

for the Second Circuit denied. *Mr. Benjamin Schenker* for petitioner. *Mr. Neil P. Cullom* for respondent. Reported below: 94 F. 2d 855.

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No. 1061. *MELLON v. UNITED STATES*. May 31, 1938. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Wm. Matthews* for petitioner. No appearance for the United States. Reported below: 96 F. 2d 462.

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CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, FROM APRIL 12, 1938, THROUGH MAY 31, 1938.

No. 814. *VALLI ET AL. v. UNITED STATES*. Certiorari to the Circuit Court of Appeals for the First Circuit. May 31, 1938. Dismissed on motion of counsel for the petitioners. *Mr. Essex S. Abbott* for petitioners. *Solicitor General Jackson, Assistant Attorney General McMahon, and Messrs. William W. Barron, and W. Marvin Smith* for the United States. Reported below: 94 F. 2d 687.

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PETITIONS FOR REHEARING GRANTED, FROM APRIL 12, 1938, THROUGH MAY 31, 1938.

Nos. 396 and 1053. *KELLOGG Co. v. NATIONAL BISCUIT COMPANY*. May 31, 1938. The motion for leave to file a second petition for rehearing is granted. The second petition for rehearing is granted. The order denying a writ of certiorari is vacated and the petition for writ of certiorari seeking review of the judgment of the Circuit Court of Appeals entered on April 12, 1937, is granted. The petition for writ of certiorari seeking review of the order recalling and clarifying the mandate of the Circuit Court of Appeals is also granted. Further proceedings in the United States District Court for the District of Dela-