

Rehearing Granted.

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No. 1019. MERCANTILE-COMMERCE BANK & TRUST CO. ET AL. *v.* HELVERING, COMMISSIONER OF INTERNAL REVENUE. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Blatchford Downing* for petitioners. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, L. W. Post, and Thomas E. Harris* for respondent. Reported below: 111 F. 2d 224.

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No. 1057. ZISKIN *v.* UNITED STATES. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Max Ziskin, pro se.* Reported below: 111 F. 2d 649.

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CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, FROM APRIL 23, 1940, THROUGH JUNE 3, 1940.

No. 839. TRINITY UNIVERSAL INSURANCE CO. *v.* CUNNINGHAM, EXECUTRIX, ET AL. On petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit. May 20, 1940. Dismissed on motion of counsel for the petitioner. *Mr. Hobert Price* for petitioner. *Mr. Mont. T. Prewitt* for respondents. Reported below: 107 F. 2d 857.

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PETITIONS FOR REHEARING GRANTED, FROM APRIL 23, 1940, THROUGH JUNE 3, 1940.

No. 417. NEW WORLD LIFE INSURANCE CO. *v.* UNITED STATES. May 20, 1940. The petition for rehearing is granted, and the order denying certiorari, entered November 22, 1939, 308 U. S. 612, is vacated. The petition for writ of certiorari to the Court of Claims is granted, lim-

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Rehearing Granted.

ited to the second question presented thereby. *Mr. Walter E. Barton* for petitioner.

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No. 707. *REPUBLIC STEEL CORP. v. NATIONAL LABOR RELATIONS BOARD ET AL.* May 20, 1940. The motion for leave to file a petition for rehearing is granted, and the petition for rehearing is also granted. The order denying certiorari, dated April 8, 1940, 309 U. S. 684, is vacated. The petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit is granted, limited to the fourth question therein presented, which relates to the work relief provisions of the decree below: provided that this order shall not operate to suspend the remaining provisions of the decree. *Messrs. Luther Day, Thomas F. Patton, Joseph W. Henderson, and Mortimor S. Gordon* for petitioner. *Solicitor General Biddle* and *Messrs. Charles Fahy, Robert B. Watts, Laurence A. Knapp, and Mortimer B. Wolf, and Ruth Weyand* for respondents. *Messrs. Lee Pressman, Joseph Kovner and Anthony Wayne Smith* for Steel Workers Organizing Committee, respondents.

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No. 548. *NEUBERGER v. COMMISSIONER OF INTERNAL REVENUE.* May 27, 1940. The petition for rehearing is granted, and the order denying certiorari, entered January 2, 1940, 308 U. S. 623, is vacated. The petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit is granted, limited to the second and third questions thereby presented. *Messrs. Joseph M. Proskauer and Wilbur H. Friedman* for petitioner.

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No. 353. *MILK WAGON DRIVERS UNION OF CHICAGO, LOCAL 753, ET AL. v. MEADOWMOOR DAIRIES, INC.* June 3, 1940. Motion for leave to file a second petition for re-

Rehearing Denied.

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hearing granted. The motion papers are treated as a petition for rehearing, and rehearing is granted. The order of October 23, 1939, denying certiorari, 308 U. S. 596, is vacated. The petition for certiorari to the Supreme Court of Illinois is granted. *Messrs. Joseph Padway and Abraham W. Brussell* for petitioners. *Messrs. Donald N. Schaffer and Edward M. Keating* for respondent.

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PETITIONS FOR REHEARING DENIED, FROM  
APRIL 23, 1940, THROUGH JUNE 3, 1940.

No. 712. *BANNER MACHINE CO. v. RUTZAHN, COLLECTOR OF INTERNAL REVENUE.* April 29, 1940. 309 U. S. 676.

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No. 785. *LOWMAN v. FEDERAL LAND BANK OF LOUISVILLE ET AL.* April 29, 1940. 309 U. S. 680; see also *ante*, p. 616.

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No. 823. *A. M. KLEMM & SON v. CITY OF WINTER HAVEN ET AL.* April 29, 1940. 309 U. S. 638.

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No. 773. *McCANN v. NEW YORK STOCK EXCHANGE ET AL.* May 6, 1940. 309 U. S. 684.

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No. 10, Original, October Term, 1935. *WYOMING v. COLORADO.* May 20, 1940. 309 U. S. 572.

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No. 542. *CITY OF YONKERS v. DOWNEY, RECEIVER;*  
Nos. 543 and 544. *CONDON, MAYOR, ET AL. v. SAME.*  
May 20, 1940. 309 U. S. 590.