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Gates and Claude E. Wakefield for respondent. Reported below: 66 F. (2d) 651.

DECISIONS DENYING CERTIORARI, FROM OCTOBER 2, 1933, TO AND INCLUDING JANUARY 8, 1934.

No. 189. *HUNT v. TEXAS*. See *ante*, p. 586.

No. 339. *MILLER ET AL. v. BOARD OF COUNTY COMMISSIONERS ET AL.* See *ante*, p. 586.

No. 366. *DIVEN, EXECUTOR, ET AL. v. SIELING*. See *ante*, p. 587.

No. 404. *AKER v. AKER ET AL.* See *ante*, p. 587.

No. 104. *MESTICE v. OHRBACH'S AFFILIATED STORES, INC.* October 9, 1933. 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. Wm. R. Mestice, pro se*. No appearance for respondent. Reported below: 63 F. (2d) 1010.

No. 154. *SPRUILL v. ROVER*; and

No. 155. *SAME v. McMAHON ET AL.* October 9, 1933. Petition for writs of certiorari to the Court of Appeals of the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Georgia M. Spruill, pro se*. No appearance for respondents.

No. 198. *JACKSON v. ATLANTA GOODWILL INDUSTRIES, INC.* October 9, 1933. Petition for writ of certiorari to

the Court of Appeals of Georgia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Abraham Ziegler* for petitioner. No appearance for respondent. Reported below: 46 Ga. App. 425; 167 S.E. 702.

No. 288. JACKSON ET AL. *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. L. Melendez King* for petitioners. No appearance for the United States. Reported below: 62 App.D.C. 250; 66 F. (2d) 280.

No. 304. THREATT *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Court of Claims, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. David Threatt, pro se.* No appearance for the United States. Reported below: 77 Ct. Cls. 645.

No. 437. MILLER *v.* ADERHOLD, WARDEN. October 9, 1933. 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. Joseph Miller, pro se.* No appearance for respondent. Reported below: 64 F. (2d) 920.

No. 479. DUNBAR ET AL. *v.* UNITED STATES. October 9, 1933. 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. Floyd Dunbar* for petitioners. No appearance for the United States. Reported below: 65 F. (2d) 497.

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No. 219. *BUSCH ET AL. v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Husty v. United States*, 282 U.S. 694, 702; *Davis v. United States*, 283 U.S. 859; *Wilson v. United States*, 287 U.S. 623. Mr. *Leo. H. Klugherz* for petitioners. *Solicitor General Biggs* and Messrs. *Harry S. Ridgely* and *W. Marvin Smith* for the United States. Reported below: 64 F. (2d) 27.

No. 269. *CLEVELAND, CINCINNATI, CHICAGO, & ST. LOUIS RY. CO. v. HENRY, ADMINISTRATRIX*. October 9, 1933. Petition for writ of certiorari to the Supreme Court of Missouri denied for the want of a final judgment. *Bruce v. Tobin*, 245 U.S. 18; *Johnson v. Keith*, 117 U.S. 199; *Houston v. Moore*, 3 Wheat. 433. Messrs. *H. N. Quigley*, *S. W. Baxter*, and *W. D. Chapman* for petitioner. Messrs. *Wm. H. Allen* and *John S. Marsalek* for respondent. Reported below: 332 Mo. 1072; 61 S.W. (2d) 340.

No. 40. *GLOBE EXCELSIOR OAK TANNING Co. v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. Mr. *Edward Martenet* for petitioner. *Solicitor General Biggs* and Messrs. *Paul D. Miller*, *Wm. W. Scott*, *H. Brian Holland*, and *Wm. H. Riley, Jr.*, for the United States. Reported below: 77 Ct. Cls. 32; 2 F.Supp. 470.

No. 42. *IRVING TRUST Co., TRUSTEE, v. B. & O. HIGHWAY TRANSPORTATION Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. Mr. *Irving L. Ernst* for petitioner. No appearance for respondent. Reported below: 62 F. (2d) 763.

No. 43. WINCHESTER MFG. CO. *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Frank S. Bright and H. Stanley Hinrichs* for petitioner. *Solicitor General Biggs* and *Messrs. Wm. W. Scott and Paul D. Miller* for the United States. Reported below: 75 Ct. Cls. 710.

No. 45. CANAL-COMMERCIAL TRUST & SAVINGS BANK *v.* COMMISSIONER OF INTERNAL REVENUE; and

No. 46. CANAL-COMMERCIAL NATIONAL BANK *v.* SAME. October 9, 1933. Petition for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Henry P. Dart, Benjamin W. Dart, and Henry P. Dart, Jr.*, for petitioners. *Solicitor General Biggs, Miss Helen R. Carloss, and Messrs. Sewall Key, Paul D. Miller, and Wm. H. Riley, Jr.*, for respondent. Reported below: 63 F. (2d) 619, 621.

No. 47. AUTOMOBILE ABSTRACT & TITLE CO. *v.* FITZGERALD. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Jerry A. Mathews, David B. Tippery, and Allan P. Cox* for petitioner. *Messrs. Patrick H. O'Brien and Perry A. Maynard* for respondent. Reported below: 77 Ct. Cls. 32; 2 F.Supp. 470.

No. 48. AMERICAN-WEST AFRICAN LINE, INC., *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. John W. Davis, George A. King, Herman J. Galloway, and Elkan Turk* for petitioner. *Solicitor General Biggs* and *Messrs. Wm. W. Scott and H. Brian Holland* for the United States. Reported below: 76 Ct. Cls. 235.

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No. 49. *SOLOW v. GENERAL MOTORS TRUCK Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Melville Ehrlick* for petitioner. *Messrs. John Thomas Smith and Anthony J. Russo* for respondent. Reported below: 64 F. (2d) 105.

No. 52. *HOPKINS v. TEXAS Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Charles E. McPherrren* for petitioner. *Messrs. Charles B. Cochran, Harry T. Klein, and John R. Ramsey* for respondent. Reported below: 62 F. (2d) 691.

No. 53. *ROMUALDEZ v. PHILIPPINE ISLANDS.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied. *Mr. Paul J. Christian* for petitioner. *Messrs. William Cattron Rigby, Fred W. Lewellyn, and Kyle Rucker* for respondent.

No. 55. *BODINE & CLARK LIVESTOCK COMM'N Co. v. GREAT NORTHERN RY. Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Arthur M. Geary* for petitioner. *Messrs. Charles A. Hart and Fletcher Rockwood* for respondent. Reported below: 63 F. (2d) 472.

No. 57. *JOHN T. CLARKE v. CHICAGO, B. & Q. R. Co.*
ET AL.;

No. 58. *SAME v. CHICAGO, B. & Q. R. Co.;* and

No. 59. *ELLA R. CLARKE ET AL. v. SAME.* October 9, 1933. Petition for writ of certiorari to the Circuit Court

of Appeals for the Tenth Circuit denied. *Messrs. Wm. J. Hughes, Jr., and James F. Reilly* for petitioners. *Messrs. J. C. James, J. Q. Dier, and Bruce Scott* for respondents. Reported below: 62 F. (2d) 440.

No. 60. INGRAM, TRUSTEE IN BANKRUPTCY, *v.* OREGON. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Peter Q. Nyce* for petitioner. *Messrs. I. H. Van Winkle and Willis S. Moore* for respondent. Reported below: 63 F. (2d) 417.

No. 61. ZURICH GENERAL ACCIDENT & LIABILITY INS. Co., LTD. *v.* O'KEEFE. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Ralph F. Potter and George A. Bangs* for petitioner. *Mr. C. J. Murphy* for respondent. Reported below: 64 F. (2d) 768.

No. 66. LIFE & CASUALTY INS. Co. *v.* FLORAL ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. P. M. Estes and Moreau P. Estes* for petitioner. *Mr. Francis J. Mizell* for respondents. Reported below: 63 F. (2d) 195.

No. 67. BLUM *v.* DAVIS, TRUSTEE IN BANKRUPTCY. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Max Isaac and Robert J. Blum* for petitioner. *Mr. Walter T. Kinder* for respondent. Reported below: 63 F. (2d) 212.

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No. 68. BRYANT PAPER CO. *v.* HOLDEN, EXECUTRIX. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. William P. Smith and Oscar E. Waer* for petitioner. *Solicitor General Biggs and Messrs. Sewall Key, John G. Remey, Paul D. Miller, and Erwin N. Griswold* for respondent. Reported below: 63 F. (2d) 370; 65 *id.* 1012.

No. 73. WABASH RY. CO. *v.* CONROY. October 9, 1933. Petition for writ of certiorari to the Appellate Court, First District, of Illinois, denied. *Mr. William Sherman Hay* for petitioner. *Mr. Charles C. Spencer* for respondent. Reported below: 268 Ill. App. 614.

No. 74. FIRST NATIONAL BANK ET AL. *v.* GILDART, TAX COLLECTOR. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Percy Bell and W. A. Percy* for petitioners. *Mr. J. A. Lauderdale* for respondent. Reported below: 64 F. (2d) 873.

No. 81. CHICAGO, M., ST. P. & P. R. CO. *v.* TATE. October 9, 1933. Petition for writ of certiorari to the Supreme Court of Washington denied. *Messrs. F. M. Dudley and C. S. Jefferson* for petitioner. *Mr. John P. Hannon* for respondent. Reported below: 172 Wash. 33; 19 P. (2d) 137.

No. 82. GREENAWALT *v.* STEARNS-ROGER MFG. CO. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. George L. Nye, Martin A. Schenck, and Kenneth*

W. Greenawalt for petitioner. *Mr. Barney L. Whatley* for respondent. Reported below: 62 F. (2d) 1033.

No. 83. *FUGATE v. TOLEDO, PEORIA & WESTERN R. Co.* October 9, 1933. Petition for writ of certiorari to the Appellate Court, First District, of Illinois, denied. *Mr. Lambert Kaspers* for petitioner. *Messrs. Silas H. Strawn* and *John M. Elliott* for respondent. Reported below: 268 Ill. App. 613.

No. 85. *STANDARD OIL Co. v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Mr. James H. Hayes* for petitioner. *Solicitor General Biggs* and *Mr. Wm. W. Scott* for the United States. Reported below: 77 Ct. Cls. 205; 2 F.Supp. 922.

No. 86. *SOUTHERN RY. CO. ET AL. v. BARTON, ADMINISTRATRIX.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of South Carolina denied. *Messrs. Sidney S. Alderman, H. O'B. Cooper, Frank G. Tompkins,* and *S. R. Prince* for petitioners. *Mr. H. J. Haynsworth* for respondent. Reported below: 171 S.C. 46; 171 S.E. 5.

No. 87. *CLARK'S FERRY BRIDGE Co. v. PUBLIC SERVICE COMM'N.* October 9, 1933. Petition for writ of certiorari to the Superior Court of Pennsylvania denied. *Mr. George Ross Hull* for petitioner. *Messrs. E. Everett Mather, Jr.,* and *John Fox Weiss* for respondent. Reported below: 108 Pa. Super. Ct. 49.

No. 90. *U.S. EX REL. ARCATA & MAD RIVER R. Co. v. INTERSTATE COMMERCE COMM'N.* October 9, 1933. Peti-

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tion for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. Charles D. Drayton and Robert E. Quirk* for petitioner. *Messrs. H. L. Underwood and Daniel W. Knowlton* for respondent. Reported below: 62 App.D.C. 92; 65 F. (2d) 180.

No. 91. *HOME INSURANCE CO. v. SULLIVAN MACHINERY Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. F. A. Rittenhouse* for petitioner. *Messrs. P. C. Simons, L. E. McKnight, and R. W. Simons* for respondent. Reported below: 64 F. (2d) 765.

No. 92. *COLUMBIA CASUALTY CO. v. TIPMA.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Dudley Morton Shively* for petitioner. *Mr. Andrew J. Hickey* for respondent. Reported below: 63 F. (2d) 538.

No. 93. *SEARS, ROEBUCK & Co. v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Court of Customs and Patent Appeals denied. *Mr. James R. Ryan* for petitioner. *Solicitor General Biggs and Assistant Attorney General Lawrence* for the United States. Reported below: 20 C.C.P.A. (Cust.) 295; T.D. 46086.

No. 96. *GLOYD v. COMMISSIONER OF INTERNAL REVENUE.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. George E. H. Goodner* for petitioner. *Solicitor General Biggs, Miss Helen R. Carloss, and Mr. Sewall Key* for respondent. Reported below: 63 F. (2d) 649.

No. 97. *NEW YORK CENTRAL R. Co. v. BROWN*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John J. Danhof* for petitioner. No appearance for respondent. Reported below: 63 F. (2d) 657.

No. 98. *ED S. MICHELSON, INC. v. NEBRASKA TIRE & RUBBER Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. I. J. Ringolsky and Harry L. Jacobs* for petitioner. *Mr. Cyrus Crane* for respondent. Reported below: 63 F. (2d) 597.

No. 99. *MISSOURI PACIFIC R. Co. v. CHICAGO GREAT WESTERN R. Co.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Kansas denied. *Messrs. W. P. Waggener, J. M. Challiss, and B. P. Waggener* for petitioner. *Messrs. Ralph M. Shaw, Walter H. Jacobs, and A. L. Berger* for respondent. Reported below: 137 Kan. 217; 19 P. (2d) 484.

No. 100. *BIRMINGHAM BELT R. Co. v. BENNETT, ADMINISTRATRIX*. October 9, 1933. Petition for writ of certiorari to the Supreme Court of Alabama denied. *Mr. Forney Johnston* for petitioner. *Mr. Hugo L. Black* for respondent. Reported below: 226 Ala. 185; 146 So. 265.

