

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*

*General Biggs, Assistant Attorney General Sweeney, and Messrs. Harry LeRoy Jones and Frank W. Mondell* for respondents. Reported below: 63 App. D. C. 351; 72 F. (2d) 723.

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No. 568. *UNITED STATES BUILDING & LOAN ASSN. ET AL. v. McCLELLAND, STATE COMMISSIONER.* January 14, 1935. Petition for writ of certiorari to the Supreme Court of Colorado denied. *Mr. Fred S. Caldwell* for petitioners. *Mr. Paul P. Prosser* for respondent. Reported below: 95 Colo. 292; 36 P. (2d) 164.

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No. 571. *GRATE v. UNITED STATES.* January 14, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. P. H. Cullen* for petitioner. *Solicitor General Biggs* and *Messrs. Will G. Beardslee, Wilbur C. Pickett, W. Marvin Smith, and Young M. Smith* for the United States. Reported below: 72 F. (2d) 1.

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No. 573. *DAVIS v. JEFFERSON STANDARD LIFE INSURANCE CO.* January 14, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Louis M. Denit* for petitioner. *Mr. Shepard Bryan* for respondent. Reported below: 73 F. (2d) 330.

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No. 576. *EXCELSIOR MOTOR MFG. & SUPPLY CO. ET AL. v. SOUND EQUIPMENT, INC.* January 14, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. John E. Hughes, George A. Chritton, Samuel A. Harper, and William Cogger* for petitioners. *Mr. Ralph F. Potter* for respondent. Reported below: 73 F. (2d) 725.

No. 581. *CARSON ET AL. v. LONG-BELL LUMBER CORP. ET AL.* January 14, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. John S. Leahy, Walter H. Saunders, John T. Barker, Floyd Jacobs, David M. Proctor, and Mitchell J. Henderson* for petitioners. *Mr. Jesse Andrews* for respondents. Reported below: 73 F. (2d) 397.

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No. 637. *SPRUILL v. O'TOOLE ET AL.* January 21, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Georgia M. Spruill, pro se.* No appearance for respondents. Reported below: 64 App. D. C. 85; 74 F. (2d) 559.

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No. 575. *COMPAGNIE GENERALE TRANSATLANTIQUE v. ELTING, COLLECTOR OF CUSTOMS.* January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Roger O'Donnell, Lambert O'Donnell and William J. Peters* for petitioner. *Solicitor General Biggs, Assistant Attorney General Sweeney, and Messrs. Paul A. Sweeney and M. Leo Looney, Jr.*, for respondent. Reported below: 73 F. (2d) 321.

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No. 578. *WALDOCK, TRUSTEE, v. CHOCTAW LUMBER Co. ET AL.* January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Finis E. Riddle and Robert L. Davidson* for petitioner. *Messrs. I. N. Watson, Henry N. Ess, Paul Barnett, and Elton L. Marshall* for respondents. Reported below: 73 F. (2d) 1021.

No. 579. WALDOCK, TRUSTEE, *v.* CHOCTAW LUMBER Co. January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Finis E. Riddle and Robert L. Davidson* for petitioner. *Messrs. I. N. Watson, Henry N. Ess, Paul Barnett, and Elton L. Marshall* for respondent. Reported below: 73 F. (2d) 1021.

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No. 583. TITLE GUARANTY & SURETY Co. ET AL. *v.* MISSOURI EX REL. STORMFELTZ. January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Floyd E. Jacobs, Mitchel J. Henderson, and Laurence H. Watres* for petitioners. *Mr. E. H. Gamble* for respondent. Reported below: 72 F. (2d) 595.

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No. 584. IRVING TRUST Co., TRUSTEE IN BANKRUPTCY, *v.* BANKERS TRUST Co., TRUSTEE. January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. William D. Whitney* for petitioner. *Mr. Sol M. Stroock* for respondent. Reported below: 73 F. (2d) 296.

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No. 587. KAEMPFER ET AL., TRUSTEES, *v.* REINECKE. January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Frederick L. Pearce* for petitioners. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. James W. Morris* for respondent. Reported below: 72 F. (2d) 469.

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No. 589. BIDDLE *v.* IRVING TRUST Co., TRUSTEE;

No. 590. DEUTSCH *v.* SAME;

No. 591. HAMMOND *v.* SAME;

No. 592. IRVING TRUST Co., TRUSTEE, *v.* MENDES ET AL.; and

No. 650. *BELL v. IRVING TRUST CO., TRUSTEE.* January 21, 1935. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Eldon Bisbee, Paul D. Miller, and H. G. Pickering* for petitioner in No. 589. *Mr. Jerome A. Strauss* for petitioner in No. 590. *Mr. Joseph M. Hatfield* for petitioner in No. 591. *Mr. Henry Gale* for petitioner in No. 592, and respondent in Nos. 589, 590, 591, and 650. *Mr. Joseph Lorenz* for petitioner in No. 650. *Messrs. Joseph Lorenz, Martin Conboy, David Asch, and Arthur Garfield Hayes* for respondents in No. 592. Reported below: 73 F. (2d) 121.

