

*Ernest B. Miller, Jos. I. McMullen, and Wm. Burnet Wright* for petitioners.

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No. —, original. *EX PARTE DI PIPPA*. January 8, 1934. The motion for leave to file petition for writ of habeas corpus is denied. *Mr. Rocco Di Pippa, pro se.*

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No. —, original. *PRINCIPALITY OF MONACO v. MISSISSIPPI*. January 8, 1934. A rule is ordered to issue, returnable on Monday, February 5 next, requiring the defendant to show cause why the motion for leave to file the declaration herein should not be granted.

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No. 19, original. *EX PARTE BALDWIN ET AL.* January 8, 1934. Return to rule to show cause presented.

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

No. 184. *FIRST UNION TRUST & SAVINGS BANK, TRUSTEE, v. CONSUMERS CO. ET AL.* See same case, *ante*, p. 585.

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No. 88. *UNITED STATES v. MURDOCK*. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Biggs and Messrs. Sewall Key and John H. McEvers* for the United States. *Messrs. Edmund Burke and Harold J. Bandy* for respondent. Reported below: 62 F. (2d) 926.

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No. 241. *SNYDER v. MASSACHUSETTS*. October 9, 1933. Petition for writ of certiorari to the Superior Court in and

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for the County of Middlesex, Massachusetts, granted. The motion for leave to proceed *in forma pauperis* is granted. *Messrs. Henry P. Fielding, A. C. Webber, and L. H. Weinstein* for petitioner. *Messrs. Joseph E. Warner, George B. Lourie, and Frank G. Volpe* for respondent. Reported below: 282 Mass. 401; 185 N.E. 376.

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No. 171. *UNITED STATES v. JEFFERSON ELECTRIC MFG. Co.* October 9, 1933. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Biggs* for the United States. *Messrs. Adrian C. Humphreys and Newton K. Fox* for respondent. Reported below: 77 Ct. Cls. 199; 2 F.Supp. 778. See also 38 F. (2d) 139.

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No. 187. *BROWN v. COMMISSIONER OF INTERNAL REVENUE.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted, limited to the question of the deduction on account of reserve. *Messrs. Peter F. Dunne, Lloyd M. Robbins, and Arthur B. Dunne* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key, Wm. Cutler Thompson, and Erwin N. Griswold* for respondent. Reported below: 63 F. (2d) 66.

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No. 240. *FEDERAL TRADE COMMISSION v. ALGOMA LUMBER Co. ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Solicitor General Biggs* and *Mr. Robert E. Healy* for petitioner. *Messrs. Warren Olney, Jr., Allan P. Matthew, and Carl I. Wheat* for respondents. Reported below: 64 F. (2d) 618.

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No. 51. *MILLER, ADMINISTRATOR, v. UNION PACIFIC R. Co.* October 9, 1933. Petition for writ of certiorari



to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. William Buchholz and Martin J. O'Donnell* for petitioner. *Messrs. C. A. Magaw, I. N. Watson, Paul V. Barnett, Henry N. Ess, and Charles V. Garnett* for respondent. Reported below: 63 F. (2d) 574.

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No. 54. *ALEXANDER, COLLECTOR, v. COSDEN PIPE LINE Co.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Solicitor General Biggs* for petitioner. *Messrs. James C. Denton and R. H. Wills* for respondent. Reported below: 63 F. (2d) 663.

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No. 56. *ALASKA STEAMSHIP CO. v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Charles W. Arth, Cassius E. Gates, and Norman M. Littell* for petitioner. *Solicitor General Biggs, Assistant Attorney General St. Lewis, and Messrs. Whitney North Seymour and J. Frank Staley* for the United States. Reported below: 63 F. (2d) 398.

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No. 71. *STRINGFELLOW v. ATLANTIC COAST LINE R. Co.; and*

No. 95. *ATLANTIC COAST LINE R. Co. v. STRINGFELLOW.* October 9, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Wm. C. McLean and Doyle Campbell* for Stringfellow. *Messrs. James R. Bussey, McKinney Barton, F. B. Grier, and W. E. Kay* for Atlantic Coast Line R. Co. Reported below: 64 F. (2d) 173.