No. 102. *PENICK & FORD, LTD., INC. v. CORN PRODUCTS RFG. Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. John H. Lee, Russell Wiles, and Horace Dawson* for petitioner. *Messrs. Melville Church and Per-*

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civil H. Truman for respondent. Reported below: 63 F. (2d) 26.

No. 105. *MUNSON STEAMSHIP LINE v. BERGEN LLOYD*; and

No. 202. *BERGEN LLOYD v. MUNSON STEAMSHIP LINE*. October 9, 1933. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Irving L. Evans* and *John Tilney Carpenter* for Munson Steamship Line. *Mr. John W. Griffin* for Bergen Lloyd. Reported below: 64 F. (2d) 502.

No. 107. *ELI ET AL. v. CARTER OIL CO. ET AL.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Oklahoma denied. *Messrs. D. Haden Linebaugh, John B. Dudley, Paul C. Williams, and Paul Pinson* for petitioners. *Messrs. James A. Veasey and Lloyd G. Owen* for respondents. Reported below: 164 Okla. 273, 302; 23 P. (2d) 985.

No. 108. *UNITED BUSINESS CORP. v. COMMISSIONER OF INTERNAL REVENUE*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. F. S. Bright and H. Stanley Hinrichs* for petitioner. *Solicitor General Biggs* for respondent. Reported below: 62 F. (2d) 754.

No. 109. *WHITAKER v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Norman T. Whitaker, pro se. Solicitor General Biggs and Messrs. Frank M. Parrish and Harry S. Ridgely* for the United States. Reported below: 63 F. (2d) 1021.

No. 110. *SPINKS REALTY CO. v. COMMISSIONER OF INTERNAL REVENUE*. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Frederick L. Pearce* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key, Francis H. Horan, and Erwin N. Griswold* for respondent. Reported below: 61 App.D.C. 321; 62 F. (2d) 860.

No. 111. *CHICAGO, ROCK ISLAND & PACIFIC RY. CO. v. BENSON*. October 9, 1933. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Messrs. Frank T. Miller, Marcus L. Bell, W. F. Dickinson, and Daniel Taylor* for petitioner. *Mr. John E. Cassidy* for respondent. Reported below: 252 Ill. 195; 185 N.E. 244.

No. 113. *KIP ET AL. v. NEW YORK CENTRAL R. CO. ET AL.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. Ernest A. Bigelow* for petitioners. *Mr. Jacob Aronson* for respondents. Reported below: 236 App. Div. 654, 257 N.Y.S. 919; 260 N.Y. 692, 184 N.E. 148.

No. 115. *KLINE v. BLACKWELL ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. James M. Carson* for petitioner. *Mr. A. Frank Katzentine* for respondents. Reported below: 63 F. (2d) 897.

No. 116. *QUANAH, ACME & PACIFIC RY. CO. v. GRAY*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. A. H. Carrigan* for petitioner. No appearance for respondent. Reported below: 63 F. (2d) 410.

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No. 118. COALINGA-MOHAWK OIL CO. *v.* COMMISSIONER OF INTERNAL REVENUE. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Joseph C. Meyerstein* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key, J. Louis Monarch, and Walter L. Barlow* for respondent. Reported below: 64 F. (2d) 262.

No. 119. MCGOVERN *v.* HITT ET AL. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. P. Michael Cook* for petitioner. *Messrs. Walter C. Clephane, J. Wilmer Latimer, Gilbert L. Hall, and Clarence A. Miller* for respondents. Reported below: 62 App.D.C. 156; 64 F. (2d) 156.

No. 120. KELLEY ET AL. *v.* NEW YORK CITY ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Martin Conboy* for petitioners. *Messrs. Charles Neave and Arthur J. W. Hilly* for respondents. Reported below: 63 F. (2d) 1007.

No. 121. EMPLOYERS' LIABILITY ASSURANCE CORP., LTD. *v.* KERPER ET AL. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Frank H. Myers* for petitioner. *Mr. John P. Bramhall* for respondents. Reported below: 62 App.D.C. 77; 64 F. (2d) 715.

No. 122. EARLSTON COAL CO. *v.* HUNTINGTON NATIONAL BANK. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth

Circuit denied. *Messrs. Wells Goodykoontz and Adna R. Johnson, Jr.*, for petitioner. *Mr. Francis J. Wright* for respondent. Reported below: 63 F. (2d) 329.

No. 125. *TILLMAN & BENDEL, INC. v. CALIFORNIA PACKING CORP.*; and

No. 201. *CALIFORNIA PACKING CORP. v. TILLMAN & BENDEL, INC.* October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Herman Phleger, Maurice E. Harrison, and Wm. S. Graham* for Tillman & Bendel, Inc. *Messrs. Frank D. Madison and Eugene M. Prince* for California Packing Corp. Reported below: 63 F. (2d) 498.

No. 127. *LEVI v. MURRELL ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Milton K. Young, Lyndol L. Young, and William K. Young* for petitioner. *Messrs. Wesley L. Nutten, Jr., and Arthur J. Edwards* for respondents. Reported below: 63 F. (2d) 670.

No. 132. *NATIONAL SURETY CO. v. GARRETSON ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Bernard J. Gallagher and Joseph H. Bilbrey* for petitioner. No appearance for respondents. Reported below: 63 F. (2d) 847.

No. 233. *FREDERICK T. FLEITMANN v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*; and

Nos. 234 and 235. *MARIE J. J. FLEITMANN ET AL. v. SAME.* October 9, 1933. Petitions for writs of certiorari

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to the Court of Appeals of the District of Columbia denied. *Mr. Donald Horne* for Frederick T. Fleitmann. *Mr. Frederick S. Winston* for Marie J. J. Fleitmann et al. *Solicitor General Biggs* and *Messrs. Sewall Key* and *Morton K. Rothschild* for respondent. Reported below: 62 App.D.C. 90, 91, 88; 65 F. (2d) 178, 179, 176.

No. 134. *TAYLOR ET AL. v. U. S. CASUALTY CO.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. W. Turner Logan* for petitioners. *Messrs. F. H. Horlbeck* and *Julian Mitchell, Jr.*, for respondent. Reported below: 64 F. (2d) 521.

No. 136. *LEE v. MARYLAND.* October 9, 1933. Petition for writ of certiorari to the Court of Appeals of Maryland denied. *Mr. Carol Weiss King* for petitioner. *Mr. Wm. Preston Lane, Jr.*, for respondent. Reported below: 164 Md. 550; 165 Atl. 614.

No. 137. *ATLANTIC COAST LINE R. CO. v. PRIMUS, ADMINISTRATRIX.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of South Carolina denied. *Messrs. Thomas W. Davis* and *Douglas McKay* for petitioner. *Mr. D. W. Robinson* for respondent. Reported below: 171 S.C. 199; 171 S.E. 1.

No. 151. *WESTERN KNITTING MILLS ET AL. v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Mr. Emil C. Wetten* for petitioners. *Solicitor General Biggs* and *Assistant Attorney General Wideman* for the United States. Reported below: 76 Ct. Cls. 578; 2 F.Supp. 119.

No. 156. SOUTHERN SHIPYARD CORP. *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs Louis Titus, Frank Healy, and Charles L. Frailey* for petitioner. *Solicitor General Biggs and Assistant Attorney General Wideman* for the United States. Reported below: 76 Ct. Cls. 468.

No. 159. UNITED STATES *v.* PITT. October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. H. Brian Holland* for the United States. *Messrs. George A. King, George R. Shields, and Herman J. Galloway* for respondent. Reported below: 77 Ct. Cls. 275.

No. 160. F. T. DOOLEY LUMBER CO. *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. F. E. Hagler* for petitioner. *Solicitor General Biggs and Messrs. Sewall Key, Hayner N. Larson, and Erwin N. Griswold* for the United States. Reported below: 63 F. (2d) 384.

No. 164. LONG ET AL. *v.* STITES ET AL.; and

No. 165. DEERING ET AL. *v.* SAME. October 9, 1933. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Greenberry Simmons and Horace M. Barker* for petitioners. *Mr. Allen P. Dodds* for respondents. Reported below: 63 F. (2d) 855.

No. 167. WHITAKER ET AL. *v.* ALAMEDA COUNTY HOME INVESTMENT CO. October 9, 1933. Petition for writ of

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certiorari to the Supreme Court of California denied. *Mr. Henry C. McPike* for petitioners. *Mr. Edmund L. Jones* for respondent. Reported below: 217 Cal. 231; 18 P. (2d) 662.

No. 169. *FAWSETT v. COMMISSIONER OF INTERNAL REVENUE*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Richard S. Doyle* and *Charles F. Fawsett* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key* and *John MacC. Hudson* for respondent. Reported below: 63 F. (2d) 445.

No. 170. *UNITED ORDER OF GOOD SAMARITANS v. BRYANT*. October 9, 1933. Petition for writ of certiorari to the Supreme Court of Arkansas denied. *Mr. W. A. Booker* for petitioner. No appearance for respondent. Reported below: 186 Ark. 960; 57 S.W. (2d) 399.

No. 174. *ROUTZAHN, COLLECTOR OF INTERNAL REVENUE, v. BROWN, EXECUTOR*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Solicitor General Biggs* for petitioner. *Mr. Horace Andrews* for respondent. Reported below: 63 F. (2d) 914.

No. 175. *KOSMOS PORTLAND CEMENT CO. v. JOHNSON, ADMINISTRATOR, ET AL.*; and

No. 176. *SAME v. SAUER, EXECUTRIX*. October 9, 1933. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Charles G. Middleton* and *Louis Seelbach* for petitioner. *Messrs.*

Harris W. Coleman and *Edmund F. Trabue* for respondents. Reported below: 64 F. (2d) 193.

No. 177. *FREEDMAN v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. David A. Buckley, Jr.*, for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Stephens*, and *Mr. Elmer B. Collins* for the United States. Reported below: 64 F. (2d) 661.

No. 179. *MUSCARELLE ET AL. v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Thomas L. Newton* for petitioners. *Solicitor General Biggs* and *Messrs. Mahlon D. Kiefer* and *W. Marvin Smith* for the United States. Reported below: 63 F. (2d) 806.

No. 180. *CONOSCENTE ET AL. v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Thomas L. Newton* for petitioners. *Solicitor General Biggs* and *Messrs. Mahlon D. Kiefer* and *W. Marvin Smith* for the United States. Reported below: 63 F. (2d) 811.

No. 181. *CLARK, ADMINISTRATRIX, ET AL. v. MOFFETT ET AL.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Kansas denied. *Mr. Martin J. O'Donnell* for petitioners. *Messrs. Louis R. Gates*, *B. C. Howard*, *John B. Pew*, and *George S. Evans* for respondents. Reported below: 136 Kan. 711; 18 P. (2d) 555.

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No. 182. *PAXSON v. WILLIE A. DAVIS*; and

No. 183. *SAME v. JAMES B. DAVIS*. October 9, 1933. Petition for writs of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Samuel W. McCart* for petitioner. *Mr. Martin J. McNamara* for respondents. Reported below: 62 App.D.C. 146; 65 F. (2d) 492.

No. 185. *MAYNE ET AL v. ST. LOUIS UNION TRUST CO., ET AL., EXECUTORS*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Samuel W. Fordyce and Thomas W. White* for petitioners. *Solicitor General Biggs and Messrs. Sewall Key, Hayner N. Larson, Thos. S. McPheeters, Henry Davis, and Harold R. Small* for respondents. Reported below: 64 F. (2d) 843.

No. 186. *BRILL, RECEIVER, v. W. B. FOSHAY CO. ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Josiah E. Brill and Mortimer H. Boutelle* for petitioner. *Messrs. Clark R. Fletcher and C. J. Rockwood* for respondents. Reported below: 65 F. (2d) 420.

No. 188. *PACIFIC ATLANTIC STEAMSHIP CO. v. MOORE-MACK GULF LINES, INC. ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Willard U. Taylor* for petitioner. *Messrs. D. Roger Englar, Leonard J. Matteson, and Howard M. Long* for respondents. Reported below: 63 F. (2d) 798.

No. 190. *PENNSYLVANIA R. CO. v. DEPTULA*. October 9, 1933. Petition for writ of certiorari to the Court of

Errors and Appeals of New Jersey denied. *Messrs. Fred-eric D. McKenney, John A. Hartpence, John Spalding Flannery, and G. Bowdoin Craighill* for petitioner. *Mr. Clement K. Corbin* for respondent. Reported below: 110 N.J.L. 515; 166 Atl. 87.

No. 191. CORWIN, COLLECTOR OF INTERNAL REVENUE, *v.* GEORGE GLISS LANE; and

No. 192. SAME *v.* JAMES W. LANE, JR. October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Solicitor General Biggs* for petitioner. *Mr. Frederic R. Kellogg* for respondents. Reported below: 63 F. (2d) 767.

No. 193. MULQUEEN, EXECUTRIX, *v.* COMMISSIONER OF INTERNAL REVENUE. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Clarence Castimore* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key, John G. Remey, and Erwin N. Griswold* for respondent. Reported below: 65 F. (2d) 365.

No. 195. MCGREEVY ET AL. *v.* NATIONAL SURETY CO. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Cyrus Crane* for petitioners. *Mr. Henry L. Jost* for respondent. Reported below: 64 F. (2d) 899.