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No. 596. *HARRIS v. COCA-COLA CO.* January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messers. Alex. W. Smith, Jr., and Victor Lamar Smith* for petitioner. *Messrs. Marion Smith and Harold Hirsch* for respondent. Reported below: 73 F. (2d) 370.

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No. 621. *UNITED STATES v. RIZZO, CLAIMANT.* January 21, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Solicitor General Biggs* for the United States. *Mr. Milton R. Kroopf* for respondent. Reported below: 73 F. (2d) 1010.

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No. 643. *DUKE v. COMMITTEE ON GRIEVANCES OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA ET AL.* February 4, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Jesse C. Duke, pro se.* No appearance for respondents.

No. 644. *STEELE v. NEW YORK*. February 4, 1935. Petition for writ of certiorari to the Supreme Court of New York, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. James Steele, pro se.* No appearance for respondent. Reported below: 241 App. Div. 875; 271 N. Y. S. 979.

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No. 655. *KNIGHT v. ADERHOLD, WARDEN*. February 4, 1935. 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. *Miss Reba Ray Knight, pro se.* No appearance for respondent. Reported below: 73 F. (2d) 374.

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No. 562. *JORDAHL ET AL. v. IRVING TRUST CO., TRUSTEE IN BANKRUPTCY, ET AL.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. William Cattron Rigby* for petitioners. *Messrs. Emanuel Weitz, Albert C. Wall, and Eli Whitney Debevoise* for respondents. Reported below: 71 F. (2d) 973.

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No. 593. *BOWLES v. UNITED STATES*. February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Norman S. Bowles, pro se.* *Solicitor General Biggs* and *Messrs. James W. Morris and John H. McEvers* for the United States. Reported below: 73 F. (2d) 772.

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No. 595. *JONES v. NATIONAL BANK OF CHESTER COUNTY ET AL.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Charlotte F. Jones, pro se.* No appearance for respondents. Reported below: 72 F. (2d) 195.

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No. 597. *SQUIER v. HOUGHTON ET AL.* February 4, 1935. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. Frank Hendrick* for petitioner. *Messrs. Henry M. Wise* and *Gordon Knox Bell* for respondents. Reported below: 241 App. Div. 809; 271 N. Y. S. 951.

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No. 614. *UNITED STATES EX REL. COLONIAL BRICK CORP. v. FEDERAL SURETY CO. ET AL.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Leonard J. Ganse* and *Louis M. Denit* for petitioner. *Messrs. Walter L. Clark, Edmond M. Cook, and Roszel C. Thomsen* for respondents. Reported below: 72 F. (2d) 961.

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No. 615. *UNITED STATES EX REL. COLONIAL BRICK CORP. ET AL. v. FEDERAL SURETY CO. ET AL.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Leonard J. Ganse* and *Louis M. Denit* for petitioners. *Messrs. Walter L. Clark, Edmond M. Cook, and Roszel C. Thomsen* for respondents. Reported below: 72 F. (2d) 964.

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No. 599. *MINNESOTA MINING & MANUFACTURING CO. v. GUTH.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Whitman Taylor* for petitioner. *Mr. Francis E. McGovern* for respondent. Reported below: 72 F. (2d) 385.

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No. 613. *NORWICH UNION INDEMNITY CO. v. SIMONDS.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied.

*Messrs. James G. Nye and Albert C. Gillette* for petitioner. *Mr. Edward L. Boyle* for respondent. Reported below: 73 F. (2d) 412.

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No. 617. *LIPMAN v. GOEBEL ET AL.* February 4, 1935. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Abram N. Pritzker* for petitioner. No appearance for respondents. Reported below: 357 Ill. 315; 192 N. E. 203.

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No. 618. *OHIO LOCOMOTIVE CRANE CO. v. DENMAN, ADMINISTRATOR*; and

No. 619. *SAME v. UNITED STATES*. February 4, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. E. J. Brunenkant* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman*, and *Messrs. James W. Morris, Morton K. Rothschild, and H. Brian Holland* for respondents. Reported below: 73 F. (2d) 408.

