

by printed return and printed brief, why the petition for certiorari should not be denied for lack of a substantial federal question shown in the record giving this Court jurisdiction. *Mr. James E. Fenton* for plaintiff in error. No appearance for defendant in error.

PETITIONS FOR CERTIORARI GRANTED, FROM
JANUARY 4, 1928, TO AND INCLUDING APRIL
9, 1928.

No. 636. *ANNA MARIE MANEY v. UNITED STATES*. January 9, 1928. The petition for a writ of certiorari and the motion for leave to proceed further herein *in forma pauperis* are granted. The clerk is hereby directed to have the record printed forthwith and to pay the cost thereof, as well as the costs already incurred herein, from the special fund in his custody as provided in the order of October 29, 1926. *Messrs. Edwin S. Mack, Louis Marshall and Bruno B. Bitker* for petitioner. *Solicitor General Mitchell, Assistant Attorney General Luhring and Mr. Harry S. Ridgely* for the United States.

No. 493. *ROY OLMSTEAD ET AL. v. UNITED STATES*;

No. 532. *CHARLES S. GREEN ET AL. v. UNITED STATES*;
and

No. 533. *EDWARD H. MCINNIS v. UNITED STATES*. January 9, 1928. Orders were entered on November 21, 1927, denying petitions for certiorari in these cases. Thereafter a petition for rehearing in No. 533 was denied January 3, 1928, and a similar petition has been filed in No. 532. This Court now reconsiders all these three petitions for certiorari and grants the writs therein, limiting their consideration, however, to the question whether the use of evidence of private telephone conversations, between the defendants and others, intercepted by means of wire tap-

ping, is a violation of the Fourth and Fifth Amendments and, therefore, not permissible in the federal courts. *Messrs. John F. Doré, Frank R. Jeffrey, and Arthur E. Griffin* for petitioners. *Solicitor General Mitchell, Assistant Attorney General Mabel Walker Willebrandt, and Mr. John J. Byrne* for the United States.

No. 633. *ADELAIDE F. CHAPMAN v. UNITED STATES*. January 16, 1928. Petition for a writ of certiorari to the Court of Claims granted. *Mr. Sanford Robinson* for petitioner. *Solicitor General Mitchell* for the United States.

No. 662. *SECURITY MORTGAGE COMPANY v. CHARLES A. POWERS, TRUSTEE IN BANKRUPTCY*. January 23, 1928. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. John E. Benton* for petitioner. *Mr. Walter S. Dillon* for respondent.

No. 674. *WESTINGHOUSE ELECTRIC & MANUFACTURING COMPANY v. DE FOREST RADIO TELEPHONE & TELEGRAPH COMPANY*. February 20, 1928. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Frederick H. Wood, Drury W. Cooper and Thomas Ewing* for petitioner. *Messrs. Charles E. Hughes, Thomas G. Haight and Samuel E. Darby, Jr.,* for respondent.

No. 675. *WESTINGHOUSE ELECTRIC & MANUFACTURING COMPANY AND EDWARD H. ARMSTRONG v. UNITED STATES, ALEXANDER MEISSNER, GENERAL ELECTRIC COMPANY, ET AL.* February 20, 1928. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Frederick H. Wood, Drury W. Cooper, and Thomas Ewing* for petitioners. *Messrs. Charles E.*

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Decisions Granting Certiorari.

Hughes, Thomas G. Haight, Samuel E. Darby, Jr., and Wm. R. Ballard for respondents.

No. 659. BOTANY WORSTED MILLS *v.* UNITED STATES. February 27, 1928. Petition for writ of certiorari to the Court of Claims granted. *Mr. Nathan A. Smyth* for petitioner. *Solicitor General Mitchell* for the United States.

No. 678. RICHARD CRANE *v.* COMMONWEALTH OF VIRGINIA AND COUNTY OF CHARLES CITY. February 27, 1928. Petition for writ of certiorari to the Supreme Court of Appeals of the State of Virginia granted. *Mr. A. W. Patterson* for petitioner. *Mr. E. Warren Wall* for respondents.

No. 684. REMINGTON ARMS UNION METALLIC CARTRIDGE COMPANY, INC. *v.* UNITED STATES. February 27, 1928. Petition for writ of certiorari to the Court of Claims granted. *Mr. Wm. Wallace, Jr.*, for petitioner. *Solicitor General Mitchell, Assistant Attorney General Galloway* and *Mr. Dwight E. Rorer* for the United States.

No. 685. NORTHERN COAL & DOCK COMPANY AND GENERAL ACCIDENT FIRE & LIFE ASSURANCE CORPORATION, LTD., OF PERTH, SCOTLAND *v.* EMMA STRAND AND INDUSTRIAL COMMISSION OF WISCONSIN. February 27, 1928. Petition for writ of certiorari to the Supreme Court of the State of Wisconsin granted. *Messrs. Louis Quarles, Charles B. Quarles, Lyman T. Powell, and John S. Sprowls* for petitioners. *Messrs. John A. Cadigan and John W. Reynolds* for respondents.

