

## DECISIONS GRANTING CERTIORARI FROM JANUARY 8, 1935, TO AND INCLUDING APRIL 1, 1935.

No. 563. *GROVEY v. TOWNSEND*. January 14, 1935. Petition for writ of certiorari to the Justice Court, Precinct No. 1, Harris County, Texas, granted. *Messrs. J. Alston Atkins* and *Carter W. Wesley* for petitioner. No appearance for respondent.

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No. 569. *UNITED STATES EX REL. KASSIN v. MULLIGAN, U. S. MARSHAL*. January 14, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. David P. Siegel* for petitioner. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for respondent. Reported below: 73 F. (2d) 274.

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No. 580. *STATE AUTOMOBILE INSURANCE ASSN. v. GLICK, ADMINISTRATRIX*. January 21, 1935. Petition for writ of certiorari to the Supreme Court of Nebraska granted. *Messrs. Guy C. Chambers* and *George B. Bolland* for petitioner. *Messrs. Richard F. Stout, Allen W. Field, Jr.,* and *Herbert W. Baird* for respondent. Reported below: 127 Neb. 350; 255 N. W. 57.

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No. 600. *HALLENBECK, RECEIVER, v. LEIMERT, RECEIVER*. January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. Walter T. Fisher, R. M. Ashcraft, F. G. Awalt, and George P. Barse* for petitioner. *Mr. Daniel M. Healy* for respondent. Reported below: 72 F. (2d) 480.

No. 582. HELVERING, COMMISSIONER OF INTERNAL REVENUE, *v.* RANKIN, EXECUTOR. February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Biggs* for petitioner. *Mr. John W. Townsend* for respondent. Reported below: 73 F. (2d) 9.

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No. 594. FEDERAL LAND BANK, OF ST. LOUIS *v.* PRIDDY, CIRCUIT JUDGE. February 4, 1935. Petition for writ of certiorari to the Supreme Court of Arkansas granted. *Messrs. Scott W. Hovey, John Thorpe, Peyton R. Evans, and J. R. Crocker, and Miss May T. Bigelow* for petitioner. *Mr. C. C. Wait* for respondent. Reported below: 189 Ark. 438; 74 S. W. (2d) 222.

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No. 601. PETERS PATENT CORP. *v.* BATES & KLINKE, INC. February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Messrs. Joseph B. Jacobs, Benjamin A. Levy, and Harold E. Cole* for petitioner. *Mr. Herbert B. Barlow* for respondent. Reported below: 73 F. (2d) 303.

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No. 611. IVANHOE BUILDING & LOAN ASSN. *v.* ORR, TRUSTEE. February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Maurice J. Zucker and Abraham Alboum* for petitioner. *Messrs. Charles E. Hendrickson and Saul Nemser* for respondent. Reported below: 73 F. (2d) 609.

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No. 602. HARTLEY, EXECUTOR, *v.* COMMISSIONER OF INTERNAL REVENUE. February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. H. B. Fryberger, H. C.*

*Fulton*, and *E. L. Boyle* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Messrs. James W. Morris, John MacC. Hudson*, and *H. Brian Holland* for respondent. Reported below: 72 F. (2d) 352.

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No. 612. *CALIFORNIA OREGON POWER Co. v. BEAVER PORTLAND CEMENT Co. ET AL.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. A. E. Reames* for petitioner. *Mr. W. Lair Thompson* for respondents. Reported below: 73 F. (2d) 555.

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No. 625. *REALTY ASSOCIATES SECURITIES CORP. ET AL. v. O'CONNOR ET AL.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Alfred T. Davison* and *James N. Rosenberg* for petitioners. *Messrs. George C. Levin, Sydney Krause, George J. Hirsch, Archibald Palmer*, and *Samuel M. Brook* for respondents. Reported below: 74 F. (2d) 61.

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No. 663. *SNYDER v. COMMISSIONER OF INTERNAL REVENUE.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Henry M. Ward* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Messrs. James W. Morris* and *J. P. Jackson* for respondent. Reported below: 73 F. (2d) 5.

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No. 347. *EARWOOD, GUARDIAN, v. UNITED STATES.* See *ante*, p. 695.

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No. 640. *STOTT REALTY Co. v. HEYMANN ET AL.* February 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted.

*Messrs. Samuel S. Burman and Edgar G. Braun* for petitioner. *Messrs. Walter Ewing Hope and H. Struve Henzel* for respondents. Reported below: 73 F. (2d) 1003.

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No. 588. STELOS CO., INC. v. HOSEIERY MOTOR-MEND CORP. ET AL.; and

No. 653. HOSEIERY MOTOR-MEND CORP. ET AL. v. STELOS CO., INC. February 18, 1935. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Henry Gilligan, J. Preston Swecker, and Vernon E. Hodges* for Stelos Co. *Messrs. Noah A. Stancliffe, Hugh M. Morris, Julian S. Wooster, and Donald Malcolm* for Hosiery Motor-Mend Corp. et al. Reported below: 72 F. (2d) 405.

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No. 635. HAMBURG-AMERICAN LINE v. ELTING, COLLECTOR OF CUSTOMS. February 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Roger O'Donnell, Lambert O'Donnell, and William J. Peters* for petitioner. *Solicitor General Biggs, Assistant Attorney General Sweeney, and Mr. Paul A. Sweeney* for respondent. Reported below: 73 F. (2d) 272.