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No. 622. *UNITED STATES EX REL. KROGER GROCERY & BAKING CO. v. INTERSTATE COMMERCE COMMISSION*. February 4, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Harry Friedman* for petitioner. *Messrs. Nelson Thomas and Daniel W. Knowlton* for respondent. Reported below: 64 App. D. C. 43; 73 F. (2d) 948.

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No. 623. *ROBINSON ET AL. v. HOME INSURANCE CO.* February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Edgar Watkins and Edgar Watkins, Jr.*, for petitioners. *Mr. George T. Cann* for respondent. Reported below: 73 F. (2d) 3.

No. 626. ROELKER, RECEIVER, *v.* BROMLEY-SHEPARD CO., INC. ET AL. February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. George B. Springston* for petitioner. *Mr. Richard B. Walsh* for respondents. Reported below: 73 F. (2d) 618.

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No. 627. NEW YORK *v.* ARNOLD, TRUSTEE IN BANKRUPTCY. February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Robert P. Beyer* for petitioner. *Mr. Louis W. Arnold, Jr.*, for respondent. Reported below: 73 F. (2d) 283.

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No. 629. E. M. LOEW'S, INC. ET AL. *v.* NEW ENGLAND THEATRES, INC. ET AL. February 4, 1935. Petition for writ of certiorari to the Superior Court of Suffolk County, Massachusetts, denied. *Mr. Edward O. Proctor* for petitioners. *Messrs. Jacob J. Kaplan, Lee M. Friedman, and Percy A. Atherton* for respondents. Reported below: 287 Mass. 485.

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No. 630. KASIMOV ET AL. *v.* SOLTZ, TRUSTEE IN BANKRUPTCY. February 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. A. L. Greenspun* for petitioners. No appearance for respondent. Reported below: 71 F. (2d) 1010.

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No. 668. BELT ET AL. *v.* UNITED STATES. February 11, 1935. 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. J. S. Belt, pro se.* No appearance for respondent. Reported below: 73 F. (2d) 888.

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No. 669. *SPRUILL v. CRAWFORD*. February 11, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Georgia M. Spruill, pro se*. No appearance for respondent. Reported below: 64 App. D. C. 118; 75 F. (2d) 522.

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No. 616. *WASHINGTON RAILWAY & ELECTRIC CO. v. HAZEN ET AL.* February 11, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. S. Russell Bowen and Edwin D. Detwiler* for petitioner. *Messrs. E. Barrett Prettyman and W. A. Roberts* for respondents. Reported below: 64 App. D. C. 57; 74 F. (2d) 461.

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No. 620. *YOUNG v. UNITED STATES*. February 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Warren E. Miller and Oscar W. Worthwine* for petitioner. *Solicitor General Biggs* and *Messrs. Will G. Beardslee, Wilbur C. Pickett, and W. Marvin Smith* for the United States. Reported below: 73 F. (2d) 690.

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No. 624. *Woo v. UNITED STATES*. February 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Morgan Owen* for petitioner. *Solicitor General Biggs* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 73 F. (2d) 897.

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No. 631. *YONEJIRO NAKASUJI v. SEAGER, U. S. COLLECTOR OF CUSTOMS, ET AL.* February 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the

Ninth Circuit denied. *Messrs. Arthur E. Cook and J. Edward Keating* for petitioner. *Solicitor General Biggs, Assistant Attorney General Sweeney*, and *Messrs. Paul A. Sweeney and M. Leo Looney, Jr.*, for respondents. Reported below: 73 F. (2d) 37.

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No. 639. *HAMANN v. STICKLE, ANCILLARY RECEIVER*. February 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John A. Cline* for petitioner. *Mr. Ralph Stickle* for respondent. Reported below: 71 F. (2d) 294.

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No. 641. *BEAUMONT v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. February 11, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. John W. Townsend* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman*, and *Mr. James W. Morris* for respondent. Reported below: 63 App. D. C. 387; 73 F. (2d) 110.

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No. 647. *NEW YORK, NEW HAVEN & HARTFORD R. Co. v. HOFFMAN*. February 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. John M. Gibbons and Edward R. Brumley* for petitioner. *Mr. Thomas J. O'Neill* for respondent. Reported below: 74 F. (2d) 227.

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No. 688. *GREEN v. CLEVELAND, CINCINNATI, CHICAGO & ST. LOUIS RY. Co.* February 18, 1935. Petition for writ of certiorari to the Supreme Court of Ohio, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Carl Green, pro se*. No appearance for respondent. Reported below: 126 Ohio St. 512; 186 N. E. 365.

No. 460. *LYDERS v. PETERSEN ET AL.* February 18, 1935. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, Division 1, of California, denied. *Messrs. James F. Brennan and Harold M. Sawyer* for petitioner. *Mr. Herbert W. Clark* for respondents. Reported below: 139 Cal. App. 303; 33 P. (2d) 1030.

