

Cases Disposed of Without Consideration by the Court. 278 U.S.

writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. John W. Davis, Henry N. Paul, and Charles Neave* for petitioner in No. 607 and respondent in No. 608. *Messrs. Thomas G. Haight, Alexander F. Reichmann, Frank L. Belknap, and Wm. F. Hall* for respondent in No. 607 and petitioner in No. 608.

No. 630. PARKS, TRUSTEE, ET AL. *v.* KNAPP, RECEIVER. February 18, 1929. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. C. A. Fosnes* for petitioners. *Mr. Oluf Gjerset* for respondent.

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BY THE COURT, FROM OCTOBER 1, 1928, TO
AND INCLUDING FEBRUARY 18, 1929.

No. 25. CHAPMAN *v.* UNITED STATES. On writ of certiorari to the Court of Claims. October 1, 1928. Judgment vacated and the cause remanded to the Court of Claims with directions to enter judgment for the petitioner, with interest, on motion of *Solicitor General Mitchell* for the respondent, and mandate granted. *Mr. Sanford Robinson* for petitioner.

No. 344. DOWELL *v.* CALIFORNIA. On petition for a writ of certiorari to the Supreme Court of the State of California. October 1, 1928. Petition for writ of certiorari dismissed on motion of *Mr. Joseph I. McMullen* for the petitioner. No appearance for respondent.

No. 5. PHILADELPHIA EX REL. FUREY ET AL. *v.* PHILADELPHIA RAPID TRANSIT CO. ET AL., ETC. Appeal from the District Court of the United States for the Eastern Dis-

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trict of Pennsylvania. October 1, 1928. Dismissed with costs, on motion of *Mr. James J. Regan, Jr.*, for appellants. *Messrs. Frederic L. Ballard* and *Frank M. Hunter* for appellees.

No. 6. *MILLER & LUX, INC. v. RAILROAD COMMISSION OF CALIFORNIA ET AL., ETC.* Error to the Supreme Court of the State of California. October 1, 1928. Dismissed with costs, per stipulation of counsel. *Mr. Adolphus E. Graupner* for plaintiff in error. *Mr. Carl I. Wheat* for defendants in error.

No. 9. *WISCONSIN EX REL. BERGER v. CAREY, AS COUNTY CLERK OF THE COUNTY OF MILWAUKEE, ETC.;* and

No. 10. *WISCONSIN EX REL. BERGER v. CAREY, AS COUNTY CLERK OF THE COUNTY OF MILWAUKEE, ETC.* Error to the Supreme Court of the State of Wisconsin. October 1, 1928. Dismissed with costs, per stipulation of counsel. *Mr. Edgar L. Wood* for plaintiff in error. *Messrs. Eugene Wengert* and *Franklin E. Bump* for defendant in error.

No. 66. *BEACH v. BEACH ET AL.* Error to the Supreme Court of Errors of the State of Connecticut. October 1, 1928. Dismissed with costs, under paragraph 2 of Rule 13. *Mr. Harold Remington* for plaintiff in error. *Mr. E. Barrett Prettyman* for defendants in error.

No. 112. *MONTANA EX REL. INGERSOLL v. CLAPP, AS PRESIDENT OF THE STATE UNIVERSITY AT MISSOULA, MONTANA, ET AL.* Error to the Supreme Court of the State of Montana. October 1, 1928. Dismissed with costs, under paragraph 2 of Rule 13. *Mr. C. E. Pew* for plaintiff in error. *Messrs. L. A. Foot* and *A. H. Angstman* for defendants in error.

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No. 292. GENERAL REFRACTORIES CO. *v.* ASHLAND FIRE BRICK Co. On petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit. October 1, 1928. Petition for writ of certiorari dismissed on motion of *Messrs. Augustus B. Stoughton* and *John H. Holt* for petitioner. No appearance for respondent.

No. 165. JACKSON *v.* EVANS. On petition for writ of certiorari to the Supreme Court of the State of Louisiana. October 8, 1928. Dismissed. *Mr. J. D. Wilkinson* for petitioner. *Mr. F. W. Clements* for respondent.

No. 241. CALIFORNIA *v.* MOUSE. Appeal from the Supreme Court of the State of California. October 8, 1928. Dismissed with costs on motion of *Mr. U. S. Webb* for appellant. No appearance for appellee.

No. 47. OLIVER CADILLAC Co. *v.* CHRISTOPHER, BUILDING COMMISSIONER ET AL. Error to the Supreme Court of the State of Missouri. October 15, 1928. Dismissed with costs on motion of *Messrs. S. L. Swarts* and *Daniel Bartlett* for plaintiff in error. *Messrs. Oliver Santi* and *Julius T. Muench* for defendants in error.

No. 548. FARRIS *v.* UNITED STATES. Appeal from the District Court of the United States for the District of Idaho. November 19, 1928. Docketed and dismissed and mandate granted on motion of *Solicitor General Mitchell* for the United States.

No. 361. GOKHALE *v.* UNITED STATES. On writ of certiorari to the Circuit Court of Appeals for the Second Circuit. November 19, 1928. The judgments of the

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District Court of the United States for the Northern District of New York and of the Circuit Court of Appeals for the Second Circuit in this cause vacated and set aside, and the cause remanded to the District Court of the United States for the Northern District of New York with direction to dismiss the bill of complaint, pursuant to stipulation filed herein, and on motion of *Solicitor General Mitchell* in that behalf. *Messrs. Meyer Kraushaar and Emanuel Celler* for petitioner. *Assistant Attorney General Luhring*, and *Mr. Harry S. Ridgely* were on the brief with the Solicitor General for the United States.