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No. 79. *TROTTER, GUARDIAN, v. TENNESSEE.* October 9, 1933. Petition for writ of certiorari to the Supreme

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Court of Tennessee granted. *Mr. Russel R. Kramer* for petitioner. *Mr. James G. Johnson* for respondent. Reported below: 165 Tenn. 519; 57 S.W. (2d) 455.

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No. 80. *MAY ET AL. v. HAMBURG-AMERIKANISCHE PACKETFAHRT AKTIEN-GESELLSCHAFT.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. D. Roger Englar, Henry N. Longley, T. Catesby Jones, and F. Herbert Prem* for petitioners. *Messrs. John W. Griffin and Charles S. Haight* for respondent. Reported below: 63 F. (2d) 248.

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No. 101. *ORMSBY ET AL., EXECUTORS, v. CHASE ET AL.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Robert T. McCracken, C. Brewster Rhoads, and Laurence H. Eldredge* for petitioners. *Messrs. Edward J. Fox and Edward J. Fox, Jr.,* for respondents. Reported below: 65 F. (2d) 521.

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No. 112. *FEDERAL LAND BANK OF COLUMBIA, S.C., v. GAINES.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of North Carolina granted. *Messrs. I. M. Bailey, Harry D. Reed, J. S. Massenburg, Peyton R. Evans, and Miss May T. Bigelow* for petitioner. *Mr. M. R. McCown* for respondent. Reported below: 204 N.C. 278; 167 S.E. 856.

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No. 128. *TEXAS & PACIFIC RY. CO. v. POTTORFF, RECEIVER.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. T. D. Gresham, Del W. Harrington, and*



*M. E. Clinton* for petitioner. *Messrs. H. E. Hackney, Ben R. Howell, Thornton Hardie, F. G. Awalt, and George P. Barse* for respondent. Reported below: 63 F. (2d) 1.

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Nos. 129, 130 and 131. *FREULER, ADMINISTRATOR, v. BURNET, COMMISSIONER OF INTERNAL REVENUE*. October 9, 1933. Petition for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. W. W. Spalding, Robert A. Littleton, Claude R. Branch, and Felix T. Smith* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key, Erwin N. Griswold, and Wm. Cutler Thompson* for respondent. Reported below: 62 F. (2d) 733.

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No. 139. *MARGUERITE T. WHITCOMB v. BURNET, COMMISSIONER OF INTERNAL REVENUE*;

No. 140. *LEPIC v. SAME*;

No. 141. *MARIE M. E. G. T. WHITCOMB v. SAME*;

Nos. 142 and 143. *LEPIC v. SAME*; and

No. 144. *MARIE M. E. G. WHITCOMB v. SAME*. October 9, 1933. Petition for writs of certiorari to the Court of Appeals of the District of Columbia granted. *Messrs. W. W. Spalding, Claude R. Branch, and Felix T. Smith* for petitioners. *Solicitor General Biggs* and *Messrs. Sewall Key, Wm. Cutler Thompson, and Erwin N. Griswold* for respondent. Reported below: 62 App.D.C. 170; 65 F. (2d) 803.

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No. 145. *LOUISE A. WHITCOMB v. BURNET, COMMISSIONER OF INTERNAL REVENUE*;

No. 146. *LYDIA L. WHITCOMB v. SAME*;

No. 147. *LOUISE A. F. E. WHITCOMB v. SAME*;

Nos. 148 and 149. *LYDIA L. I. WHITCOMB v. SAME*; and

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No. 150. LOUISE A. F. E. WHITCOMB *v.* SAME. October 9, 1933. Petition for writs of certiorari to the Court of Appeals of the District of Columbia granted. *Messrs. W. W. Spalding, Robert A. Littleton, Claude R. Branch, and Felix T. Smith* for petitioners. *Solicitor General Biggs* and *Messrs. Sewall Key, Wm. Cutler Thompson, and Erwin N. Griswold* for respondent. Reported below: 62 App.D.C. 170; 65 F. (2d) 803.