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No. 633. *CONSOLIDATED TITLE SECURITIES CO. v. HOPKINS, COUNTY ASSESSOR.* February 18, 1935. Petition for writ of certiorari to the Supreme Court of California denied. *Mr. Oliver P. Morton* for petitioner. *Mr. Everett W. Mattoon* for respondent. Reported below: 1 Cal. (2d) 414; 35 P. (2d) 320.

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No. 636. *JONES v. COMMISSIONER OF INTERNAL REVENUE.* February 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Frank Y. Gladney* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. James W. Morris* for respondent. Reported below: 72 F. (2d) 114.

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No. 638. *KENDRICK COAL & DOCK CO. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* February 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Stanley B. Houck and W. Yale Smiley* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Messrs. James W. Morris and S. Dee Hanson* for respondent. Reported below: 72 F. (2d) 330.

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No. 651. *ZICCARDI v. TRAVELERS INSURANCE CO. ET AL.* February 18, 1935. Petition for writ of certiorari to the Superior Court of Suffolk County, Massachusetts, denied.

*Mr. Walter B. Grant* for petitioner. *Mr. Edmund L. Jones* for respondents. Reported below: 287 Mass. 588; 192 N. E. 29.

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No. 652. T. W. WARNER CO. *v.* ANDREWS ET AL. February 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Eli J. Blair* for petitioner. *Messrs. Abraham M. Lowenthal* and *Allan C. Rowe* for respondents. Reported below: 72 F. (2d) 287.

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No. 654. RALPH A. FREUNDLICH, INC. ET AL. *v.* FLEISCHER STUDIOS, INC. ET AL. February 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Max Shlivek* for petitioners. *Mr. Louis Nizer* for respondents. Reported below: 73 F. (2d) 276.

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No. 721. MINCHELLA *v.* DOELL, WARDEN. March 4, 1935. Petition for writ of certiorari to the Supreme Court of Michigan, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Charles Minchella, pro se.* No appearance for respondent. Reported below: 268 Mich. 123; 255 N. W. 735.

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No. 642. VIEAU ET AL. *v.* SYRACUSE WASHING MACHINE CORP. ET AL. March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Victor Levine* for petitioners. *Mr. John F. Neary* for respondents. Reported below: 72 F. (2d) 410.

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No. 645. FIRST NATIONAL BANK OF BEAVER FALLS *v.* UNITED STATES. March 4, 1935. Petition for writ of certiorari to the Court of Claims denied. *Messrs. John E.*

*Hughes* and *William Cogger* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Mr. James W. Morris* for the United States. Reported below: 79 Ct. Cls. 744; 8 F. Supp. 484; 9 *id.* 424.

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No. 646. *RICHMOND HOSIERY MILLS v. ROSE, FORMER COLLECTOR OF INTERNAL REVENUE*. March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. W. A. Sutherland* and *Joseph B. Brennan* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Mr. James W. Morris* for respondent. Reported below: 73 F. (2d) 315.

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No. 656. *PHILADELPHIA CONTRIBUTIONSHIP FOR THE INSURANCE OF HOUSES FROM LOSS BY FIRE v. MACLAUGHLIN, ADMINISTRATRIX*. March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Charles J. Biddle* and *F. E. S. Morrison* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Wideman*, and *Messrs. H. Brian Holland* and *Edward H. Horton* for respondent. Reported below: 73 F. (2d) 582.

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No. 664. *MORLEY v. UNIVERSITY OF DETROIT*. March 4, 1935. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. Don M. Harlan* for petitioner. No appearance for respondent. Reported below: 269 Mich. 216; 256 N. W. 861.

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No. 666. *ATLANTIC COAST LINE R. Co. v. GILLIS*. March 4, 1935. Petition for writ of certiorari to the Supreme Court of South Carolina denied. *Messrs. Thomas W. Davis* and *F. L. Willcox* for petitioner. *Mr. Louis M.*

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*Shimel* for respondent. Reported below: 175 S. C. 223; 179 S. E. 62.

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No. 673. *LEVINE v. SHELL EASTERN PETROLEUM PRODUCTS, INC.* March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. A. Alan Lane and Alexander Wolf* for petitioner. *Mr. F. Wright Moxley* for respondent. Reported below: 73 F. (2d) 292.

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No. 674. *SUN-HERALD CORP. v. DUGGAN, COLLECTOR OF INTERNAL REVENUE.* March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Neil P. Cullom* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman*, and *Messrs. James W. Morris and Frederick W. Dewart* for respondent. Reported below: 73 F. (2d) 298.

