

Decisions Denying Certiorari.

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

No. 812. O'NEAL *v.* CALIFORNIA. April 8, 1935. Petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, of California, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. James B. O'Neal, pro se.* No appearance for respondent. Reported below: 2 Cal. App. (2d) 551; 38 P. (2d) 430.

No. 816. WILSON *v.* HAYNES. April 8, 1935. Petition for writ of certiorari to the Supreme Court of Iowa, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. E. J. Wilson, pro se.* No appearance for respondent. Reported below: 218 Iowa 1370; 256 N. W. 678.

No. 754. BOARD OF COUNTY COMMISSIONERS OF SWEETWATER COUNTY ET AL. *v.* BERNARDIN, RECEIVER. April 8, 1935. The motion of the State of Wyoming for leave to intervene in this case is granted. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Mahlon E. Wilson* for petitioners. *Messrs. William E. Mullen, Bruce Johnstone, Guy M. Peters,* and *Arthur B. Schaffner* for respondent. Reported below: 74 F. (2d) 809.

No. 741. BARBOUR COAL CO. *v.* COMMISSIONER OF INTERNAL REVENUE. April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Addison S. Pratt* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman,* and *Messrs. James W. Morris* and *W. F. Wattles* for respondent. Reported below: 74 F. (2d) 163.

No. 743. *FARMERS PEANUT CO. v. MONARCH REFRIGERATING Co.* April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. W. D. Pruden and P. W. McMullan* for petitioner. *Mr. F. S. Spruill* for respondent. Reported below: 74 F. (2d) 790.

No. 744. *BLUM v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*;

No. 745. *ALSTRIN v. SAME*;

No. 746. *BENJAMIN F. STEIN v. SAME*; and

No. 747. *L. MONTEFIORE STEIN v. SAME.* April 8, 1935. Petition for writs of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. S. Sidney Stein and Preston B. Kavanagh* for petitioners. *Solicitor General Biggs, Assistant Attorney General Wideman*, and *Messrs. James W. Morris, Lucius A. Buck, and J. P. Jackson* for respondent. Reported below: 64 App. D. C. 78; 74 F. (2d) 482.

No. 748. *WAMPLER v. HILL, WARDEN.* April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Wm. E. Leahy and Wm. J. Hughes, Jr.*, for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman*, and *Messrs. James W. Morris, John H. McEvers, and Earl C. Crouter* for respondent. Reported below: 74 F. (2d) 940.

No. 749. *DWIGHT BROS. PAPER CO. ET AL. v. GRIGSBY-GRUNOW Co.* April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Julius Moses* for petitioners. *Mr. Isaac B. Lipson* for respondent. Reported below: 74 F. (2d) 7.

295 U.S.

Decisions Denying Certiorari.

No. 750. *LOCKE v. UNITED STATES*. April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. F. W. Fischer* for petitioner. *Solicitor General Reed*, *Assistant Attorney General Stephens*, and *Mr. Carl F. McFarland* for the United States. Reported below: 75 F. (2d) 157.

No. 752. *UNITED STATES EX REL. CHERAMIE v. FREUDENSTEIN, U. S. MARSHAL*. April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Hugh M. Wilkinson* and *John W. Harrell* for petitioner. *Solicitor General Biggs* and *Mr. Amos W. W. Woodcock* for respondent. Reported below: 74 F. (2d) 740.

No. 753. *TANNER ET AL. v. JOHN HANCOCK MUTUAL LIFE INSURANCE Co.* April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. L. E. Heath* for petitioners. *Mr. B. G. O'Berry, Jr.*, for respondent. Reported below: 73 F. (2d) 382.

No. 755. *COMMERCIAL CASUALTY INSURANCE Co. ET AL. v. HOAGE, DEPUTY COMMISSIONER, ET AL.* April 8, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Stanley H. Fischer, Frank H. Myers*, and *Norman Fischer* for petitioners. *Mr. Crandal Mackey* for respondents. Reported below: 64 App. D. C. 158; 75 F. (2d) 677.

No. 762. *CAIGAN ET AL. v. PLIBRICO JOINTLESS FIRE-BRICK Co.* April 8, 1935. Petition for writ of certiorari

to the Circuit Court of Appeals for the First Circuit denied. *Mr. Israel Caigan* for petitioners. *Mr. John M. Raymond* for respondent. Reported below: 74 F. (2d) 316.

No. 763. *CAIGAN ET AL. v. PLIBRICO JOINTLESS FIRE-BRICK Co.* April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Israel Caigan* for petitioners. *Mr. John M. Raymond* for respondent. Reported below: 74 F. (2d) 316.

No. 769. *FENSKE BROS., INC. ET AL. v. UPHOLSTERERS INTERNATIONAL UNION OF NORTH AMERICA, LOCAL No. 18.* April 8, 1935. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Messrs. David Silbert and Lewis F. Jacobson* for petitioners. No appearance for respondent. Reported below: 358 Ill. 239; 193 N. E. 112.

No. 779. *OHIO CASUALTY INSURANCE Co. v. WELFARE FINANCE Co.* April 8, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. James R. Claiborne* for petitioner. *Messrs. Jacob Chasnoff, George C. Willson, and Hugo Monnig* for respondent. Reported below: 75 F. (2d) 58.

No. 840. *WASHINGTON TIMES Co. v. MEYER.* April 8, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Wilton J. Lambert, R. H. Yeatman, Elisha Hanson, and Eliot C. Lovett* for petitioner. No appearance

295 U. S.

Decisions Denying Certiorari.

for respondent. Reported below: 64 App. D. C. 218; 76 F. (2d) 988.

No. 839. GRANT ET UX. *v.* UNITED STATES. April 15, 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. Ben H. Powell* for petitioners. No appearance for the United States. Reported below: 74 F. (2d) 302.

No. 849. SAXON, ANCILLARY ADMINISTRATOR, *v.* ATCHISON, TOPEKA & SANTA FE RY. Co. April 15, 1935. Petition for writ of certiorari to the Court of Civil Appeals, 8th Supreme Judicial District, of Texas, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Winbourn Pearce* for petitioner. No appearance for respondent. Reported below: 72 S. W. (2d) 327.

