

Per Curiam: The appeal herein is dismissed for the want of jurisdiction. Section 237 (a) Judicial Code, as amended by the Act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari, as required by § 237 (c) Judicial Code as amended (43 Stat. 936, 938), the petition is denied. *Mr. Henry Fritzinger, pro se. Messrs. Oscar E. Carlstrom and Russell O. Hanson* for appellees. Reported below: 331 Ill. 380; 163 N. E. 149.

No. 591. *FRITZINGER v. ILLINOIS ET AL.* Appeal from the Supreme Court of Illinois. Jurisdictional statement submitted February 2, 1931. Decided February 25, 1931. *Per Curiam*: The appeal herein is dismissed for the want of jurisdiction. Section 237 (a) Judicial Code, as amended by the Act of February 13, 1925 (43 Stat. 936, 937). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari, as required by § 237 (c) Judicial Code, as amended (43 Stat. 936, 938), the petition is denied. *Mr. Henry Fritzinger, pro se. Messrs. Oscar E. Carlstrom and Russell O. Hanson* for appellees. Reported below: 331 Ill. 380; 163 N. E. 149.

DECISIONS GRANTING CERTIORARI, FROM OCTOBER 6, 1930, TO AND INCLUDING FEBRUARY 25, 1931.

No. 125. *CARR, DIRECTOR, v. ZAJA.* October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Solicitor General Thacher, Assistant Attorney General Luhring and Messrs. Claude R. Branch and Frank M. Parrish* for petitioner. *Messrs. J. Edward Keating and Erwin I. Feldman* for respondent. Reported below: 37 F. (2d) 1016.

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No. 336. UNITED STATES EX REL. CATECHES *v.* DAY, COMMISSIONER OF IMMIGRATION. October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Harold Van Riper* for petitioner. *Solicitor General Thacher* and *Messrs. Claude R. Branch, Harry S. Ridgely, and Paul D. Miller* for respondent. Reported below: 41 F. (2d) 1019.

No. 278. CONCORDIA INS. CO. *v.* SCHOOL DISTRICT No. 98;

No. 279. ROYAL INS. CO., LTD. *v.* SAME;

No. 280. NATIONAL FIRE INS. CO. *v.* SAME; and

No. 281. FIRE ASSOCIATION OF PHILADELPHIA *v.* SAME. October 13, 1930. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Messrs. F. A. Rittenhouse and Hal C. Thurman* for petitioners. *Messrs. R. M. Rainey, Frank G. Anderson, and Streeter B. Flynn* for respondent. Reported below: 40 F. (2d) 379.

No. 289. WENGLINSKY *v.* ZURBRICK, DISTRICT DIRECTOR OF IMMIGRATION ET AL. See same case, *ante*, p. 798.

No. 87. MILLIKEN ET AL. *v.* UNITED STATES. October 13, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. D. A. Embury and Hugo Kohlmann* for petitioners. *Solicitor General Thacher, Assistant Attorney General Rugg and Messrs. Claude R. Branch and Fred K. Dyar* for the United States. Reported below: 38 F. (2d) 381; 69 Ct. Cls. 231.

No. 103. WAITE *v.* UNITED STATES. October 13, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. O. Ellery Edwards and Joseph W. Cox*

for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg and Messrs. Claude R. Branch, Percy M. Cox, and W. Marvin Smith* for the United States. Reported below: 63 Ct. Cls. 438; 69 *id.* 153.

No. 114. VARIOUS ITEMS OF PERSONAL PROPERTY ET AL. *v.* UNITED STATES. October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Lewis Landes and Wm. E. Leahy* for petitioners. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. John J. Byrne and Paul D. Miller* for the United States. Reported below: 40 F. (2d) 422.

No. 129. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* WHITEHOUSE. October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, Seawall Key, J. Louis Monarch, Clarence M. Charest, Morton P. Fisher, and Miss Helen R. Carloss* for petitioner. *Messrs. John W. Davis, Spottswood D. Bowers, Marion N. Fisher, and Robert W. Candler* for respondent. Reported below: 38 F. (2d) 162.