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No. 682. *NORTHERN KENTUCKY TELEPHONE Co. v. SOUTHERN BELL TELEPHONE & TELEGRAPH Co. ET AL.* March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. M. J. Hennessey* for petitioner. *Mr. John C. Doolan* for respondents. Reported below: 73 F. (2d) 333.

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No. 683. *NORTHERN TRUST Co., EXECUTOR, v. EDENBORN.* March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Sidney L. Herold* for petitioner. *Messrs. R. E. Milling, A. B. Freyer, and R. C. Milling* for respondent. Reported below: 74 F. (2d) 374.

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No. 684. *MANN v. EDENBORN.* March 4, 1935. Petition for writ of certiorari to the Circuit Court of Appeals

for the Fifth Circuit denied. *Mr. Sidney L. Herold* for petitioner. *Messrs. R. E. Milling, A. B. Freyer, and R. C. Milling* for respondent. Reported below: 74 F. (2d) 374.

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No. 687. *AMERICAN SURETY Co. v. MORAN, RECEIVER*. March 4, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Charles A. Douglas, Jo V. Morgan, Hugh H. Obear, and Edmund D. Campbell* for petitioner. *Messrs. J. Bruce Kremer, George B. Springston, and Herbert M. Bingham* for respondent. Reported below: 64 App. D. C. 127; 75 F. (2d) 646.

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No. 733. *PRICE v. UNITED STATES*. March 11, 1935. 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. Walter D. Price, pro se*. No appearance for the United States. Reported below: 74 F. (2d) 120.

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No. 681. *MORGENTHAU v. STEPHENS ET AL.* On petition for writ of certiorari to the Supreme Court of Kansas. March 11, 1935. The petition for writ of certiorari in this cause is denied upon the ground that the judgment sought herein to be reviewed is joint and the record fails to disclose summons and severance. *Hartford Accident & Indemnity Co. v. Bunn*, 285 U. S. 169; *Capital National Bank v. Board of Supervisors*, 286 U. S. 550; *Fidelity Union Casualty Co. v. Hanson*, 287 U. S. 599; *Louisville & Nashville R. Co. v. Parker*, 287 U. S. 569; *Wagner Tug Boat Co. v. Meagher*, 287 U. S. 657; *Missouri State Life Ins. Co. v. Johnson*, 288 U. S. 609. *Messrs. Alexander M. Bull, W. W. Brown, and Joseph M. Bryson* for petitioner. *Mr. Douglas Hudson* for respondents. Reported below: 140 Kan. 220; 36 P. (2d) 316.

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No. 672. *CARL SCHMID, INC. v. STEVENS*. March 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. W. H. Crichton Clarke* for petitioner. *Messrs. F. O. Richey* and *B. D. Watts* for respondent. Reported below: 73 F. (2d) 54.

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No. 685. *TWIN COACH CORP. v. BLOUNT ET AL.* March 11, 1935. Petition for writ of certiorari to the Supreme Court of Florida denied. *Mr. Douglas D. Felix* for petitioner. *Mr. John M. Murrell* for respondents. Reported below: 116 Fla. 356; 156 So. 244; 157 *id.* 925.

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No. 690. *HILLIARD v. PENNSYLVANIA R. CO.* March 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Homer H. Marshman* for petitioner. *Mr. Norman A. Emery* for respondent. Reported below: 73 F. (2d) 473.

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No. 692. *J. B. SCHERMERHORN, INC. v. HOLLOWMAN, TREASURER, ET AL.* March 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Hugh A. Ledbetter* and *Maxwell M. Mahany* for petitioner. No appearance for respondents. Reported below: 74 F. (2d) 265.

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No. 700. *FORD, BACON & DAVIS, INC. v. INTERNATIONAL COMBUSTION ENGINEERING CORP. ET AL.* March 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Harold C. McCollom* for petitioner. *Mr. Sanford H. E. Freund* for respondents. Reported below: 73 F. (2d) 991.

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No. 701. *THOMASVILLE v. AMERICAN SURETY CO.* March 11, 1935. Petition for writ of certiorari to the

Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Omer W. Franklin* for petitioner. *Mr. E. K. Wilcox* for respondent. Reported below: 73 F. (2d) 584.

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No. 703. *GLEISCH v. BENNETT, TRUSTEE IN BANKRUPTCY*. March 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Walter B. Milkman* for petitioner. *Mr. David Haar* for respondent. Reported below: 73 F. (2d) 998.

