

1932. 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. Whitney North Seymour, Sewall Key, and Morton K. Rothschild* for petitioner. *Mr. Ellis Ames Ballard* for respondent. Reported below: 57 F. (2d) 47.

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DECISIONS DENYING CERTIORARI, FROM APRIL 12, 1932, TO AND INCLUDING MAY 31, 1932

No. 856. JOYNER, ADMINISTRATOR, *v.* JEFFERSON STANDARD LIFE INSURANCE Co. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. Carl H. Richmond and John W. Bennett* for petitioner. *Mr. Shepard Bryan* for respondent. Reported below: 53 F. (2d) 745.

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No. 863. UNITED STATES EX REL. JACKSON *v.* MEYER-ING, SHERIFF. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Richard E. Westbrooks* for petitioner. No appearance for respondent. Reported below: 54 F. (2d) 621.

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No. 864. LINDGREN, ADMINISTRATOR, *v.* U. S. SHIPPING BOARD MERCHANT FLEET CORP. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Jacob L. Morewitz* for petitioner. No appearance for respondent. Reported below: 55 F. (2d) 117.

No. 774. INDUSTRIAL COMMISSIONER OF NEW YORK *v.* IRVING TRUST CO., TRUSTEE; and

No. 775. SAME *v.* DUBERSTEIN, TRUSTEE. April 18, 1932. The petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit in the above-entitled cases is denied, the claimants not being parties to the application for the writs and it not appearing that petitioner has capacity to prosecute the application. *Mr. Joseph A. McLaughlin* for petitioner. *Mr. Godfrey Goldmark* for Irving Trust Co., Trustee. No appearance for Duberstein, Trustee. Reported below: 54 F. (2d) 338.

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No. 705. ENRIGHT ET AL. *v.* UNITED STATES. April 18, 1932. Petition for writ of certiorari to the Court of Claims denied. *Messrs. James D. Carpenter, Jr., John M. Enright, Eldon Bisbee, and George R. Shields* for petitioners. *Solicitor General Thacher, Assistant Attorney General Rugg, and Messrs. Whitney North Seymour and Bradley B. Gilman* for the United States. Reported below: 73 Ct. Cls. 416; 54 F. (2d) 182.

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No. 748. KITAGAWA *v.* SHIPMAN, TREASURER. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Carl S. Carlsmith* for petitioner. No appearance for respondent. Reported below: 54 F. (2d) 313.

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No. 749. MANA TRANSPORTATION CO., LTD., *v.* SHIPMAN, TREASURER. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Carl S. Carlsmith* for petitioner. No appearance for respondent. Reported below: 54 F. (2d) 313.

No. 754. MONTE RICO MILLING & MINING Co. ET AL. v. U. S. FIDELITY & GUARANTY Co. April 18, 1932. Petition for writ of certiorari to the Supreme Court of New Mexico denied. *Messrs. O. N. Marron* and *Francis E. Wood* for petitioners. *Mr. E. R. Wright* for respondent. Reported below: 35 N. M. 616; 5 P. (2d) 195.

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No. 762. TRUST No. 5833, SECURITY-FIRST NATIONAL BANK OF LOS ANGELES, v. WELCH, COLLECTOR. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Stuart Chevalier* and *Melvin D. Wilson* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist*, and *Messrs. Claude R. Branch, Sewall Key*, and *Wm. Cutler Thompson* for respondent. Reported below: 54 F. (2d) 323.

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No. 778. LADOW, ADMINISTRATOR, v. BALTIMORE & OHIO R. Co. April 18, 1932. Petition for writ of certiorari to the Court of Appeals of Ohio, 1st Appellate District, denied. *Mr. Charles P. Taft, 2d*, for petitioner. *Mr. Benton S. Oppenheimer* for respondent. Reported below: 40 Ohio App. 458.

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No. 780. INDEPENDENT OIL WELL CEMENTING Co. v. HALLIBURTON ET AL. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Arthur C. Brown* and *C. E. Hall* for petitioner. *Messrs. Leonard S. Lyon* and *Henry S. Richmond* for respondents. Reported below: 54 F. (2d) 900.

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No. 781. ATCHISON, TOPEKA & SANTA FE Ry. Co. v. NORKEVICH, ADMINISTRATRIX. April 18, 1932. Petition

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for writ of certiorari to the Appellate Court of Illinois, 1st District, denied. *Messrs. E. E. McInnis* and *Homer W. Davis* for petitioner. *Mr. John K. Murphy* for respondent. Reported below: 263 Ill. App. 1.

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No. 791. *OWEN v. KINGSPORT PRESS, INC., ET AL.* April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. O. Ellery Edwards* for petitioner. *Mr. Samuel H. Kauffman* for respondents. Reported below: 54 F. (2d) 497.