No. 81. *INTER-CITY COACH CO. v. ATWOOD ET AL.* Appeal from the District Court of the United States for the District of Rhode Island. November 19, 1928. Dismissed with costs, on motion of *Mr. Edward H. Kelly* for appellant. No appearance for appellees.

No. 550. *KELSEY v. OHIO.* Error to the Supreme Court of the State of Ohio. November 23, 1928. Docketed and dismissed with costs, and mandate granted, on motion of *Mr. James C. Connell* for defendant in error.

No. 499. *ROSEFF ET AL. v. UNITED STATES.* On petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit. November 26, 1928. Dismissed on motion of *Mr. Emanuel Van Dernoot* for petitioners.

No. 399. *UNITED STATES v. MARYLAND CASUALTY CO.* On certificate from the Circuit Court of Appeals for the Ninth Circuit. December 10, 1928. Dismissed on motion of *Solicitor General Mitchell* in that behalf. *Mr. Walter L. Clark* for the Maryland Casualty Co.

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No. 14. TOMICH ET AL. *v.* UNION TRUST CO. ET AL. Appeal from the District Court of the United States for the District of Montana. January 2, 1929. Dismissed with costs pursuant to paragraph 2 of Rule 13. *Mr. John A. Shelton* for appellants. No appearance for appellees.

No. 119. FAUNTLEROY, FORMER COLLECTOR OF INTERNAL REVENUE, *v.* ELMER CANDY CO., INC. On writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. January 7, 1929. Judgment reversed, on confession of error, and cause remanded for further proceedings, on motion of *Solicitor General Mitchell* in behalf of *Mr. W. Parker Jones* and *Mr. Henry W. Robinson* for the respondent. *Solicitor General Mitchell*, *Assistant Attorney General Mabel Walker Willebrandt*, and *Messrs. Clarence M. Charest* and *J. Louis Monarch* for petitioner.

No. 525. UNITED STATES *v.* WHYEL ET AL. On petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit. January 7, 1929. Dismissed, on motion of *Solicitor General Mitchell*, with whom *Assistant Attorney General Mabel Walker Willebrandt* and *Mr. J. Louis Monarch* were on the brief, for the United States. No appearance for respondents.

No. 527. HEINER, COLLECTOR OF INTERNAL REVENUE, *v.* HENRY WILHELM CO. On petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit. January 7, 1929. Dismissed, on motion of *Solicitor General Mitchell* for the petitioner. No appearance for respondent.

No. 534. BRAUTI ET AL., ETC., *v.* WESTWOOD LUMBER CO. Error to the District Court of the United States for the District of Oregon. January 7, 1929. Dismissed with

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costs, for failure to comply with Rule 12. *Mr. Arthur I. Moulton* for plaintiffs in error. No appearance for defendant in error.

No. 535. *HOWELL ET AL. v. WESTWOOD LUMBER CO.* Error to the District Court of the United States for the District of Oregon. January 7, 1929. Dismissed with costs, for failure to comply with Rule 12. *Mr. Arthur I. Moulton* for plaintiffs in error. No appearance for defendant in error.

No. 536. *OWEN ET AL., ETC., v. WESTWOOD LUMBER CO.* Error to the District Court of the United States for the District of Oregon. January 7, 1929. Dismissed with costs, for failure to comply with Rule 12. *Mr. Arthur I. Moulton* for plaintiffs in error. No appearance for defendant in error.

No. 537. *BANNISTER v. WESTWOOD LUMBER CO.* Error to the District Court of the United States for the District of Oregon. January 7, 1929. Dismissed with costs, for failure to comply with Rule 12. *Mr. Arthur I. Moulton* for plaintiff in error. No appearance for defendant in error.

No. 151. *LOVELAND, EXECUTOR, ET AL. v. UNITED STATES.* On writ of certiorari to Circuit Court of Appeals for the Third Circuit. January 14, 1929. Judgment reversed on confession of error, and cause remanded for further proceedings, on motion of *Solicitor General Mitchell* for the United States. *Messrs. Shelton Pitney, John R. Hardin, Jr., and Waldron M. Ward* for petitioners.

No. 290. *UNITED STATES v. WOOLEN.* On writ of certiorari to the Circuit Court of Appeals for the Sixth Cir-

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cuit. February 18, 1929. Judgments of the Circuit Court of Appeals for the Sixth Circuit and of the District Court of the United States for the Western District of Tennessee vacated, and the cause remanded to the said District Court with instructions to enter judgment in favor of the respondent for the sum of \$1,485.73 without interest or costs, per stipulation of counsel, on motion of *Solicitor General Mitchell* in that behalf. The mandate to issue forthwith. No appearance for respondent.

No. 203. CHIN MON EX REL. CHIN YUEN *v.* TILLINGHAST, COMMISSIONER OF IMMIGRATION. On writ of certiorari to the Circuit Court of Appeals for the First Circuit. February 18, 1929. Dismissed pursuant to Rule 13. *Mr. E. F. Damon* for petitioner. *Solicitor General Mitchell*, *Assistant Attorney General Luhring*, and *Mr. Harry S. Ridgely* for respondent.

No. 584. BRICTSON MFG. CO. PETITIONER, *v.* CLOSE ET AL.;

No. 585. BRICTSON MFG. CO. *v.* ROSO ET AL.; and

No. 586. BRICTSON MFG. CO. *v.* CLOSE ET AL. On petitions for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit. February 18, 1929. Dismissed, on motion of *Mr. Ben Jenkins* for the petitioner. No appearance for respondents.