No. 722. SIMPSON ET AL. *v.* FAUQUIER NATIONAL BANK ET AL. April 15, 1935. Petition for writ of certiorari to the Circuit Court of Fauquier County, Virginia, denied. *Messrs. E. E. Johnson* and *Burnett Miller* for petitioners. *Messrs. Walter B. Guy, Frederic B. Warder, and Louis H. Mann, and Mrs. Burnita Shelton Matthews*, for respondents. Reported below: 162 Va. 621; 175 S. E. 320.

No. 756. ACKERMANN, RECEIVER, *v.* GARY STATE BANK. April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. George P. Barse, George B. Springston, F. G. Awalt, and J. F. Anderson* for petitioner. *Mr. Kemper K. Knapp* for respondent. Reported below: 76 F. (2d) 833.

No. 757. *BONNER v. UNITED STATES*;

No. 758. *CUNNINGHAM v. SAME*; and

No. 759. *MORROW v. SAME*. April 15, 1935. Petitions for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. D. A. McAskill* for Bonner. *Mr. Augustus McCloskey* for Cunningham. *Mr. Harold J. Bandy* for Morrow. *Solicitor General Reed* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for the United States. Reported below: 74 F. (2d) 652.

No. 760. *YOKOHAMA SPECIE BANK ET AL. v. MITSUI & Co., LTD.* April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Forrest E. Single* for petitioners. *Mr. Roscoe H. Hupper* for respondent. Reported below: 73 F. (2d) 526.

No. 761. *BRITISH EMPIRE STEAM NAVIGATION Co., LTD. v. ELTING, COLLECTOR OF CUSTOMS.* April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Delbert M. Tibbetts* and *Richard L. Sullivan* for petitioner. *Solicitor General Biggs*, *Assistant Attorney General Sweeney*, and *Mr. M. Leo Looney, Jr.*, for respondent. Reported below: 74 F. (2d) 204.

No. 764. *SEVALD, ADMINISTRATRIX, v. UNITED STATES.* April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Dominic P. Sevald* for petitioner. *Solicitor General Biggs* and *Messrs. Will G. Beardslee, John MacC. Hudson*, and *Randolph C. Shaw* for the United States. Reported below: 73 F. (2d) 860.

295 U.S.

Decisions Denying Certiorari.

No. 765. *ROTH v. BALDWIN, RECEIVER*. April 15, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Alvin L. Newmyer and David G. Bress* for petitioner. *Messrs. Swagar Sherley, Frederick DeC. Faust, and Charles F. Wilson* for respondent. Reported below: 64 App. D. C. 90; 74 F. (2d) 1003.

No. 768. *KESSLER v. BECK ET AL., RECEIVERS*. April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. H. F. Stambaugh* for petitioner. *Messrs. W. Walter Braham, J. Campbell Brandon, Lee C. McCandless, James E. Marshall, and Zeno F. Henninger* for respondents. Reported below: 74 F. (2d) 1016.

No. 771. *CHANDLER, SPECIAL ADMINISTRATOR, v. McCUEN*; and

No. 772. *SAME v. KENNEDY*. April 15, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. R. C. Fulbright* for petitioner. *Solicitor General Biggs, Assistant Attorney General Wideman, and Messrs. John MacC. Hudson and James W. Morris* for respondents. Reported below: 73 F. (2d) 417.

No. 775. *CURTIS, ADMINISTRATRIX v. CAMPBELL, ADMINISTRATOR*. April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Thomas J. Clary* for petitioner. *Messrs. Dwight E. Rorer and Chester N. Farr, Jr.,* for respondent. Reported below: 76 F. (2d) 84.

No. 776. *BENITO TAN CHAT ET AL. v. ILOILO*. April 15, 1935. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied. *Messrs. Clyde Alton Dewitt and Eugene Arthur Perkins* for petitioners. *Messrs. Fred W. Llewellyn and Arthur W. Brown* for respondent.

No. 780. *CHICAGO & NORTH WESTERN RAILWAY CO. v. STEPHENS NATIONAL BANK OF FREMONT*. April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Wymer Dressler, Robert D. Neely, Samuel H. Cady, and William T. Faricy* for petitioner. No appearance for respondent. Reported below: 75 F. (2d) 398.

No. 782. *ROBBINS v. UNIVERSITY OF SOUTHERN CALIFORNIA*. April 15, 1935. Petition for writ of certiorari to the District Court of Appeal, 2nd Appellate District, of California, denied. *Mr. W. G. McAdoo* for petitioner. *Mr. A. J. Hill* for respondent. Reported below: 1 Cal. App. (2d) 523; 37 P. (2d) 163.

No. 792. *IRVING MILLEN v. CAPEN, SHERIFF*; and

No. 793. *MURTON MILLEN v. SAME*. April 15, 1935. Petitions for writs of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. George Stanley Harvey* for petitioners. *Mr. Henry P. Fielding* for respondent. Reported below: 74 F. (2d) 342.

No. 808. *BABB, TREASURER, v. LOUISVILLE ET AL.* April 15, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Lisle A. Smith* for petitioner. *Mr. Arthur B. Bensinger* for respondents. Reported below: 75 F. (2d) 162.

295 U.S.

Decisions Denying Certiorari.

No. 774. *DODGE, SPECIAL ADMINISTRATOR, ET AL. v. SCRIPPS, TRUSTEE, ET AL.* April 15, 1935. Petition for writ of certiorari to the Supreme Court of Washington, denied. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Mr. William G. McAdoo* for petitioners. No appearance for respondents. Reported below: 179 Wash. 308; 37 P. (2d) 896.

No. 766. *HIRSCH ET AL. v. UNITED STATES.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. David P. Siegel, Wm. E. Leahy, and Wm. J. Hughes, Jr.,* for petitioners. *Solicitor General Reed* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 74 F. (2d) 215.

No. 770. *YGLESIAS & CO., INC. v. ENEGLOTARIA MEDICINE Co., INC.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Ben A. Matthews* for petitioner. *Messrs. Henri Brown and Martin Travieso* for respondent. Reported below: 74 F. (2d) 635.

No. 778. *SANDERS ET AL. v. HALLET AL.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Finis E. Riddle* for petitioners. *Mr. Willard Brooks* for respondents. Reported below: 74 F. (2d) 399.