No. 141. HALBERT ET AL. *v.* UNITED STATES;

No. 142. SAME *v.* SAME;

No. 143. SAME *v.* SAME;

No. 144. SAME *v.* SAME;

No. 145. PICKERNOLL ET AL. *v.* SAME;

No. 146. ELLIOTT ET AL. *v.* SAME;

No. 147. PETIT ET AL. *v.* SAME;

No. 148. BARICHIO ET AL. *v.* SAME;

No. 149. ELLIOTT ET AL. *v.* SAME;

No. 150. SAME *v.* SAME;

No. 151. RUBENS ET AL. *v.* SAME;

No. 152. WALKOWSKY ET AL. *v.* SAME;

No. 153. ROLFSON ET AL. *v.* SAME; and

No. 154. PROVOE ET AL. *v.* SAME. October 13, 1930.

Petition for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Overton G. Ellis, Stuart H. Elliott, and Webster Ballinger* for petitioners. *Solicitor General Thacher, Assistant Attorney General Richardson, and Messrs. Capo Rodriguez and W. Marvin Smith* for the United States. Reported below: 38 F. (2d) 795, 805, 806, 799.

No. 155. CHESAPEAKE & OHIO RY. CO. *v.* MARTIN ET AL. October 13, 1930. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia granted. *Mr. Walter Leake* for petitioner. No appearance for respondents. Reported below: 143 S. E. 629; 152 *id.* 335.

No. 176. PAGEL, ADMINISTRATOR, *v.* HALLBOM. October 13, 1930. Petition for writ of certiorari to the Supreme Court of Minnesota granted. *Mr. Henry T. Ronning* for petitioner. *Mr. Fred W. Putnam* for respondent. Reported below: 229 N. W. 344.

No. 179. FARBWERKE ET AL. *v.* CHEMICAL FOUNDATION, INC., ET AL.;

No. 180. FARBWERKE *v.* E. I. DU PONT DE NEMOURS & CO. ET AL.;

No. 181. DEUTSCHE GOLD & SILBER SCHEIDE ANSTALT *v.* SAME;

No. 182. BADISCHE-ANILIN & SODA-FABRIK *v.* SAME;

No. 271. WOODS, TREASURER, *v.* CHEMICAL FOUNDATION, INC., ET AL.;

No. 272. SUTHERLAND, ALIEN PROPERTY CUSTODIAN, *v.* FARBWERKE ET AL.;

No. 273. SAME *v.* DEUTSCHE GOLD & SILBER SCHEIDE ANSTALT ET AL.; and

No. 274. SAME *v.* BADISCHE ANILIN & SODA-FABRIK ET AL. October 13, 1930. Petitions for writs of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Frederick H. Wood, Almuth C. Vandiver, and Charles F. Curry* for petitioners in Nos. 179, 180, 181, and 182. *Solicitor General Thacher* for petitioners in Nos. 271, 272, 273, and 274. *Messrs. Joseph H. Choate, Jr., Wm. G. Mahaffy, S. M. Stellwagin, G. Carroll Todd, J. P. Laffey, W. S. Gregg, Solicitor General Thacher, J. Frank Staley, and Thomas E. Rhodes* for respondents in Nos. 179, 180, 181, and 182. *Messrs. G. Carroll Todd, Joseph H. Choate, Jr., Wm. G. Mahaffy, and S. M. Stellwagin* for respondents in Nos. 271, 272, 273, and 274. Reported below: 39 F. (2d) 366.

No. 199. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* HOUSTON. October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Thacher, Assistant Attorney General Youngquist* and *Messrs. J. Louis Monarch, John G. Remey, W. Marvin Smith, Clarence M. Charest, and Allin H. Pierce* for petitioner. *Mr. Wm. Clark Mason* for respondent. Reported below: 39 F. (2d) 351.

