

No. 832. *GOTHAM CAN CO. v. UNITED STATES*. On petition for writ of certiorari to the Court of Claims. Petition submitted May 26, 1930. Decided June 2, 1930. *Per Curiam*: The petition for a writ of certiorari is dismissed for the want of jurisdiction, because of failure to file the petition within the time prescribed by statute. *United States v. Lippman, Spier & Hahn*, 260 U. S. 739; *Hooper v. United States*, 274 U. S. 743; *Rust Land & Lumber Co. v. Jackson*, 250 U. S. 71, 76. Mr. Joseph R. Little for petitioner. Solicitor General Thacher, Assistant Attorney General Rugg, and Mr. Claude R. Branch for the United States. Reported below: 37 F. (2d) 793.

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No. 944. *GREAT LAKES BROADCASTING CO. v. FEDERAL RADIO COMMISSION*;

No. 945. *VOLIVA v. SAME*; and

No. 946. *AGRICULTURAL BROADCASTING CO. v. SAME*. On petition for writs of certiorari to the Court of Appeals of the District of Columbia. June 2, 1930. *Per Curiam*: The petition for writs of certiorari in these cases is dismissed. *Federal Radio Commission v. General Electric Company et al.*, ante, p. 464. Messrs. Harry Eugene Kelly, Thornton M. Pratt, and Carl H. Zeiss for petitioners. Solicitor General Thacher, Assistant to the Attorney General O'Brian, and Mr. Claude R. Branch for respondent. Reported below: 37 F. (2d) 993.

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PETITIONS FOR CERTIORARI GRANTED, FROM  
JANUARY 28, 1930, TO AND INCLUDING JUNE  
2, 1930.

No. 556. *CROOKS, COLLECTOR OF INTERNAL REVENUE, v. HARRELSON*. February 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. Assistant Attorney General Youngquist

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and *Messrs. Sewall Key* and *John Vaughan Groner* for petitioner. *Messrs. Frank S. Bright* and *S. L. Swarts* for respondent. Reported below: 35 F. (2d) 416.

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No. 569. *DAVIES MOTORS, INC., v. UNITED STATES*. February 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Duane R. Dills* and *William K. Young* for petitioner. *Assistant Attorney General Youngquist* and *Messrs. Claude R. Branch* and *Mahlon D. Kiefer* for the United States. Reported below: 35 F. (2d) 928.

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No. 555. *UNITED STATES v. NORRIS*. March 3, 1930. The petition for a writ of certiorari to the Circuit Court of Appeals for the Third Circuit is granted. *Assistant Attorney General Youngquist* and *Messrs. John J. Byrne* and *Mahlon D. Kiefer* for the United States. *Mr. Fred-eric L. Ballard* for respondent. Reported below: 34 F. (2d) 839.

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No. 554. *STANGE v. UNITED STATES*. March 3, 1930. The petition for a writ of certiorari to the Court of Claims in this cause is granted, with the limitation, however, that counsel shall confine themselves, in the briefs and in oral argument, to the questions involving the validity and effect of the waiver of the statute of limitations executed in this cause. *Mr. W. W. Spalding* for petitioner. *Assistant Attorney General Youngquist* and *Messrs. Claude R. Branch, Morton Poe Fisher, Joseph H. Sheppard,* and *W. Marvin Smith* for the United States. Reported below: 68 Ct. Cls. 395.

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No. 579. *LUCAS, COMMISSIONER OF INTERNAL REVENUE, v. SANFORD & BROOKS Co.* March 3, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the

Fourth Circuit granted. *Assistant Attorney General Youngquist, Helen R. Carloss, and Messrs. J. Louis Monarch, Clarence M. Charest, and Prew Savoy* for petitioner. *Messrs. Charles McH. Howard and Harry N. Baetjer* for respondent. Reported below: 35 F. (2d) 312.

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No. 581. *URAVIC, ADMINISTRATRIX, v. F. JARKA Co., INC., ET AL.* March 3, 1930. Petition for writ of certiorari to the Supreme Court of New York granted. *Messrs. Vernon S. Jones and Paul C. Matthews* for petitioner. *Mr. Ernie Adamson* for respondents. Reported below: 252 N. Y. 530.