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No. 792. *UNCASVILLE MFG. CO. v. COMMISSIONER OF INTERNAL REVENUE.* April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John E. Hughes* for petitioner. *Solicitor General Thacher* for respondent. Reported below: 55 F. (2d) 893.

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No. 794. *OSTRANDER-SEYMOUR CO. v. POWERS-TYSON CORP. ET AL.* April 18, 1932. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Messrs. Wm. J. Hughes, Jr., Wm. E. Leahy, and Meyer Abrams* for petitioner. *Mr. Benn M. Corwin* for respondents. Reported below: 245 Mich. 669, 224 N. W. 609; 256 Mich. 311, 239 N. W. 323.

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No. 803. *GOSSETT, ADMINISTRATOR, ET AL. v. SWINNEY ET AL.* April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Alfred N. Gossett, Wm. S. Allen, John T. Harding, and Henry L. Jost* for petitioners. *Messrs. Arthur Mag, Roy B. Thomson, and Wm. S. Hogsett* for respondents. Reported below: 53 F. (2d) 772.

No. 804. *MARTIN v. UNITED STATES*. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Talma L. Smith* for petitioner. *Solicitor General Thacher, Assistant Attorney General St. Lewis, and Messrs. Whitney North Seymour, W. Clifton Stone, and Wm. H. Riley, Jr.*, for the United States. Reported below: 54 F. (2d) 554.

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No. 806. *MUIR, ADMINISTRATOR, v. FIDELITY & DEPOSIT COMPANY OF MARYLAND*. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Eugene Hubbard* for petitioner. *Mr. Wm. Marshall Bullitt* for respondent. Reported below: 53 F. (2d) 605; 55 *id.* 226.

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No. 808. *FIRE COMPANIES BUILDING CORP. v. COMMISSIONER OF INTERNAL REVENUE*. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. James L. Fort and O. H. B. Bloodworth, Jr.*, for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, John Henry McEvers, and Wilbur H. Friedman* for respondent. Reported below: 54 F. (2d) 488.

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No. 810. *LOUISVILLE & NASHVILLE R. Co. v. LONG*. April 18, 1932. Petition for writ of certiorari to the Supreme Court of Tennessee denied. *Messrs. James G. Johnson, James B. Wright, and Williston M. Cox* for petitioner. *Messrs. James A. Fowler and Jesse L. Rogers* for respondent.

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No. 832. *A. B. LEACH & Co., INC. v. GRANT, RECEIVER*. April 18, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied.

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*Messrs. Conrad H. Poppenhusen, Edward R. Johnston, and Floyd E. Thompson* for petitioner. *Messrs. James P. Wilson and Andrew M. Henderson* for respondent. Reported below: 54 F. (2d) 731.

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No. 786. *LAVINE ET AL. v. CALIFORNIA*. See same case, *ante*, p. 528.

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No. 880. *ISENBERG ET AL. v. SHERMAN ET AL.* On petition for writ of certiorari to the Supreme Court of California. Submitted April 18, 1932. Decided April 25, 1932. The motion of the petitioner for leave to print an abbreviated record herein is denied, for the reason that the Court, upon examination of the unprinted record herein submitted, finds that the application for writ of certiorari was not made within the time provided by law. (Act of Feb. 13, 1925, § 8 (a), 43 Stat. 936, 940). The petition for a writ of certiorari is therefore also denied. Mr. JUSTICE STONE took no part in the consideration or decision of this application. *Messrs. Bartley C. Crum and John Francis Neylan* for petitioners. *Messrs. Oscar Sutro, Alfred Sutro, W. H. Lawrence, and Eugene M. Prince* for respondents. Reported below: 298 Pac. 1004; 299 *id.* 528; 212 Cal. 454; 7 P. (2d) 1006.

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No. 872. *McCONLOGUE v. ADERHOLD, WARDEN*. April 25, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Neil McConlogue, pro se*. No appearance for respondent. Reported below: 56 F. (2d) 152.

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No. 765. *UNION TRUST COMPANY, TRUSTEE, v. UNITED STATES*. April 25, 1932. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Frederic D. Mc-*

*Kenney, John S. Flannery, G. Bowdoin Craighill, and Caesar L. Aiello* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Messrs. Whitney North Seymour, H. Brian Holland, and Erwin N. Griswold* for the United States. Reported below: 73 Ct. Cls. 315; 54 F. (2d) 152.

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No. 812. *FIRST UNION TRUST & SAVINGS BANK, TRUSTEE, v. CONSUMERS CO. ET AL.* April 25, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Rush C. Butler and Frank E. Harkness* for petitioner. *Messrs. Edwin W. Sims, Franklin J. Stransky, and Cassius Prout* for respondents. Reported below: 53 F. (2d) 972.