No. 202. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* HENRY. October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Thacher, Assistant Attorney General Youngquist* and *Messrs. J. Louis Monarch, John G. Remey, W. Marvin Smith, Clarence*

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M. Charest, and *Allin H. Pierce* for petitioner. *Mr. Wm. Clarke Mason* for respondent. Reported below: 39 F. (2d) 358.

No. 203. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* PORTER ET AL. October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Thacher*, *Assistant Attorney General Youngquist* and *Messrs. J. Louis Monarch*, *John G. Remey*, *W. Marvin Smith*, *Clarence M. Charest*, and *Allin H. Pierce* for petitioner. *Mr. Walter Lee Sheppard* for respondents. Reported below: 39 F. (2d) 360.

No. 205. ROSE, COLLECTOR, *v.* GRANT; and

No. 206. SAME *v.* GRANT ET AL. October 13, 1930. Petition for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Solicitor General Thacher*, *Assistant Attorney General Youngquist* and *Messrs. Claude R. Branch*, *Sewall Key*, *Andrew D. Sharpe*, and *Paul D. Miller* for petitioner. *Messrs. John M. Slaton* and *Richard H. Wilmer* for respondents. Reported below: 39 F. (2d) 338, 340.

No. 231. BURNET, COMMISSIONER OF INTERNAL REVENUE *v.* CHICAGO RAILWAY EQUIPMENT Co. October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Thacher* for petitioner. *Mr. Wm. S. Oppenheim* for respondent. Reported below: 39 F. (2d) 378.

No. 235. FLYNN, EXECUTOR, *v.* NEW YORK, NEW HAVEN & HARTFORD R. Co. October 13, 1930. Petition

for writ of certiorari to the Supreme Court of Errors of Connecticut granted. *Mr. Thomas R. FitzSimmons* for petitioner. *Mr. Edward R. Brumley* for respondent. Reported below: 111 Conn. 196; 149 Atl. 682.

No. 239. MAYNARD, ADMINISTRATOR, *v.* ELLIOTT, TRUSTEE;

No. 240. VARNEY *v.* SAME;

No. 241. SMITH ET AL. *v.* SAME; and

No. 242. RUTHERFORD *v.* SAME. October 13, 1930. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. Randolph Bias and Wells Goodykoontz* for petitioners. *Mr. Stanley Reed* for respondent. Reported below: 40 F. (2d) 17.

No. 252. UNITED STATES *v.* WELLS ET AL. October 13, 1930. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Thacher* for the United States. *Mr. W. W. Spalding* for respondents. Reported below: 39 F. (2d) 998; 69 Ct. Cls. 485.

No. 261. STANDARD MARINE INS. Co., LTD., *v.* SCOTTISH METROPOLITAN ASSURANCE Co., LTD. October 13, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Russell T. Mount* for petitioner. *Messrs. T. Catesby Jones and James W. Ryan* for respondent. Reported below: 39 F. (2d) 436.

No. 263. MAAS & WALDSTEIN Co. *v.* UNITED STATES. October 13, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. George E. Holmes, W. A. Sutherland, and Donald Havens* for petitioner. *Solicitor General Thacher, Assistant Attorney General*

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*Rugg and Messrs. Claude R. Branch and Charles R. Pol-
lard* for the United States. Reported below: 37 F. (2d)
196; 68 Ct. Cls. 613.

No. 282. *BONWIT TELLER & Co. v. UNITED STATES.*
October 13, 1930. Petition for writ of certiorari to the
Court of Claims granted. *Mr. Arthur B. Hyman* for
petitioner. *Solicitor General Thacher, Assistant Attorney
General Rugg and Messrs. Claude R. Branch and George
H. Foster* for the United States. Reported below: 39 F.
(2d) 730; 69 Ct. Cls. 638.