No. 197. KASCH ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. George E. Shelley* for petitioners. *Solicitor*

General Biggs and Messrs. Sewall Key and Norman D. Keller for respondent. Reported below: 63 F. (2d) 466.

NO. 199. *CORNING GLASS WORKS v. ROBERTSON*, COMMISSIONER OF PATENTS. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. Edward S. Rogers, Vernon M. Dorsey, and Wm. R. Green, Jr.,* for petitioner. *Solicitor General Biggs and Messrs. Paul D. Miller and T. A. Hostetler* for respondent. Reported below: 62 App.D.C. 130; 65 F. (2d) 476.

NO. 204. *McGUIRE ET AL. v. UNITED STATES*; and
NO. 265. *MANN v. SAME*. October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Basil O'Connor, Max D. Steuer, and Samuel B. Pettengill* for petitioners in No. 204. *Mr. Martin Conboy* for petitioner in No. 265. *Solicitor General Biggs and Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 64 F. (2d) 485.

NO. 205. *SOUTHERN RAILWAY-CAROLINA DIVISION v. LYTLE*, ADMINISTRATOR. October 9, 1933. Petition for writ of certiorari to the Supreme Court of South Carolina denied. *Messrs. Sidney S. Alderman, H. O'B. Cooper, Frank G. Tompkins, J. E. McDonald, and S. R. Prince* for petitioner. *Mr. Irvine F. Belser* for respondent. Reported below: 171 S.C. 221; 171 S.E. 42.

NO. 206. *MIDLAND FINANCE CORP. v. BUSCH*. October 9, 1933. Petition for writ of certiorari to the Circuit

Court of Appeals for the Eighth Circuit denied. *Messrs. Floyd E. Jacobs* and *M. J. Henderson* for petitioner. *Messrs. John T. Harding* and *David A. Murphy* for respondent. Reported below: 64 F. (2d) 859.

No. 207. *MEREDITH PUBLISHING CO. v. COMMISSIONER OF INTERNAL REVENUE*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Denis M. Kelleher* and *F. W. McReynolds* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key* and *Andrew D. Sharpe* for respondent. Reported below: 64 F. (2d) 890.

No. 209. *MARTIN v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. James T. Crouch* for petitioner. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for the United States.

No. 210. *CLAIBORNE-RENO CO. v. E. I. DUPONT DE NEMOURS & Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. H. S. Hunn* for petitioner. *Mr. John N. Hughes* for respondent. Reported below: 64 F. (2d) 224.

No. 213. *FRIEDBERG ET AL. v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John W. Dodge* for petitioners. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for the United States. Reported below: 63 F. (2d) 1003.

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No. 214. BALTIMORE & OHIO R. CO. ET AL. *v.* DOMESTIC HARDWOODS, INC., ET AL. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. Charles Clark and John J. Hamilton* for petitioners. *Mr. Harry S. Elkins* for respondents. Reported below: 62 App.D.C. 142; 65 F. (2d) 488.

No. 215. SIMMONS ET AL. *v.* FIDELITY NATIONAL BANK & TRUST CO. ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Henry S. Conrad* for petitioners. *Messrs. Justin D. Bowersock and Paul R. Stinson* for respondents. Reported below: 64 F. (2d) 602.

No. 216. SOUTH CAROLINA ASPARAGUS GROWERS ASSN. *v.* SOUTHERN RY. CO. ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Karl Knox Gartner* for petitioner. *Messrs. Charles Clark and Nath. B. Barnwell* for respondents. Reported below: 64 F. (2d) 419.

No. 217. RADIO-KEITH-ORPHEUM CORP. ET AL. *v.* CULLMAN, RECEIVER, ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Frederick H. Wood and William D. Whitney* for petitioners. *Mr. Joseph M. Proskauer* for respondents. Reported below: 65 F. (2d) 324.

No. 218. NEW YORK CENTRAL R. CO. *v.* MODICA. October 9, 1933. Petition for writ of certiorari to the Supreme Court of New York denied. *Messrs. Clive C. Handy and Jacob Aronson* for petitioner. *Mr. J. George*

Silberstein for respondent. Reported below: 237 App. Div. 851; 261 N.Y.S. 928.

No. 220. *WEATHERFORD, CRUMP & Co. v. BASS, COLLECTOR OF INTERNAL REVENUE*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Chester A. Bennett and Frank G. Gladney* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and John G. Remey* for respondent. Reported below: 63 F. (2d) 465.

No. 221. *CHEMISCHE FABRIK VON HEYDEN ET AL. v. TAIT, COLLECTOR OF INTERNAL REVENUE*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Adrian C. Humphreys and Newton K. Fox* for petitioners. *Solicitor General Biggs* and *Messrs. Erwin N. Griswold, Sewall Key, and Andrew D. Sharpe* for respondent. Reported below: 64 F. (2d) 295.

No. 223. *FIRST NATIONAL BANK & TRUST Co. v. STOCK YARDS LOAN Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Henry S. Conrad, W. F. Wilson, and Robert E. Owens* for petitioner. *Mr. H. L. McCune* for respondent. Reported below: 65 F. (2d) 226.

No. 226. *UNITED STATES v. CONSOLIDATION COAL Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Solicitor General Biggs* for the United States. No appearance for respondent. Reported below: 63 F. (2d) 42.

No. 230. GILLETTE SAFETY RAZOR Co. *v.* STANDARD SAFETY RAZOR Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. George P. Dike and Charles Neave* for petitioner. *Mr. George E. Middleton* for respondent. Reported below: 64 F. (2d) 6, 9.

No. 272. GILLETTE SAFETY RAZOR Co. *v.* HAWLEY HARDWARE Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. George P. Dike and Charles Neave* for petitioner. *Messrs. John C. Kerr and Thomas J. Byrne* for respondent. Reported below: 64 F. (2d) 10.

No. 273. GILLETTE SAFETY RAZOR Co. *v.* STANDARD SAFETY RAZOR Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. George P. Dike and Charles Neave* for petitioner. *Mr. George E. Middleton* for respondent. Reported below: 64 F. (2d) 6, 9.

No. 231. BANK OF CALIFORNIA *v.* INTERNATIONAL MERCANTILE MARINE Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Hugh S. Williamson, Sumner Ford, and Edward A. Craighill, Jr.,* for petitioner. *Mr. Chauncey I. Clark* for respondent. Reported below: 64 F. (2d) 97.

No. 232. BANK OF CALIFORNIA *v.* INTERNATIONAL MERCANTILE MARINE Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Hugh S. Williamson,*

Sumner Ford, and *Edward A. Craighill, Jr.*, for petitioner. *Mr. Chauncey I. Clark* for respondent. Reported below: 64 F. (2d) 100.

No. 264. *M. & T. TRUST CO. v. EXPORT STEAMSHIP CORP.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of New York denied. *Messrs. Ellis H. Gidley* and *Ray M. Stanley* for petitioner. *Mr. Lyman M. Bass* for respondent. Reported below: 143 Misc. 1, 256 N.Y.S. 590; 236 App. Div. 415, 259 N.Y.S. 393; 262 N.Y. 92, 186 N.E. 214.

No. 236. *SOUTHERN CITIES DISTRIBUTING CO. v. TEX-ARKANA ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. William H. Arnold, William H. Arnold, Jr.*, and *David C. Arnold* for petitioner. *Messrs. Benjamin E. Carter* and *Willis B. Smith* for respondents. Reported below: 64 F. (2d) 944.

No. 237. *LIDSTROM, ADMINISTRATOR, v. SPONGBERG, ADMINISTRATOR.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Minnesota denied. *Mr. Michael B. Hurley* for petitioner. *Mr. Samuel A. Anderson* for respondent. Reported below: 187 Minn. 650; 245 N.W. 636, 247 *id.* 679.

No. 238. *BOURNE v. COMMISSIONER OF INTERNAL REVENUE.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Louis M. Bourne, pro se. Solicitor General Biggs, Mr. Sewall Key, and Miss Helen R. Carlross* for respondent. Reported below: 62 F. (2d) 648.

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No. 242. *LUSE v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Herman L. Arterberry and Will R. King* for petitioner. *Solicitor General Biggs and Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 64 F. (2d) 776.

No. 243. *GIST ET AL. v. NEW YORK LIFE INS. CO.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John Stewart Ross* for petitioners. *Mr. Edwin A. Meserve* for respondent. Reported below: 63 F. (2d) 732.

No. 244. *PHILADELPHIA STORAGE BATTERY CO. v. KELLY-HOW-THOMSON CO.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Byron G. Carson* for petitioner. *Mr. Oscar Mitchell* for respondent. Reported below: 64 F. (2d) 834.

Nos. 245 and 246. *WALKER v. COMMISSIONER OF INTERNAL REVENUE*; and

Nos. 247 and 248. *GOLDSTEIN v. SAME*. October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Elias Goldstein and S. L. Herold* for petitioners. *Solicitor General Biggs and Messrs. Erwin N. Griswold, Sewall Key, and Francis H. Horan* for respondent. Reported below: 65 F. (2d) 97.

Nos. 249 and 250. *JOHNSON ET AL. v. UNITED STATES*. October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied.

Mr. H. A. Ledbetter for petitioners. *Solicitor General Biggs* and *Messrs. Erwin N. Griswold, Aubrey Lawrence, and E. T. Burke* for the United States. Reported below: 64 F. (2d) 674.

No. 251. FIDELITY SAVINGS & LOAN ASSN. *v.* BURNET, COMMISSIONER OF INTERNAL REVENUE. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. W. H. Orrick and T. W. Dahlquist* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and John H. McEvers* for respondent. Reported below: 62 App.D.C. 131; 65 F. (2d) 477.

No. 252. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* HUTCHINSON COAL Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Solicitor General Biggs* and *Messrs. Sewall Key and Andrew D. Sharpe* for petitioner. No appearance for respondent. Reported below: 64 F. (2d) 275.

No. 253. COMAR OIL Co. *v.* BURNET, COMMISSIONER OF INTERNAL REVENUE. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Truman Post Young* for petitioner. *Solicitor General Biggs, Mr. Sewall Key, and Miss Helen R. Carloss* for respondent. Reported below: 64 F. (2d) 965.

No. 254. FIRST NATIONAL BANK *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. J. Robert Sherrod* for petitioner. *Solicitor General*

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Biggs and Messrs. Sewall Key and J. P. Jackson for the United States. Reported below: 65 F. (2d) 536.

Nos. 255 and 256. *GALBRAITH ET AL. v. BAY TRUST CO., TRUSTEE*. October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John E. Kinnane* for petitioners. *Mr. Edward S. Clark* for respondent. Reported below: 64 F. (2d) 389.

No. 258. *TROPIC-AIRE, INC. v. WILDERMUTH*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Amasa C. Paul, George I. Haight, William H. Davis, and Maurice M. Moore* for petitioner. *Mr. Drury W. Cooper* for respondent. Reported below: 64 F. (2d) 342.

No. 259. *SURPRISE, TRUSTEE, v. FIRST TRUST & SAVINGS BANK ET AL.* October 9, 1933. Petition for writ of certiorari to the Appellate Court of Indiana denied. *Mr. C. B. Tinkham* for petitioner. *Mr. L. L. Bomberger* for respondents. Reported below: 96 Ind. App. 66; 180 N.E. 926.

No. 261. *FOSHAY TRUST & SAVINGS BANK v. PUBLIC UTILITIES CONSOLIDATED CORP.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. C. J. Rockwood and John P. Dalzell* for petitioner. *Mr. Clark R. Fletcher* for respondent. Reported below: 64 F. (2d) 665.

No. 262. *SEAS SHIPPING Co., INC. v. APPROXIMATELY 3,251,000 FEET OF LUMBER ET AL.* October 9, 1933. Pe-

tion for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Frank V. Barns* for petitioner. *Mr. George DeForest Lord* for respondents. Reported below: 65 F. (2d) 376.

No. 263. OIL TRANSFER CORP. ET AL. *v.* C. F. HARMS Co., INC., ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Chauncey I. Clark and A. Howard Neely* for petitioners. *Messrs. W. H. McGrann and Anthony V. Lynch, Jr.*, for respondents. Reported below: 64 F. (2d) 340.

No. 266. MOSHEIK *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Alfred E. Roth* for petitioner. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 63 F. (2d) 533.

No. 267. BARLETT FRAZIER CO. ET AL. *v.* WALLACE, SECRETARY OF AGRICULTURE, ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Frederic Ullmann and E. R. Morrison* for petitioners. *Solicitor General Biggs* and *Assistant Attorney General Stephens* for respondents. Reported below: 65 F. (2d) 350.

No. 270. LOUISVILLE & NASHVILLE R. CO. ET AL. *v.* BUMPASS. October 9, 1933. Petition for writ of certiorari to the Supreme Court of Tennessee denied. *Messrs. Edward T. Seay and H. J. Livingston* for petitioners. *Mr. Scott FitzHugh* for respondent.

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No. 271. *NABONG v. PHILIPPINE ISLANDS*. October 9, 1933. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied. *Mr. Ignacio Nabong, pro se. Messrs. Kyle Rucker, William Catron Rigby, and Fred W. Llewellyn* for respondent.

No. 275. *TEXAS ELECTRIC SERVICE CO. v. FAIRBANKS, MORSE & Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Charles L. Black, Joe A. Worsham, and Ireland Graves* for petitioner. *Mr. Allen Wight* for respondent. Reported below: 63 F. (2d) 702.