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No. 133. R. H. STEARNS CO. *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Court of Claims granted. *Messrs. Frederick S. Winston, Howe P. Cochran and James S. Y. Ivins* for petitioner. *Solicitor General Biggs* and *Assistant Attorney General Wideman* for the United States. Reported below: 77 Ct. Cls. 264; 2 F.Supp. 773.

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No. 152. LUMBRA *v.* UNITED STATES. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Consuelo B. Northrop and Warren E. Miller* for petitioner. *Solicitor General Biggs, Assistant Attorney General St. Lewis, and Messrs. Erwin N. Griswold and W. Clifton Stone* for the United States. Reported below: 63 F. (2d) 796.

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No. 153. LADNER, COLLECTOR, *v.* PHILADELPHIA BARGE CO. ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Biggs* for petitioner. *Messrs. Walter Riddle and Thomas P. Mikell* for respondents. Reported below: 63 F. (2d) 258.

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No. 158. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* CANFIELD. October 9, 1933. Petition for writ of



certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Biggs* for petitioner. *Messrs. Edwin H. Cassels and Adolphus E. Graupner* for respondent. Reported below: 62 F. (2d) 751.

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No. 212. THORSEN *v.* COMMISSIONER OF INTERNAL REVENUE. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Edwin H. Cassels and Adolphus E. Graupner* for petitioner. *Solicitor General Biggs* for respondent. Reported below: 65 F. (2d) 234.

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No. 163. NORTHWESTERN PACIFIC R. Co. *v.* BOBO, ADMINISTRATRIX. October 9, 1933. Petition for writ of certiorari to the District Court of Appeals, First Appellate District, of California, granted. *Mr. W. H. Orrick* for petitioner. *Mr. Robert D. Duke* for respondent. Reported below: 129 Cal. App. 273; 19 P. (2d) 10.

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No. 329. ROUTZAHN, COLLECTOR OF INTERNAL REVENUE, *v.* WILLARD STORAGE BATTERY Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Solicitor General Biggs* for petitioner. *Messrs. Augustus B. Stoughton and Charles C. Norris, Jr.*, for respondent. Reported below: 65 F. (2d) 89.

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No. 196. AMERICAN CHAIN Co., INC. *v.* EATON, COLLECTOR OF INTERNAL REVENUE. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Chester I. Long, Peter Q. Nyce, Charles P. Swindler, and Samuel W. McIntosh* for petitioner. *Solicitor General Biggs and Messrs. Sewall Key, Francis H. Horan, and Erwin N.*

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*Griswold* for respondent. Reported below: 63 F. (2d) 783.

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No. 173. *MOORE v. CHESAPEAKE & OHIO RY. CO.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. John P. Bramhall and Edward Davidson* for petitioner. *Mr. Albert H. Cole* for respondent. Reported below: 64 F. (2d) 472.

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No. 178. *NORTON, DEPUTY COMMISSIONER, v. VESTA COAL CO.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Biggs* for petitioner. *Mr. Wm. A. Challenger* for respondent. Reported below: 63 F. (2d) 165.

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No. 194. *FEDERAL TRADE COMM'N v. R. F. KEPPEL & BRO., INC.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Biggs* and *Mr. Robert E. Healy* for petitioner. *Messrs. George E. Elliott and Harris C. Arnold* for respondent. Reported below: 63 F. (2d) 81.

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No. 200. *MISSOURI PACIFIC R. CO. v. HARTLEY BROS.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Oklahoma granted. *Messrs. Thomas B. Pryor, Edward J. White, and William L. Curtis* for petitioner. *Messrs. G. C. Spillers and H. D. Moreland* for respondent. Reported below: 162 Okla. 194; 19 P. (2d) 337.

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No. 208. *WILLIAMS v. UNION CENTRAL LIFE INS. CO.* October 9, 1933. Petition for writ of certiorari to the



Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Charles O. Harris* for petitioner. *Messrs. Eugene P. Locke* and *Stanley K. Henshaw* for respondent. Reported below: 65 F. (2d) 240.