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No. 815. *AETNA CASUALTY & SURETY CO. v. INDEPENDENT BRIDGE CO.* April 25, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Edwin W. Smith and John C. Bane, Jr.*, for petitioner. *Mr. Edward G. Bothwell* for respondent. Reported below: 55 F. (2d) 79.

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No. 816. *SPEERS SAND & CLAY WORKS, INC. v. AMERICAN TRUST CO.* April 25, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mary W. F. Speers* for petitioner. *Mr. Edward P. Keech, Jr.*, for respondent. Reported below: 52 F. (2d) 831.

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No. 823. *WOURDACK v. BECKER, COLLECTOR OF INTERNAL REVENUE.* April 25, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Lon O. Hocker* for petitioner. *So-*

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*licitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, Wm. Cutler Thompson, and Wm. H. Riley, Jr., for respondent.* Reported below: 55 F. (2d) 840.

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No. 833. *JACKSON IRON & STEEL Co. v. COMMISSIONER OF INTERNAL REVENUE.* April 25, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Richard S. Doyle and Charles D. Hamel for petitioner. Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, Andrew D. Sharpe, and Wm. H. Riley, Jr., for respondent.* Reported below: 54 F. (2d) 861.

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No. 834. *WELLS, TRUSTEE IN BANKRUPTCY, v. SIEGEL.* April 25, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Albert A. Jones for petitioner. Mr. Milton Koblitz for respondent.* Reported below: 55 F. (2d) 877.

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No. 840. *SOVEREIGN CAMP, WOODMEN OF THE WORLD v. NEFF.* April 25, 1932. Petition for writ of certiorari to the Kansas City Court of Appeals, of Missouri, denied. *Messrs. John T. Harding and David A. Murphy for petitioner. Mr. John G. Parkinson for respondent.* Reported below: 48 S. W. (2d) 564.

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No. 873. *MISSOURI-KANSAS-TEXAS R. Co. v. TSCHREPP-PEL.* April 25, 1932. Petition for writ of certiorari to the Supreme Court of Kansas denied. *Messrs. Joseph M. Bryson, C. S. Burg, W. W. Brown, and Douglas Hudson*

for petitioner. *Mr. John A. Hall* for respondent. Reported below: 134 Kan. 251; 5 P. (2d) 845.

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No. 837. *GODFREY v. GODFREY, EXECUTOR*. See same case, *ante*, p. 529.

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No. 883. *UNITED STATES EX REL MORAN v. HILL, WARDEN*. May 2, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit, and the motion for leave to proceed further *in forma pauperis*, denied. *Mr. Eugene McCaffrey* for petitioner. No appearance for respondent. Reported below: 56 F. (2d) 146.

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No. 835. *CAPITAL NATIONAL BANK v. BOARD OF SUPERVISORS OF HINDS COUNTY*; and

No. 836. *SAME v. CITY OF JACKSON*. Petition for writs of certiorari to the Supreme Court of Mississippi. May 2, 1932. The petitions for writs of certiorari in these cases are severally denied, upon the ground that the judgments sought here to be reviewed are joint and the records fail to disclose summons and severance. *Hartford Accident & Indemnity Co. v. Bunn*, 285 U. S. 169; § 237 (b), Judicial Code, as amended by the Act of February 13, 1925 (43 Stat. 936, 937). *Mr. R. H. Thompson* for petitioner. *Messrs. Wm. H. Watkins and P. H. Eager, Jr.*, for respondents. Reported below: 162 Miss. 658; 139 So. 165, 163.

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No. 798. *BURNSTEIN ET AL. v. UNITED STATES*. May 2, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Otto Christensen* for petitioners. *Solicitor General Thacher*, *Assistant Attorney General Youngquist*, and *Messrs. Martin A. Morrison, Paul D. Miller*, and *W. Marvin Smith* for the United States. Reported below: 55 F. (2d) 599.

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No. 813. *J. Chr. G. HUPFEL Co., Inc. v. ANDERSON, COLLECTOR.* May 2, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. L. L. Hamby* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, and John G. Remey* for respondent. Reported below: 55 F. (2d) 1080.

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No. 838. *CHICAGO & NORTHWESTERN Ry. Co. v. STATE BOARD OF EQUALIZATION & ASSESSMENT.* May 2, 1932. Petition for writ of certiorari to the Supreme Court of Nebraska denied. *Messrs. Wymer Dressler and Samuel H. Cady* for petitioner. *Messrs. C. A. Sorensen and Hugh LaMaster* for respondent. Reported below: 121 Neb. 592; 237 N. W. 657; 238 N. W. 520.