No. 276. *BEDFORD MILLS, INC. v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. C. D. Williams and John F. Hughes* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. H. Brian Holland* for the United States. Reported below: 75 Ct. Cls. 412, 77 *id.* 190; 59 F. (2d) 263, 2 F.Supp. 769.

No. 277. *HARJIM, INC., ET AL. v. OWENS ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Robert L. Shipp* for petitioners. *Mr. Manley P. Caldwell* for respondents. Reported below: 64 F. (2d) 306.

No. 278. *MOBILE & OHIO R. CO. ET AL. v. WILLIAMS, ADMINISTRATRIX*. October 9, 1933. Petition for writ of certiorari to the Supreme Court of Alabama denied. *Mr. Carl Fox* for petitioners. *Mr. Harry T. Smith* for respondent. Reported below: 226 Ala. 541; 147 So. 819. See also 224 Ala. 125; 139 So. 337.

No. 279. SHOEMAKER, TRUSTEE, *v.* NEWMAN ET AL., TRUSTEES. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. Stanton C. Peelle, Walter B. Guy, and Ralph D. Quinter* for petitioner. *Messrs. Wilton J. Lambert, John Spalding Flannery, R. H. Yeatman, and George D. Horning, Jr.,* for respondents. Reported below: 62 App.D.C. 120; 65 F. (2d) 208.

No. 281. MISSOURI PACIFIC R. CORP. *v.* NEBRASKA STATE RY. COMM'N ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. E. J. White and J. A. C. Kennedy* for petitioner. *Mr. Paul F. Good* for respondents. Reported below: 65 F. (2d) 557.

No. 282. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* PRINGLE; and

No. 283. SAME *v.* BRUNSON. October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Solicitor General Biggs* for petitioner. *Messrs. Ward Loveless and Joseph D. Peeler* for respondents. Reported below: 64 F. (2d) 863.

No. 284. MORAN TOWING & TRANSPORTATION CO., INC. *v.* ROBINS DRY DOCK & REPAIR CO. ET AL. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of New York denied. *Messrs. Horace L. Cheney and James M. Gorman* for petitioner. *Messrs. E. Curtis Rouse, Harold Harper, and Homer L. Loomis* for respondents. Reported below: 235 App. Div. 841, 257 N.Y.S. 908; 261 N.Y. 455, 185 N.E. 698.

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No. 285. MORAN TOWING & TRANSPORTATION Co., INC. v. ROBINS DRY DOCK & REPAIR Co. ET AL. October 9, 1933. Petition for writ of certiorari to the Supreme Court of New York denied. *Messrs. Horace L. Cheyney and James M. Gorman* for petitioner. *Messrs. E. Curtis Rouse, Harold Harper, and Homer L. Loomis* for respondents. Reported below: 261 N.Y. 455; 262 *id.* 521. See also 235 App. Div. 841.

No. 286. KLINGE v. SOUTHERN PACIFIC Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Lindsay R. Rogers* for petitioner. *Messrs. Emmett M. Bagley, Paul H. Ray, and Guy V. Shoup* for respondent. Reported below: 65 F. (2d) 85.

No. 287. WIGGINS v. UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. George W. Nilsson and Morgan J. Doyle* for petitioner. *Solicitor General Biggs* and *Messrs. Erwin N. Griswold and John H. McEvers* for the United States. Reported below: 64 F. (2d) 950.

No. 289. GANS STEAMSHIP LINE v. UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Jacob S. Seidman* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and John MacC. Hudson* for the United States. Reported below: 65 F. (2d) 1016.

No. 291. LONDON & LANCASHIRE INDEMNITY Co. v. STEFUS ET AL. October 9, 1933. Petition for writ of cer-

tiorari to the Supreme Court of New Jersey denied. *Mr. George S. Hobart* for petitioner. *Mr. Jerry A. Mathews* for respondents. Reported below: 111 N.J.L. 6.

No. 292. *GLOGORA COAL CO. v. CHESAPEAKE & OHIO RY. CO.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied. *Mr. Thomas L. Pogue* for petitioner. *Mr. C. W. Strickling* for respondent. Reported below: 113 W.Va. 796; 169 S.E. 471.

No. 296. *DARCEY v. O'BRIEN, TRUSTEE.* October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. James O. D. Moran* for petitioner. *Messrs. Norman B. Landreau, Lambert O'Donnell, and Thomas W. O'Brien* for respondent. Reported below: 62 App.D.C. 151; 65 F. (2d) 599.

No. 297. *SHEER PHARMACAL CORP. v. DONNER.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Richard A. Jones* for petitioner. *Messrs. Lynn A. Williams and Thomas H. Sheridan* for respondent. Reported below: 64 F. (2d) 217.

No. 299. *MARLAND v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. S. W. Hayes, David A. Richardson, and Eugene Jordan* for petitioner. *Solicitor General Biggs and Assistant Attorney General Wideman* for the United States. Reported below: 78 Ct.Cls. —; 3 F.Supp. 611. See also 53 F. (2d) 907.

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No. 300. *WERTH v. FIRE COMPANIES' ADJUSTMENT BUREAU, INC.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. *Mr. Wm. H. Werth* for petitioner. *Messrs. Alexander H. Sands and Dan MacDougald* for respondent. Reported below: 160 Va. 845.

No. 301. *TESSITORE v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. George Piazza* for petitioner. *Solicitor General Biggs* and *Messrs. Mahlon D. Kiefer and W. Marvin Smith* for the United States. Reported below: 64 F. (2d) 539.

No. 302. *SEALS v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. George Piazza* for petitioner. *Solicitor General Biggs* and *Messrs. Mahlon D. Kiefer and W. Marvin Smith* for the United States. Reported below: 64 F. (2d) 778.

No. 303. *BANK OF ITALY NATIONAL TRUST & SAVINGS ASSN. v. BENTLEY ET AL.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of California denied. *Mr. Charles W. Collins* for petitioner. *Mr. Percy S. Webster* for respondents. Reported below: 217 Cal. 644; 20 P. (2d) 940.

No. 305. *TRUDEAU v. BARNES.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. H. W. Robinson* for petitioner. No appearance for respondent. Reported below: 65 F. (2d) 563.

No. 306. *KESSLER v. BUICK MOTOR Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Cody Fowler and Charles Rogers Fenwick* for petitioner. *Mr. Edward N. Pagelsen* for respondent. Reported below: 64 F. (2d) 599.

No. 307. *TERRY ET AL. v. MIDLAND REFINING Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Frank J. Hogan, Nelson T. Hartson, Charles R. Brice, and Ellis Douthit* for petitioners. *Mr. J. O. Seth* for respondent. Reported below: 64 F. (2d) 428.

Nos. 309 and 310. *NEWBERRY ET AL. v. DAVISON CHEMICAL Co.* October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Frank S. Spruill and Leon Tobriner* for petitioners. *Mr. Larry I. Moore* for respondent. Reported below: 65 F. (2d) 724.

No. 314. *INTERTYPE CORP. ET AL. v. PULVER.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Herbert S. Phillips* for petitioners. *Mr. Jefferson D. Stephens* for respondent. Reported below: 65 F. (2d) 419.

No. 315. *ADAMS v. COMMISSIONER OF INTERNAL REVENUE.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Nathan L. Miller and Edward B. Burling* for petitioner. *Solicitor General Biggs, Mr. Sewall Key, and*

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Miss Helen R. Carloss for respondent. Reported below: 65 F. (2d) 262.

No. 316. *CHAPMAN v. WASHINGTON RAILWAY & ELECTRIC Co.* October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Harlan Wood* for petitioner. *Messrs. Percy H. Marshall* and *H. W. Kelly* for respondent. Reported below: 62 App.D.C. 140; 65 F. (2d) 486.

No. 317. *KOWAL v. PERKINS, SECRETARY OF LABOR*;

No. 318. *KABADIAN v. SAME*;

No. 319. *ABRAHAM v. SAME*;

No. 320. *POLOMBO v. SAME*;

No. 321. *SPICA v. SAME*; and

No. 322. *PETIKAS v. SAME.* October 9, 1933. Petitions for writs of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Raymond M. Hudson* for petitioners. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for respondent. Reported below: 62 App.D.C. 114, 115; 65 F. (2d) 202.

No. 323. *CURTIS PUBLISHING Co. v. NEYLAND.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. J. M. Richardson Lyeth* for petitioner. *Mr. Samuel F. Frank* for respondent. Reported below: 65 F. (2d) 363.

No. 324. *PENNSYLVANIA COAL & COKE CORP. v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Mr. Frederick S. Winston* for petitioner. *Solicitor General Biggs* and *Assistant At-*

torney General Wideman for the United States. Reported below: 77 Ct. Cls. 594; 3 F.Supp. 240.

No. 326. *QUEEN v. COMMONWEALTH TRUST CO. ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. William A. Schnader and John Duggan, Jr.*, for petitioner. *Messrs. John M. Freeman and H. F. Stam- baugh* for respondents. Reported below: 64 F. (2d) 946.

No. 327. *BALTIMORE EQUITABLE SOCIETY v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Adrian C. Humphreys and Newton K. Fox* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman and Mr. H. Brian Holland* for the United States. Reported below: 77 Ct. Cls. 566; 3 F.Supp. 427.

No. 328. *VARGAS v. CHUA ET AL.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied. *Mr. Jose Yulo* for petitioner. No appearance for respondents.

No. 330. *CORSICANA v. HULEN, RECEIVER.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Richard Mays* for petitioner. *Messrs. Wm. F. Dickinson, Bruce Scott, J. H. Barwise, and Wm. R. Watkins* for respondent. Reported below: 65 F. (2d) 969.

No. 331. *LOUIS GATTO v. UNITED STATES*; and

No. 332. *DOROTHY GATTO v. SAME.* October 9, 1933. Petitions for writs of certiorari to the Circuit Court of

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Appeals for the Seventh Circuit denied. *Mr. Harry N. Pritzker* for petitioners. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for the United States. Reported below: 63 F. (2d) 1003.

No. 333. CONTINENTAL ILLINOIS BANK & TRUST CO., EXECUTOR, *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. J. F. Dammann* for petitioner. *Solicitor General Biggs* and *Messrs. Erwin N. Griswold, J. Louis Monarch, and J. P. Jackson* for the United States. Reported below: 65 F. (2d) 506.

No. 334. NORTHERN TRUST CO. ET AL., EXECUTORS, *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. J. F. Dammann* for petitioners. *Solicitor General Biggs* and *Messrs. J. Louis Monarch and J. P. Jackson* for the United States. Reported below: 65 F. (2d) 506.

No. 335. DEAN, ADMINISTRATOR, *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. J. F. Dammann* for petitioner. *Solicitor General Biggs* and *Messrs. J. Louis Monarch and J. P. Jackson* for the United States. Reported below: 65 F. (2d) 506.

No. 336. KADOW ET AL. *v.* ROBERTSON, COMMISSIONER OF PATENTS. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Otto R. Barnett* for petitioners. *Solicitor General Biggs* and *Messrs. Erwin N. Griswold and T. A.*

Hostetler for respondent. Reported below: 62 App.D.C. 225; 66 F. (2d) 205.

No. 337. CONSOLIDATED COPPERMINES CORP. *v.* NEVADA CONSOLIDATED COPPER Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. George B. Thatcher, John P. Gray, and Joseph R. Cotton* for petitioner. *Messrs. William Wallace and Wm. E. Colby* for respondent. Reported below: 64 F. (2d) 440.

No. 340. NATIONAL PARK BANK *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. John C. Crawley and Dallas S. Townsend* for petitioner. *Solicitor General Biggs* and *Messrs. J. Louis Monarch and Wm. Cutler Thompson* for the United States. Reported below: 65 F. (2d) 415.

No. 341. RUTLEDGE, RECEIVER, *v.* BRISTOL, TRUSTEE. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. L. C. McBride* for petitioner. *Messrs. Maco Stewart, Jr., John Neethe, and Robert Allan Ritchie* for respondent. Reported below: 65 F. (2d) 986.

No. 345. RABKIN *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. David P. Siegel* for petitioner. *Solicitor General Biggs* for the United States. Reported below: 65 F. (2d) 1022.

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No. 346. *ROBSON v. UNITED STATES*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Horace S. Davis* for petitioner. *Solicitor General Biggs* and *Messrs. Mahlon D. Kiefer* and *W. Marvin Smith* for the United States. Reported below: 64 F. (2d) 1019.

No. 348. *TREADWELL ET AL., EXECUTORS, v. PUTNAM*. October 9, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. Bethuel M. Webster* and *C. Dickerman Williams* for petitioners. *Solicitor General Biggs* and *Mr. John T. Fowler, Jr.*, for respondent. Reported below: 62 App.D.C. 156; 65 F. (2d) 604.

No. 350. *WOLF v. BASS FURNITURE & CARPET CO.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Oklahoma denied. *Messrs. R. M. Rainey* and *Streeter B. Flynn* for petitioner. *Messrs. B. B. Blakeney* and *Hubert Ambrister* for respondent. Reported below: 152 Okla. 125; 3 P. (2d) 895.

No. 374. *DICKERSON v. UNITED STATES*. October 16, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Cedric F. Johnson* for petitioner. No appearance for the United States. Reported below: 62 App.D.C. 191; 65 F. (2d) 824.

No. 414. *CHANDLER, RECEIVER, v. MANIFOLD*. October 16, 1933. Petition for writ of certiorari to the Supreme Court of Colorado denied upon the ground that

the alleged federal question was not properly presented to the Supreme Court of Colorado. *Caperton v. Bowyer*, 14 Wall. 216, 236; *Hulburt v. Chicago*, 202 U.S. 275, 280, 281; *Hiawasee River Power Co. v. Carolina-Tennessee Co.*, 252 U.S. 341, 343. *Mr. Archibald A. Lee* for petitioner. No appearance for respondent. Reported below: 92 Colo. 579; 22 P. (2d) 870.

