

No. —, original. *EX PARTE MARINE*. June 3, 1935. Motion for leave to file petition for writ of mandamus denied. *Mr. Richard E. Marine, pro se.*

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No. 16, original. *NEBRASKA v. WYOMING*. June 3, 1935. Answer of defendant is received and ordered to be filed.

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No. 17, original. *UNITED STATES v. WEST VIRGINIA ET AL.* June 3, 1935. The motion for leave to file an amended and supplemental bill of complaint is denied. [*Ante*, p. 463.]

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DECISIONS GRANTING CERTIORARI, FROM  
APRIL 2, 1935, TO AND INCLUDING JUNE 3,  
1935.

No. 726. *PAYNE v. UNITED STATES*. April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. George E. Flood* for petitioner. *Solicitor General Biggs* and *Messrs. Will G. Beardslee* and *Wilbur C. Pickett* for the United States. Reported below: 73 F. (2d) 900.

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No. 541. *DOUGLAS v. WILL CUTS, COLLECTOR*. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit. April 8, 1935. It appearing that a conflict of decisions has arisen since the order denying the petition for writ of certiorari herein was entered, it is ordered that the petition for rehearing herein be, and the same is hereby, granted. The order heretofore entered on January 7, 1935 [293 U. S. 626], denying the petition for writ of certiorari is vacated, and it is ordered that the petition for writ of certiorari in this case be, and the same is hereby, granted. *Mr. Clark R. Fletcher*

295 U.S.

Decisions Granting Certiorari.

for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Mr. James W. Morris* for respondent. Reported below: 73 F. (2d) 130.

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No. 854. *SCHECHTER ET AL. v. UNITED STATES*; and No. 864. *UNITED STATES v. A. L. A. SCHECHTER POULTRY CORP.* April 15, 1935. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Joseph Heller* for Schechter et al. *Solicitor General Reed* for the United States. Reported below: 76 F. (2d) 617.

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No. 817. *SUPERINTENDENT OF FIVE CIVILIZED TRIBES v. COMMISSIONER OF INTERNAL REVENUE.* April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Mr. Thomas J. Reilly* for petitioner. *Solicitor General Reed* for respondent. Reported below: 75 F. (2d) 183.

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No. 805. *HELVERING, COMMISSIONER OF INTERNAL REVENUE v. CITY BANK FARMERS TRUST Co.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Biggs, Assistant Attorney General Wideman, and Messrs. John MacC. Hudson and James W. Morris* for petitioner. *Mr. Russell L. Bradford* for respondent. Reported below: 74 F. (2d) 242.

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No. 819. *AMERICAN SURETY CO. v. WESTINGHOUSE ELECTRIC MANUFACTURING Co. ET AL.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Francis B. Carter and Francis B. Carter, Jr.,* for petitioner. *Messrs.*



*William Fisher, W. H. Watson, and S. Pasco* for respondents. Reported below: 75 F. (2d) 377.

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No. 783. *COMPAGNIE GENERALE TRANSATLANTIQUE v. ELTING, COLLECTOR OF CUSTOMS*; and

No. 784. *HAMBURG-AMERICAN LINE v. SAME*. April 29, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Roger O'Donnell, William J. Peters, and Lambert O'Donnell* for petitioners. *Solicitor General Reed, Assistant Attorney General Sweeney, and Messrs. M. Leo Looney, Jr., and Paul A. Sweeney* for respondent. Reported below: 74 F. (2d) 209.

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No. 809. *CHANDLER & PRICE CO. v. BRANDTJEN & KLUGE, INC., ET AL.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Wallace R. Lane and John F. Oberlin* for petitioner. *Mr. Dean S. Edmonds* for respondents. Reported below: 75 F. (2d) 472.

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No. 820. *BECKER STEEL CO. v. CUMMINGS, ATTORNEY GENERAL, ET AL.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. E. Crosby Kindleberger* for petitioner. *Solicitor General Reed, Assistant Attorney General Sweeney, and Mr. Paul A. Sweeney* for respondents. Reported below: 75 F. (2d) 1005.