No. 288. *BURNET, COMMISSIONER OF INTERNAL REV-
ENUE, v. THOMPSON OIL & GAS Co.* October 13, 1930.
Petition for writ of certiorari to the Circuit Court of
Appeals for the Tenth Circuit granted. *Solicitor General
Thacher, Assistant Attorney General Youngquist and
Messrs. Sewall Key, J. Louis Monarch, Paul D. Miller,
and Clarence M. Charest* for petitioner. *Messrs. Phil D.
Morelock and James S. Y. Ivins* for respondent. Reported
below: 40 F. (2d) 493.

No. 315. *SMITH, ADMINISTRATRIX, v. SPRINGDALE
AMUSEMENT PARK ET AL.* October 13, 1930. Petition for
writ of certiorari to the Circuit Court of Appeals for the
Sixth Circuit granted. *Messrs. E. Howard McCaleb and
John E. Sater* for petitioner. *Mr. Paul Bakewell* for
respondents. Reported below: 40 F. (2d) 173.

No. 352. *V. LOEWERS GAMBRINUS BREWERY Co. v.
ANDERSON, COLLECTOR.* October 20, 1930. The petition
for a writ of certiorari to the Circuit Court of Appeals for
the Second Circuit is granted, limited to the question

whether the petitioner is entitled to any deduction for obsolescence of its tangible property in the taxable years 1918 and 1919 under § 234 (a) (7) of the Revenue Act of 1918. *Messrs. Arthur B. Hyman and Karl D. Loos* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, J. Louis Monarch, and Norman D. Keller* for respondent. Reported below: 42 F. (2d) 216.

No. 362. GASOLINE PRODUCTS CO., INC., *v.* CHAMPLIN REFINING CO. October 20, 1930. The petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit is granted, limited to the question whether the Circuit Court of Appeals erred in limiting the new trial to the question of damages. *Mr. John B. Marsh* for petitioner. *Messrs. Horace G. McKeever, Harry O. Glasser, and Carl C. Jones* for respondent. Reported below: 39 F. (2d) 521.

No. 448. PRUSSIAN *v.* UNITED STATES. October 20, 1930. The petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit is granted, limited to the question whether the indictment states an offense under the Criminal Code. *Messrs. Walter B. Milkman and Harold L. Turk* for petitioner. *Solicitor General Thacher and Messrs. Claude R. Branch, Harry S. Ridgely, and W. Marvin Smith* for the United States. Reported below: 42 F. (2d) 854.

No. 323. SECOND NATIONAL BANK *v.* UNITED STATES. October 20, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. W. A. Sutherland and Samuel Nesbit Evins* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg and Messrs.*

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Claude R. Branch and *W. Marvin Smith* for the United States. Reported below: 69 Ct. Cls. 745.

No. 337. BOSTON PRESSED METAL CO. *v.* UNITED STATES. October 20, 1930. Petition for writ of certiorari to the Court of Claims granted. *Mr. Harry Friedman* for petitioner. *Solicitor General Thacher*, *Assistant Attorney General Rugg* and *Messrs. Claude R. Branch* and *W. Marvin Smith* for the United States. Reported below: 42 F. (2d) 312; 70 Ct. Cls. 272.

No. 463. DANIEL REEVES, INC., *v.* ANDERSON, COLLECTOR. October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Elkan Turk* and *Herman Goldman* for petitioner. *Solicitor General Thacher*, *Assistant Attorney General Youngquist* and *Messrs. Claude R. Branch* and *S. Dee Hanson* for respondent. Reported below: 43 F. (2d) 679.

No. 195. COLUMBUS & GREENVILLE RY. CO. ET AL. *v.* MILLER, STATE TAX COLLECTOR. October 20, 1930. Petition for writ of certiorari to the Supreme Court of Mississippi granted. *Messrs. William H. Watkins*, *R. C. Stovall*, and *A. F. Gardner, Sr.*, for petitioners. *Messrs. George Butler* and *Simon Rosenthal* for respondent. Reported below: 127 So. 784.

No. 330. TWIN CITY PIPE LINE CO. ET AL. *v.* HARDING GLASS CO. October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Mr. J. P. Woods* for petitioners. *Messrs. Joseph R. Brown* and *James B. McDonough* for respondent. Reported below: 39 F. (2d) 408.