No. 313. *McREYNOLDS ET AL. v. FEDERAL-AMERICAN NATIONAL BANK & TRUST Co.* October 16, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. George A. Berry and Joseph J. Malloy, and Mrs. Mabel Walker Willebrandt* for petitioners. *Messrs. Leon Tobriner and Abner H. Ferguson* for respondent. Reported below: 62 App. D.C. 291; 67 F. (2d) 251.

No. 353. *PIZZITOLO v. UNITED STATES.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John J. Finnorn* for petitioner. *Solicitor General Biggs* and *Messrs. Mahlon D. Kiefer and W. Marvin Smith* for the United States. Reported below: 64 F. (2d) 680.

No. 354. *VINKEMULDER v. UNITED STATES.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John J. Finnorn* for petitioner. *Solicitor General Biggs* and *Mr. Mahlon D. Kiefer* for the United States. Reported below: 64 F. (2d) 535.

No. 356. *WILLIFORD v. KANSAS CITY SOUTHERN RY. Co.* October 16, 1933. Petition for writ of certiorari to

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the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Lewell C. Butler* for petitioner. No appearance for respondent. Reported below: 65 F. (2d) 223.

No. 357. *BECKER STEEL CO. v. HICKS, ALIEN PROPERTY CUSTODIAN, ET AL.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. E. Crosby Kindleberger* for petitioner. *Solicitor General Biggs* and *Messrs. Harvey B. Cox* and *W. Marvin Smith* for respondents. Reported below: 66 F. (2d) 497.

No. 360. *MARTIN v. ROYAL MAIL STEAM PACKET CO. ET AL.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. J. Bertram Wegman* for petitioner. *Mr. Morton L. Fearey* for respondents. Reported below: 65 F. (2d) 1019.

No. 362. *DETROIT FIDELITY & SURETY CO. v. THIRD NATIONAL BANK.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John B. Sutton* for petitioner. *Mr. H. H. Taylor* for respondent. Reported below: 65 F. (2d) 548.

No. 365. *NEW ORLEANS & GREAT NORTHERN R. CO. ET AL. v. BRANTON, ADMINISTRATRIX.* October 16, 1933. Petition for writ of certiorari to the Supreme Court of Mississippi denied. *Messrs. Ellis B. Cooper* and *J. N. Flowers* for petitioners. *Mrs. Vivian Branton, pro se.* Reported below: 167 Miss. 52; 146 So. 870.

No. 367. *WABASH RY. CO. v. ST. LOUIS*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Homer Hall and J. H. Miller* for petitioner. *Mr. Charles M. Hay* for respondent. Reported below: 64 F. (2d) 921.

No. 368. *GARRISON, TRUSTEE, v. JOHNSON ET AL.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. M. E. Garrison, pro se. Mr. Robert C. Faulston* for respondents. Reported below: 66 F. (2d) 227.

No. 369. *PLIBRICO JOINTLESS FIREBRICK CO. v. CAIGAN*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Harold S. Davis and John M. Raymond* for petitioner. *Mr. Israel Caigan, pro se.* Reported below: 65 F. (2d) 849.

No. 371. *EMPIRE STORAGE & ICE CO. v. NATIONAL MATCH CO.* October 16, 1933. Petition for writ of certiorari to the Kansas City Court of Appeals, of Missouri, denied. *Messrs. Harry L. Jacobs, I. J. Ringolsky, and Wm. G. Boatright* for petitioner. *Mr. Raymond G. Barnett* for respondent. Reported below: 58 S.W. (2d) 797.

No. 372. *GRACE LINE, INC. v. TOULON*. October 16, 1933. Petition for writ of certiorari to the Supreme Court of New York denied. *Messrs. Charles R. Hickox, Vernon S. Jones, and Raymond Parmer* for petitioner. *Mr. Simone N. Gazen* for respondent. Reported below: 261 N.Y.S. 993; 262 N.Y. 506. See also 237 App.Div. 892.

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No. 373. INDEPENDENT TAXI OWNERS ASSN., INC. *v.* CALLAS. October 16, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Alfred D. Smith* for petitioner. *Mr. John U. Gardiner* for respondent. Reported below: 62 App.D.C. 212; 66 F. (2d) 192.

No. 375. CROMPTON & KNOWLES LOOM WORKS *v.* WHITE, COLLECTOR. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Frederick S. Winston* for petitioner. *Solicitor General Biggs*, *Mr. J. Louis Monarch*, and *Miss Helen R. Carloss* for respondent. Reported below: 65 F. (2d) 132.

No. 376. KARL *v.* NEW YORK CENTRAL R. CO. October 16, 1933. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. Seymour J. Frank* for petitioner. *Mr. John J. Danhof* for respondent. Reported below: 262 Mich. 457; 247 N.W. 715.

No. 377. AMERICAN TOBACCO CO. *v.* UNITED STATES. October 16, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. James L. Gerry* and *Marvin Farrington* for petitioner. *Solicitor General Biggs* and *Assistant Attorney General Wideman* for the United States. Reported below: 76 Ct. Cls. 201.

No. 378. P. LORILLARD & CO. *v.* UNITED STATES. October 16, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. James L. Gerry* and *Marvin Farrington* for petitioner. *Solicitor General Biggs* and

Assistant Attorney General Wideman for the United States. Reported below: 75 Ct. Cls. 874.

No. 379. *ANARGYROS v. UNITED STATES*. October 16, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. James L. Gerry* and *Marvin Farrington* for petitioner. *Solicitor General Biggs* and *Assistant Attorney General Wideman* for the United States. Reported below: 75 Ct. Cls. 874.

No. 380. *DELAWARE & HUDSON CO. v. COMMISSIONER OF INTERNAL REVENUE*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. John W. Davis, Montgomery B. Angell, and H. T. Newcomb* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and John H. McEvers* for respondent. Reported below: 65 F. (2d) 292.

No. 381. *STEARNS, ADMINISTRATOR, v. BURNET, COMMISSIONER OF INTERNAL REVENUE*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. L. L. Hamby* and *Selden Bacon* for petitioner. *Solicitor General Biggs* and *Messrs. J. Louis Monarch and Andrew D. Sharpe* for respondent. Reported below: 65 F. (2d) 371.

No. 382. *BURNET, COMMISSIONER OF INTERNAL REVENUE, v. MUTUAL LIFE INS. CO.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Solicitor General Biggs* for petitioner. *Messrs. Frederick L. Allen, Wm. Marshall*

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Bullitt, and *Edmund B. Quiggle* for respondent.
Reported below: 65 F. (2d) 1014.

No. 383. UNITED STATES *v.* WHITBECK, RECEIVER.
October 16, 1933. Petition for writ of certiorari to the
Court of Claims denied. *Solicitor General Biggs* for the
United States. *Messrs. Edward F. Colladay* and *Joseph
C. McGarraghy* for respondent. Reported below: 77 Ct.
Cls. 309.

No. 384. UNITED STATES *v.* HIGHLAND MILK CON-
DENSING Co. October 16, 1933. Petition for writ of cer-
tiorari to the Court of Claims denied. *Solicitor General
Biggs* for the United States. No appearance for respond-
ent. Reported below: 77 Ct. Cls. 745; 3 F.Supp. 664.

No. 385. UNITED STATES *v.* HELVETIA MILK CONDENS-
ING Co. October 16, 1933. Petition for writ of certiorari
to the Court of Claims denied. *Solicitor General Biggs*
for the United States. No appearance for respondent.
Reported below: 77 Ct. Cls. 743; 3 F.Supp. 662.

No. 386. UNITED STATES *v.* CHICAGO, INDIANAPOLIS &
LOUISVILLE RY. Co. October 16, 1933. Petition for writ
of certiorari to the Court of Claims denied. *Solicitor
General Biggs* for the United States. *Messrs. J. Harry
Covington, C. C. Hine*, and *Spencer Gordon* for respond-
ent. Reported below: 78 Ct. Cls. —.

No. 387. LAMSON Co., INC., *v.* INGALLS, TRUSTEE.
October 16, 1933. Petition for writ of certiorari to the
Circuit Court of Appeals for the Sixth Circuit denied.

Messrs. E. Crosby Kindleberger and Richard T. Rector for petitioner. *Messrs. B. G. Watson and C. M. Gibson* for respondent. Reported below: 66 F. (2d) 110.

Nos. 389 and 390. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* CHICAGO & NORTH WESTERN RY. CO. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Solicitor General Biggs* for petitioner. *Mr. Nelson Trotteman* for respondent. Reported below: 66 F. (2d) 61.

No. 391. BURNET, COMMISSIONER OF INTERNAL REVENUE *v.* NORFOLK SOUTHERN R. CO. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Solicitor General Biggs* for petitioner. *Messrs. W. B. Rodman, Claude M. Bain, R. Kemp Slaughter, and Hugh C. Bickford* for respondent. Reported below: 63 F. (2d) 304.

No. 392. TEXAS & PACIFIC RY. CO. *v.* UNITED STATES. October 16, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Adrian C. Humphreys and Newton K. Fox* for petitioner. *Solicitor General Biggs* and *Assistant Attorney General Wideman* for the United States. Reported below: 77 Ct. Cls. 748; 3 F.Supp. 539.

No. 395. UNITED STATES *v.* WHITE MOTOR CO. October 16, 1933. Petition for writ of certiorari to the Court of Claims denied. *Solicitor General Biggs* for the United States. *Messrs. Claude M. Houchins and John E. Walker* for respondent. Reported below: 77 Ct. Cls. 752; 3 F.Supp. 635.

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No. 397. *RAMSEY v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Charles H. Garnett* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key* and *Francis H. Horan* for respondent. Reported below: 66 F. (2d) 316.

No. 398. *ZUCKERKANDEL ET AL. v. UNITED STATES*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Archibald Palmer* for petitioners. *Solicitor General Biggs* and *Mr. Harry S. Ridgely* for the United States. Reported below: 66 F. (2d) 388.

No. 401. *HARR, EXECUTOR, ET AL. v. PIONEER MECHANICAL CORP.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Abraham Benedict* for petitioners. *Mr. Paxton Blair* for respondent. Reported below: 65 F. (2d) 332.

No. 402. *COLUMBO Co. v. UNITED STATES*. October 16, 1933. Petition for writ of certiorari to the Court of Customs and Patent Appeals denied. *Messrs. Allen R. Brown* and *John Francis Gouch* for petitioner. *Solicitor General Biggs* and *Assistant Attorney General Lawrence* for the United States. Reported below: 21 C.C.P.A. (Cust.) 177; T.D. 46510.

No. 403. *MARVEL CARBURETOR Co. v. CARTER*. October 16, 1933. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. George I. Haight* for petitioner. *Mr. Howard M. Brock* for respondent. Reported below: 263 Mich. 48; 248 N.W. 545.

No. 405. *CRAWFORD v. HALE*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. J. Weston Allen* for petitioner. *Mr. Joseph E. Warner* for respondent. Reported below: 65 F. (2d) 739.

No. 406. *GLOBE INDEMNITY CO. v. C. H. EARLE, INC.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. F. A. W. Ireland* for petitioner. *Messrs. Oscar A. Lewis and Lloyd B. Kanter* for respondent. Reported below: 65 F. (2d) 1013. See also 61 F. (2d) 765.

No. 407. *FITZ GERALD v. EQUITABLE LIFE ASSURANCE SOCIETY*. October 16, 1933. Petition for writ of certiorari to the Court of Appeals of New York denied. *Messrs. Hans v. Briesen and Francis T. White* for petitioner. *Mr. Clifton P. Williamson* for respondent. Reported below: 237 App.Div. 838; 261 N.Y.S. 913.

No. 409. *FAIN v. CADY LUMBER CO.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Isaac Barth* for petitioner. No appearance for respondent. Reported below: 65 F. (2d) 644.

No. 410. *LUPPINO v. UNITED STATES*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Andrew G. Haley* for petitioner. *Solicitor General Biggs* and *Mr. Mahlon D. Kiefer* for the United States. Reported below: 65 F. (2d) 687.

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No. 411. NEAL ET AL., TRUSTEES, *v.* COMMISSIONER OF INTERNAL REVENUE. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Wm. Harold Hitchcock* for petitioners. *Solicitor General Biggs* and *Messrs. Sewall Key* and *Francis H. Horan* for respondent. Reported below: 65 F. (2d) 761.

No. 412. TOWER HILL CONNELLSVILLE COKE Co. *v.* PIEDMONT COAL Co. ET AL. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. John W. Davis, E. W. Knight, George E. Alter,* and *A. J. Barron* for petitioner. *Messrs. Edwin W. Smith, Arthur S. Dayton, E. C. Higbee,* and *Wm. M. Robinson* for respondents. Reported below: 64 F. (2d) 817.

No. 413. CHESAPEAKE & OHIO RY. Co. *v.* ANDERSON. October 16, 1933. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. David H. Leake* for petitioner. *Mr. Charles C. Spencer* for respondent. Reported below: 352 Ill. 561; 186 N.E. 185.

No. 415. WEINBERG *v.* UNITED STATES. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Wm. E. Leahy* and *Wm. J. Hughes, Jr.,* for petitioner. *Solicitor General Biggs* and *Mr. A. E. Gottschall* for the United States. Reported below: 65 F. (2d) 394.