No. 785. *GORMAN ET AL., EXECUTORS, ET AL. v. SHAFER OIL & REFINING Co. ET AL.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for

the Tenth Circuit denied. *Mr. Wesley E. Disney* for petitioners. No appearance for respondents. Reported below: 74 F. (2d) 610.

No. 786. *ELIE SHEETZ CANDIES CO. v. O'CONNELL, RECEIVER, ET AL.* April 29, 1935. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Harry C. Barnes* for petitioner. *Mr. Henry O. Nickel* for respondents. Reported below: 358 Ill. 290; 193 N. E. 186.

No. 794. *ELLIOTT v. UNITED STATES.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Wm. Wolff Smith* for petitioner. *Solicitor General Reed* and *Messrs. Will G. Beardslee* and *Wilbur C. Pickett* for the United States. Reported below: 73 F. (2d) 374.

No. 798. *HOWARD ET AL. v. UNITED STATES.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. William F. Waugh* for petitioners. *Solicitor General Reed* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for the United States. Reported below: 75 F. (2d) 562.

No. 800. *BURKE-DIVIDE OIL CO. v. NEAL.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Henry M. Ward* and *John T. Beasley* for petitioner. *Solicitor General Reed*, *Assistant Attorney General Wideman*, and *Mr. James W. Morris* for respondent. Reported below: 73 F. (2d) 857.

No. 801. *AMERICAN SURETY Co. v. STANDARD ASPHALT Co., Inc.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. O. O. McCollum and Charles Cook Howell* for petitioner. *Mr. H. L. Anderson* for respondent. Reported below: 75 F. (2d) 1.

No. 803. *FEDERAL CRUDE OIL Co. v. YOUNT-LEE OIL Co. ET AL.* April 29, 1935. Petition for writ of certiorari to the Court of Civil Appeals, 9th Supreme Judicial District, of Texas, denied. *Messrs. W. D. Gordon and Nelson Phillips* for petitioner. *Messrs. R. L. Batts, Will E. Orgain, and Beeman Strong* for respondents. Reported below: 73 S. W. (2d) 969.

No. 814. *ILLINOIS STOKER Co. v. K-B PULVERIZER CORP.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Henry Davis and A. M. FitzGerald* for petitioner. *Mr. Walter J. Rosston* for respondent. Reported below: 74 F. (2d) 824.

No. 657. *DAOS ET AL. v. PHILIPPINE ISLANDS.* April 29, 1935. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied. *Messrs. Silverio Daos and Carol King* for petitioners. *Messrs. Fred W. Llewellyn and Arthur W. Brown* for respondent.

No. 740. *ONEIDA COMMUNITY, LTD. v. INTERNATIONAL SILVER Co.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Harry D. Nims and Minturn*

deS. Verdi for petitioner. *Messrs. John P. Bartlett, Richard Eyre, Edward S. Rogers, and Ralph L. Scott* for respondent. Reported below: 73 F. (2d) 69.

No. 818. *INTERNATIONAL SILVER CO. v. ONEIDA COMMUNITY, LTD.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Richard Eyre, John P. Bartlett, Edward S. Rogers, and Ralph L. Scott* for petitioner. *Messrs. Harry D. Nims and Minturn deS. Verdi* for respondent. Reported below: 73 F. (2d) 69.

No. 791. *GUEST v. UNITED STATES.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Wm. E. Leahy and Wm. J. Hughes, Jr.,* for petitioner. *Solicitor General Reed,* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 74 F. (2d) 730.

No. 795. *UTAH COPPER CO. v. STEPHEN HAYS ESTATE, INC. ET AL.* April 29, 1935. Petition for writ of certiorari to the Supreme Court of Utah denied. *Messrs. A. C. Ellis, Jr., and C. C. Parsons* for petitioner. *Messrs. Carl A. Badger and H. Arnold Rich* for respondents. Reported below: 83 Utah 545; 31 P. (2d) 624.

No. 796. *CORNELL ET AL. v. SEELEY ET AL.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. W. A. Keeling* for petitioners. *Mr. T. R. Boone* for respondents. Reported below: 74 F. (2d) 353.

295 U. S.

Decisions Denying Certiorari.

No. 799. CLEVELAND & PITTSBURGH RAILROAD Co. ET AL. v. PITTSBURGH COAL Co. April 29, 1935. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Messrs. Frederic D. McKenney, John Spalding Flannery, and G. Bowdoin Craighill* for petitioners. *Messrs. Harold F. Reed, Don Rose, and John B. Eichenauer* for respondent. Reported below: 317 Pa. 395; 176 Atl. 7.

No. 804. MORSE v. PENNSYLVANIA RAILROAD Co. April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Clayton R. Lusk* for petitioner. *Messrs. Frederic D. McKenney, John Spalding Flannery, G. Bowdoin Craighill, and Irving B. Diven* for respondent. Reported below: 74 F. (2d) 677.

No. 806. SANTEE RIVER CYPRESS LUMBER Co. v. FORSHUR TIMBER Co. April 29, 1935. Petition for writ of certiorari to the Supreme Court of South Carolina denied. *Mr. Marion W. Seabrook* for petitioner. *Mr. W. C. Wolfe* for respondent. Reported below: 178 S. E. 329.

No. 807. SQUIRE, SUPERINTENDENT OF BANKS OF OHIO v. LLOYDS CASUALTY Co. ET AL. April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. John W. Bricker and J. Roth Crabbe* for petitioner. *Mr. E. E. Stearns* for respondents. Reported below: 75 F. (2d) 295.

No. 810. WOLVERINE PETROLEUM CORP. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE. April 29, 1935.

Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Guy A. Thompson, Samuel A. Mitchell, Frank A. Thompson, and Truman Post Young* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. James W. Morris and Alexander F. Prescott, Jr.,* for respondent. Reported below: 75 F. (2d) 593.

No. 811. *DAVIS v. SCHLENER, RECEIVER.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Manley P. Caldwell* for petitioner. No appearance for respondent. Reported below: 75 F. (2d) 371.

No. 813. *SECOND JUDICIAL COURT OF MONTANA ET AL. v. MONTANA ET AL.* April 29, 1935. Petition for writ of certiorari to the Supreme Court of Montana denied. *Mr. John W. Fisher* for petitioners. *Mr. Samuel T. Bush* for respondents. Reported below: 98 Mont. 278; 41 P. (2d) 26.