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No. 224. UNITED STATES *v.* PROVIDENT TRUST CO., ADMINISTRATOR. October 9, 1933. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Biggs* for the United States. *Messrs. George M. Morris* and *Joseph Carson* for respondent. Reported below: 77 Ct. Cls. 37; 2 F.Supp. 472.

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No. 257. E. H. FERREE CO. ET AL. *v.* UNITED SHOE MACHINERY CORP. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. George P. Dike* and *Donald Campbell* for petitioners. *Mr. Charles Neave* for respondent. Reported below: 64 F. (2d) 101.

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No. 290. CHASE NATIONAL BANK, TRUSTEE, *v.* CITY OF NORWALK. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. George D. Welles* and *Timothy N. Pfeiffer* for petitioner. *Messrs. G. Ray Craig* and *Walter A. Eversman* for respondent. Reported below: 63 F. (2d) 911.

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No. 295. LANDRESS *v.* PHOENIX MUTUAL LIFE INS. CO. ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. William L. Frierson* and *R. P. Frierson* for petitioner. *Mr. Vaughn Miller* for respondents. Reported below: 65 F. (2d) 232.

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No. 308. *MURRAY v. JOE GERRICK & Co. ET AL.* October 9, 1933. Petition for writ of certiorari to the Supreme Court of Washington granted. *Messrs. William Martin and M. M. Doyle* for petitioner. *Messrs. Walter L. Clark, Roszel C. Thomsen, J. Speed Smith, and Stephen V. Carey* for respondents. Reported below: 172 Wash. 365; 20 P. (2d) 591.

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No. 311. *VAN DYKE v. COMMISSIONER OF INTERNAL REVENUE.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. R. A. Bartlett and Wm. E. Brooks* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and George H. Foster* for respondent. Reported below: 63 F. (2d) 1020.

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No. 312. *VAN DYKE v. COMMISSIONER OF INTERNAL REVENUE.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. R. A. Bartlett and Wm. E. Brooks* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key and George H. Foster* for respondent. Reported below: 63 F. (2d) 1020.

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No. 325. *HANSEN v. HAFF, ACTING COMMISSIONER OF IMMIGRATION.* October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Roger O'Donnell* for petitioner. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for respondent. Reported below: 65 F. (2d) 94.

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No. 343. *HAMBURG-AMERICAN LINE v. UNITED STATES.* October 9, 1933. Petition for writ of certiorari to the



Circuit Court of Appeals for the Second Circuit granted. *Messrs. Roger O'Donnell, Wm. J. Peters, and Lambert O'Donnell* for petitioner. *Solicitor General Biggs* for the United States. Reported below: 65 F. (2d) 369.

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No. 349. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* AMERICAN CHICLE Co. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Biggs* for petitioner. *Messrs. William C. Breed and Paul L. Peyton* for respondent. Reported below: 65 F. (2d) 454.

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No. 225. BURNET, COMMISSIONER OF INTERNAL REVENUE, *v.* FALK ET AL. October 9, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Biggs, Miss Helen R. Carloss, and Messrs. Sewall Key and Erwin N. Griswold* for petitioner. *Messrs. Charles F. Fawsett and R. S. Doyle* for respondents. Reported below: 64 F. (2d) 171.

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Nos. 227 and 228. REYNOLDS *v.* COOPER; and

No. 229. SAME *v.* COOPER ET AL. October 9, 1933. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Solicitor General Biggs* for petitioner. *Messrs. N. E. Corthell and A. W. McCollough* for respondents. Reported below: 64 F. (2d) 644.

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No. 394. FUNK *v.* UNITED STATES. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted, limited to the question as to what law is applicable to the determination

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of the competency of the wife of the petitioner as a witness. The motion for leave to proceed further herein *in forma pauperis* is granted. *Messrs. Charles A. Hammer and John W. Carter, Jr.*, for petitioner. *Solicitor General Biggs, Assistant Solicitor General MacLean, and Messrs. Amos W. W. Woodcock and W. Marvin Smith* for the United States. Reported below: 66 F. (2d) 70.