No. 416. DELARMI *v.* UNITED STATES. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Wm.*

E. Leahy and *Wm. J. Hughes, Jr.*, for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key* and *John H. McEvers* for the United States. Reported below: 65 F. (2d) 1022.

No. 427. *GRISSINGER v. UNITED STATES*. October 23, 1933. Petition for writ of certiorari to the Court of Claims, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Harry H. Semmes* for petitioner. No appearance for the United States. Reported below: 77 Ct. Cls. 106.

No. 123. *CUFF v. UNITED STATES ET AL.* October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Martin R. Cuff, pro se.* No appearance for the United States et al. Reported below: 64 F. (2d) 624.

No. 260. *SPIVEY v. GULF, COLORADO & SANTA FE RY. Co.* October 23, 1933. Petition for writ of certiorari to the Court of Civil Appeals, Third Supreme Judicial District, of Texas, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Winbourn Pearce* for petitioner. No appearance for respondent. Reported below: 56 S.W. (2d) 655.

No. 527. *REID v. ADERHOLD, WARDEN.* October 23, 1933. 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. William J. Reid, pro se.* No appearance for respondent. Reported below: 65 F. (2d) 110.

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No. 418. RHODERICK, EXECUTRIX, ET AL. *v.* SWARTZELL ET AL. October 23, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Messrs. Wm. E. Richardson, Frank S. Bright, E. Hilton Jackson, H. Stanley Hinrichs, and George C. Shinn* for petitioners. *Messrs. Frederic D. McKenney, John S. Flannery, G. Bowdoin Craighill, Louis Titus, C. L. Frailey, and P. J. Hurley* for respondents. Reported below: 62 App.D.C. 180; 65 F. (2d) 813.

No. 420. HOSIER ET AL. *v.* UNITED STATES. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Frank J. Looney and Thos. W. Robertson* for petitioners. *Solicitor General Biggs and Mr. Mahlon D. Kiefer* for the United States. Reported below: 64 F. (2d) 657.

No. 423. JOHNSON *v.* UNITED STATES. October 23, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Lawrence A. Baker, Edward H. Green, and Henry Ravenel* for petitioner. *Solicitor General Biggs and Assistant Attorney General Wideman* for the United States. Reported below: 76 Ct. Cls. 360; 1 F.Supp. 778. See also 3 F.Supp. 544.

No. 424. BENEFICIAL LOAN SOCIETY *v.* COMMISSIONER OF INTERNAL REVENUE. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Jackson R. Collins* for petitioner. *Solicitor General Biggs and Messrs. Erwin N. Griswold, Sewall Key, and John G. Remey* for respondent. Reported below: 65 F. (2d) 759.

No. 425. WILLIAM C. ATWATER & CO., INC. *v.* UNITED STATES. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Chauncey I. Clark* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman* and *Mr. H. Brian Holland* for the United States. Reported below: 65 F. (2d) 1023.

No. 430. ESSELSTYN, EXECUTOR, *v.* HELVERING, COMMISSIONER OF INTERNAL REVENUE. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Donald Horne* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key* and *S. Dee Hanson* for respondent. Reported below: 65 F. (2d) 1015.

No. 431. U. S. FIDELITY & GUARANTY CO. ET AL. *v.* MISSISSIPPI ET AL. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. William H. Watkins* for petitioners. No appearance for respondents. Reported below: 66 F. (2d) 9.

No. 436. SPURLOCK ET AL. *v.* SECURITY BUILDING & LOAN ASSN. ET AL. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Charles H. Rutherford* for petitioners. *Mr. Henderson Stockton* for respondents. Reported below: 65 F. (2d) 768.

No. 439. LITTLE *v.* COX & CARPENTER, INC., ET AL. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. S. C. Mize* for petitioner. *Messrs. J. Zach Spearing*

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and *W. L. Guice* for respondents. Reported below: 66 F. (2d) 84.

No. 441. *NEW YORK UNDERWRITERS INSURANCE CO. v. CENTRAL UNION BANK.* October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. R. E. Whiting and Joseph L. Nettles* for petitioner. No appearance for respondent. Reported below: 65 F. (2d) 738.

No. 442. *TATE v. SEVIER, JUDGE.* October 23, 1933. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Mr. Gus O. Nations* for petitioner. *Mr. Joseph T. Davis* for respondent. Reported below: 333 Mo. 662; 62 S.W. (2d) 895.

No. 443. *YENGO v. UNITED STATES.* October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Irving K. Baxter* for petitioner. *Solicitor General Biggs* and *Mr. Mahlon D. Kiefer* for the United States. Reported below: 65 F. (2d) 1023.

No. 444. *UTAH HOME FIRE INSURANCE CO. v. COMMISSIONER OF INTERNAL REVENUE.* October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Charles D. Hamel and Alan E. Gray* for petitioner. *Solicitor General Biggs, Mr. Sewall Key, and Miss Helen R. Carloss* for respondent. Reported below: 64 F. (2d) 763.

No. 446. *BOSTON BROADCASTING CO. v. FEDERAL RADIO COMM'N.* October 23, 1933. Petition for writ of certi-

orari to the Court of Appeals of the District of Columbia denied. *Mr. Joseph C. Fehr* for petitioner. *Solicitor General Biggs* and *Assistant Attorney General Stephens* for respondent. Reported below: 62 App.D.C. 299; 67 F. (2d) 505.

No. 447. *POTE v. FEDERAL RADIO COMM'N.* October 23, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Joseph C. Fehr* for petitioner. *Solicitor General Biggs* and *Assistant Attorney General Stephens* for respondent. Reported below: 62 App.D.C. 303; 67 F. (2d) 509.

No. 448. *JACKSON ET AL. v. EL PASO ET AL.* October 23, 1933. Petition for writ of certiorari to the Supreme Court of Texas denied. *Mr. Thornton Hardy* for petitioners. No appearance for respondents. Reported below: 59 S.W. (2d) 822.

No. 450. *TRAVELERS INSURANCE CO. v. BANCROFT ET AL.* October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Randolph Shirk* and *Richard K. Bridges* for petitioner. *Mr. Roscoe C. Arrington* for respondents. Reported below: 65 F. (2d) 963.

No. 493. *PAUL KLOPSTOCK & Co., INC. v. UNITED FRUIT Co.* See *ante*, p. 593.

No. 473. *ROYAL INDEMNITY CO. ET AL. v. AMERICAN BOND & MORTGAGE CO., INC., ET AL.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of

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Appeals for the First Circuit denied. MR. CHIEF JUSTICE HUGHES took no part in the consideration or decision of this application. *Mr. Saul S. Myers* for petitioners. *Messrs. Robert Hale and Leonard A. Pierce* for respondents. Reported below: 65 F. (2d) 455.

No. 393. COHEN GOLDMAN & Co., INC. v. UNITED STATES. November 6, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. H. H. Nordlinger and Dean Hill Stanley* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Messrs. Paul A. Sweeney and H. Brian Holland* for the United States. Reported below: 77 Ct. Cls. 713.

No. 432. GLENN ET AL., EXECUTORS, v. BOWERS, EXECUTOR; and

No. 433. SAME v. EDWARDS, COLLECTOR OF INTERNAL REVENUE. November 6, 1933. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Lewis Landes* for petitioners. *Solicitor General Biggs and Messrs. Sewall Key and J. P. Jackson* for respondents. Reported below: 65 F. (2d) 1017.

No. 445. GOODYEAR TIRE & RUBBER Co., INC. v. OVERMAN CUSHION TIRE Co., INC. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Charles Neave, F. O. Richey, and B. D. Watts* for petitioner. *Mr. Robert W. Byerly* for respondent. Reported below: 66 F. (2d) 361.

No. 465. GOODYEAR TIRE & RUBBER Co., INC. v. OVERMAN CUSHION TIRE Co., INC., ET AL. November 6, 1933.

Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. F. O. Richey and B. D. Watts* for petitioner. *Messrs. Lawrence Bristol and Robert W. Byerly* for respondents. Reported below: 66 F. (2d) 81.

No. 451. *FRANKEL v. UNITED STATES*. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. C. Dickerman Williams* for petitioner. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 65 F. (2d) 285.

No. 452. *INECTO, INC. v. FEDERAL TRADE COMM'N.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Murray Hulbert* for petitioner. *Solicitor General Biggs* and *Messrs. Erwin N. Griswold and Robert E. Healy* for respondent.

No. 453. *HELVERING, COMMISSIONER OF INTERNAL REVENUE, v. NEW YORK LIFE INS. CO.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Solicitor General Biggs* and *Mr. Erwin N. Griswold* for petitioner. *Messrs. Louis H. Cooke and Wm. Marshall Bullitt* for respondent. Reported below: 65 F. (2d) 347.

No. 454. *MACKEY ET AL. v. IRVING TRUST Co., TRUSTEE.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Francis L. Driscoll* for petitioners. *Mr. Wm. H. Freedman* for respondent. Reported below: 66 F. (2d) 416.

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No. 456. CENTURY INDEMNITY CO. *v.* NELSON. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Oliver Dibble* for petitioner. *Mr. Joe G. Sweet* for respondent. Reported below: 65 F. (2d) 765.

No. 457. MARTIN *v.* TENNESSEE COPPER & CHEMICAL CORP. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Harvey L. Lechner* and *Robert H. McCarter* for petitioner. *Mr. Thomas G. Haight* for respondent. Reported below: 66 F. (2d) 187.

No. 458. O'HEARNE *v.* UNITED STATES. November 6, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. W. B. O'Connell* for petitioner. *Solicitor General Biggs* and *Mr. Mahlon D. Kiefer* for the United States. Reported below: 62 App.D.C. 285; 66 F. (2d) 933.

No. 459. FIRST NATIONAL BANK OF BOSTON, EXECUTOR, *v.* TALBOTT, AUDITOR. November 6, 1933. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. *Messrs. Simeon S. Willis* and *T. Kennedy Helen* for petitioner. *Mr. S. H. Brown* for respondent. Reported below: 250 Ky. 90; 61 S.W. (2d) 1086.

No. 460. U.S. TRUST CO., EXECUTOR, *v.* ANDERSON, COLLECTOR OF INTERNAL REVENUE. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John W. Davis* for petitioner. *Solicitor General Biggs*, *Mr. Sewall*

Key, and *Miss Helen R. Carloss* for respondent. Reported below: 65 F. (2d) 575.

No. 461. OPELOUSAS-ST. LANDRY SECURITIES Co., INC., ET AL. v. UNITED STATES ET AL. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. E. B. Dubuissou* for petitioners. *Solicitor General Biggs* and *Messrs. Paul A. Sweeney* and *Aubrey Lawrence* for the United States et al. Reported below: 66 F. (2d) 41.

No. 462. IOWA EX REL. BOARD OF RAILROAD COMM'RS v. STANOLIND PIPE LINE Co. November 6, 1933. Petition for writ of certiorari to the Supreme Court of Iowa denied. *Messrs. J. H. Henderson* and *Stephen Robinson* for petitioner. *Mr. James L. Parrish* for respondent. Reported below: 216 Ia. 436; 249 N.W. 366.

No. 464. McMILLAN v. H. W. Roos Co. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Richard K. Stevens* for petitioner. *Mr. Harold E. Stonebraker* for respondent. Reported below: 64 F. (2d) 568.

No. 466. AQUILERA Y KINDELAN v. ICKES, SECRETARY OF THE INTERIOR. November 6, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Patrick H. Loughran* for petitioner. *Solicitor General Biggs* and *Messrs. Paul A. Sweeney* and *A. G. Iverson* for respondent. Reported below: 62 App.D.C. 226; 66 F. (2d) 206.

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No. 467. *TEXAS ELECTRIC SERVICE CO. v. SEYMOUR ET AL.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Mark McMahon, C. L. Black, and Joe A. Worsham* for petitioner. *Mr. Allen Wight* for respondents. Reported below: 66 F. (2d) 814.

No. 468. *LIVINGSTON, TRUSTEE, v. MORTGAGE LOAN CO. ET AL.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Foster H. Brown* for petitioner. *Mr. Paul Bakewell, Jr.*, for respondents. Reported below: 66 F. (2d) 636.

No. 469. *CLEVELAND, C., C. & ST. L. RY. CO. v. TAYLOR.* November 6, 1933. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Messrs. S. W. Baxter and H. N. Quigley* for petitioner. *Mr. Elliott W. Major* for respondent. Reported below: 333 Mo. 650; 63 S.W. (2d) 69.

No. 470. *CUNNINGHAM ET AL. v. PACIFIC MUTUAL LIFE INS. CO.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Martin Sack* for petitioners. *Messrs. J. L. Doggett and C. Cook Howell* for respondent. Reported below: 65 F. (2d) 909.

No. 471. *HALL v. CRONKLETON, RECEIVER.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Maxwell V. Beghtol* for petitioner. *Mr. P. E. Boslaugh* for respondent. Reported below: 66 F. (2d) 384.

No. 474. *BURLEW v. FIDELITY & CASUALTY CO.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John C. Doolan* for petitioner. *Mr. H. W. Batson* for respondent. Reported below: 64 F. (2d) 976.

No. 475. *SECURITY TRUST CO. ET AL. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Archibald Broomfield and Hal H. Smith* for petitioners. *Solicitor General Biggs and Messrs. Sewall Key and Andrew D. Sharpe* for respondent. Reported below: 65 F. (2d) 877.