No. 815. *TULSA v. SOUTHWESTERN BELL TELEPHONE Co.* April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Neal E. McNeill and Robert L. Davidson* for petitioner. *Messrs. Jacob Reyle Spielman, Arthur J. Biddison, Harry Campbell, and John H. Cantrell* for respondent. Reported below: 75 F. (2d) 343.

No. 821. *W. AMES & Co. v. WALLACE, SECRETARY OF AGRICULTURE, ET AL.* April 29, 1935. Petition for writ of certiorari to the United States Court of Appeals for the

295 U. S.

Decisions Denying Certiorari.

District of Columbia denied. *Messrs. Daniel Thew Wright and R. Robinson Chance* for petitioner. *Solicitor General Reed, Assistant Attorney General Stephens, and Messrs. Carl F. McFarland and Moses S. Huberman* for respondents.

No. 825. *WILEY v. UNITED STATES*. April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Emmett E. Doherty* for petitioner. *Solicitor General Reed* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 75 F. (2d) 1023.

No. 828. *NORFOLK & WASHINGTON STEAMBOAT CO. ET AL. v. UNITED STATES*. April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Edward R. Baird and George M. Lanning* for petitioners. *Solicitor General Reed, Assistant Attorney General Sweeney, and Mr. Paul A. Sweeney* for the United States. Reported below: 74 F. (2d) 977.

No. 829. *McCANNELL v. UNITED STATES*. April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. John Elliott Byrne* for petitioner. *Solicitor General Reed* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 75 F. (2d) 195.

No. 830. *TUCKER v. UNITED STATES*. April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Arthur A. Cocke and Albert L. Wilson* for petitioner. *Solicitor Gen-*

eral Reed and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for the United States. Reported below: 74 F. (2d) 939.

No. 835. *FIDELITY STORAGE CO. ET AL. v. JAKES*. April 29, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Charles H. Merillat* for petitioners. *Messrs. W. W. Millan* and *R. E. L. Smith* for respondent. Reported below: 64 App. D. C. 177; 76 F. (2d) 427.

No. 843. *BLOEDORN v. BLOEDORN*. April 29, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. William C. Sullivan* for petitioner. *Mr. Crandal Mackey* for respondent. Reported below: 64 App. D. C. 199; 76 F. (2d) 812.

No. 863. *POLLAK v. McCULLOCH, RECEIVER*. April 29, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Samuel A. Ettelson* for petitioner. *Messrs. Guy M. Peters* and *James G. Condon* for respondent. Reported below: 74 F. (2d) 779.

No. 802. *UJICH v. COMMISSIONER OF IMMIGRATION*. May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Carol King* and *Isaac Shorr* for petitioner. *Solicitor General Reed* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for respondent. Reported below: 75 F. (2d) 1022.

295 U. S.

Decisions Denying Certiorari.

No. 823. *GUARANTEE TRUST CO. v. COLLINGS ET AL.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Clarence L. Cole* for petitioner. *Mr. Floyd H. Bradley* for respondents. Reported below: 76 F. (2d) 870.

No. 824. *COOLEY v. COMMISSIONER OF INTERNAL REVENUE.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Robert C. Cooley, pro se. Solicitor General Reed, Assistant Attorney General Wideman, and Mr. James W. Morris* for respondent. Reported below: 75 F. (2d) 188.

No. 826. *TIPTON ET AL. v. IRVING TRUST CO., TRUSTEE.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Robert W. Lyons* for petitioners. *Mr. Wm. D. Whitney* for respondent. Reported below: 74 F. (2d) 45.

No. 856. *JACKSON v. IRVING TRUST CO., TRUSTEE.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. C. Dickerman Williams* for petitioner. *Mr. Wm. D. Whitney* for respondent. Reported below: 74 F. (2d) 738.

No. 868. *MINOT ET AL. v. IRVING TRUST CO., TRUSTEE.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. George H. Engelhard and Carl S. Stern* for petitioners. *Mr. Wm. D. Whitney* for respondent. Reported below: 74 F. (2d) 659.

No. 836. FLINT HOSIERY MILLS, INC. *v.* FIREMAN'S FUND INSURANCE Co.; and

No. 837. SAME *v.* HOMELAND INSURANCE Co. May 6, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. C. L. Shuping* for petitioner. *Messrs. Julius C. Smith and Alex. W. Smith, Jr.*, for respondents. Reported below: 74 F. (2d) 533.

No. 838. G. E. PRENTICE MANUFACTURING Co. *v.* HOOKLESS FASTENER Co. May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Drury W. Cooper and Robert Cushman* for petitioner. *Messrs. Charles Neave and Merrell E. Clark* for respondent. Reported below: 75 F. (2d) 264.

No. 845. WELCH ET AL. *v.* BRYAN, RECEIVER, ET AL. May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Tom D. McKeown and Wm. P. Thompson* for petitioners. *Messrs. Grover C. Spillers and Charles L. Yancey* for respondents. Reported below: 74 F. (2d) 964.

No. 851. PATRICK MCGUIRL, INC. *v.* COMMISSIONER OF INTERNAL REVENUE. May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. George E. H. Goodner* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Mr. James W. Morris* for respondent. Reported below: 74 F. (2d) 729.

No. 867. SUDDUTH, ADMINISTRATRIX, *v.* YAZOO & MISSISSIPPI VALLEY RAILWAY Co. May 6, 1935. Petition

295 U.S.

Decisions Denying Certiorari.

for writ of certiorari to the Supreme Court of Mississippi denied. *Mr. Marion W. Reily* for petitioner. *Messrs. H. D. Minor, Charles N. Burch, C. H. McKay, E. C. Craig, R. L. Dent, and A. S. Bozeman* for respondent. Reported below: 171 Miss. 619; 157 So. 527.

No. 875. *HOGAN v. HAMBURG-AMERICAN LINE.* May 6, 1935. Petition for writ of certiorari to the City Court of the City of New York, State of New York, denied. *Mr. Silas B. Axtell* for petitioner. *Mr. Wm. B. Devoe* for respondent. Reported below: 152 Misc. 405; 272 N. Y. S. 690.