No. 692. THE KANSAS CITY SOUTHERN RAILWAY COMPANY AND TEXARKANA & FORT SMITH RAILWAY COMPANY *v.* ROY HOOPER, TAX COLLECTOR. February 27, 1928.

Petition for writ of certiorari to the Supreme Court of the State of Arkansas granted. *Messrs. F. H. Moore, A. F. Smith, James B. McDonough and Samuel W. Moore* for petitioners. *Mr. E. C. Lake* for respondent.

No. 709. *WEARE v. UNITED STATES*. See *ante*, p. 599.

No. 705. *UNITED STATES v. ROBERT H. LENSON*. March 5, 1928. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Mitchell* for the United States. *Messrs. George A. King, Wm. B. King, and George R. Shields* for respondent.

No. 707. *PACIFIC STEAMSHIP COMPANY v. CARL G. PETERSON*. March 5, 1928. Petition for writ of certiorari to the Supreme Court of the State of Washington granted. *Messrs. Benjamin S. Grosscup, W. Carr Morrow, and J. O. Davies* for petitioner. No appearance for respondent.

No. 715. *JOHN W. GLEASON v. SEABOARD AIR LINE RAILWAY COMPANY*. March 5, 1928. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Edward Brennan* for petitioner. *Mr. E. Ormonde Hunter* for respondent.

No. 730. *BENJAMIN RUSSELL ET AL. v. UNITED STATES*. March 12, 1928. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Douglas Arant and Wm. S. Pritchard* for petitioners. *Solicitor General Mitchell, Assistant Attorney General Mabel Walker Willebrandt, and Messrs. J. Louis Monarch, C. M. Charest and Ralph E. Smith*, for the United States.

No. 744. JAMES A. REED ET AL. *v.* THE COUNTY COMMISSIONERS OF DELAWARE COUNTY, PENNSYLVANIA, ET AL. March 12, 1928. Petition for writ of certiorari to the Circuit of Appeals for the Third Circuit granted. *Messrs. James A. Reed, Charles L. McNary, Wm. H. King, Guy D. Goff, Jerry C. South, Levi Cooke and Frederick P. Lee* for petitioners. *Mr. Albert J. Williams* for respondents.

No. 746. GEORGE TAZEWEEL, PRESIDING JUDGE OF THE CIRCUIT COURT, *v.* THE STATE OF OREGON *ex rel.* EDWARD SULLIVAN. March 12, 1928. Petition for writ of certiorari to the Supreme Court of the State of Oregon granted. *Mr. Erskine Wood* for petitioner. *Mr. Wallace McCamant* for respondent.

No. 747. ATLANTIC COAST LINE RAILROAD COMPANY *v.* C. M. TYNER, ADMINISTRATOR. March 12, 1928. Petition for writ of certiorari to the Supreme Court of the State of South Carolina granted. *Messrs. Thomas W. Davis and Simeon Hyde* for petitioner. *Mr. Lionel K. Legge* for respondent.

No. 771. HUBERT WORK, SECRETARY OF THE INTERIOR, *v.* STANDARD OIL COMPANY. March 12, 1928. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Mr. W. C. Morrow* for petitioner. *Messrs. Oscar Sutro and Louis Titus* for respondent.

No. 736. A. LEO WEIL AND CHARLES M. THORP *v.* EDWARD M. NEARY. March 19, 1928. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. A. Leo Weil, pro se,* for petitioners. *Mr. Louis Marshall* for respondent.

No. 700. UNITED STATES *v.* THE CAMBRIDGE LOAN AND BUILDING COMPANY. April 9, 1928. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Mitchell* and *Assistant Attorney General Galloway* for the United States. *Mr. L. L. Hamby* for respondent.

No. 770. ATLANTIC COAST LINE RAILROAD COMPANY *v.* MORGAN L. DAVIS, ADMINISTRATOR. April 9, 1928. Petition for writ of certiorari to the Supreme Court of the State of South Carolina granted. *Messrs. Thomas W. Davis* and *Henry E. Davis* for petitioner. *Mr. Thomas H. Peebles* for respondent.

No. 319. STANDARD PIPE LINE COMPANY, INC., ET AL. *v.* COMMISSIONERS OF INDEX SULPHUR DRAINAGE DISTRICT. April 9, 1928. Petition for writ of certiorari to the Supreme Court of the State of Arkansas granted. *Messrs. Wm. H. Arnold* and *David C. Arnold* for petitioners. *Mr. Henry Moore, Jr.*, for respondent.

PETITIONS FOR CERTIORARI DENIED OR DIS-
MISSED, FROM JANUARY 4, 1928, TO AND
INCLUDING APRIL 9, 1928.

No. 660. W. B. MITCHELL *v.* GLENN E. CUNNINGHAM, TRUSTEE IN BANKRUPTCY. On petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit. January 9, 1928. The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon examination of the record herein submitted, finds that there are no grounds upon which certiorari can be issued, application for which is therefore also denied.

The costs already incurred herein shall, by direction of the Court, be paid by the clerk from the special fund in