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No. 839. *MILYONICO ET AL. v. UNITED STATES.* May 2, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Harold J. Bandy* for petitioners. *Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Paul D. Miller, A. E. Gottschall, John J. Byrne, and W. Marvin Smith* for the United States. Reported below: 53 F. (2d) 937.

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No. 842. *SECURITY NATIONAL BANK v. YOUNG, COUNTY TREASURER, ET AL.* May 2, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Perry F. Loucks* for petitioner. *Mr. Ray F. Drewry* for respondents. Reported below: 55 F. (2d) 616.

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No. 846. *JOHNSON ET AL. v. BURNET, COMMISSIONER OF INTERNAL REVENUE.* May 2, 1932. Petition for writ

of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Harry C. Weeks* for petitioners. *Solicitor General Thacher, Assistant Attorney General Youngquist*, and *Messrs. Whitney North Seymour, Sewall Key, Wm. Cutler Thompson, and Wm. F. Riley, Jr.*, for respondent. Reported below: 56 F. (2d) 58.

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No. 848. 169 BALES CONTAINING WOOL *v.* UNITED STATES. May 2, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Carl E. Whitney and Francis C. Lowthorp* for petitioner. *Solicitor General Thacher, Assistant Attorney General St. Lewis*, and *Messrs. Whitney North Seymour, Clinton M. Hester, and Wilbur H. Friedman* for the United States. Reported below: 56 F. (2d) 736.

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No. 850. CHICAGO, ROCK ISLAND & PACIFIC RY. CO. *v.* SQUIRE, ADMINISTRATOR. May 2, 1932. Petition for writ of certiorari to the Supreme Court of Oklahoma denied. *Messrs. John Barry, M. L. Bell, W. F. Dickinson, Thomas P. Littlepage, and W. R. Bleakmore* for petitioner. *Messrs. R. R. Bell, W. A. Ledbetter, and H. L. Stuart* for respondent. Reported below: 155 Okla. 53.

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No. 852. ST. LOUIS-SAN FRANCISCO RY. CO. ET AL. *v.* FINE. May 2, 1932. Petition for writ of certiorari to the Supreme Court of Arkansas denied. *Messrs. Edward T. Miller, Harry P. Warner, and Cecil R. Warner* for petitioners. *Mr. David S. Partain* for respondent. Reported below: 184 Ark. 940; 44 S. W. (2d) 340.

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No. 868. ALBERT PICK-BARTH CO., INC. *v.* MITCHELL WOODBURY CO., INC., ET AL. May 2, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the

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First Circuit denied. *Messrs. Edward F. McClenen and Jacob J. Kaplan* for petitioner. *Messrs. Edward O. Proctor and Mark M. Horblit* for respondents. Reported below: 57 F. (2d) 96.

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No. 891. *CAPONE v. UNITED STATES*. May 2, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Michael J. Ahern, Albert Fink, and Frank K. Nebeker* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Sewall Key, John H. McEvers, Paul D. Miller, and W. Marvin Smith* for the United States. Reported below: 56 F. (2d) 927.

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No. 726. *NATIONAL SURETY CO. ET AL. v. CORIELL ET AL.* May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Charles H. Tuttle, Saul S. Myers, Selden Bacon, and Gregory Hankin* for petitioners. *Mr. Charles B. McInnis* for respondents. Reported below: 54 F. (2d) 255.

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No. 766. *ERIE R. CO. v. UNITED STATES*. May 16, 1932. Petition for writ of certiorari to the Court of Claims denied. *Mr. M. B. Pierce* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Messrs. Whitney North Seymour, Joseph H. Sheppard, and Bradley B. Gilman* for the United States. Reported below: 73 Ct. Cls. 307; 54 F. (2d) 173.

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No. 843. *CONSOLIDATED BOOK PUBLISHERS, INC. v. FEDERAL TRADE COMMISSION*. May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Edw. W. Everett* for

petitioner. *Solicitor General Thacher, Assistant to the Attorney General O'Brian, and Messrs. Whitney North Seymour, Charles H. Weston, Wm. H. Riley, Jr., Robert E. Healy, and Martin A. Morrison* for respondent. Reported below: 53 F. (2d) 942.

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No. 845. *ROXANA PETROLEUM CORP. v. BOLLINGER ET AL.* May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Truman P. Young, Guy A. Thompson, and S. A. Mitchell* for petitioner. *Messrs. Oscar E. Carlstrom and Montgomery Winning* for respondents. Reported below: 54 F. (2d) 296.

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No. 847. *ROWE ET AL. v. UNITED STATES.* May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Joseph A. Cantrel* for petitioners. *Solicitor General Thacher, and Messrs. Paul D. Miller, Harry S. Ridgely, and W. Marvin Smith* for the United States. Reported below: 56 F. (2d) 747.

