621. *Mr. Roy L. Deal* for defendants in error, in support of the motion. *Messrs. Oscar O. Efrd, J. M. Wells, Jr., and G. S. Ferguson, Jr.*, for plaintiffs in error, in opposition thereto.

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No. —, original. UNITED STATES *v.* STATE OF IDAHO. June 6, 1927. The motion for leave to file bill of complaint is granted and process is ordered to issue returnable on Monday, October 3, next. *Attorney General Sargent and Solicitor General Mitchell* for the United States.

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No. —, original. EX PARTE: IN THE MATTER OF APEX ELECTRIC MANUFACTURING COMPANY. June 6, 1927. The motion for leave to file petition for a writ of mandamus is denied without prejudice to an application for a writ of mandamus to the Circuit Court of Appeals for

the Seventh Circuit. *Messrs. Elwood G. Godman, Ralph E. Moody, and Bernard Barnard* for petitioner.

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No. —, original. EX PARTE: IN THE MATTER OF FAIRBANKS, MORSE & CO. AND SHEFFIELD CAR COMPANY. June 6, 1927. The motion for leave to file petition for a writ of mandamus is denied. *Messrs. Fred L. Chappell and Dwight B. Cheever* for petitioners.

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No. 884. H. E. TAYLOR *v.* L. F. DEHART, J. C. VAUGHAN, AND M. C. WILCOX. Error to the District Court of the United States for the Western District of Missouri. Motion to dismiss submitted May 31, 1927. Decided June 6, 1927. *Per Curiam*. Dismissed for want of jurisdiction under the Act of February 13, 1925, 43 Stat. 936. *Solicitor General Mitchell* for defendants in error, in support of the motion. *Messrs. I. N. Watson and R. E. Watson* for plaintiff in error, in opposition thereto.

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No. 1096. STATE OF WASHINGTON EX REL. MCPHERSON BROS. COMPANY *v.* SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR DOUGLAS COUNTY, AND OKANOGAN-DOUGLAS INTER-COUNTY BRIDGE COMPANY; and

No. 1097. STATE OF WASHINGTON EX REL. MCPHERSON BROS. COMPANY *v.* SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR OKANOGAN COUNTY AND C. H. NEAL, JUDGE, ET AL. Error to the Supreme Court of the State of Washington. Motion to dismiss submitted May 16, 1927. Decided June 6, 1927. *Per Curiam*. Dismissed on the authority of *Grays Harbor Logging Co. v. Coats-Fordney Logging Co.*, 243 U. S. 251. *Messrs. John P. Hartman and Charles S. Thomas* for defendants in error, in support of the motion. *Mr. Frederic D. McKenney* for plaintiff in error, in opposition thereto.