No. 476. *ATCHISON, T. & S. F. RY. CO. v. UNION WIRE ROPE CORP.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Cyrus Crane, Charles H. Woods, and R. S. Outlaw* for petitioner. *Mr. Phil D. Morelock* for respondent. Reported below: 66 F. (2d) 965.

No. 478. *DETROIT TRUST CO. ET AL., TRUSTEES, v. COMMISSIONER OF INTERNAL REVENUE.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Hal H. Smith and Archibald Broomfield* for petitioners. *Solicitor General Biggs and Messrs. Sewall Key and Andrew D. Sharpe* for respondent. Reported below: 65 F. (2d) 877.

No. 480. *NEW YORK, ONTARIO & WESTERN RY. CO. v. McHALE.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Cir-

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cuit denied. *Mr. M. J. Martin* for petitioner. *Mr. Reese H. Harris* for respondent. Reported below: 66 F. (2d) 558.

No. 481. *NEW YORK, ONTARIO & WESTERN RY. CO. v. JONES*. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. M. J. Martin* for petitioner. *Mr. Joseph F. Gunster* for respondent. Reported below: 66 F. (2d) 556.

No. 482. *OLD DOMINION STAGES v. CATES, ADMINISTRATOR*. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. W. F. Barry, Jr.*, for petitioner. *Mr. Russell R. Kramer* for respondent. Reported below: 65 F. (2d) 258.

No. 483. *DUNCANSON-HARRELSON CO. v. DAVIDSON*. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Victor H. Pinckney* for petitioner. *Messrs. Ira S. Lillick and Chalmers G. Graham* for respondent. Reported below: 66 F. (2d) 354.

No. 484. *GOWEN v. COMMISSIONER OF INTERNAL REVENUE*. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. H. A. Hauxhurst and Richard Inglis* for petitioner. *Solicitor General Biggs, Messrs. Sewall Key and H. Brian Holland, and Miss Helen R. Carloss* for respondent. Reported below: 65 F. (2d) 923.

No. 485. *HEIDEN, RECEIVER, v. CREMIN, TRUSTEE*. November 6, 1933. Petition for writ of certiorari to the

Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Vail E. Purdy* for petitioner. No appearance for respondent. Reported below: 66 F. (2d) 943.

No. 488. CHICAGO & EASTERN ILLINOIS RY. CO. *v.* PUBLIC SERVICE COMM'N OF INDIANA. November 6, 1933. Petition for writ of certiorari to the Supreme Court of Indiana denied. *Messrs. Hinkle C. Hays* and *Alonzo C. Owens* for petitioner. *Mr. Isidor Kahn* for respondent. Reported below: 205 Ind. 253; 186 N.E. 330.

No. 490. CAROLINA CONTRACTING CO. *v.* STANDARD ACCIDENT INSURANCE CO. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Wm. S. Nelson, Edward W. Mullins, C. W. Tillett, and C. W. Tillett, Jr.,* for petitioner. *Mr. Douglas McKay* for respondent. Reported below: 64 F. (2d) 583.

No. 491. RUBSAM CORP. ET AL. *v.* GENERAL MOTORS CORP. ET AL. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Fred Gerlach* for petitioners. *Mr. Drury W. Cooper* for respondents. Reported below: 65 F. (2d) 217.

No. 499. HELVERING, COMMISSIONER OF INTERNAL REVENUE, *v.* WARNER. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Solicitor General Biggs* for petitioner. *Mr. Joseph M. Hartfield* for respondent. Reported below: 66 F. (2d) 403.

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No. 504. SORESENSEN ET AL. *v.* PYRATE CORP. November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Walter H. Moses* for petitioners. *Mr. Harold M. Sawyer* for respondent. Reported below: 65 F. (2d) 982.

No. 560. LARAMORE *v.* FLORIDA. November 13, 1933. Petition for writ of certiorari to the Supreme Court of Florida, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. John W. Laramore, pro se.* No appearance for respondent. Reported below: 111 Fla. 755.

No. 563. MARK *v.* WILSON, WARDEN. November 13, 1933. Petition for writ of certiorari to the Supreme Court of New York, Appellate Division, 3d Department, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Ralph Mark, pro se.* No appearance for respondent. Reported below: 236 App. Div. 872.

No. 507. DOOLEY IMPROVEMENTS, INC. *v.* MOTOR IMPROVEMENTS, INC., ET AL. November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Messrs. John M. Zane and Hugh M. Morris* for petitioner. *Messrs. Theodore S. Kenyon, Frederick Bachman, and Nelson Littell* for respondents. Reported below: 66 F. (2d) 553.

No. 280. ATLANTIC OIL TRANSIT CORP. ET AL. *v.* PROCTER & GAMBLE Co. November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Chauncey I. Clark and*

Eugene Underwood for petitioners. *Messrs. Harold S. Deming* and *Wharton Poor* for respondent. Reported below: 66 F. (2d) 609.

NO. 172. *WHITEHEAD, EXECUTOR, v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. H. L. McCune* for petitioner. *Solicitor General Biggs* for respondent. Reported below: 64 F. (2d) 118.

NO. 486. *BAIRD v. UNITED STATES.* November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Sidney L. Herold* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key* and *John G. Remey* for the United States. Reported below: 65 F. (2d) 911.

NO. 489. *BOGAN, ADMINISTRATRIX, v. HYNES ET AL.* November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Eric Lyders* for petitioner. *Mr. Aloysius I. McCormick* for respondents. Reported below: 65 F. (2d) 524.

NO. 492. *IMPIRIALE v. PERKINS, SECRETARY OF LABOR.* November 13, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Raymond M. Hudson* for petitioner. *Solicitor General Biggs* and *Messrs. Frank M. Parrish, Harry S. Ridgely,* and *W. Marvin Smith* for respondent. Reported below: 62 App.D.C. 279; 66 F. (2d) 805.

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No. 494. *W. H. HILL Co. v. HELVERING*, COMMISSIONER OF INTERNAL REVENUE. November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Robert P. Smith* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key* and *Norman D. Keller* for respondent. Reported below: 64 F. (2d) 506.

No. 496. *NAVIGAZIONE GENERALE ITALIANA v. ELTING*, COLLECTOR OF CUSTOMS. November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Cletus Keating, Delbert M. Tibbetts*, and *Gaspare M. Cusumano* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Messrs. W. S. Ward* and *H. Brian Holland* for respondent. Reported below: 66 F. (2d) 537.

No. 497. *TRANSATLANTICA ITALIANA v. ELTING*, COLLECTOR OF CUSTOMS. November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Cletus Keating, Delbert M. Tibbetts*, and *Gaspare M. Cusumano* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Messrs. W. S. Ward* and *H. Brian Holland* for respondent. Reported below: 66 F. (2d) 542.

No. 500. *PINE v. COLUMBIAN NATIONAL LIFE INS. Co.* November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Irving Lemov* for petitioner. *Mr. Eli J. Blair* for respondent. Reported below: 65 F. (2d) 1020.

No. 501. *COBB v. NATIONAL SURETY Co.* November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Howard B. Warren* for petitioner. No appearance for respondent. Reported below: 66 F. (2d) 323.

No. 502. *LAFAYETTE WORSTED Co. v. PAGE, COLLECTOR OF INTERNAL REVENUE.* November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Laurence Arnold Tanzer and James Craig Peacock* for petitioner. *Solicitor General Biggs, Messrs. Erwin N. Griswold and J. Louis Monarch, and Miss Louise Foster* for respondent. Reported below: 66 F. (2d) 339.

No. 503. *ROSENBLOOM FINANCE CORP. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. W. W. Spalding* for petitioner. *Solicitor General Biggs and Messrs. J. Louis Monarch, Edward H. Horton, and H. Brian Holland* for respondent. Reported below: 66 F. (2d) 556.

No. 508. *SOUTHERN REALTY CORP. ET AL. v. HEATH ET AL.* November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Benjamin Harrison Powell and Paul Carrington* for petitioners. *Mr. James V. Allred* for respondents. Reported below: 65 F. (2d) 934.

No. 510. *COMPAGNIE FRANCAISE DE NAVIGATION A VAPEUR v. ELTING, COLLECTOR OF CUSTOMS.* November 13, 1933. Petition for writ of certiorari to the Circuit

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Court of Appeals for the Second Circuit denied. *Mr. Melville J. France* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Mr. Paul A. Sweeney* for respondent. Reported below: 66 F. (2d) 536.

No. 511. COMPAGNIE FRANCAISE DE NAVIGATION A VAPEUR *v.* ELTING, COLLECTOR OF CUSTOMS. November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Melville J. France* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Mr. Paul A. Sweeney* for respondent. Reported below: 66 F. (2d) 536.

No. 512. COMPAGNIE FRANCAISE DE NAVIGATION A VAPEUR *v.* ELTING, COLLECTOR OF CUSTOMS. November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Melville J. France* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Mr. Paul A. Sweeney* for respondent. Reported below: 66 F. (2d) 536.

No. 513. COMPAGNIE FRANCAISE DE NAVIGATION A VAPEUR *v.* ELTING, COLLECTOR OF CUSTOMS. November 13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Melville J. France* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Mr. Paul A. Sweeney* for respondent. Reported below: 66 F. (2d) 536.

No. 514. COMPAGNIE FRANCAISE DE NAVIGATION A VAPEUR *v.* ELTING, COLLECTOR OF CUSTOMS. November

13, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Melville J. France* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. Paul A. Sweeney* for respondent. Reported below: 66 F. (2d) 536.

No. 517. *STATE EX REL. COTONIO v. ITALO-AMERICAN HOMESTEAD ASSN.* November 13, 1933. Petition for writ of certiorari to the Supreme Court of Louisiana denied. *Mr. Theodore Cotonio, pro se.* No appearance for respondent. Reported below: 177 La. 766; 149 So. 449.

No. 408. *JORGENSEN v. THORNBURG.* November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. George Washington Williams* for petitioner. No appearance for respondent. Reported below: 65 F. (2d) 794. See also 60 F. (2d) 471.

No. 495. *FERGUSON v. UNITED STATES.* November 20, 1933. Petition for writ of certiorari to the Court of Claims denied. *Messrs. R. M. O'Hara and Leslie C. Garnett* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. Paul A. Sweeney* for the United States. Reported below: 77 Ct.Cls. 380; 2 F.Supp. 1012.

No. 518. *UNITED STATES v. NORCOTT;*

No. 519. *SAME v. BENNETT;*

No. 520. *SAME v. PACKER;*

No. 521. *SAME v. CARROLL; and*

No. 522. *SAME v. NEEDHAM.* November 20, 1933. Petition for writs of certiorari to the Circuit Court of

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Appeals for the Seventh Circuit denied. *Solicitor General Biggs* and *Mr. Erwin N. Griswold* for the United States. *Mr. George I. Haight* for respondents. Reported below: 65 F. (2d) 913.

No. 523. *BROWN SHOE CO. v. CARNS, TRUSTEE*. November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Ralph T. Finley, James C. Jones, Lon O. Hocker, Frank H. Sullivan, James C. Jones, Jr., Frank Y. Gladney, and Wm. O. Reeder* for petitioner. *Messrs. Patrick H. Cullen and Thos. T. Fauntleroy* for respondent. Reported below: 65 F. (2d) 294.

No. 528. *CRUCIBLE STEEL CASTING CO. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. George M. Morris* for petitioner. *Solicitor General Biggs* and *Messrs. Erwin N. Griswold, Sewall Key, and S. Dee Hanson* for respondent. Reported below: 66 F. (2d) 82.

No. 530. *WELLS, RECEIVER, v. SIMONS*. November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Thos. C. Ridgway* for petitioner. No appearance for respondent. Reported below: 65 F. (2d) 673.

No. 532. *GREENHUT, TRUSTEE IN BANKRUPTCY, v. NATIONAL COMMERCIAL TITLE & MORTGAGE GUARANTY Co.* November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit de-

nied. *Messrs. Maurice J. Zucker and Louis D. Goldberg* for petitioner. *Mr. Francis Lafferty* for respondent. Reported below: 66 F. (2d) 428.

No. 533. GREENHUT, TRUSTEE IN BANKRUPTCY, *v.* ASSOCIATED COMPANY. November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Maurice J. Zucker and Louis D. Goldberg* for petitioner. *Mr. Francis Lafferty* for respondent. Reported below: 66 F. (2d) 428.

No. 536. ALTVATER ET AL. *v.* FREEMAN ET AL. November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Samuel E. Darby, Jr., and Lawrence C. Kingsland* for petitioners. *Messrs. John H. Bruninga, Charles E. Riordon, and C. Russell Riordon* for respondents. Reported below: 66 F. (2d) 506.

No. 537. ROSENBERG ET AL. *v.* LEWIS, COLLECTOR OF INTERNAL REVENUE. November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Adolphus E. Graupner* for petitioners. *Solicitor General Biggs and Messrs. Sewall Key and John H. McEvers* for respondent. Reported below: 66 F. (2d) 271.

No. 540. CURTISS-WRIGHT FLYING SERVICE, INC. *v.* GLOSE. November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Henry G. Hotchkiss and James D. Carpenter, Jr.,* for petitioner. *Mr. John W. Griffin* for respondent. Reported below: 66 F. (2d) 710.

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No. 543. DELAWARE & HUDSON CO. ET AL. *v.* GLENS FALLS PORTLAND CEMENT CO. November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Wade H. Ellis and H. T. Newcomb* for petitioners. *Messrs. Julius Henry Cohen, Kenneth Dayton, and Burton A. Zorn* for respondent. Reported below: 66 F. (2d) 490.

