

No. —, original. *EX PARTE PORESKEY*. March 19, 1934. The motion for leave to file petition for writ of mandamus is denied. *Mr. Joseph Poresky, pro se.*

No. —, original. *EX PARTE HEILBRONER ET AL.* March 19, 1934. The motion for leave to file petition for writ of prohibition and/or mandamus is denied. *Mr. Wilbur C. Davidson* for petitioners.

No. 738. *BIG LAKE OIL CO. v. HEINER, COLLECTOR OF INTERNAL REVENUE*. March 19, 1934. Petition for rehearing denied. See *post*, p. 677.

No. 768. *WESTERN & ATLANTIC RAILROAD v. MICHAEL*. March 19, 1934. Petition for rehearing denied. See *ante*, p. 649.

DECISIONS GRANTING CERTIORARI, FROM
JANUARY 9, 1934, TO AND INCLUDING MARCH
19, 1934.

No. 663. *GAY, RECEIVER, v. RUFF*. January 15, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Robert M. Hitch and Archibald B. Lovett* for petitioner. *Mr. Thomas W. Hardwick* for respondent. Reported below: 67 F. (2d) 684.

No. 669. *MINNICH v. GARDNER ET AL.* January 15, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Henry George Gress* for petitioner. *Mr. Clarence A. Fry* for respondents. Reported below: 66 F. (2d) 561.

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No. 660. SAUDER, ADMINISTRATRIX, ET AL. *v.* MID-CONTINENT PETROLEUM CORP. January 22, 1934. The petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit is granted. *Mr. Harry W. Colmery* for petitioners. *Messrs. James C. Denton and Richard H. Wills* for respondent. Reported below: 67 F. (2d) 9.

No. 689. HELVERING, COMMISSIONER OF INTERNAL REVENUE, *v.* INDEPENDENT LIFE INSURANCE CO. February 5, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Solicitor General Biggs* for petitioner. *Messrs. Wm. Marshall Bullitt and J. A. Newman* for respondent. Reported below: 67 F. (2d) 470.

No. 709. EASTMAN KODAK CO. ET AL. *v.* GRAY. February 5, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. William H. Davis, George E. Middleton, Allen Hunter White, and Dean S. Edmonds* for petitioners. *Messrs. Thomas Raeburn White and Leon Edelson* for respondent. Reported below: 67 F. (2d) 190.

No. 722. ROCKFORD LIFE INSURANCE CO. *v.* COMMISSIONER OF INTERNAL REVENUE. February 5, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Wm. Marshall Bullitt* for petitioner. *Solicitor General Biggs* for respondent. Reported below: 67 F. (2d) 213.

No. 707. MASSEY *v.* UNITED STATES. On petition for rehearing. February 19, 1934. The order entered February 12 [*post*, p. 669] denying petition for writ of certiorari in this case is revoked. The petition for writ of cer-

tiorari to the Circuit Court of Appeals for the Seventh Circuit is granted, limited to the question presented upon the petition for rehearing. *Messrs. E. F. Colladay and William A. McClellan* for petitioner. Reported below: 66 F. (2d) 666.

No. 655. *BOYNTON, ATTORNEY GENERAL, v. HUTCHINSON GAS Co.* February 19, 1934. Petition for writ of certiorari to the Supreme Court of Kansas granted. *Messrs. Roland Boynton, John G. Egan, and Arthur V. Roberts* for petitioner. *Messrs. Robert D. Garver and Robert Stone* for respondent. Reported below: 137 Kan. 717; 22 P. (2d) 958.

Nos. 727 and 728. *SPRING CITY FOUNDRY Co. v. COMMISSIONER OF INTERNAL REVENUE.* March 5, 1934. The petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit is granted limited to the question whether a debt ascertained to be partially worthless in 1920 was deductible in that year under either § 234 (a) (4) or § 234 (a) (5) and to the question whether the debt was returnable as taxable income in that year to the extent that it was then ascertained to be worthless. *Messrs. Edgar L. Wood and Richard H. Tyrrell* for petitioner. *Solicitor General Biggs* for respondent. Reported below: 67 F. (2d) 385.

No. 742. *SMITH v. UNITED STATES.* March 5, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. James J. Crossley* for petitioner. *Solicitor General Biggs* and *Messrs. Will G. Beardslee, Randolph C. Shaw, and W. Marvin Smith* for the United States. Reported below: 67 F. (2d) 412.

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No. 783. *LOCAL LOAN CO. v. HUNT*. March 12, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. David F. Rosenthal, Richard Mayer, Orville W. Lee, and Frederic Burnham* for petitioner. *Messrs. Lloyd A. Faxon and Fred C. Dimond* for respondent. Reported below: 67 F. (2d) 998.

Nos. 791 and 792. *AVERY v. COMMISSIONER OF INTERNAL REVENUE*. March 19, 1934. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. John E. MacLeish and Leland K. Neeves* for petitioner. *Solicitor General Biggs* for respondent. Reported below: 67 F. (2d) 310.

No. 795. *WOODSON, ALIEN PROPERTY CUSTODIAN, ET AL. v. DEUTSCHE GOLD UND SILBER SCHEIDEANSTALT VORMALS ROESSLER*. March 19, 1934. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted. *Solicitor General Biggs* for petitioners. *Messrs. Richard H. Wilmer and Douglas L. Hatch* for respondent. Reported below: 62 App.D.C. 344; 68 F. (2d) 391.

No. 786. *BURNS MORTGAGE CO., INC. v. FRIED*. March 19, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Sigmund H. Steinberg and John P. Stokes* for petitioner. *Messrs. Albert S. Lisenby, John C. Noonan, and Albert L. Moise* for respondent. Reported below: 67 F. (2d) 352.

No. 820. *FAIRPORT, PAINESVILLE & EASTERN RAILROAD CO. v. MEREDITH*. March 19, 1934. Petition for writ of certiorari to the Court of Appeals, 7th Judicial District, of Ohio, granted. *Messrs. Thomas M. Kirby, Elbert F.*

Blakely, Atlee Pomerene, and Harry T. Nolan for petitioner. *Mr. David F. Anderson* for respondent. Reported below: 46 Ohio App. 457; 189 N.E. 10.

No. 802. *LEWIS, RECEIVER, v. FIDELITY & DEPOSIT CO.* March 19, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. J. F. Anderson, Samuel H. Wiley, F. G. Awalt, Wallace Miller, and George P. Barse* for petitioner. *Messrs. M. F. Goldstein and Arthur G. Powell* for respondent. Reported below: 67 F. (2d) 961.

DECISIONS DENYING CERTIORARI, FROM JANUARY 9, 1934, TO AND INCLUDING MARCH 19, 1934.

No. 178. *NORTON v. VESTA COAL CO.* See *ante*, p. 641.

No. 674. *HACKWORTH v. ADERHOLD, WARDEN.* January 15, 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. Harry Hackworth, pro se.* No appearance for respondent. Reported below: 67 F. (2d) 995.

No. 704. *UNITED STATES EX REL. NERBONNE v. HILL, WARDEN.* January 15, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Alfred R. Nerbonne, pro se.* No appearance for respondent. Reported below: 70 F. (2d) 1006.

No. 667. *POOLE v. UNITED STATES.* January 15, 1934. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit, and motion for leave to