No. 342. SOUTHERN RAILWAY CO. *v.* HUSSEY. October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Charles A. Houts and H. N. Quigley* for petitioner. *Mr. Jesse W. Barrett* for respondent. Reported below: 42 F. (2d) 70.

No. 351. ECKERT *v.* BURNET, COMMISSIONER OF INTERNAL REVENUE. October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. C. R. Dewey and Henry T. Dorrance* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, Sewall Key, and A. H. Conner* for respondent. Reported below: 42 F. (2d) 158.

No. 370. ALFORD *v.* UNITED STATES. October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Thos. M. Foley and Leo R. Friedman* for petitioner. *Solicitor General Thacher and Messrs. Claude R. Branch and Harry S. Ridgely* for the United States. Reported below: 41 F. (2d) 157.

No. 422. CUSTER *v.* McCUTCHEON. October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. James R. Bothwell and J. F. Nugent* for petitioner. *Solicitor General Thacher, Assistant Attorney General Richardson and Messrs. Claude R. Branch, E. T. Burke, and Paul D. Miller* for respondent. Reported below: 41 F. (2d) 354.

No. 423. SANCHEZ *v.* BORRAS. October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals

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for the First Circuit granted. *Mr. Nelson Gammans* for petitioner. *Messrs. Henry G. Molina, Archie O. Dawson, and Sidney P. Simpson* for respondent. Reported below: 41 F. (2d) 914.

No. 426. *McCAUGHN, COLLECTOR, v. HERSHEY CHOCOLATE Co.*;

No. 427. *LEDERER, COLLECTOR, v. SAME*;

No. 428. *DAVIS, COLLECTOR, v. SAME*;

No. 429. *LEDERER, COLLECTOR, v. SAME*;

No. 430. *McCAUGHN, COLLECTOR, v. SAME*;

No. 431. *DAVIS, COLLECTOR, v. SAME*;

No. 432. *SAME v. KLEIN CHOCOLATE Co.*;

No. 433. *LEDERER, COLLECTOR, v. SAME*;

No. 434. *SAME v. SAME*;

No. 435. *McCAUGHN, COLLECTOR, v. SAME*;

No. 436. *LEDERER, COLLECTOR, v. WILBUR-SUCHARD CHOCOLATE Co.*;

No. 437. *SAME v. SAME*;

No. 438. *McCAUGHN, COLLECTOR, v. SAME*;

No. 439. *DAVIS, COLLECTOR, v. YORK CHOCOLATE Co.*;

No. 440. *LEDERER, COLLECTOR, v. SAME*; and

No. 441. *McCAUGHN, COLLECTOR, v. SAME*. October 20, 1930. Petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, Sewall Key, J. Louis Monarch, and Clarence M. Charest* for petitioners. *Messrs. A. Allen Woodruff, F. Lyman Windolph, and Wm. Clarke Mason* for respondents. Reported below: 42 F. (2d) 408.

No. 445. *BALDWIN v. IOWA STATE TRAVELING MEN'S ASSN.* October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit

granted. *Messrs. C. W. Prince, James Beery, Denton Dunn, and F. W. Lehmann, Jr.*, for petitioner. *Mr. J. M. Parsons* for respondent. Reported below: 40 F. (2d) 357.

No. 387. *KLEIN ET AL. v. UNITED STATES*. October 20, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. Benjamin B. Pettus, Edward Clifford, and H. H. Shinnick* for petitioners. *Solicitor General Thacher, Assistant Attorney General Rugg, and Mr. Fred K. Dyar* for the United States. Reported below: 42 F. (2d) 596; 70 Ct. Cls. 151.

No. 416. *UNITED STATES v. WYMAN, PARTRIDGE & Co.* October 20, 1930. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Thacher* for the United States. *Messrs. Frank J. Albus and Wm. Meyerhoff* for respondent. Reported below: 41 F. (2d) 886; 70 Ct. Cls. 119.