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No. 827. *HELVERING, COMMISSIONER OF INTERNAL REVENUE, v. HELMHOLZ*. April 29, 1935. Petition for writ of certiorari to the United States Court of Appeals

295 U.S.

Decisions Granting Certiorari.

for the District of Columbia granted. *Solicitor General Reed* for petitioner. *Messrs. James Quarles* and *Louis Quarles* for respondent. Reported below: 64 App. D. C. 114; 75 F. (2d) 245.

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No. 847. *URBAN PROPERTIES CO. v. IRVING TRUST CO., TRUSTEE.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Arthur F. Gotthold* for petitioner. *Mr. Wm. D. Whitney* for respondent. Reported below: 74 F. (2d) 654.

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No. 831. *ALEXANDER ET AL. v. HILLMAN ET AL.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Messrs. W. M. Robinson, Edwin W. Smith, Arthur S. Dayton,* and *E. C. Higbee* for petitioners. *Messrs. Edward W. Knight, George E. Alter,* and *Alexander J. Barron* for respondents. Reported below: 75 F. (2d) 451.

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No. 832. *ALEXANDER ET AL. v. HILLMAN ET AL.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Messrs. W. M. Robinson, Edwin W. Smith, Arthur S. Dayton,* and *E. C. Higbee* for petitioners. *Messrs. Edward W. Knight, George E. Alter,* and *Alexander J. Barron* for respondents. Reported below: 75 F. (2d) 451.

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No. 834. *MORRISSEY ET AL., TRUSTEES, v. COMMISSIONER OF INTERNAL REVENUE.* May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Theodore B. Benson* for petitioners. *Solicitor General Reed, Assistant Attorney*



*General Wideman*, and *Messrs. James W. Morris, Norman D. Keller, and Carlton Fox* for respondent. Reported below: 74 F. (2d) 803.

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No. 880. *McCANDLESS, RECEIVER, v. FURLAUD ET AL.* May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Ralph Royall* for petitioner. *Messrs. Louis B. Epstein, Ira W. Hirshfield, and Louis J. Altkrug* for respondents. Reported below: 75 F. (2d) 977.

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No. 872. *BASSICK MANUFACTURING CO. v. R. M. HOLINGSHEAD CO.* May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Mr. Lynn A. Williams* for petitioner. *Messrs. Frank S. Busser, Leonard L. Kalish, and Charles N. Burch* for respondent. Reported below: 73 F. (2d) 543.

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No. 906. *ROGERS ET AL. v. ALEMITE CORP.* May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Messrs. Leonard L. Kalish and W. G. Doolittle* for petitioners. No appearance for respondent. Reported below: 74 F. (2d) 1019.

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No. 926. *WHITE, FORMER COLLECTOR OF INTERNAL REVENUE, v. POOR ET AL., EXECUTORS.* May 20, 1935. Petition for writ of certiorari to the Circuit Court of Ap-

295 U.S.

Decisions Granting Certiorari.

peals for the First Circuit granted. *Solicitor General Reed* for petitioner. *Mr. Alexander Wheeler* for respondents. Reported below: 75 F. (2d) 35.

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No. 850. *RAYBESTOS-MANHATTAN, INC. v. UNITED STATES*. May 20, 1935. Petition for writ of certiorari to the Court of Claims granted. *Messrs. Charles H. LeFevre and Howard S. LeRoy* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Mr. James W. Morris* for the United States. Reported below: 80 Ct. Cls. 809; 10 F. Supp. 130.

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No. 869. *UNITED STATES v. ATLANTIC MUTUAL INSURANCE Co.* May 20, 1935. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Reed* for the United States. *Mr. J. M. Richardson Lyeth* for respondent. Reported below: 80 Ct. Cls. 11.

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No. 876. *McFEELY v. COMMISSIONER OF INTERNAL REVENUE*. May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. G. F. Snyder* for petitioner. *Solicitor General Reed* for respondent. Reported below: 74 F. (2d) 1017.

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No. 879. *HELVERING, COMMISSIONER OF INTERNAL REVENUE, v. ST. LOUIS UNION TRUST Co.* May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Solicitor General Reed* for petitioner. *Mr. Daniel N. Kirby* for respondent. Reported below: 75 F. (2d) 416.