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No. 707. *JAMES STEWART & Co., INC. v. NATIONAL SHAWMUT BANK OF BOSTON*. March 11, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. J. Wilmer Latimer* for petitioner. *Mr. Thomas Hunt* for respondent. Reported below: 69 F. (2d) 694.

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No. 691. *BOWMAN BILTMORE HOTELS CORP. ET AL. v. ROBERTS, RECEIVER, ET AL.* March 18, 1935. Petition for writ of certiorari to the Supreme Court of New York denied. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Messrs. Wm. H. Page, Richard M. Page, Frank C. Laughlin, Spotswood D. Bowers, and Jos. F. Mulqueen, Jr.*, for petitioners. *Messrs. Carl M. Owen, Charles E. Hughes, Jr., Charles Franklin, George Welwood Murray, Harold C. McCollom, Martin A. Schenck, and Paxton Blair* for respondents. Reported below: 265 N. Y. 170.

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No. 676. *JAMES A. HEARN & SON, INC. v. UNITED STATES*. March 18, 1935. Petition for writ of certiorari to the Court of Claims denied. *Mr. Edmund S. Kochersperger* for petitioner. *Solicitor General Biggs, Assistant*

*Attorney General Wideman*, and *Mr. James W. Morris* for the United States. Reported below: 80 Ct. Cls. 260; 8 F. Supp. 698.

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No. 677. *BARNES v. BOYD ET AL.* March 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. J. Franklin Fairleigh* for petitioner. *Messrs. George E. Price* and *Robert S. Spilman* for respondents. Reported below: 73 F. (2d) 910.

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No. 679. *BUCHANAN ET AL. v. UNITED STATES*. March 18, 1935. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Camden R. McAtee* and *Edmund F. Trabue* for petitioners. *Solicitor General Biggs*, *Assistant Attorney General Sweeney*, and *Messrs. Paul A. Sweeney* and *M. Leo Looney, Jr.*, for the United States. Reported below: 80 Ct. Cls. 850.

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No. 680. *CREEL v. CREEL*. March 18, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Edwin J. Creel, pro se.* *Messrs. Leon Tobriner* and *Selig C. Brez* for respondent. Reported below: 63 App. D. C. 384; 73 F. (2d) 107.

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No. 689. *OREGON-WASHINGTON RAILROAD & NAVIGATION CO. v. STRAUSS & CO., INC.* March 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Henry W. Clark* and *Arthur C. Spencer* for petitioner. *Messrs. William P. Ellis* and *Wallace McCamant* for respondent. Reported below: 73 F. (2d) 912.

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No. 695. *LIBERTY BANK OF BUFFALO v. BUFFALO*. March 18, 1935. Petition for writ of certiorari to the

Supreme Court of New York denied. *Mr. R. Randolph Hicks* for petitioner. *Mr. Herbert A. Hickman* for respondent. Reported below: 265 N. Y. 543; 193 N. E. 312.

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No. 697. CITY LOAN & GUARANTY CO. *v.* KAPLAN, TRUSTEE IN BANKRUPTCY. March 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. H. E. Garling* for petitioner. No appearance for respondent.

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No. 699. MASHUNKASHEY ET AL. *v.* UNITED STATES. March 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Finis E. Riddle* for petitioners. *Solicitor General Biggs*, *Assistant Attorney General Blair*, and *Mr. Pedro Capo-Rodriguez* for the United States. Reported below: 72 F. (2d) 847; 73 *id.* 487.

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No. 706. DEAN ET AL. *v.* TOKHEIM OIL TANK & PUMP CO. March 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Max W. Zabel* and *Joseph H. Milans* for petitioners. *Messrs. Wallace R. Lane* and *John F. Oberlin* for respondent. Reported below: 73 F. (2d) 32.

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No. 712. WADSWORTH ELECTRIC MANUFACTURING CO. *v.* SACHS ET AL. March 18, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Walter F. Murray* and *Arthur C. Denison* for petitioner. *Messrs. Oscar W. Jeffery* and *John W. Peck* for respondents. Reported below: 71 F. (2d) 850.

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Decisions Denying Certiorari.

No. 777. *WORSLEY v. WORSLEY*. April 1, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. James C. Crouch* for petitioner. No appearance for respondent. Reported below: 64 App. D. C. 202; 76 F. (2d) 815.

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No. 781. *FLANNIGAN v. NEBRASKA*. April 1, 1935. Petition for writ of certiorari to the Supreme Court of Nebraska, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. William Ritchie, Jr.*, for petitioner. No appearance for respondent. Reported below: 127 Neb. 640; 256 N. W. 321.

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No. 789. *EDWARDS v. ADERHOLD, WARDEN*. April 1, 1935. 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. Edison J. Edwards, pro se*. No appearance for respondent. Reported below: 73 F. (2d) 997.