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No. 338. *WOLFLE v. UNITED STATES*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit is granted, limited to the question as to what law is applicable to the determination of the question of privilege which was raised at the trial. *Messrs. S. J. Wettrick and H. Sylvester Garvin* for petitioner. *Solicitor General Biggs and Mr. Harry S. Ridgely* for the United States. Reported below: 64 F. (2d) 566.

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No. 400. *CITY OF MARION, ILLINOIS, ET AL. v. SNEEDEN, RECEIVER*. October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. David F. Rosenthal, Richard Mayer, Carl Meyer, R. T. Cook, C. E. Pope, Henry F. Driemeyer, and William Cattron Rigby* for petitioners. *Messrs. John Hay, Charles C. Murrah, and Hosea V. Ferrell* for respondent. Reported below: 64 F. (2d) 721.

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No. 361. *INTERSTATE COMMERCE COMM'N v. PENNSYLVANIA R. CO. ET AL.* October 16, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Daniel W. Knowlton, H. L. Underwood, and Wm. H. Bonneville* for petitioner. *Messrs. Frederic D. McKenney and Henry Wolf Biklé* for respondents. Reported below: 66 F. (2d) 37.



No. 434. *BURROUGHS AND CANNON v. UNITED STATES*. October 23, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Mr. Robert H. McNeill* for petitioners. *Solicitor General Biggs, Assistant Attorney General Malloy, and Mr. Harry S. Ridgely*, for the United States. Reported below: 62 App.D.C. 163; 65 F. (2d) 796.

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No. 419. *GLOBE INDEMNITY CO. v. UNITED STATES EX REL. STEACY-SCHMIDT MFG. CO., INC.* October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Frederic L. Ballard* for petitioner. *Mr. Samuel W. Cooper* for respondent. Reported below: 66 F. (2d) 302.

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No. 421. *FALBO v. UNITED STATES*. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Warren E. Miller and Samuel W. Bassett* for petitioner. *Solicitor General Biggs and Mr. W. Clifton Stone* for the United States. Reported below: 64 F. (2d) 948.

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No. 429. *TRAVELERS PROTECTIVE ASSN. v. PRINSEN*. October 23, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Messrs. Emmett M. Bagley and Paul H. Ray* for petitioner. *Messrs. D. Worth Clark, Joseph H. Peterson, and Harley W. Gustin* for respondent. Reported below: 65 F. (2d) 841.

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No. 435. *MIGUEL v. MCCARL, COMPTROLLER GENERAL, ET AL.* October 23, 1933. Petition for writ of certiorari

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to the Court of Appeals of the District of Columbia granted. *Messrs. Samuel T. Ansell and George M. Wilmeth* for petitioner. *Solicitor General Biggs* for respondent. Reported below: 62 App.D.C. 259; 66 F. (2d) 564.

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No. 449. *CLARK, RECEIVER, v. WILLIARD ET AL.* October 23, 1933. Petition for writ of certiorari to the Supreme Court of Montana granted. *Messrs. M. S. Gunn and Edmond M. Cook* for petitioner. *Mr. Louis P. Donovan* for respondents. Reported below: 91 Mont. 493; 11 P. (2d) 782.

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No. 463. *ELLIOT ET AL. v. LOMBARD.* November 6, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. J. Zach Spearling and Wm. A. Van Siclen* for petitioners. No appearance for respondent. Reported below: 66 F. (2d) 662.

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No. 477. *BEST, ADMINISTRATOR, v. DISTRICT OF COLUMBIA.* November 6, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Messrs. James A. O'Shea, John H. Burnett, and Alfred Goldstein* for petitioner. *Messrs. William W. Bride, Vernon E. West, and Robert E. Lynch* for respondent. Reported below: 62 App.D.C. 271; 66 F. (2d) 797.