No. 544. Z. & F. ASSETS REALIZATION CORP. ET AL. *v.* DOERSCHUCK ET AL. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. CHIEF JUSTICE HUGHES took no part in the consideration or decision of this application. *Messrs. Frederick F. Greenman and Spier Whitaker* for petitioners. *Messrs. Louis Titus and Charles L. Frailey* for respondents. Reported below: 66 F. (2d) 397.

No. 438. AMERICAN INDEMNITY CO. ET AL. *v.* HALE COUNTY, TEXAS, ET AL. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Marion N. Chrestman and G. B. Ross* for petitioners. No appearance for respondents. Reported below: 63 F. (2d) 275.

No. 534. SOUTHERN PACIFIC CO. *v.* MILLER. December 4, 1933. Petition for writ of certiorari to the Supreme Court of Utah denied. *Messrs. Emmett M. Bagley and Paul H. Ray* for petitioner. *Mr. Lindsay R. Rogers* for respondent. Reported below: 82 Utah —; 21 P. (2d) 865; 24 *id.* 380.

No. 538. SOUTHERN PACIFIC R. CO. *v.* AMBLER GRAIN & MILLING CO. December 4, 1933. Petition for writ of

certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. J. R. Bell and Frank Thunen* for petitioner. *Mr. Archibald H. Vernon* for respondent. Reported below: 66 F. (2d) 670.

No. 539. ALLEN GASOLINE CO. *v.* FRANKLIN FIRE INSURANCE CO. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. William C. Bristol* for petitioner. *Messrs. A. L. Veazie and F. A. Rittenhouse* for respondent. Reported below: 65 F. (2d) 609.

No. 545. BUCKLEY *v.* COMMISSIONER OF INTERNAL REVENUE. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Thomas G. Haight, Robert H. Montgomery, and J. Marvin Haynes* for petitioner. *Solicitor General Biggs and Messrs. Sewall Key and Andrew D. Sharpe* for respondent. Reported below: 66 F. (2d) 394.

No. 549. EMPLOYERS' LIABILITY ASSURANCE CORP., LTD., ET AL. *v.* BODRON. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. William H. Watkins* for petitioners. *Mr. John Brunini* for respondent. Reported below: 65 F. (2d) 539.

No. 556. TAYLOR ET AL. *v.* DETROIT MOTOR APPLIANCE Co. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Thomas Francis Howe, Frank E. Liverance, Jr., and Henry S. Rademacher* for petitioners. *Mr. Albert*

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G. McCaleb for respondent. Reported below: 66 F. (2d) 319.

No. 557. *WALLACE v. FRANZ*. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Lon O. Hocker, James C. Jones, Frank H. Sullivan, and Frank Y. Gladney* for petitioner. *Mr. Allen McReynolds* for respondent. Reported below: 66 F. (2d) 457.

No. 554. *O'DONNELL v. COMMISSIONER OF INTERNAL REVENUE*. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Thomas R. Dempsey* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and John H. McEvers* for respondent. Reported below: 64 F. (2d) 634.

No. 558. *AMERICAN CIGAR Co. v. COMMISSIONER OF INTERNAL REVENUE*. December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Thomas G. Haight, Robert H. Montgomery, and J. Marvin Haynes* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and John H. McEvers* for respondent. Reported below: 66 F. (2d) 425.

No. 559. *ST. JOSEPH LOAN & TRUST Co. v. STUDEBAKER CORP.* December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. John C. Wait* for petitioner. *Mr. George T. Evans* for respondent. Reported below: 66 F. (2d) 151.

No. 567. GOODYEAR TIRE & RUBBER CO., INC. *v.* JAMAICA TRUCK TIRE SERVICE, INC., ET AL.; and

No. 568. SEARS, ROEBUCK & CO. *v.* SAME. December 4, 1933. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs Silas H. Strawn* and *John D. Black* for Goodyear Tire & Rubber Co., Inc. *Mr. Charles Lederer* for Sears, Roebuck & Co. *Messrs. Joseph G. Slottow* and *Charles Leviton* for respondents. Reported below: 66 F. (2d) 91.

No. 396. BOSTON SAFE DEPOSIT & TRUST CO. ET AL. *v.* HELVERING, COMMISSIONER OF INTERNAL REVENUE. December 11, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Harris H. Gilman* for petitioners. *Solicitor General Biggs* and *Messrs. Sewall Key* and *J. P. Jackson* for respondent. Reported below: 66 F. (2d) 179.

No. 553. GIANNINI *v.* BRASHEARS. December 11, 1933. Petition for writ of certiorari to the District Court of Appeal, 4th Appellate District, of California, denied. *Mr. Denver S. Church* for petitioner. *Mr. George Halverson* for respondent. Reported below: 131 Cal. App. 706; 22 P. (2d) 47.

No. 564. TURNER, TRUSTEE, *v.* JOHN DEERE PLOW CO. December 11, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Thomas S. Tobin* for petitioner. *Messrs. Burke Corbet, John Selby,* and *B. F. Peek* for respondent. Reported below: 66 F. (2d) 653.

No. 570. MORRIS *v.* HUSSMAN ET AL. December 11, 1933. Petition for writ of certiorari to the Circuit Court

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of Appeals for the Ninth Circuit denied. *Mr. Clarence W. Morris, pro se. Messrs. Alfred Sutro and Eugene M. Prince* for respondents. Reported below: 66 F. (2d) 879.

No. 572. *BISBEE LINSEED Co. v. PARAGON PAINT & VARNISH CORP.* December 11, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Walbridge S. Taft* for petitioner. *Mr. John F. Hughes* for respondent. Reported below: 66 F. (2d) 595.

No. 573. *MISSOURI PACIFIC R. Co. v. ALCORN.* December 11, 1933. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Messrs. Edward J. White and Thomas J. Cole* for petitioner. *Mr. E. H. Gamble* for respondent. Reported below: 333 Mo. 828; 63 S.W. (2d) 55.

No. 577. *PECK v. UNITED STATES.* December 11, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Michael F. Gallagher and Samuel M. Rinaker* for petitioner. *Solicitor General Biggs and Messrs. Harry S. Ridgely and H. Brian Holland* for the United States. Reported below: 65 F. (2d) 59.

No. 583. *HOEFER v. ATLANTIC LIFE INS. Co.* December 11, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Thomas Henry Moffatt* for petitioner. No appearance for respondent. Reported below: 66 F. (2d) 464.

No. 592. *ATCHISON & EASTERN BRIDGE Co. v. CLARK.* December 11, 1933. Petition for writ of certiorari to the

Supreme Court of Missouri denied. *Mr. W. F. Guthrie* for petitioner. *Mr. Miles Elliott* for respondent. Reported below: 333 Mo. 721; 62 S.W. (2d) 1079.

No. 584. *MARYLAND CASUALTY CO. v. BOARD OF WATER COMMISSIONERS OF DUNKIRK ET AL.* December 18, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Frank Gibbons* and *George F. Cushwa* for petitioner. *Messrs. Marion H. Fisher, Louis L. Babcock, and Ray M. Stanley* for respondents. Reported below: 66 F. (2d) 730.

No. 587. *SPERONI ET AL. v. UNITED STATES.* December 18, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Athanasius A. Pantelis* for petitioners. *Solicitor General Biggs* and *Mr. Joseph Millenson* for the United States. Reported below: 67 F. (2d) 1011.

No. 591. *HOSEY ET AL. v. MID-CONTINENT PETROLEUM CORP.* December 18, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Charles B. Rogers, E. O. Patterson, and James M. Springer* for petitioners. *Messrs. Nathan A. Gibson, James C. Denton, and Richard H. Wills* for respondent. Reported below: 67 F. (2d) 37.

No. 610. *AMERICAN-HAWAIIAN STEAMSHIP CO. v. MUSAUS.* December 18, 1933. Petition for writ of certiorari to the Supreme Court of New York, Kings County, denied. *Messrs. Vernon S. Jones, Raymond Parmer, and Richard L. Sullivan* for petitioner. *Mr. Edward J. McCrossin* and *Paul Koch* for respondent.

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No. 665. *AGLES v. STOLZE LUMBER CO.* See *ante*, p. 604.

No. 675. *POFFENBARGER v. ADERHOLD, WARDEN.* January 8, 1934. 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. Fred Poffenbarger, pro se.* No appearance for respondent. Reported below: 67 F. (2d) 250.

No. 677. *DAVIS v. HOLLOWELL, WARDEN.* January 8, 1934. Petition for writ of certiorari to the Supreme Court of Iowa, and motion for leave to proceed further *in forma pauperis* denied. *Mr. James Davis, pro se.* No appearance for respondent. Reported below: 216 Iowa 1178; 250 N.W. 647.

No. 590. *PHILADELPHIA FIRE & MARINE INSURANCE CO. v. UNITED STATES.* January 8, 1934. Petition for writ of certiorari to the Court of Claims denied. *Messrs. J. Craig Peacock and John W. Townsend* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Messrs. Paul A. Sweeney and H. Brian Holland* for the United States. Reported below: 77 Ct. Cls. 764; 3 F.Supp. 655.

Nos. 622 and 623. *CABLE RADIO TUBE CORP. v. RADIO CORPORATION OF AMERICA ET AL.* January 8, 1934. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Frank C. Laughlin* for petitioner. *Messrs. Charles Neave and Stephen H. Philbin* for respondents. Reported below: 66 F. (2d) 778.

No. 571. *JUNOD v. SMITH, WARDEN*. January 8, 1934. Petition for writ of certiorari to the Supreme Court of California denied. *Mr. E. L. Junod, pro se*. No appearance for respondent.

No. 593. *CHEVES ET AL. v. WHITEHEAD, U.S. GAME PROTECTOR*. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. H. W. Johnson* for petitioners. *Solicitor General Biggs* and *Messrs. Paul A. Sweeney, A. G. Iverson, and W. Marvin Smith* for respondent. Reported below: 67 F. (2d) 316.

No. 596. *STATE CONSOLIDATED OIL CO. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Thomas R. Dempsey* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and John G. Remey* for respondent. Reported below: 66 F. (2d) 648.

No. 599. *CHILDREN'S HOME SOCIETY OF WEST VIRGINIA v. SWAN, RECEIVER, ET AL.* January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Arthur S. Dayton* for petitioner. No appearance for respondents. Reported below: 67 F. (2d) 84.

No. 603. *STANDARD DREDGING CO. ET AL. v. KRISTIANSEN*. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Edward Ash* for petitioners. *Mr. William F. Purdy* for respondent. Reported below: 67 F. (2d) 548.

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No. 604. *RONEY v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*; and

No. 605. *SCHAPIRO v. SAME*. January 8, 1934. Petition for writs of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Wilton H. Wallace, E. F. Colladay, and Joseph C. McGarraghy* for petitioners. *Solicitor General Biggs* and *Messrs. Sewall Key* and *J. P. Jackson* for respondent. Reported below: 67 F. (2d) 165.

No. 612. *HIGHWAY ENGINEERING & CONSTRUCTION Co., INC. v. HILLSBOROUGH COUNTY, FLORIDA*. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. George C. Bedell* and *A. G. Turner* for petitioner. *Mr. John B. Sutton* for respondent. Reported below: 67 F. (2d) 439.

No. 607. *DARCY ET AL., EXECUTORS, v. COMMISSIONER OF INTERNAL REVENUE*. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Raymond M. White* and *Allen G. Gartner* for petitioners. *Solicitor General Biggs* and *Messrs. Sewall Key* and *Andrew D. Sharpe* for respondent. Reported below: 66 F. (2d) 581.

No. 615. *VIGORITO v. UNITED STATES*. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Emanuel Celler* for petitioner. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for the United States. Reported below: 67 F. (2d) 329.

No. 620. *PFAFFINGER v. UNITED STATES*. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. A.*

Calder Mackay and Thomas R. Dempsey for petitioner. *Solicitor General Biggs and Messrs. Sewall Key, F. W. Dewart, and H. Brian Holland* for the United States. Reported below: 66 F. (2d) 901.

No. 621. *MUTUAL LUMBER Co. v. POE, COLLECTOR OF INTERNAL REVENUE.* January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Charles E. McCulloch, Charles A. Hart, and Ivan F. Phipps* for petitioner. *Solicitor General Biggs and Messrs. J. Louis Monarch and Edward H. Horton* for respondent. Reported below: 66 F. (2d) 904.

No. 624. *JAMERSON ET AL. v. UNITED STATES.* January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. P. H. Cullen* for petitioners. *Solicitor General Biggs and Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 66 F. (2d) 569.

No. 628. *STANDARD OIL Co. v. SEDALIA EX REL. BAUMAN*;
No. 629. *SHELL PETROLEUM CORP. v. SAME*;
No. 630. *SKELLY OIL Co. v. SAME*;
No. 631. *SINCLAIR REFINING Co. v. SAME*;
No. 632. *WHITE EAGLE OIL & RFG. Co. ET AL. v. SAME*;
No. 633. *MID-CONTINENT PETROLEUM CORP. v. SAME*;
and

No. 634. *NATIONAL RFG. Co. v. SAME.* January 8, 1934. Petition for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Guy A. Thompson, Samuel A. Mitchell, Frank A. Thompson, Truman Post Young, James C. Denton, Richard H. Wills, John T. Martin, Louis L. Stephens, and James P. Kem* for petitioners. *Mr. Bruce Barnett* for respondent. Reported below: 66 F. (2d) 757.