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No. 719. *WOLFE ET AL. v. INTERNATIONAL RE-INSURANCE CORP.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied, for the reason that application therefor was not made within the time provided by law. Act of February 13, 1925, § 8 (a), (43 Stat. 936, 940; U. S. Code, Title 28, § 350). *Mr. Wendell P. Barker* for petitioners. *Mr. Alfred C. Bennett* for respondent. Reported below: 73 F. (2d) 267.

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No. 735. *TROUTMAN ET AL., RECEIVERS, v. COMPTON, TRUSTEE*. On petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit. April 1, 1935.

The motion to strike the name of Henry B. Troutman from the title of this case is granted. The petition for writ of certiorari herein is denied. MR. JUSTICE STONE took no part in the consideration or decision of this application. *Messrs. Wm. L. Ransom and Robert E. Coulson* for petitioners. *Mr. Hartwell Cabell* for respondent. Reported below: 74 F. (2d) 734.

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No. 698. FOREST PRODUCTS CHEMICAL CO. v. COMMISSIONER OF INTERNAL REVENUE. April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. F. E. Hagler* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Messrs. James W. Morris and Carlton Fox* for respondent.

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No. 705. MONTAIGNE, ASSISTANT TAX COMMISSIONER OF DELAWARE, v. ROSSVILLE ALCOHOL & CHEMICAL CORP. ET AL. April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Amos J. Peaslee* for petitioner. *Messrs. Godfrey Goldmark and Jay Leo Rothschild* for respondents. Reported below: 73 F. (2d) 301.

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No. 709. THOMAS ET AL. v. CENTRAL HANOVER BANK & TRUST CO. ET AL., TRUSTEES, ET AL. April 1, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. W. Bissell Thomas, W. B. O'Connell, Leslie C. Garnett, and Joseph Low* for petitioners. *Messrs. John J. Hamilton and Paul E. Lesh* for respondents. Reported below: 64 App. D. C. 96; 75 F. (2d) 227.

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Decisions Denying Certiorari.

No. 710. *LOCATELLI v. CITY OF MEDFORD*. April 1, 1935. Petition for writ of certiorari to the Massachusetts Superior Court in and for the County of Middlesex denied. *Mr. Felix Forte* for petitioner. No appearance for respondent. Reported below: 287 Mass. 550; 192 N. E. 57.

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No. 711. *FIDELITY PHENIX FIRE INSURANCE CO. v. VALLONE ET AL.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Louis R. Bryan* for petitioner. *Mr. Edward S. Boyles* for respondents. Reported below: 74 F. (2d) 137.

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No. 714. *PORTNER, TRUSTEE, v. TEXAS ET AL.*; and

No. 715. *PORTNER, TRUSTEE IN BANKRUPTCY, ET AL. v. SAME*. April 1, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. F. D. Wright* and *Ellis Douthit* for petitioners. No appearance for respondents. Reported below: 74 F. (2d) 269.

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No. 716. *GENERAL RUBBER CO. v. UNITED STATES*. April 1, 1935. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied. *Messrs. John W. Davis, Paul H. Arthur, and Joseph F. Lockett* for petitioner. *Solicitor General Biggs, Assistant Attorney General Jackson*, and *Mr. Charles D. Lawrence* for the United States. Reported below: 73 F. (2d) 225.

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No. 718. *VIRGINIA BEACH BUS LINE v. CAMPBELL*. April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied.

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*Messrs. Henry I. Quinn and Austin F. Canfield* for petitioner. No appearance for respondent. Reported below: 73 F. (2d) 97.

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No. 723. *PACIFIC AIR TRANSPORT v. FARLEY*. April 1, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. William J. Donovan and Henry Herrick Bond* for petitioner. *Solicitor General Biggs* and *Messrs. Carl L. Ristine, W. Marvin Smith, and Lee A. Jackson* for respondent. Reported below: 75 F. (2d) 765.

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No. 724. *MISSOURI PACIFIC R. Co. v. PIPKIN*. April 1, 1935. Petition for writ of certiorari to the Supreme Court of Arkansas denied. *Messrs. Edward J. White, Thomas B. Pryor, and Harry L. Ponder* for petitioner. *Mr. Wm. R. Donham* for respondent. Reported below: 189 Ark. 890; 75 S. W. (2d) 801.

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No. 725. *SWEENEY, ADMINISTRATRIX, v. BOSTON & MAINE RAILROAD*. April 1, 1935. Petition for writ of certiorari to the Supreme Court of New Hampshire denied. *Mr. Robert W. Upton* for petitioner. *Mr. George H. Warren* for respondent. Reported below: 87 N. H. 90; 174 Atl. 676.