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No. 505. *MANHATTAN PROPERTIES, INC. v. IRVING TRUST Co., TRUSTEE; and*

No. 506. *BROWN ET AL. v. SAME.* November 13, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. C. Dickerman Williams, William D. Mitchell, Rollin Browne, Ralph Montgomery Arkush, and Amos J. Peaslee* for peti-



tioners. *Messrs. Frederick H. Wood, Wm. D. Whitney, James S. Hays, and Harold L. Fierman* for respondent. Reported below: 66 F. (2d) 470, 473.

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No. 524. *MALAVAZOS ET AL. v. IRVING TRUST Co., TRUSTEE.* November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Albert D. Cash* for petitioners. *Mr. Moses Cohen* for respondent. Reported below: 66 F. (2d) 482.

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No. 498. *FEDERAL LAND BANK OF BERKELEY v. WARNER ET AL.* November 20, 1933. Petition for writ of certiorari to the Supreme Court of Arizona granted. *Messrs. Richard W. Young and Peyton R. Evans, and Miss May T. Bigelow* for petitioner. *Mr. Charles Woolf* for respondents. Reported below: 23 P. (2d) 563.

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No. 515. *HELVERING, COMMISSIONER OF INTERNAL REVENUE, v. NEWPORT Co.* November 20, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Biggs* for petitioner. *Messrs. Charles F. Fawsett and Richard S. Doyle* for respondent. Reported below: 65 F. (2d) 925.

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No. 526. *PAGEL ET AL. v. PAGEL, ADMINISTRATOR, ET AL.* November 20, 1933. Petition for writ of certiorari to the Supreme Court of Minnesota granted. *Mr. L. D. Barnard* for petitioners. *Mr. Charles A. Swenson* for respondents. Reported below: 189 Minn. 383; 249 N.W. 417.

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No. 535. *CONNELL ET AL. v. WALKER.* November 20, 1933. Petition for writ of certiorari to the Supreme Court

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of North Dakota granted. *Mr. John A. Jorgenson* for petitioners. *Mr. Paul E. Shorb* for respondent. Reported below: 63 N.D. 622; 249 N.W. 726.

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No. 597. *McKNETT v. ST. LOUIS & SAN FRANCISCO RY. Co.* December 4, 1933. The motion for leave to proceed further herein *in forma pauperis* is granted. The petition for writ of certiorari to the Supreme Court of Alabama is also granted. *Mr. Walter Brower* for petitioner. *Mr. Forney Johnston* for respondent. Reported below: 149 So. 822.

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No. 358. *BOSWORTH, RECEIVER, v. CONTINENTAL ILLINOIS BANK & TRUST Co.* December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. Amos C. Miller, F. G. Awalt, George P. Barse, John F. Anderson, and George B. Springston* for petitioner. *Messrs. Isaac H. Mayer, Carl Mayer, and David F. Rosenthal* for respondent. Reported below: 65 F. (2d) 632.

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No. 547. *NEW COLONIAL ICE Co., INC. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* December 4, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Edward G. Griffin and Joseph Sterling* for petitioner. *Solicitor General Biggs and Messrs. Sewall Key and John H. McEvers* for respondent. Reported below: 66 F. (2d) 480.

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No. 565. *LOUGHRAN v. LOUGHRAN ET AL.* December 4, 1933. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Mr. Robert H. McNeill* for petitioner. *Messrs. Wm. E. Leahy, Wm. J. Hughes, Jr., Eugene B. Sullivan, and James F. Reilly* for



respondents. Reported below: 62 App.D.C. 262; 66 F. (2d) 567.

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No. 363. *ARROW-HART & HEGEMAN ELECTRIC Co. v. FEDERAL TRADE COMM'N.* December 11, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Charles Neave, Arthur F. Mullen, Arthur L. Shipman, Wallace W. Brown, and Charles Welles Gross* for petitioner. *Solicitor General Biggs, Assistant Attorney General Stephens, and Messrs. Wm. G. Davis and Robert E. Healy* for respondent. Reported below: 65 F. (2d) 336.