No. 878. *SOUTHWESTERN GAS & ELECTRIC Co. v. WILLIAMS.* May 6, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. William H. Arnold and David C. Arnold* for petitioner. *Mr. S. P. Jones* for respondent. Reported below: 76 F. (2d) 49.

No. 927. *SULLIVAN v. CHICAGO & NORTH WESTERN RY. Co.* May 13, 1935. Petition for writ of certiorari to the Supreme Court of Nebraska, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Amos Thomas* for petitioner. No appearance for respondent. Reported below: 128 Neb. 92; 258 N. W. 38.

No. 929. *SOLOMON, ADMINISTRATOR, v. BENJAMIN.* May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Justus Chancellor* for petitioner. No appearance for respondent. Reported below: 75 F. (2d) 564.

No. 842. *SIMMS OIL Co. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. J. Sterling Halstead, Edward Cornell, Harold C. McCollom, and Roger Hinds* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. James W. Morris and Carlton Fox* for respondent. Reported below: 74 F. (2d) 561.

No. 848. *KRETNI DEVELOPMENT Co. v. CONSOLIDATED OIL CORP. ET AL.* May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. N. E. Corthell and A. W. McCollough* for petitioner. *Mr. G. T. Stanford* for respondents. Reported below: 74 F. (2d) 497.

No. 852. *MCDONOUGH ET AL. v. OWL DRUG Co., BANKRUPT, ET AL.* May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Samuel T. Bush and Herbert W. Erskine* for petitioners. *Messrs. John Francis Neylan, Bartley C. Crum, George B. Thatcher, Wm. Woodburn, and Clarence A. Shuey* for respondents. Reported below: 75 F. (2d) 45.

No. 855. *UNITED STATES v. ELLISON, ADMINISTRATRIX.* May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Solicitor General Reed and Messrs. Will G. Beardslee and Wilbur C. Pickett* for the United States. *Mr. Warren E. Miller* for respondent. Reported below: 74 F. (2d) 864.

295 U. S.

Decisions Denying Certiorari.

No. 861. CHEMUNG CANAL TRUST Co. *v.* COMMISSIONER OF INTERNAL REVENUE. May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. William Flannery* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman,* and *Mr. James W. Morris* for respondent. Reported below: 74 F. (2d) 1009.

No. 862. ST. LOUIS SOUTHWESTERN RAILWAY Co. *v.* BOATMEN'S NATIONAL BANK OF ST. LOUIS. May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. A. H. Kiskaddon* for petitioner. *Mr. Charles Claflin Allen, Jr.,* for respondent. Reported below: 75 F. (2d) 494.

No. 874. LYKES BROS. STEAMSHIP Co., INC. *v.* ESTEVES. May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. J. Newton Rayzor* for petitioner. No appearance for respondent. Reported below: 74 F. (2d) 364.

No. 888. BETTER PACKAGES, INC. *v.* L. LINK & Co., INC. ET AL. May 13, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Nelson Littell and Edmund Quincy Moses* for petitioner. *Mr. Frederic P. Warfield* for respondents. Reported below: 74 F. (2d) 679; 75 F. (2d) 1006.

Nos. 920 and 921. LOVELL, EXECUTOR, ET AL. *v.* UNITED MILK PRODUCTS CORP. ET AL. May 13, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for

the Sixth Circuit denied. *Messrs. W. T. Kinder and Clan Crawford* for petitioners. *Messrs. Newton D. Baker and Howard F. Burns* for respondents. Reported below: 75 F. (2d) 923.

No. 841. *BROOKLYN ASH REMOVAL CO., INC. v. UNITED STATES*. May 20, 1935. Petition for writ of certiorari to the Court of Claims denied. *Mr. Frank L. Warfield* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Mr. James W. Morris* for the United States. Reported below: 80 Ct. Cls. 770; 10 F. Supp. 152.

No. 846. *HOGAN, EXECUTRIX v. UNITED STATES ET AL.* May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Harold C. Faulkner* for petitioner. *Solicitor General Reed, Assistant Attorney General Blair, and Messrs. Aubrey Lawrence and Elvon Musick* for respondents. Reported below: 72 F. (2d) 799.

No. 853. *UNITED STATES v. GREAT NORTHERN RAILWAY Co.* May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Solicitor General Reed* for the United States. *Mr. Thomas Balmer* for respondent. Reported below: 73 F. (2d) 736.

No. 860. *HILLSIDE LAND CO. ET AL. v. TOWNSHIP OF NORTH BERGEN*. May 20, 1935. Petition for writ of certiorari to the Court of Errors and Appeals of New Jersey denied. *Mr. Dougal Herr* for petitioners. *Mr. Cyral J. McCauley* for respondent. Reported below: 112 N. J. L. 576, 172 Atl. 585; 114 N. J. L. 156, 176 Atl. 192.

295 U.S.

Decisions Denying Certiorari.

No. 865. *HAMBURG-AMERICAN LINE v. ELTING*, COLLECTOR OF CUSTOMS. May 20, 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 Reed, Assistant Attorney General Sweeney, and Messrs. Paul A. Sweeney and C. Keefe Hurley* for respondent. Reported below: 73 F. (2d) 272; 74 *id.* 209, 747, 1015.

No. 873. *PURITY INVESTMENT CO. v. McLAUGHLIN*, COLLECTOR OF INTERNAL REVENUE. May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Charles C. Sullivan* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. James W. Morris and Alexander F. Prescott, Jr.,* for respondent. Reported below: 75 F. (2d) 30.

No. 881. *ISAACS, TRUSTEE, v. HOBBS TIE & TIMBER CO.* May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. William R. Watkins* for petitioner. *Messrs. John R. Duty, W. N. Ivie, and Claude Duty* for respondent. Reported below: 76 F. (2d) 209.

No. 890. *DANIEL ET AL. v. LAYTON ET AL.* May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. W. S. Oppenheim* for petitioners. *Messrs. Lewis C. Jesseph and Fred P. Carr* for respondents. Reported below: 75 F. (2d) 135.

No. 893. ROYAL UNION LIFE INSURANCE CO. *v.* GROSS ET AL.; and

No. 894. GREAT REPUBLIC LIFE INSURANCE CO. *v.* SAME. May 20, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Guy A. Miller and Hugh W. Darling* for Royal Union Life Insurance Co. *Mr. William E. Allen* for Great Republic Life Insurance Co. *Messrs. Joseph G. Gamble, R. L. Read, and Phineas M. Henry* for respondents. Reported below: 76 F. (2d) 219.