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No. 589. *GRAHAM AND FOSTER, COPARTNERS, v. GOODCELL, FORMER COLLECTOR.* March 3, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. John E. Hughes* for petitioners. *Attorney General Mitchell, Assistant Attorney General Youngquist, and Messrs. Claude R. Branch, Sewall Key, and J. Louis Monarch* for respondent. Reported below: 35 F. (2d) 586.

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No. 650. *ENSTEN ET AL. v. SIMON ASCHER & Co., INC.* March 12, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. O. Ellery Edwards* for petitioners. No appearance for respondent. Reported below: 38 F. (2d) 71.

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No. 617. *LANGNES v. GREEN.* March 12, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Ira Bronson and H. B. Jones* for petitioner. *Messrs. Winter S. Martin and Samuel B. Bassett* for respondent. Reported below: 35 F. (2d) 447.

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No. 628. *ALWARD v. JOHNSON*, TREASURER OF CALIFORNIA. March 17, 1930. Petition for writ of certiorari to the Supreme Court of California granted. *Mr. Burke Corbet* for petitioner. *Mr. U. S. Webb*, Attorney General of California, for respondent. Reported below: 281 Pac. 389.

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No. 632. *UNITED STATES v. BOSTON BUICK Co.*; and No. 633. *SAME v. IRON CAP COPPER Co.* March 17, 1930. Petition for writs of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Assistant Attorney General Youngquist, Helen R. Carlross, Messrs. Clarence M. Charest and R. E. Smith* for the United States. *Messrs. Robert N. Miller and Charles W. Mulcahy* for Boston Buick Company. *Mr. Burton E. Eames* for Iron Cap Copper Company. Reported below: 35 F. (2d) 560.

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No. 700. *UNITED STATES v. SWIFT & Co.* March 17, 1930. Petition for writ of certiorari to the Court of Claims granted. *Attorney General Mitchell* for the United States. *Mr. G. Carroll Todd* for respondent. Reported below: 68 Ct. Cls. 97; 38 F. (2d) 365.

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No. 664. *FULLERTON LUMBER Co. v. CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC R. Co.* March 17, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Stanley S. Gillam* for petitioner. *Messrs. F. W. Root, A. C. Erdall, and O. W. Dynes* for respondent. Reported below: 36 F. (2d) 180.

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No. 667. *AMERICAN FRUIT GROWERS, INC., v. BROGDEN Co.* March 17, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit

granted. *Mr. R. T. M. McCready* for petitioner. *Messrs. Melville Church, Charles Neave, and Roy F. Steward* for respondent. Reported below: 35 F. (2d) 106.

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No. 717. *ORENSTEIN & KOPPEL AKTIENGESELLSCHAFT v. KOPPEL INDUSTRIAL CAR & EQUIPMENT Co.* March 17, 1930. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Messrs. Dean Hill Stanley, Arthur Garfield Hays, and Wm. Catron Rigby* for petitioner. *Messrs. Charles Henry Butler, John A. Kratz, and Godfrey L. Munter* for respondent. Reported below: 38 F. (2d) 532.

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No. 598. *INTERNATIONAL PAPER Co. v. UNITED STATES.* April 14, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. John W. Davis and Montgomery B. Angell* for petitioner. *Attorney General Mitchell, Assistant Attorney General Rugg, and Mr. George C. Butte* for the United States. Reported below: 68 Ct. Cls. 414.

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No. 673. *WISCONSIN ELECTRIC Co. v. DUMORE Co.* April 14, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. George Bayard Jones, Walter F. Murray, and Greer Marechal* for petitioner. No appearance for respondent. Reported below: 35 F. (2d) 555.

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No. 683. *LUCAS, COMMISSIONER OF INTERNAL REVENUE, v. WILLINGHAM LOAN & TRUST Co.* April 14, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Attorney General Mitchell, Assistant Attorney General Youngquist, Messrs. Harvey R. Gamble, and Clarence M. Charest* for petitioner. *Mr. J. C. Murphy* for respondent. Reported below: 36 F. (2d) 49.

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No. 704. STORY PARCHMENT CO. *v.* PATERSON PARCHMENT PAPER CO. ET AL. April 14, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Mr. Edward O. Proctor* for petitioner. *Mr. Edward F. McClennen* for respondents. Reported below: 37 F. (2d) 537.