No. 455. *PHILLIPS ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. October 20, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Elkan Turk and Herman Goldman* for petitioners. *Solicitor General Thacher, Assistant Attorney General Youngquist* and *Messrs. Claude R. Branch, Sewall Key, Morton K. Rothschild, Paul D. Miller, Clarence M. Charest, and Allin H. Pierce* for respondent. Reported below: 42 F. (2d) 177.

No. 451. *MATHEUS, U. S. MARSHAL, v. UNITED STATES EX REL. CUNNINGHAM*. See same case, *ante*, p. 802.

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No. 400. MASCOT OIL Co., INC., *v.* UNITED STATES. October 27, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. Theodore B. Benson, Wm. Meyerhoff, and W. A. Sutherland* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg and Messrs. Claude R. Branch and George H. Foster* for the United States. Reported below: 42 F. (2d) 309; 70 Ct. Cls. 246. See *ante*, p. 434.

No. 412. ROY & TITCOMB, INC., *v.* UNITED STATES. October 27, 1930. Petition for writ of certiorari to the Court of Claims granted. *Messrs. Theodore B. Benson, A. C. Rearick, and Sidney P. Simpson* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg and Messrs. Claude R. Branch and Lisle A. Smith* for the United States. Reported below: 39 F. (2d) 753; 69 Ct. Cls. 614. See *ante*, p. 811.

No. 484. FEDERAL TRADE COMMISSION *v.* RALADAM Co. November 3, 1930. The petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit is granted, limited to the question of the jurisdiction of the Federal Trade Commission. *Solicitor General Thacher, Assistant to the Attorney General O'Brian and Messrs. Claude R. Branch, Charles H. Weston, William G. Davis, Robert E. Healy, and Martin A. Morrison* for petitioner. *Mr. Thomas G. Long* for respondent. Reported below: 42 F. (2d) 430.

No. 97. ROBERTS SASH & DOOR Co. *v.* UNITED STATES. Petition for writ of certiorari to the Court of Claims. November 24, 1930. In view of the conflict of decisions appearing since the former order of this Court, it is or-

dered that the petition for rehearing be, and the same is hereby, granted. The order heretofore entered on October 13, 1930, denying the petition for writ of certiorari herein is vacated, and it is ordered that the petition for writ of certiorari in this case be, and the same is hereby, granted. *Mr. Jesse I. Miller* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg and Messrs. Claude R. Branch, George H. Foster, and Fred K. Dyar* for the United States. Reported below: 38 F. (2d) 716; 69 Ct. Cls. 363. See same case, *ante*, p. 812.

No. 425. GROUP NO. 1, OIL CORP. *v.* BASS, COLLECTOR OF INTERNAL REVENUE. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. November 24, 1930. In view of the interest of the State of Texas, as stated by it as *amicus curiae* in support of the petition for rehearing, it is ordered that the petition for rehearing be, and the same is hereby, granted. The order heretofore entered on October 20, 1930, denying the petition for writ of certiorari herein is vacated, and it is ordered that the petition for writ of certiorari in this case be, and the same is hereby, granted. *Messrs. Homer L. Bruce and James A. Baker* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, Sewall Key, and John G. Remy* for respondent. Reported below: 41 F (2d) 483.

No. 457. DUQUESNE STEEL FOUNDRY Co. *v.* BURNET, COMMISSIONER OF INTERNAL REVENUE. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit. November 24, 1930. In view of the conflict of decisions appearing since the former order of this Court, it is ordered that the petition for rehearing be, and the same is hereby, granted. The order heretofore entered on October 20, 1930, denying the petition for writ of certiorari

herein is vacated and it is ordered that the petition for writ of certiorari in this case be, and the same is hereby, granted. *Mr. Wm. S. Moorhead* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, Sewall Key, John Henry McEvers, W. Marvin Smith, and Clarence M. Charest* for respondent. Reported below: 41 F. (2d) 995.