No. 895. STONE *v.* WRIGHT, RECEIVER. May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. J. H. Everest and M. W. McKenzie* for petitioner. No appearance for respondent. Reported below: 75 F. (2d) 457.

No. 896. ATCHISON, TOPEKA & SANTA FE RAILWAY CO. *v.* WETTERER. May 20, 1935. Petition for writ of certiorari to the Appellate Court, First District, of Illinois, denied. *Messrs. Charles H. Woods and Homer W. Davis* for petitioner. *Mr. Richard J. Finn* for respondent. Reported below: 277 Ill. App. 275.

No. 897. SAN ANTONIO ET AL. *v.* SOUTHWESTERN BELL TELEPHONE CO. May 20, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Victor Keller* for petitioners. *Messrs. E. W. Clausen, J. C. Henriques, Nelson Phillips, and Wm. H. Duls* for respondent. Reported below: 75 F. (2d) 880.

295 U. S.

Decisions Denying Certiorari.

No. 974. *ROSENTHAL v. LANGLEY ET AL.* See *ante*, p. 720.

No. 966. *QUEEN v. UNITED STATES.* May 27, 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. Brooks T. Sanders* for petitioner. No appearance for the United States. Reported below: 77 F. (2d) 780.

No. 979. *DEKTOR v. OVERBROOK NATIONAL BANK ET AL.* May 27, 1935. 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. *Messrs. Herman Steerman* and *Isidor Ostroff* for petitioner. No appearance for respondents. Reported below: 77 F. (2d) 491.

No. 980. *TENNESSEE EX REL. FOX v. NEELY, WARDEN.* May 27, 1935. Petition for writ of certiorari to the Supreme Court of Tennessee, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Silas Fox, pro se.* No appearance for respondent.

No. 822. *DUWAMISH TRIBE OF INDIANS ET AL. v. UNITED STATES.* May 27, 1935. Petition for writ of certiorari to the Court of Claims denied. The motion to remand is also denied. *Mr. Arthur E. Griffin* for petitioners. *Solicitor General Reed*, *Assistant Attorney General Blair*, and *Mr. George T. Stormont* for the United States. Reported below: 79 Ct. Cls. 530.

No. 871. *BUSHMAN, ADMINISTRATOR, v. UNITED STATES*. May 27, 1935. Petition for writ of certiorari to the Court of Claims denied. *Messrs. William P. Smith and John C. Evans* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Mr. James W. Morris* for the United States. Reported below: 80 Ct. Cls. 175; 8 F. Supp. 694.

No. 885. *THE MANUEL ARNUS ET AL. v. UNITED STATES*. May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John W. Crandall* for petitioners. *Solicitor General Reed, Assistant Attorney General Sweeney, and Messrs. Paul A. Sweeney, M. Leo Looney, Jr., and W. Marvin Smith* for the United States. Reported below: 75 F. (2d) 943.

No. 889. *WEINBERGER BANANA Co., INC., v. PHOENIX ASSURANCE Co., LTD.* May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Walker B. Spencer* for petitioner. No appearance for respondent. Reported below: 74 F. (2d) 539.

No. 891. *CONTINENTAL BAKING Co. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. May 27, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. J. Nelson Anderson* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. James W. Morris and Alexander F. Prescott, Jr.,* for respondent. Reported below: 64 App. D. C. 112; 75 F. (2d) 243.

295 U. S.

Decisions Denying Certiorari.

No. 900. *SULLIVAN v. UNITED STATES*. May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Irving A. Jennings* for petitioner. *Solicitor General Reed*, *Assistant Attorney General Wideman*, and *Messrs. James W. Morris* and *John H. McEvers* for the United States. Reported below: 75 F. (2d) 622.

No. 904. *SKELLY v. UNITED STATES*; and

No. 905. *BERMAN v. SAME*. May 27, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Mortimer H. Boustelle* and *J. B. Dudley* for petitioners. *Solicitor General Reed* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for the United States. Reported below: 76 F. (2d) 483.

No. 907. *OHIO CASUALTY INSURANCE Co. v. ROSAIA ET AL.* May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Henry Elliott, Jr.*, for petitioner. *Messrs. Elias A. Wright* and *Sam A. Wright* for respondents. Reported below: 74 F. (2d) 522.

No. 908. *KUMAKI KOGA ET AL. v. CARR, DISTRICT DIRECTOR OF IMMIGRATION*. May 27, 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 petitioners. *Solicitor General Reed* and *Messrs. Harry S. Ridgely* and *W. Marvin Smith* for respondent. Reported below: 75 F. (2d) 820.

No. 909. *INTERNATIONAL SHOE CO. v. RUBINS ET AL.* May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Robert G. Dressein* for petitioner. *Mr. A. Martin Curtis* for respondents. Reported below: 74 F. (2d) 432.

No. 912. *DANCIGER OIL & REFINING CO. ET AL. v. BURROUGHS.* May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. George M. Nicholson and Thomas H. Owen* for petitioners. *Mr. Howard B. Hopps* for respondent. Reported below: 75 F. (2d) 855.

No. 913. *WYNEKOOP v. ILLINOIS.* May 27, 1935. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Messrs. Everett Jennings and Edward M. Keating* for petitioner. *Mr. M. S. Winning* for respondent. Reported below: 359 Ill. 124; 194 N. E. 276.

No. 915. *PAPE v. ST. LUCIE INLET DISTRICT & PORT AUTHORITY ET AL.* May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Giles J. Patterson* for petitioner. *Messrs. D. C. Hull, Erskine W. Landis, T. P. Whitehair, and T. T. Oughterson* for respondents. Reported below: 75 F. (2d) 865.

No. 919. *CHICAGO, ROCK ISLAND & GULF RAILWAY Co. v. FREDERICK.* May 27, 1935. Petition for writ of certiorari to the Court of Civil Appeals, 7th Supreme Judicial District, of Texas, denied. *Messrs. Ben H. Stone, M. L. Bell, W. F. Dickinson, J. O. Gulcke, and R. A. Stone* for petitioner. *Mr. Herbert K. Hyde* for respondent. Reported below: 74 S. W. (2d) 275.