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No. 623. RUSSIAN VOLUNTEER FLEET *v.* UNITED STATES. April 21, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. Charles Recht and Horace S. Whitman* for petitioner. *Attorney General Mitchell, Assistant Attorney General Rugg, Messrs. Claude R. Branch, and Henry A. Cox* for the United States. Reported below: 68 Ct. Cls. 32.

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No. 625. FAWCUS MACHINE CO. *v.* UNITED STATES. April 21, 1930. Petition for writ of certiorari to the Court of Claims granted. *Mr. J. S. Y. Ivins* for petitioner. *Attorney General Mitchell, Assistant Attorney General Rugg, Messrs. Claude R. Branch, and Joseph H. Sheppard* for respondent. Reported below: 68 Ct. Cls. 784.

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No. 675. SARANAC AUTOMATIC MACHINE CORP. *v.* WIRE-BOUNDS PATENTS CO. ET AL. April 21, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. A. C. Paul and Howard M. Cox* for petitioner. *Mr. Edward G. Curtis* for respondents. Reported below: 37 F. (2d) 830.

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No. 695. CARBICE CORPORATION OF AMERICA *v.* AMERICAN PATENTS DEVELOPMENT CORP. ET AL. April 21, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Samuel E. Darby, Jr.*, for petitioner. *Messrs. Charles Neave, George*

*C. Dean*, and *Clarence D. Kerr* for respondents. Reported below: 38 F. (2d) 62.

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No. 715. OXFORD PAPER Co. *v.* THE NIDARHOLM. April 28, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Mr. John W. Lawrence* for petitioner. No appearance for respondent. Reported below: 34 F. (2d) 442; 36 F. (2d) 227.

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No. 719. NAUTS, COLLECTOR OF INTERNAL REVENUE, *v.* SLAYTON. April 28, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Attorney General Mitchell*, *Assistant Attorney General Youngquist*, *Messrs. Sewall Key*, *Andrew D. Sharpe*, *Clarence M. Charest*, and *T. H. Lewis, Jr.*, for petitioner. *Messrs. E. J. Marshall* and *Thomas O. Marlar* for respondent. Reported below: 36 F. (2d) 145.

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No. 741. LUCAS, COMMISSIONER OF INTERNAL REVENUE, *v.* NIAGARA FALLS BREWING Co. ET AL. April 28, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Attorney General Mitchell*, *Assistant Attorney General Youngquist*, *Messrs. Sewall Key*, *Norman D. Keller*, and *Clarence M. Charest* for petitioner. *Mr. Basil Robillard* for respondents. Reported below: 38 F. (2d) 217.

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No. 768. INTERSTATE COMMERCE COMMISSION *v.* NORTHERN PACIFIC R. Co. ET AL. May 5, 1930. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Messrs. Daniel W. Knowlton* and *Nelson Thomas* for petitioner. *Messrs. R. J. Hag-*

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*man, D. F. Lyons, W. W. Millan, R. E. L. Smith, and F. G. Dorety* for respondents. Reported below: 39 F. (2d) 508.

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No. 772. *MILLER BROTHERS CO. v. LEKTOPHONE CORP.* May 5, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Samuel E. Darby, Jr.*, for petitioner. *Messrs. William H. Davis and R. Morton Adams* for respondent.

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No. 800. *UNITED STATES v. LA FRANCA.* May 5, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Attorney General Mitchell, Assistant Attorney General Youngquist, Messrs. John J. Byrne and Paul D. Miller* for the United States. *Mr. E. Howard McCaleb* for respondent. Reported below: 37 F. (2d) 269.

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No. 777. *AIKEN, ADMINISTRATRIX, v. LUCAS, COMMISSIONER OF INTERNAL REVENUE.* May 5, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit in this case is granted, limited to the questions concerning the validity and effect of the waivers. *Mr. L. Karlton Mosteller* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, Messrs. Claude R. Branch and J. Louis Monarch* for respondent. Reported below: 35 F. (2d) 620.