No. 489. ENAMELED METALS CO. *v.* BURNET, COMMISSIONER OF INTERNAL REVENUE. November 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. S. Leo Ruslander, Samuel Kaufman, Clarence N. Goodwin, and George R. Beneman* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, J. Louis Monarch, John MacC. Hudson, and Clarence M. Charest* for respondent. Reported below: 42 F. (2d) 213.

No. 477. HUSTY ET AL. *v.* UNITED STATES. November 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. John B. McMahan and P. F. Parrott* for petitioners. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, Mahlon D. Kiefer, F. Cadmus Damrell, and Paul D. Miller* for the United States. Reported below: 30 F. (2d) 1012.

No. 490. FRANK L. YOUNG CO. *v.* McNEAL EDWARDS Co. November 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Messrs. John G. Palfrey and Charles F. Albert* for petitioner. *Mr. Asa P. French* for respondent. Reported below: 42 F. (2d) 829. See also 35 *id.* 829; 43 *id.* 99.

No. 504. UNITED STATES *v.* MACINTOSH. November 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Thacher* and *Messrs. Harry S. Ridgely* and *Paul D. Miller* for the United States. *Mr. John W. Davis* for respondent. Reported below: 42 F. (2d) 845.

No. 505. UNITED STATES *v.* BLAND. November 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Thacher* and *Messrs. Harry S. Ridgely* and *Paul D. Miller* for the United States. *Emily Marx* for respondent. Reported below: 42 F. (2d) 842.

No. 508. HEINER, COLLECTOR OF INTERNAL REVENUE, *v.* ERIE COAL & COKE Co. November 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Thacher*, *Assistant Attorney General Youngquist*, *Assistant Attorney General Rugg*, and *Messrs. Claude R. Branch*, *Sewall Key*, *Geo. H. Foster*, and *Norman D. Keller* for petitioner. No appearance for respondent. Reported below: 42 F. (2d) 214.

No. 519. AMERICAN GLUE Co. *v.* UNITED STATES. November 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Mr. Harris H. Gilman* for petitioner. *Solicitor General Thacher*, *Assistant Attorney General Youngquist* and *Messrs. Claude R. Branch*, *J. Louis Monarch*, and *Norman D. Keller* for the United States. Reported below: 42 F. (2d) 235.

No. 529. JENNINGS, EXECUTRIX, *v.* ANDERSON, COLLECTOR. November 24, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Robert N. Miller, Ewing Everett and J. Robert Sherrod* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. Claude R. Branch, J. Louis Monarch, and Norman D. Keller* for respondent. Reported below: 43 F. (2d) 683.

No. 520. LEWIS-SIMAS-JONES Co. *v.* SOUTHERN PACIFIC Co. December 1, 1930. Petition for writ of certiorari to the District Court of Appeals, First Appellate District, of California, granted. *Messrs. Ernest Clewe and Robert E. Quirk* for petitioner. *Messrs. Henley C. Booth, J. R. Bell, G. H. Muckley, and James E. Lyons* for respondent. Reported below: 289 Pac. 643.

No. 521. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* LOGAN; and

No. 522. SAME *v.* BRUCE. December 1, 1930. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Thacher, Assistant Attorney General Youngquist and Messrs. J. Louis Monarch, Randolph C. Shaw, Clarence M. Charest, and Allin H. Pierce* for petitioner. *Mr. R. S. Doyle* for respondents. Reported below: 42 F. (2d) 193, 197.

No. 543. MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE RY. Co. *v.* MOQUIN. December 8, 1930. The petition for a writ of certiorari in this case to the Supreme Court of Minnesota is granted, limited to the question arising

from the failure of the state court to grant a new trial in a case under the Federal Employers' Liability Act where the verdict was obtained by appeals to passion and prejudice. *Messrs. Henry S. Mitchell and John E. Palmer* for petitioner. *Messrs. Tom Davis and Ernest A. Michel* for respondent. Reported below: 231 N. W. 829; see also, 231 *id.* 920.