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No. 851. *COOPER, TRUSTEE, v. TAYLOR.* May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Herbert S. Phillips* for petitioner. *Mr. N. B. K. Pettingill* for respondent. Reported below: 54 F. (2d) 1055.

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No. 853. *KOLIS v. MOSDEN.* May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Robert F. Cogswell* for petitioner. No appearance for respondent.

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No. 854. *CHILDS, TRUSTEE IN BANKRUPTCY, v. EMPIRE TRUST CO.* May 16, 1932. Petition for writ of

certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Moses Cohen* for petitioner. *Messrs. Stuart McNamara* and *Leonard B. Smith* for respondent. Reported below: 54 F. (2d) 981.

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No. 855. *STIMPSON v. COMMISSIONER OF INTERNAL REVENUE*. May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. George H. Moore* and *William M. Fitch* for petitioner. *Solicitor General Thacher*, *Assistant Attorney General Youngquist*, and *Messrs. Whitney North Seymour, Sewall Key, Norman D. Keller*, and *Wm. H. Riley, Jr.*, for respondent. Reported below: 55 F. (2d) 815.

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No. 858. *JOHN C. WINSTON CO. v. TRIMBLE ET AL.* May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Marcellus Green, Wm. H. Watkins*, and *Garner W. Green* for petitioner. *Mr. L. T. Kennedy* for respondents. Reported below: 56 F. (2d) 150.

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No. 860. *GREAT NORTHERN RY. CO. v. SHELLENBARGER*. May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Charles A. Hart, Charles H. Carey*, and *Charles E. McCulloch* for petitioner. *Mr. Dan J. Malarkey* for respondent. Reported below: 54 F. (2d) 606.

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No. 861. *ATASCOSA COUNTY STATE BANK v. COPPARD, TRUSTEE, ET AL.* May 16, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Victor Keller* for petitioner. *Mr. Sylvan Lang* for respondents. Reported below: 56 F. (2d) 1023.

No. 878. CORNELL STEAMBOAT Co. v. SHAMROCK TOWING Co.; and

No. 879. SAME v. JAMES A. MEENAN, INC. May 16, 1932. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Robert S. Erskine* for petitioner. *Mr. Edward Ash* for Shamrock Towing Co. *Mr. John W. Griffin* for James A. Meenan, Inc. Reported below: 56 F. (2d) 740.

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No. 818. KERR GLASS MFG. CORP. v. SUPERIOR COURT OF WASHINGTON, KING COUNTY, ET AL. See same case, *ante*, p. 532.

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No. 952. NACHMAN v. UNITED STATES. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Jacob Nachman, pro se.* No appearance for the United States. Reported below: 57 F. (2d) 74.

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No. 676. HART GLASS MFG. Co. v. UNITED STATES. May 23, 1932. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Charles D. Hamel, John Enrietto, Frank C. Olive, and Alan E. Gray* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Messrs. Whitney North Seymour, Ralph C. Williamson, Bradley B. Gilman, and Wilbur H. Friedman*, for the United States. Reported below: 73 Ct. Cls. 32; 48 F. (2d) 435.

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No. 776. BURNET, COMMISSIONER OF INTERNAL REVENUE, v. BROWN; and

No. 797. BROWN v. BURNET, COMMISSIONER OF INTERNAL REVENUE. May 23, 1932. Petitions for writs of

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certiorari to the Circuit Court of Appeals for the First Circuit denied. *Solicitor General Thacher, Assistant Attorney General Youngquist, Miss Helen R. Carloss, and Messrs. Whitney North Seymour and Sewall Key* for Burnet. *Mr. James Craig Peacock* for Brown. Reported below: 54 F. (2d) 563.

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No. 817. *KENTUCKY & INDIANA TERMINAL R. Co. v. COMMISSIONER OF INTERNAL REVENUE*. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Edward P. Humphrey and Robert N. Miller* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, Morton K. Rothschild, and Erwin N. Griswold* for respondent. Reported below: 54 F. (2d) 738.

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No. 859. *FLORIDA EX REL. DAVIS ET AL. v. ATLANTIC COAST LINE R. Co.* May 23, 1932. Petition for writ of certiorari to the Supreme Court of Florida denied. *Messrs. Theodore T. Turnbull and Cary D. Landis* for petitioners. *Messrs. F. B. Grier, Wm. E. Kay, Thomas B. Adams, J. L. Doggett, and Carl H. Davis* for respondent. Reported below: 103 Fla. 1204; 140 So. 817, 824.

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No. 870. *MORSE v. LEWIS, ADMINISTRATRIX*. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Henry Simms* for petitioner. *Messrs. George E. Price and Robert S. Spilman* for respondent. Reported below: 54 F. (2d) 1027.