295 U. S.

Decisions Denying Certiorari.

No. 932. *RUDO v. A. H. BULL STEAMSHIP CO. ET AL.* May 27, 1935. Petition for writ of certiorari to the Court of Appeals of Maryland denied. *Mr. Sol C. Berenholtz* for petitioner. *Mr. George Forbes* for respondents. Reported below: 168 Md. 281; 177 Atl. 538.

No. 941. *E. R. SQUIBB & SONS v. MALLINCKRODT CHEMICAL WORKS.* May 27, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. William H. Davis and Clarence M. Fisher* for petitioner. *Messrs. Frank Y. Gladney and Lawrence C. Kingsland* for respondent. Reported below: 69 F. (2d) 685.

No. 911. *HARGREAVES v. UNITED STATES.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Wm. H. Neblett* for petitioner. *Solicitor General Reed* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 75 F. (2d) 68.

No. 988. *WILSON ET AL. v. UNITED STATES.* June 3, 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. *Mr. Joseph R. Brown* for petitioners. *Solicitor General Reed* and *Messrs. Mahlon D. Kiefer and W. Marvin Smith* for the United States. Reported below: 77 F. (2d) 236.

No. 996. *MCRAE, ADMINISTRATRIX, v. UNITED STATES.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit, and motion

for leave to proceed further *in forma pauperis*, denied. *Mr. Thomas H. Peebles* for petitioner. No appearance for the United States. Reported below: 77 F. (2d) 88.

No. 943. *NEW YORK CITY v. MURRAY, RECEIVER, ET AL.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Messrs. C. Dickerman Williams* and *Samuel Seabury* for petitioner. *Messrs. Edwin S. S. Sunderland, John W. Davis, Nathan L. Miller, Charles E. Hughes, Jr., and Carl M. Owen* for respondents. Reported below: 76 F. (2d) 1002.

No. 859. *BRAUN ET AL. v. UNITED STATES.* June 3, 1935. Petition for writ of certiorari to the Court of Claims denied. *Mr. Louis O. Bergh* for petitioners. *Solicitor General Reed, Assistant Attorney General Wideman,* and *Mr. James W. Morris* for the United States. Reported below: 80 Ct. Cls. 211; 8 F. Supp. 860.

No. 866. *EVERETT MILLS, INC. v. UNITED STATES.* June 3, 1935. Petition for writ of certiorari to the Court of Claims denied. *Mr. O. Walker Taylor* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman,* and *Mr. Sewall Key* for the United States. Reported below: 80 Ct. Cls. 550; 9 F. Supp. 508.

No. 877. *PRATT & WHITNEY CO. v. UNITED STATES.* June 3, 1935. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Karl D. Loos, Preston B. Kavanagh,* and *Preston C. King, Jr.,* for petitioner. So-

295 U. S.

Decisions Denying Certiorari.

licitor General Reed, Assistant Attorney General Wideman, and Mr. James W. Morris for the United States. Reported below: 80 Ct. Cls. 676; 6 F. Supp. 574; 10 F. Supp. 148.

No. 883. *MADISON v. UNITED STATES*;

No. 884. *STOHL v. SAME*;

No. 892. *FAULKNER ET AL. v. SAME*;

No. 902. *BALDWIN ET AL. v. SAME*;

No. 903. *KELLER ET AL. v. SAME*; and

No. 1022. *GREEN v. SAME*. June 3, 1935. Petitions for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. William W. Ray* for Madison and Stohl. *Mr. Albert R. Barnes* for Faulkner et al. *Mr. J. D. Skeen* for Baldwin et al. *Mr. Harvey H. Cluff* for Keller et al. *Mr. John W. Mahan and Frances C. Elge* for Green. *Solicitor General Reed* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for the United States. Reported below: 72 F. (2d) 810.

No. 887. *UNITED STATES EX REL. TETONIS v. PERKINS, SECRETARY OF LABOR, ET AL.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Ward Bonsall* for petitioner. *Solicitor General Reed* and *Messrs. Harry S. Ridgely and W. Marvin Smith* for respondents. Reported below: 75 F. (2d) 1022.

No. 914. *SECURITY NATIONAL BANK v. NORTH CAROLINA EX REL. STATE HOSPITAL FOR THE INSANE AT RALEIGH.* June 3, 1935. Petition for writ of certiorari to the Supreme Court of North Carolina denied. *Mr. Willis Smith* for petitioner. *Mr. I. M. Bailey* for respondent. Reported below: 207 N. C. 697; 178 S. E. 487.

No. 916. CHICAGO, ROCK ISLAND & GULF RAILWAY CO. ET AL. *v.* TARRANT COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NUMBER ONE. June 3, 1935. Petition for writ of certiorari to the Court of Civil Appeals, 2nd Supreme Judicial District, of Texas, denied. *Messrs. M. L. Bell, Thomas P. Littlepage, Robert Harrison, and W. F. Peter* for petitioners. *Mr. Mark McGee* for respondent. Reported below: 76 S. W. (2d) 147.

No. 924. EARWOOD *v.* UNITED STATES. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Thomas Howell Scott and Wm. T. Townsend* for petitioner. *Solicitor General Reed* and *Messrs. Will G. Beardslee, Randolph C. Shaw, and W. Marvin Smith* for the United States. Reported below: 76 F. (2d) 557.

No. 925. COLLINS *v.* WELSH. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Harry H. Semmes* for petitioner. *Mr. Walter E. Hettman* for respondent. Reported below: 75 F. (2d) 894.

No. 928. DEERING ET AL. *v.* STITES ET AL. June 3, 1935. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. *Mr. Greenberry Simmons* for petitioners. *Messrs. Edward P. Humphrey and Allen P. Dodd* for respondents. Reported below: 257 Ky. 403; 78 S. W. (2d) 46.

No. 930. INDIANS OF CALIFORNIA *v.* UNITED STATES. June 3, 1935. Petition for writ of certiorari to the Court of Claims denied. *Mr. A. K. Shipe* for petitioners. *So-*

295 U. S.

Decisions Denying Certiorari.