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No. 761. *MAGEE v. UNITED STATES.* May 19, 1930. The petition for a writ of certiorari in this case is granted, limited to the question of the effect and validity of § 611, Revenue Act, 1928. *Mr. Theodore B. Benson* for petitioner. *Solicitor General Thacher, Assistant Attorney*

*General Rugg, Messrs. Claude R. Branch and Lisle A. Smith* for the United States. Reported below: 37 F. (2d) 763.

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No. 809. SMITH, ADMINISTRATRIX, *v.* MAGIC CITY KENNEL CLUB, INC. May 19, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Mr. E. Howard McCaleb* for petitioner. No appearance for respondent. Reported below: 38 F. (2d) 170.

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No. 810. MOTT *v.* UNITED STATES. May 19, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Mr. Charles B. Rogers* for petitioner. *Solicitor General Thacher, Assistant Attorney General Richardson, Messrs. Claude R. Branch, Nat M. Lacy, and W. Marvin Smith* for the United States. Reported below: 37 F. (2d) 860.

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No. 812. UNITED STATES *v.* MICHEL; and

No. 813. SAME *v.* KRIEGER. May 19, 1930. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Attorney General Mitchell, Assistant Attorney General Youngquist* and *Messrs. J. Louis Monarch and Barham R. Gary* for the United States. *Mr. Donald Horne* for respondents. Reported below: 37 F. (2d) 38.

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No. 815. CHOTEAU *v.* LUCAS, COMMISSIONER OF INTERNAL REVENUE. May 19, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Messrs. James H. Maxey, T. J. Leahy, and C. S. MacDonald* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, Messrs. Claude R. Branch, Sewall Key, and Morton Poe Fisher* for respondent. Reported below: 38 F. (2d) 976.

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No. 821. HOPKINS, COLLECTOR, *v.* BACON. May 26, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Solicitor General Thacher* for petitioner. No appearance for respondent. Reported below: 38 F. (2d) 651.

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No. 823. BENDER, COLLECTOR, *v.* PFAFF. May 26, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Solicitor General Thacher* for petitioner. No appearance for respondent. Reported below: 38 F. (2d) 649.

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No. 792. ADAM *v.* NEW YORK TRUST CO., TRUSTEE. May 26, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Michael Adam, pro se.* No appearance for respondent. Reported below: 37 F. (2d) 826.

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No. 754. DIRECTOR OF THE LANDS OF THE PHILIPPINE ISLANDS *v.* VILLA-ABRILLE ET AL. May 26, 1930. Petition for writ of certiorari to the Supreme Court of the Philippine Islands granted. *Messrs. William Catron Rigby, A. R. Stallings, and Edward A. Kreger* for petitioner. No appearance for respondents.

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No. 822. UNITED STATES *v.* MUNSON S. S. LINE. May 26, 1930. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted. *Attorney General Mitchell, Assistant to the Attorney General O'Brian and Messrs. Claude R. Branch and Charles H. Weston* for the United States. *Messrs. Frank Lyon, Irving L. Evans, and W. Calvin Chesnut* for respondent. Reported below: 37 F. (2d) 681.

No. 844. *O'CONNELL v. UNITED STATES*. May 26, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Wilton J. Lambert, David V. Cahill, and Neile F. Towner* for petitioner. *Solicitor General Thacher, Assistant Attorney General Luhring, Messrs. Claude R. Branch, Harry S. Ridgely, and W. Marvin Smith* for the United States. Reported below: 40 F. (2d) 201.

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No. 847. *PHILIPPIDES v. DAY, COMMISSIONER OF IMMIGRATION*. May 26, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Thomas A. Kane* for petitioner. *Solicitor General Thacher, Assistant Attorney General Luhring, Messrs. Claude R. Branch, Harry S. Ridgely, and W. Marvin Smith* for respondent. Reported below: 37 F. (2d) 1015.

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No. 857. *DISTRICT OF COLUMBIA v. COLTS*. May 26, 1930. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Messrs. William W. Bride, Robert E. Lynch, and Robert P. Reeder* for petitioner. No appearance for respondent. Reported below: 38 F. (2d) 535.