No. 875. DRYICE CORPORATION OF AMERICA ET AL. *v.* LOUISIANA DRY ICE CORP. ET AL.; and

No. 876. SAME *v.* BELT. May 23, 1932. Petition for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. George F. Thompson* for petitioners. *Mr. Robert A. Hunter* for Louisiana Dry Ice Corp. et al. *Mr. Joseph S. Belt, pro se.* Reported below: 54 F. (2d) 882.

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No. 882. PUTNAM *v.* CHRISTIE, ADMINISTRATRIX. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Oscar R. Houston, George S. Brengle, and Leonard J. Matteson* for petitioner. *Mr. Russell T. Mount* for respondent. Reported below: 55 F. (2d) 73.

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No. 886. E. C. WARNER Co. *v.* W. B. FOSHAY Co. ET AL. May 23, 1932 Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. John C. Benson and J. B. Faegre* for petitioner. *Mr. F. H. Stinchfield* for respondents. Reported below: 57 F. (2d) 656.

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No. 887. LIGHTING FIXTURE SUPPLY, INC. *v.* FIDELITY UNION FIRE INS. Co. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. St. Clair Adams* for petitioner. No appearance for respondent. Reported below: 55 F. (2d) 110.

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No. 893. BOSTON IRON & METAL Co. ET AL. *v.* UNITED STATES. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Sylvan Hayes Lauchheimer* for petitioners. *Solicitor General Thacher, Assistant Attorney General St. Lewis, and Messrs. Whitney North Seymour, J. Frank Staley, and Wilbur H. Friedman* for the United States. Reported below: 55 F. (2d) 126.

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No. 894. MANDEL-WITTE Co., INC., ET AL. *v.* BROOKS. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Nathan Ballin* for petitioners. *Mr. Addison S. Pratt* for respondent. Reported below: 54 F. (2d) 992.

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No. 895. DEAN, TRUSTEE, ET AL. *v.* JONES STORE Co. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Samuel W. Sawyer* for petitioners. *Messrs. Arthur Miller, Maurice Winger, and Charles W. German* for respondent. Reported below: 56 F. (2d) 110.

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No. 912. MOTOR TUG HAAKONSEN No. 2 *v.* NEW YORK TRAP ROCK CORP. ET AL. May 23, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. George V. A. McCloskey* for petitioner. *Messrs. Frederick W. Park and Edward Ash* for respondents. Reported below: 57 F. (2d) 1082.

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No. 949. FINN ET AL. *v.* RAILROAD COMMISSION OF CALIFORNIA. Petition for writ of certiorari to the Supreme Court of California. May 31, 1932. The petition for writ of certiorari in this case is denied, because not filed within the time provided by law. The authority given to the Justices of this Court to extend the period for applying for a writ of certiorari not exceeding 60 days (§ 8 (a), Act of February 13, 1925, 43 Stat. 936, 940) is to be exercised upon application duly made to a Justice prior to the expiration of the statutory period, and where an extension has been granted, as provided, a further extension may be had only upon application duly made before the expiration of the extended period. *Mr. T. C. West* for petitioners. *Mr. Arthur T. George* for respondent.

No. 980. CRESSWELL EX REL. DI PIERRO *v.* TILLINGHAST, U. S. COMMISSIONER OF IMMIGRATION. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit. May 31, 1932. The petition for writ of certiorari in this case is denied, because not filed within the time provided by law. The authority given to the Justices of this Court to extend the period for applying for a writ of certiorari not exceeding 60 days (§ 8 (a), Act of February 13, 1925, 43 Stat. 936, 940) is to be exercised upon application duly made to a Justice prior to the expiration of the statutory period, and where an extension has been granted, as provided, a further extension may be had only upon application duly made before the expiration of the extended period. *Messrs. Wm. H. Lewis and Matthew L. McGrath* for petitioner. No appearance for respondent. Reported below: 54 F. (2d) 459.

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No. 862. HECHT *v.* UNITED STATES. May 31, 1932. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Herbert C. Smyth and Frederic C. Scofield* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Messrs. Whitney North Seymour, Ralph C. Williamson, Bradley B. Gilman, and Wm. H. Riley, Jr.*, for the United States. Reported below: 73 Ct. Cls. 579; 54 F. (2d) 968.

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No. 871. COLONIAL TRUST CO., EXECUTOR, *v.* UNITED STATES. May 31, 1932. Petition for writ of certiorari to the Court of Claims denied. *Mr. C. C. Cochran, Jr.*, for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Messrs. Whitney North Seymour and H. Brian Holland* for the United States. Reported below: 73 Ct. Cls. 549; 55 F. (2d) 512.

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No. 896. ARKENBURGH *v.* BANK OF VASS. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Donald Meyer Newman* for petitioner. No appearance for respondent. Reported below: 55 F. (2d) 130.