*licitor General Reed, Assistant Attorney General Blair, and Messrs. John MacC. Hudson and George T. Stor-
mont for the United States. Reported below: 80 Ct. Cls.
854.*

No. 933. GARDNER-DENVER Co. v. COMMISSIONER OF INTERNAL REVENUE. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Robert Ash* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. James W. Morris and Morton K. Rothschild* for respondent. Reported below: 75 F. (2d) 38.

No. 935. ROBERTSON v. COMMISSIONER OF INTERNAL REVENUE; and

No. 936. BROUSE ET AL. v. SAME. June 3, 1935. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Ashley M. Van Duzer and Robert W. Wales* for petitioners. *Solicitor General Reed, Assistant Attorney General Wideman, Mr. Sewall Key, and Miss Helen R. Carloss* for respondent. Reported below: 75 F. (2d) 540.

No. 942. UNITED STATES v. SELLERS. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Solicitor General Reed and Messrs. Will G. Beardslee and Wilbur C. Pickett* for the United States. *Messrs. Stokes V. Robertson and Warren E. Miller* for respondent. Reported below: 75 F. (2d) 623.

No. 946. VARNELL v. COMMISSIONER OF INTERNAL REVENUE. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit

denied. *Messrs. W. T. Kennerly and Clyde W. Key* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. Sewall Key and Lucius A. Buck* for respondent.

No. 947. *JASPER COUNTY LUMBER CO. v. McNEILL*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Will E. Orgain* for petitioner. *Mr. M. G. Adams* for respondent. Reported below: 76 F. (2d) 207.

No. 948. *OCEAN ACCIDENT & GUARANTEE CORP. v. J. L. BRANDEIS & SONS*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Dana B. Van Dusen* for petitioner. No appearance for respondents. Reported below: 75 F. (2d) 605.

No. 949. *STATE PLANTERS BANK & TRUST CO. ET AL. v. FIRST NATIONAL BANK OF VICTORIA*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. George E. Allen and A. S. Buford, Jr.*, for petitioners. *Mr. John S. Eggleston* for respondent. Reported below: 76 F. (2d) 527.

No. 957. *MODJESKI v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John W. Townsend* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. Sewall Key and M. H. Eustace* for respondent. Reported below: 75 F. (2d) 468.

No. 959. *WANLESS IRON CO. v. COMMISSIONER OF INTERNAL REVENUE*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. A. L. Agatin* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, Mr. J. Louis Monarch, and Miss Louise Foster* for respondent. Reported below: 75 F. (2d) 779.

No. 962. *MILLEN ET AL. v. MASSACHUSETTS*; and

No. 963. *FABER v. SAME*. June 3, 1935. Petitions for writs of certiorari to the Superior Court in and for the County of Norfolk, Massachusetts, denied. *Mr. George Stanley Harvey* for Millen et al. *Mr. Maurice Palais* for Faber. *Mr. Henry P. Fielding* for respondent. Reported below: 194 N. E. 463; 195 N. E. 541.

No. 968. *ATLANTIC COAST LINE RAILROAD CO. v. CLAUGHTON*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. W. E. Kay* for petitioner. *Mr. Donald C. McMullen* for respondent. Reported below: 75 F. (2d) 626.

No. 969. *LELY v. KALINOGLU*. June 3, 1935. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. George C. Vournas, Hugh Reid, and W. Cameron Burton* for petitioner. *Mr. George C. Gertman* for respondent. Reported below: 64 App. D. C. 213; 76 F. (2d) 983.

No. 1002. *WHEELER v. UNITED STATES*. June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Lin William Price* for petitioner. No appearance for the United States. Reported below: 77 F. (2d) 216.

No. 940. *EZRA v. LAMONT ET AL.* June 3, 1935. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. Robert F. Greacen* for petitioner. *Mr. Jerome S. Hess* for respondents. Reported below: 241 App. Div. 805; 271 N. Y. S. 951.

No. 950. *KELLY v. UNITED STATES.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Walter P. Luck* for petitioner. *Solicitor General Reed* and *Mr. Amos W. W. Woodcock* for the United States. Reported below: 75 F. (2d) 1015.

No. 978. *ESLICK v. UNITED STATES.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Lee Douglas* for petitioner. *Solicitor General Reed* and *Mr. Amos W. W. Woodcock* for the United States. Reported below: 76 F. (2d) 706.

No. 967. *CENTURY ELECTRIC CO. v. UNITED STATES.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Chester A. Bennett* and *Roy M. Eilers* for petitioner. *Solicitor General Reed*, *Assistant Attorney General Wideman*, and *Messrs. James W. Morris* and *Alexander F. Prescott, Jr.*, for the United States. Reported below: 75 F. (2d) 589.

No. 975. *BALLOU ET AL. v. DAVIS, RECEIVER, ET AL.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr.*

295 U. S.

Petitions for Rehearing.

Bernhardt Frank for petitioners. *Messrs. Lewis C. Jeseph and Fred P. Carr* for respondents. Reported below: 75 F. (2d) 138.

No. 987. *TEXAS & PACIFIC RAILWAY CO. ET AL. v. LOUISIANA OIL REFINING CORP. ET AL.* June 3, 1935. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Robert Wilkins Thompson, T. D. Gresham, J. H. Tallichet, C. M. Spence, G. B. Ross, and C. Huffman Lewis* for petitioners. No appearance for respondents. Reported below: 76 F. (2d) 465.

PETITIONS FOR REHEARING, FROM APRIL 2,
1935, TO AND INCLUDING JUNE 3, 1935.

No. 541. *DOUGLAS v. WILL CUTS, COLLECTOR.* *Ante*, p. 722. April 8, 1935. Petition for rehearing granted.

No. —, original. *EX PARTE PORESKEY.* 294 U. S. 697. April 8, 1935. Petition for rehearing denied.

No. 383. *SWINSON v. CHICAGO, ST. PAUL, MINNEAPOLIS & OMAHA RY. CO.* 294 U. S. 529. April 8, 1935. Petition for rehearing denied.

No. 733. *PRICE v. UNITED STATES.* 294 U. S. 720. April 8, 1935. Petition for rehearing denied.

No. 20. *METROPOLITAN CASUALTY INSURANCE CO. v. BROWNELL, RECEIVER.* 294 U. S. 580. April 15, 1935. Petition for rehearing denied.