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No. 746. *DAILY PANTAGRAPH, INC., v. UNITED STATES*. June 2, 1930. Petition for writ of certiorari to the Court of Claims granted, limited to the question of the reduction of invested capital by reason of dividends paid, being the third question presented in the petition for the writ. *Mr. Arnold L. Guesmer* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Messrs. Claude R. Branch and Joseph H. Sheppard* for the United States. Reported below: 37 F. (2d) 783.

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No. 880. *OAK WORSTED MILLS v. UNITED STATES*. June 2, 1930. Petition for writ of certiorari to the Court of Claims granted, limited to the question of the validity and effect of § 611 of the Revenue Act of 1928. *Messrs. Theodore B. Benson and William Meyerhoff* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Mr. Claude R. Branch* for the United States. Reported below: 38 F. (2d) 699; 36 F. (2d) 529.

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No. 881. *TAFT WOOLEN CO. v. UNITED STATES*. June 2, 1930. Petition for writ of certiorari to the Court of Claims granted, limited to the question of the validity and effect of § 611 of the Revenue Act of 1928. *Messrs. Theodore B. Benson and William Meyerhoff* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Mr. Claude R. Branch* for the United States. Reported below: 38 F. (2d) 704.

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No. 887. *LUCAS, COMMISSIONER, v. NATIONAL INDUSTRIAL ALCOHOL Co., INC.* June 2, 1930. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Solicitor General Thacher, Assistant Attorney General Youngquist, Messrs. Sewall Key, John G. Remey, Clarence M. Charest, and Robert L. Williams* for petitioner. *Mr. R. M. O'Hara* for respondent. Reported below: 38 F. (2d) 718.

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No. 892. *POTTSTOWN IRON Co. v. UNITED STATES*. June 2, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. Paul F. Myers and John R. Yates* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, Messrs. Claude R. Branch, Charles R. Pollard, and Bradley B. Gilman* for the United States. Reported below: 69 Ct. Cls. 427.

No. 895. *W. P. BROWN & SONS LUMBER Co. v. COMMISSIONER OF INTERNAL REVENUE*. June 2, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted, limited to the question of the validity and effect of the waivers. *Mr. W. W. Spalding* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, Messrs. Claude R. Branch, J. Louis Monarch, and John G. Remey* for respondent. Reported below: 38 F. (2d) 425.

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No. 907. *FRANC-STROHMENGER-COWAN, INC., v. PAYETTE NECKWEAR Co.* June 2, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. Clifford E. Dunn, Holland S. Duell, Frederick P. Fish, and Charles Neave* for petitioner. *Mr. W. B. Kerkam* for respondent. Reported below: 39 F. (2d) 899.

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No. 817. *ALABAMA v. UNITED STATES*. June 2, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. Charlie C. McCall, Thomas E. Knight, Jr., and A. A. Evans* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg and Messrs. Claude R. Branch and William J. Hughes* for the United States. Reported below: 38 F. (2d) 897.

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No. 851. *NEW YORK LIFE INSURANCE Co. v. BOWERS, COLLECTOR; and*

No. 949. *BOWERS, COLLECTOR, v. NEW YORK LIFE INSURANCE Co.* June 2, 1930. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. James H. McIntosh* for the New

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York Life Insurance Company. *Solicitor General Thacher* and *Mr. Claude R. Branch* for Bowers. Reported below: 39 F. (2d) 556.

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No. 890. *GO-BART IMPORTING CO. ET AL. v. UNITED STATES*. June 2, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Charles Dickerman Williams* for petitioners. *Solicitor General Thacher, Assistant Attorney General Youngquist, Messrs. Claude R. Branch, Mahlon D. Kiefer, and W. Marvin Smith* for the United States. Reported below: 40 F. (2d) 593.

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No. 896. *UNITED STATES v. FELT & TARRANT MFG. CO.* June 2, 1930. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Thacher* for the United States. *Messrs. Thomas G. Haight, Robert H. Montgomery, and J. Marvin Haynes* for respondent. Reported below: 37 F. (2d) 977.

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No. 905. *FIRST NATIONAL BANK OF CHICAGO v. UNITED STATES*. June 2, 1930. Petition for writ of certiorari to the Court of Claims granted. *Mr. Harold V. Amberg* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, Messrs. Claude R. Branch, George H. Foster, and Paul D. Miller* for the United States. Reported below: 38 F. (2d) 925.