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No. 898. CITY NATIONAL BANK *v.* COMMISSIONER OF INTERNAL REVENUE. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John B. King* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, J. P. Jackson, and W. Marvin Smith* for respondent. Reported below: 55 F. (2d) 1073.

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No. 899. GRANDIN, ADMINISTRATOR, *v.* HEINER, COLLECTOR OF INTERNAL REVENUE. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Maynard Teall* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, J. Louis Monarch, and Erwin N. Griswold* for respondent. Reported below: 56 F. (2d) 1082; 44 *id.* 141.

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No. 901. VAN CAMP SEA FOOD CO., INC. *v.* COHN-HOPKINS ET AL. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Albert J. Fihe* for petitioner. *Mr. William S. Graham* for respondents. Reported below: 56 F. (2d) 797.

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No. 904. GWIN *v.* JUNG ET AL. May 31, 1932. Petition for writ of certiorari to the Supreme Court of Louisiana

ana denied. *Mr. Purnell M. Milner* for petitioner. *Mr. Peter Jung, Sr.*, for respondents. Reported below: 174 La. 111; 139 So. 774.

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No. 905. *ST. LOUIS-SAN FRANCISCO RY. CO. v. MARTIN*. May 31, 1932. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Messrs. Edward T. Miller* and *Alexander P. Stewart* for petitioner. *Mr. W. H. Douglass* for respondent. Reported below: 329 Mo. —; 46 S. W. (2d) 149.

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No. 906. *TEXAS STEEL CO. v. RAILROAD COMMISSION OF TEXAS ET AL.* May 31, 1932. Petition for writ of certiorari to the Court of Civil Appeals, Third Supreme Judicial District, of Texas, denied. *Mr. George W. Armstrong* for petitioner. *Messrs. Fred L. Wallace* and *Wm. E. Allen* for respondents. Reported below: 43 S. W. (2d) 137. See also, 27 S. W. (2d) 861.

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No. 909. *ANGELUS BUILDING & INVESTMENT CO. v. COMMISSIONER OF INTERNAL REVENUE*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. George Bouchard* and *Joseph D. Brady* for petitioner. *Solicitor General Thacher*, *Assistant Attorney General Youngquist*, and *Messrs. Whitney North Seymour*, *Sewall Key*, *A. H. Conner*, and *Wm. H. Riley, Jr.*, for respondent. Reported below: 57 F. (2d) 130.

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No. 910. *SOUTH NORFOLK ET AL. v. MARYLAND CASUALTY CO.* May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. E. A. Bilisoly*, *Tazewell Taylor, Jr.*, and

*James G. Martin* for petitioners. *Messrs. Braden Vandeventer* and *J. W. Eggleston* for respondent. Reported below: 54 F. (2d) 1032; 56 *id.* 822.

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No. 914. *STEVENS, RECEIVER, v. COMPAÑIA PETROLERA CAPUCHINAS ET AL.* May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Francis L. Kohlman, Martin Conboy, and Saul J. Lance* for petitioner. *Mr. Wm. M. Chadbourne* for respondents. Reported below: 55 F. (2d) 905.

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No. 915. *LEE, EXECUTRIX, v. BURNET, COMMISSIONER OF INTERNAL REVENUE.* May 31, 1932. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. John E. Laskey* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, Hayner N. Larson, and Wilbur H. Friedman* for respondent. Reported below: 57 F. (2d) 399.

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No. 917. *ILLINOIS TERMINAL Co. v. UNITED STATES.* May 31, 1932. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Adrian C. Humphreys and Newton K. Fox* for petitioner. *Solicitor General Thacher, Assistant Attorney General Rugg, and Messrs. Whitney North Seymour, Joseph H. Sheppard, Bradley B. Gilman, and W. Marvin Smith* for the United States. Reported below: 73 Ct. Cls. 263; 53 F. (2d) 904.

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No. 918. *SCHUETTE v. ANDERSON, COLLECTOR OF INTERNAL REVENUE.* May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Gerald Donovan* for petitioner.

*Solicitor General Thacher, Assistant Attorney General Youngquist, and Messrs. Whitney North Seymour, Sewall Key, and F. Edward Mitchell* for respondent. Reported below: 55 F. (2d) 902.

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No. 919. *CHESAPEAKE & OHIO RY. CO. v. THOMAS.* May 31, 1932. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied. *Mr. C. W. Strickling* for petitioner. *Mr. A. A. Lilly* for respondent. Reported below: 111 W. Va. 389; 162 S. E. 169.