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No. 727. *GROSSMAN ET AL. v. HUDSPETH COUNTY CONSERVATION & RECLAMATION DISTRICT NO. 1 ET AL.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Del W. Harrington* for petitioners. *Mr. W. H. Burges* for respondents. Reported below: 75 F. (2d) 152.

No. 729. *CURRIN, RECEIVER, ET AL. v. NOURSE, TRUSTEE IN BANKRUPTCY, ET AL.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Floyd E. Jacobs, William B. Bostian, James A. McDermott, and Clarence A. Randolph* for petitioners. *Messrs. Arthur Mag, Roy B. Thomson, Paul R. Stinson, I. J. Ringolsky, Ben L. Shifrin, and Frank P. Barker* for respondents. Reported below: 74 F. (2d) 273.

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No. 734. *MELLIN, TRUSTEE, ET AL. v. MONSEN ET AL.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Michael J. Ahern* for petitioners. *Mr. Walter E. Wiles* for respondents. Reported below: 74 F. (2d) 411.

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No. 728. *COX ET AL. v. NEW YORK CENTRAL R. CO. ET AL.* April 1, 1935. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. John Jay McKelvey* for petitioners. *Mr. Clive C. Handy* for respondents. Reported below: 265 N. Y. 411; 193 N. E. 251.

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No. 730. *MISSOURI PACIFIC R. CO. v. JONES, ADMINISTRATOR.* April 1, 1935. Petition for writ of certiorari to the Supreme Court of Texas denied. *Mr. W. T. Henry* for petitioner. *Messrs. S. P. Jones and Wright Patman* for respondent. Reported below: 124 Tex. 234; 76 S. W. (2d) 1044.

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No. 731. *LOUISIANA HIGHWAY COMM'N v. FARNSWORTH.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit de-

nied. *Messrs. William W. Ogden and Rodney P. Woods, Jr.*, for petitioner. No appearance for respondent. Reported below: 74 F. (2d) 910.

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No. 732. *Rosser v. UNITED STATES*. April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. John L. Abbot* for petitioner. *Solicitor General Biggs* and *Messrs. Amos W. W. Woodcock and W. Marvin Smith* for the United States. Reported below: 75 F. (2d) 498.

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No. 736. *ERICKSON ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. John Noble* for petitioners. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. James W. Morris* for respondent. Reported below: 74 F. (2d) 327.

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No. 737. *CAPPETTA v. ATLANTIC REFINING Co.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Joseph A. Cantrel* for petitioner. *Mr. George E. Beers* for respondent. Reported below: 74 F. (2d) 53.

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No. 738. *McAULIFFE ET AL. v. DOHERTY*. April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Paul B. Sargent, William H. Lewis, and George L. Dillaway* for petitioners. *Messrs. Robert G. Dodge and Harold S. Davis* for respondent. Reported below: 74 F. (2d) 800.

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Petitions for Rehearing.

No. 739. *HARRISON ET AL. v. BARNGROVER ET AL.* April 1, 1935. Petition for writ of certiorari to the Texas Court of Civil Appeals denied. *Mr. William D. Gordon* for petitioners. *Messrs. Will E. Orgain and E. B. Pickett* for respondents. Reported below: 72 S. W. (2d) 971; 72 *id.* 967.

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No. 742. *FLAT-MARKS REALTY CORP. v. SILVER LUNCH STORES, INC.* April 1, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Meyer Kraushaar* for petitioner. *Mr. Joseph Sterling* for respondent. Reported below: 74 F. (2d) 210.

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PETITIONS FOR REHEARING, FROM JANUARY 8,  
1935, TO AND INCLUDING APRIL 1, 1935

No. 565. *CUSICK v. WHIPP, WARDEN.* 293 U. S. 623. January 21, 1935. Petition for rehearing denied.

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No. 161. *UNITED STATES v. SPAULDING.* 293 U. S. 498. February 4, 1935. Petition for rehearing denied.

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No. 234. *UNITED STATES EX REL. CHICAGO GREAT WESTERN R. CO. ET AL v. INTERSTATE COMMERCE COMMISSION ET AL.* *Ante*, p. 50. February 4, 1935. Petition for rehearing denied.

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No. 545. *HIGHWAY TRAILER Co. v. COMMISSIONER OF INTERNAL REVENUE.* 293 U. S. 626. February 4, 1935. Petition for rehearing denied.

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No. 581. *CARSON ET AL. v. LONG-BELL LUMBER CORP. ET AL.* *Ante*, p. 707. February 4, 1935. Petition for rehearing denied.