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No. 696. KENWARD v. THE ADMIRAL PEOPLES. March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. The motion for leave to proceed further *in forma pauperis* is also granted. *Messrs. John P. Hannon and Andrew G. Haley* for petitioner. *Messrs. Wallace McCamant and W. Lair Thompson* for respondent. Reported below: 73 F. (2d) 170.

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No. 717. LOUISVILLE JOINT STOCK LAND BANK v. RADFORD. March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted.

*Messrs. John E. Tarrant, John W. Davis, and Wm. Marshall Bullitt* for petitioner. *Messrs. Harry H. Peterson, P. O. Sathre, William Lemke, Edwin A. Krauthoff, David A. Sachs, Jr., Herbert C. Lust, and Frank Rives* for respondent. Reported below: 74 F. (2d) 576.

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No. 574. *D O L E M A N , ADMINISTRATOR, v. LEVINE.* March 4, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Messrs. James C. Waters, Jr., and Nathan A. Dobbins* for petitioner. *Messrs. Wilson L. Townsend, Edward S. Brashears, and Albert F. Beasley* for respondent. Reported below: 64 App. D. C. 25; 73 F. (2d) 842.

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Nos. 659 and 660. *MOTLOW v. STATE EX REL. KOELN.* March 4, 1935. Petition for writs of certiorari to the Supreme Court of Missouri granted. *Messrs. Patrick H. Cullen and Clem F. Storckman* for petitioner. *Messrs. Frank H. Haskins, Harry S. Rooks, James T. Blair, and Oscar Habenicht* for respondent. Reported below: 336 Mo. 40, 50; 76 S. W. (2d) 417, 421.

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No. 661. *AWOTIN v. ATLAS EXCHANGE NATIONAL BANK OF CHICAGO.* March 4, 1935. Petition for writ of certiorari to the Appellate Court, First Division, of Illinois, granted. *Messrs. Samuel A. Ettelson and Edward C. Higgins* for petitioner. *Mr. Daniel M. Healy* for respondent. Reported below: 275 Ill. App. 530.

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No. 662. *KIMEN v. ATLAS EXCHANGE NATIONAL BANK OF CHICAGO.* March 4, 1935. Petition for writ of certiorari to the Appellate Court, First Division, of Illinois, granted. *Messrs. Samuel A. Ettelson and Edward C. Higgins* for petitioner. *Mr. Daniel M. Healy* for respondent. Reported below: 275 Ill. App. 638.

No. 649. *BULL, EXECUTOR, v. UNITED STATES*. March 4, 1935. Petition for writ of certiorari to the Court of Claims granted. *Messrs. David A. Buckley, Jr., and L. M. Black* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. James W. Morris* for the United States. Reported below: 79 Ct. Cls. 133; 6 F. Supp. 141.

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No. 693. *UNITED STATES v. MACK ET AL.* March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Biggs* for the United States. *Messrs. Louis Halle and Milton R. Kroopf* for respondents. Reported below: 73 F. (2d) 265.

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No. 678. *MINNIE v. PORT HURON TERMINAL CO. ET AL.* March 11, 1935. Petition for writ of certiorari to the Supreme Court of Michigan granted. *Messrs. Jesse P. Wolcott and Eugene F. Black* for petitioner. *Mr. Leo J. Carrigan* for respondents. Reported below: 269 Mich. 295; 257 N. W. 831.

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No. 773. *ESCOE v. ZERBST, WARDEN*. On petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit. April 1, 1935. The motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. *Mr. Jack Escoe, pro se*. No appearance for respondent. Reported below: 74 F. (2d) 924.

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No. 686. *HOLLINS v. OKLAHOMA*. On petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma. April 1, 1935. The motion for leave to proceed *in forma pauperis* and petition for writ of certiorari

granted. *Messrs. Charles H. Houston and William L. Huston* for petitioner. *Mr. Mac Q. Williamson* for respondent. Reported below: 56 Okla. Cr. 275, 284; 38 P. (2d) 36.

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No. 751. *MOBLEY v. NEW YORK LIFE INSURANCE CO.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Sidney C. Mize* for petitioner. *Messrs. Louis H. Cooke, Wm. H. Watkins, and P. H. Eager, Jr.*, for respondent. Reported below: 74 F. (2d) 588.

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#### DECISIONS DENYING CERTIORARI FROM JANUARY 8, 1935, TO AND INCLUDING APRIL 1, 1935.

No. 632. *RYAN ET AL. v. NORDBYE, JUDGE.* January 14, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. James Ryan and Frank McKee, pro se.* No appearance for respondent. Reported below: 73 F. (2d) 1011.

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No. 555. *NEEDHAM v. UNITED STATES.* January 14, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Leslie A. Needham, pro se. Solicitor General Biggs and Mr. Harry S. Ridgely* for the United States. Reported below: 73 F. (2d) 1.

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No. 564. *NORTHERN TRUST CO., ADMINISTRATOR, v. WOODSON, ALIEN PROPERTY CUSTODIAN, ET AL.* January 14, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Aubrey B. Fennell* for petitioner. *Solicitor*