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No. 925. *UNITED STATES v. FLENSBURGER DAMPFER-COMPAGNIE.* May 31, 1932. Petition for writ of certiorari to the Court of Claims denied. *Solicitor General Thacher* for the United States. *Messrs. Maxwell C. Katz, Otto C. Sommerich, and Edwin M. Borchard* for respondent. Reported below: 73 Ct. Cls. 646.

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No. 927. *ERLANGER TREMONT THEATRE CORP. v. ELLSMORE.* May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Romney Spring* for petitioner. *Mr. George R. Far-num* for respondent. Reported below: 56 F. (2d) 809.

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No. 931. *DAVIS v. UNITED STATES.* May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Wm. J. Berne* for petitioner. *Solicitor General Thacher, and Messrs. John S. Pratt, Paul D. Miller, and Wm. H. Riley, Jr., for the United States.* Reported below: 55 F. (2d) 550.

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No. 933. *EASTERDAY ET AL. v. UNITED STATES.* May 31, 1932. Petition for writ of certiorari to the Circuit Court

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of Appeals for the Second Circuit denied. *Mr. W. W. Easterday* for petitioners. *Solicitor General Thacher*, and *Messrs. Paul D. Miller* and *Wm. H. Riley, Jr.*, for the United States. Reported below: 57 F. (2d) 165.

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No. 942. *FERGUSON, COLLECTOR OF INTERNAL REVENUE v. NELSON*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Solicitor General Thacher* for petitioner. *Mr. William P. Chapman, Jr.*, for respondent. Reported below: 56 F. (2d) 121.

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No. 943. *LAWRENCE v. UNITED STATES*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Edwin W. Sims, Franklin J. Stransky*, and *Cassius Poust* for petitioner. *Solicitor General Thacher*, and *Messrs. Paul D. Miller, Erwin N. Griswold*, and *Hugh A. Fisher* for the United States. Reported below: 56 F. (2d) 555.

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No. 944. *GREATER CITY SURETY & INDEMNITY CORP. ET AL. v. UNITED STATES*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Louis B. Boudin* for petitioners. *Solicitor General Thacher*, *Assistant Attorney General Youngquist*, and *Messrs. Paul D. Miller, John J. Byrne*, and *W. Marvin Smith* for the United States. Reported below: 57 F. (2d) 684.

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No. 951. *FOURNIER v. UNITED STATES*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. A. Warner Parker* for petitioner. *Solicitor General Thacher*, and

*Messrs. Paul D. Miller and W. Marvin Smith* for the United States. Reported below: 58 F. (2d) 3.

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No. 958. *ERIE R. Co. v. BOOTH*. May 31, 1932. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. Welles V. Moot* for petitioner. *Mr. Hamilton Ward* for respondent. Reported below: 234 App. Div. 728; 251 N. Y. S. 997.

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No. 961. *COMERIATO ET AL. v. UNITED STATES*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. J. Raymond Gordon* for petitioners. No appearance for the United States. Reported below: 58 F. (2d) 557.

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No. 968. *BIEMER v. UNITED STATES*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Frederick W. Greene* for petitioner. No appearance for the United States. Reported below: 54 F. (2d) 1045.

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No. 969. *STANDARD ACCIDENT INS. CO., INC. v. MESSER-VEY*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Thomas R. Wheeler* for petitioner. *Mr. Wm. B. Mahoney* for respondent. Reported below: 58 F. (2d) 186.

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No. 970. *PELLEGRINO v. ADERHOLD, WARDEN*. May 31, 1932. Petition for writ of certiorari to the Circuit Court

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of Appeals for the Fifth Circuit denied. *Mr. A. K. Shipe* for petitioner. No appearance for respondent. Reported below: 55 F. (2d) 1074.

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No. 974. *HELLER v. UNITED STATES*. May 31, 1932. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Giles F. Clark* for petitioner. No appearance for the United States. Reported below: 57 F. (2d) 627.

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No. 975. *ROXBURGHE v. BURNET, COMMISSIONER OF INTERNAL REVENUE*. May 31, 1932. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. George M. Morris and Frederick L. Pearce* for petitioner. *Solicitor General Thacher, Assistant Attorney General Youngquist*, and *Messrs. Whitney North Seymour, Sewall Key, and John MacC. Hudson* for respondent. Reported below: 58 F. (2d) 693.

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CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, FROM APRIL 12, 1932, TO AND INCLUDING MAY 31, 1932

No. 649. *ADAMS GREASE GUN CORP. v. BASSICK MFG. Co.* On writ of certiorari to the Circuit Court of Appeals for the Second Circuit. April 18, 1932. Dismissed with costs and mandate granted on motion of *Mr. Henry T. Hornidge* for petitioner. Reported below: 52 F. (2d) 36; 54 *id.* 285.

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No. 892. *UNITED STATES v. SOWELL*. Appeal from the District Court of the United States for the Northern