No. 565. WRIGHT & TAYLOR, INC., *v.* LUCAS, COLLECTOR OF INTERNAL REVENUE. December 8, 1930. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. Donald V. Hunter and Robert N. Miller* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist* and *Messrs. Claude R. Branch, Sewall Key, and Norman D. Keller and John MacC. Hudson* for respondent. Reported below: 34 F. (2d) 328; 45 *id.* 75.

No. 542. McCORMICK ET AL. *v.* BURNET, COMMISSIONER OF INTERNAL REVENUE. December 8, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. Robert N. Miller, Horace Kent Tenney, George T. Rogers, Henry F. Tenney, and Roger Sherman* for petitioners. *Solicitor General Thacher* for respondent. Reported below: 43 F. (2d) 277.

No. 535. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* NORTHERN TRUST Co., EXECUTOR. December 8, 1930. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Thacher, Assistant Attorney General Youngquist* and *Messrs. J. Louis Monarch, Clarence M. Charest, and*

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Decisions Granting Certiorari.

Prew Savoy for petitioner. *Messrs. Theodore Schmidt, Edward H. Blanc, Russell L. Bradford, John W. Davis, and Frederic Ullmann* for respondent. Reported below: 41 F. (2d) 732.

No. 549. *NASH-BREYER MOTOR CO. v. BURNET, COMMISSIONER OF INTERNAL REVENUE.* January 5, 1931. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. T. B. Benson, Arthur H. Deibert, M. F. Mitchell, and George G. Witter* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist* and *Messrs. Claude R. Branch, Sewall Key, and J. Louis Monarch* for respondent. Reported below: 42 F. (2d) 192.

No. 552. *McBOYLE v. UNITED STATES.* January 12, 1931. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted, limited to the question whether the National Motor Vehicle Theft Act applies to aircraft. *Mr. Harry F. Brown* for petitioner. *Solicitor General Thacher* and *Messrs. Claude R. Branch, Harry S. Ridgely, and W. Marvin Smith* for the United States. Reported below: 43 F. (2d) 273.

No. 581. *MORSMAN, ADMINISTRATOR, v. COMMISSIONER OF INTERNAL REVENUE.* January 12, 1931. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Edgar M. Morsman, Jr., Edward H. Blanc, and Russell L. Bradford* for petitioner. *Solicitor General Thacher* and *Mr. Claude R. Branch* for respondent. Reported below: 44 F. (2d) 902.

No. 563. GREAT NORTHERN RY. CO. *v.* DELMAR CO. January 19, 1931. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. F. G. Dorety* and *R. J. Hagman* for petitioner. *Mr. Fred W. Putnam* for respondent. Reported below: 43 F. (2d) 780.

No. 600. ATLANTIC COAST LINE R. CO. *v.* POWE, ADMINISTRATOR. January 19, 1931. Petition for writ of certiorari to the Supreme Court of South Carolina granted. *Messrs. Thomas W. Davis* and *Arthur R. Young* for petitioner. *Messrs. Lionel K. Legge* and *W. Turner Logan* for respondent.

No. 683. ALDRIDGE *v.* UNITED STATES. Petition for writ of certiorari to the Court of Appeals of the District of Columbia. February 25, 1931. The motion for leave to proceed further herein *in forma pauperis* is granted. The petition for writ of certiorari is also granted, limited to the question raised by the exception to the ruling of the trial court on the examination on *voir dire* of prospective jurors. *Mr. James F. Reilly* for petitioner. *Messrs. Leo A. Rover*, U. S. Attorney for the District of Columbia, and *Neil Burkinshaw*, Assistant U. S. Attorney, for the United States. Reported below: 60 App. D. C. —; 47 F. (2d) 407.

No. 630. DE FOREST RADIO CO. *v.* GENERAL ELECTRIC CO. February 25, 1931. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Samuel E. Darby, Jr.*, and *Thomas G. Haight* for petitioner. *Messrs. Ralph B. Evans*, *Hubert Howson*, and *Albert G. Davis* for respondent. Reported below: 44 F. (2d) 931.