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No. 561. *INTERNATIONAL MILLING Co. v. COLUMBIA TRANSPORTATION Co.* December 11, 1933. Petition for writ of certiorari to the Supreme Court of Minnesota granted. *Messrs. Oscar Mitchell and Albert C. Gillette* for petitioner. *Messrs. Edgar W. MacPherran, Thomas H. Garry, and Carl V. Essery* for respondent. Reported below: 189 Minn. 507, 516; 250 N.W. 186, 190.

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No. 575. *GILVARY v. CUYAHOGA VALLEY RY. Co.* December 11, 1933. Petition for writ of certiorari to the Supreme Court of Ohio granted. *Mr. Glen A. Boone* for petitioner. *Mr. W. T. Kinder* for respondent. Reported below: 127 Ohio St. 402.

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No. 578. *ASCHENBRENNER v. U.S. FIDELITY & GUARANTY Co.* December 11, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Allen G. Wright* for petitioner. *Messrs. Edwin C. Brandenburg and Louis M. Denit* for respondent. Reported below: 65 F. (2d) 976.

290 U.S.

Decisions Granting Certiorari.

No. 580. OLSON *v.* UNITED STATES;No. 581. KARLSON *v.* SAME; and

No. 582. BREWSTER *v.* SAME. December 11, 1933. Petitions for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Harry H. Peterson, I. K. Lewis, C. E. Berkman, and John H. Hougen* for petitioners. *Solicitor General Biggs and Mr. Paul A. Sweeney* for the United States. Reported below: 67 F. (2d) 24.

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No. 576. UNITED STATES EX REL. BORIC *v.* MARSHALL, DISTRICT DIRECTOR OF IMMIGRATION. December 18, 1933. The petition for a writ of certiorari to the Circuit Court of Appeals for the Third Circuit is granted. It is ordered that the original Department of Labor File, with the exhibits contained therein or attached thereto, offered in the deportation proceedings, which was presented to the Circuit Court of Appeals upon the appeal of this cause to that court, pursuant to the stipulation of the parties herein appearing in the record, and dated June 19, 1933, be certified to this Court for consideration on this writ of certiorari along with the usual transcript of record, as provided in Rule 10, paragraph 4, of the rules of this Court. *Mr. Arthur I. Zeiger* for petitioner. *Solicitor General Biggs and Messrs. Harry S. Ridgely and W. Marvin Smith* for respondent. Reported below: 67 F. (2d) 1020.

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No. 106. SANDERS *v.* ARMOUR FERTILIZER WORKS ET AL. December 18, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Thomas D. Gresham* for petitioner. *Messrs. Mark McMahon and Charles J. Faulkner, Jr.,* for respondents. Reported below: 63 F. (2d) 902.



NO. 579. CHARLES ILFELD CO. *v.* HERNANDEZ, COLLECTOR OF INTERNAL REVENUE. December 18, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Mr. A. T. Hannett* for petitioner. *Solicitor General Biggs* and *Messrs. Sewall Key* and *Norman D. Keller* for respondent. Reported below: 66 F. (2d) 236.

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NO. 585. POKORA *v.* WABASH RY. CO. December 18, 1933. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. John Pokora, pro se.* *Mr. Walter McC. Allen* for respondent. Reported below: 66 F. (2d) 166.

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NO. 619. RADIO CORPORATION OF AMERICA ET AL. *v.* RADIO ENGINEERING LABORATORIES, INC. January 8, 1934. The petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit is granted. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Messrs. Samuel E. Darby, Jr., Thomas G. Haight, James R. Sheffield,* and *William R. Ballard* for petitioners. No appearance for respondent. Reported below: 66 F. (2d) 768.

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NO. 611. ELECTRIC CABLE JOINT CO. *v.* BROOKLYN EDISON Co., INC. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. D. Anthony Usina* for petitioner. *Messrs. Charles Neave* and *John D. Monroe* for respondent. Reported below: 66 F. (2d) 739.

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NO. 614. LARSEN *v.* NORTHLAND TRANSPORTATION CO. January 8, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Samuel B. Bassett* for petitioner. *Messrs. Cassius E.*

290 U.S.

Decisions Denying Certiorari.

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

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

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

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

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

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

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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.

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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.

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