

Cases Disposed of Without Consideration by the Court. 296 U. S.

of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Melvin D. Wilson, Robert N. Miller, and Donald V. Hunter* for petitioner. *Solicitor General Reed, Assistant Attorney General Wideman, and Messrs. Sewall Key, John MacC. Hudson, John G. Remey, and Charles E. Wyzanski, Jr.,* for respondent. Reported below: 77 F. (2d) 728.

No. 620. *MULLONEY v. UNITED STATES.* January 6, 1936. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Romney Spring* for petitioner. *Solicitor General Reed, Assistant Attorney General Keenan, and Mr. W. Marvin Smith* for the United States. Reported below: 79 F. (2d) 566.

No. 631. *RAILWAY ENGINEERING EQUIPMENT CO. ET AL. v. OREGON SHORT LINE R. Co.* January 6, 1936. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Wallace R. Lane, Hervey S. Knight, and Ralph M. Snyder* for petitioners. *Mr. L. B. Mann* for respondent. Reported below: 79 F. (2d) 469.

CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, FROM OCTOBER 7, 1935, TO AND INCLUDING JANUARY 6, 1936.

No. 19. *URBAN PROPERTIES CO. v. IRVING TRUST CO., TRUSTEE IN BANKRUPTCY.* On writ of certiorari to the Circuit Court of Appeals for the Second Circuit. October 7, 1935. Dismissed on motion of *Mr. Arthur F. Gotthold* for petitioner. *Mr. Wm. D. Whitney* for respondent. Reported below: 74 F. (2d) 654.

No. 385. *KANSAS UTILITIES CO. v. BURLINGTON ET AL.* On petition for writ of certiorari to the Supreme Court

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of Kansas. October 7, 1935. Dismissed on motion of *Mr. Robert Stone* for petitioner. *Mr. John G. Egan* for respondents. Reported below: 141 Kan. 926; 44 P. (2d) 223.

No. 18. NATURAL GAS COMPANY OF WEST VIRGINIA *v.* PUBLIC SERVICE COMMISSION ET AL. On appeal from the Supreme Court of Appeals of West Virginia. October 14, 1935. *Per Curiam*: Pursuant to the joint motion of counsel it is ordered that the injunction granted herein on April 1, 1935, be, and it hereby is, dissolved; that the bond filed pursuant to the order of this Court of April 1, 1935, be, and it hereby is, discharged; and that the appeal herein be, and it hereby is, dismissed. *Messrs. David E. Mitchell, Donald O. Blagg, Frederick H. Wood, Harold A. Ritz, and H. D. Rummel* for appellant. *Mr. Homer A. Holt*, Attorney General of West Virginia, for appellees. Reported below: 115 W. Va. 149; 175 S. E. 339.

No. 5. PAYNE *v.* UNITED STATES. On writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit. October 14, 1935. Dismissed per stipulation of counsel. *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.

No. 220. C. F. SMITH CO. ET AL. *v.* ATWOOD, SECRETARY OF STATE, ET AL. Appeal from the Supreme Court of Michigan. October 14, 1935. Dismissed with costs, per stipulation of counsel. *Messrs. Robert S. Marx and Abraham J. Levin* for appellants. *Mr. Harry S. Toy*, Attorney General of Michigan, and *Mr. James W. Williams*, Assistant Attorney General, for appellees. Reported below: 270 Mich. 659; 259 N. W. 352.

Rehearing Granted.

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No. 2. BAYSIDE FISH FLOUR CO. *v.* GENTRY ET AL. Appeal from the District Court of the United States for the Northern District of California. October 14, 1935. Affirmed with costs pursuant to Rule 21 on motion of *Mr. Ralph O. Marron* for the appellees. [Restored to docket, *ante*, p. 547.] Reported below: 8 F. Supp. 67.

No. 341. McNABB ET AL. *v.* CALIFORNIA. On petition for writ of certiorari to the Supreme Court of California. October 28, 1935. Dismissed on motion of *Messrs. Ernest Clewe* and *William L. Southwell* for petitioners. Reported below: 3 Cal. (2d) 441; 45 P. (2d) 334.

No. 84. McKNIGHT *v.* MASSACHUSETTS. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts. November 25, 1935. Dismissed on motion of *Mr. John H. Blanchard* for petitioner. *Mr. Henry P. Fielding* for respondent. Reported below: 289 Mass. 530; 195 N. E. 499.

No. 157. ST. LOUIS CAN CO. *v.* GENERAL AMERICAN LIFE INSURANCE CO. ET AL. On writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit. December 9, 1935. Writ of certiorari dismissed per stipulation of counsel. *Messrs. T. M. Pierce* and *Samuel H. Liberman* for petitioner. *Messrs. Fred L. Williams, Earl F. Nelson, Fred L. English, and Everett Paul Griffin* for respondents. Reported below: 77 F. (2d) 598.

PETITIONS FOR REHEARING GRANTED, FROM
OCTOBER 7, 1935, TO AND INCLUDING JAN-
UARY 6, 1936.

No. 388. TRIPLETT ET AL. *v.* LOWELL. December 9, 1935. See *ante*, p. 570.