No. 886. DIGIOVANNI ET AL. *v.* CAMDEN FIRE INSURANCE ASSN. May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Harry L. Jacobs* for petitioners. *Mr. James N. Beery* for respondent. Reported below: 75 F. (2d) 808.

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No. 956. MOOR *v.* TEXAS & NEW ORLEANS RAILROAD Co. May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Thornton Hardie, Henry Eastman Hackney, and Ben R. Howell* for petitioner. *Messrs. Jules H. Tallichet, Maury Kemp, and M. Nagle* for respondent. Reported below: 75 F. (2d) 386.

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No. 787. UNITED STATES *v.* FIDELITY & DEPOSIT Co. See *ante*, p. 719.

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No. 965. LEGG *v.* ST. JOHN, TRUSTEE. On petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit. May 27, 1935. The motion for leave to proceed further herein *in forma pauperis* is granted. The petition for writ of certiorari is also granted. *Mr. Henry Roberts* for petitioner. No appearance for respondent. Reported below: 76 F. (2d) 841.

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No. 898. GRAHAM *v.* WHITE-PHILLIPS Co., INC. May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. James J. Barbour and W. Edgar Sampson* for petitioner. *Messrs. William L. Patton and Harold A. Smith* for respondent. Reported below: 74 F. (2d) 417.

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No. 931. DEL VECCHIO ET AL. *v.* BOWERS. May 27, 1935. Petition for writ of certiorari to the United States

295 U. S.

Decisions Granting Certiorari.

Court of Appeals for the District of Columbia granted. *Mr. James E. McCabe* for petitioners. No appearance for respondent. Reported below: 64 App. D. C. 226; 76 F. (2d) 996.

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No. 970. HOPKINS FEDERAL SAVINGS & LOAN ASSN. *v.* CLEARY ET AL.;

No. 971. RELIANCE BUILDING & LOAN ASSN. *v.* SAME; and

No. 972. NORTHERN BUILDING & LOAN ASSN. *v.* SAME. See *ante*, p. 721.

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No. 990. MILLER *v.* IRVING TRUST CO, TRUSTEE. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Sol M. Stroock* for petitioner. No appearance for respondent. Reported below: 77 F. (2d) 1012.

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No. 901. KLAMATH & MOADOC TRIBES OF INDIANS ET AL. *v.* UNITED STATES. June 3, 1935. Petition for writ of certiorari to the Court of Claims granted. *Mr. G. Carroll Todd* for petitioners. *Solicitor General Reed*, *Assistant Attorney General Blair*, and *Messrs. George T. Stor- mont* and *Wilfred Hearn* for the United States. Reported below: 81 Ct. Cls. 79.

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No. 918. BORAX CONSOLIDATED, LTD., ET AL. *v.* LOS ANGELES. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Gurney E. Newlin* for petitioners. *Mr. Loren A. Butts* for respondent. Reported below: 74 F. (2d) 901.



No. 937. *HULBURD v. COMMISSIONER OF INTERNAL REVENUE*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. John E. Hughes, Henry A. Gardner, and Alfred T. Carton* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, Mr. Sewall Key, and Miss Helen R. Carloss* for respondent. Reported below: 76 F. (2d) 736.

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No. 938. *UNITED STATES v. CONSTANTINE*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Solicitor General Reed* for the United States. No appearance for respondent. Reported below: 75 F. (2d) 928.

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No. 939. *GENERAL UTILITIES & OPERATING CO. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Messrs. R. Kemp Slaughter and Hugh C. Bickford* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. Sewall Key and Norman D. Keller* for respondent. Reported below: 74 F. (2d) 972.

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No. 954. *FOX FILM CORP. v. MULLER*. June 3, 1935. Petition for writ of certiorari to the Supreme Court of Minnesota granted. *Messrs. Percy Heiliger and James D. Shearer* for petitioner. *Mr. Abram F. Myers* for respondent. Reported below: 194 Minn. —; 260 N. W. 320.