

DECISIONS DENYING CERTIORARI, FROM  
APRIL 23, 1940, THROUGH JUNE 3, 1940.

No. 854. *MOON v. UNION CENTRAL LIFE INSURANCE Co. ET AL.* April 29, 1940. 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. Samuel E. Cook* for petitioner. *Messrs. Arthur S. Lytton and Virgil D. Parish* for respondents. Reported below: 107 F. 2d 545.

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No. 880. *HARPIN v. JOHNSTON, WARDEN.* April 29, 1940. 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. *Harold Harpin, pro se.* Reported below: 109 F. 2d 434.

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No. 916. *ROBERTSON ET AL. v. CHRONISTER ET AL.* April 29, 1940. Petition for writ of certiorari to the Supreme Court of Arkansas, and motion for leave to proceed further *in forma pauperis*, denied. *Dora Robertson, pro se.* Reported below: 199 Ark. 373.

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No. 805. *TOWNSHIP OF SOUTH HACKENSACK v. FEDERAL DEPOSIT INSURANCE CORP.* April 29, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Harry Lane* for petitioner. *Attorney General Jackson and Messrs. Warner W. Gardner, L. E. Birdzell, James M. Kane, and James D. Carpenter* for respondent. Reported below: 109 F. 2d 327.

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No. 808. *BAXTER v. EMORY UNIVERSITY ET AL.* April 29, 1940. Petition for writ of certiorari to the Circuit

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Court of Appeals for the Fifth Circuit denied. *Mr. Irving K. Baxter* for petitioner. Reported below: 107 F. 2d 115.

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No. 816. CARBON SILK MILL CO. *v.* POWELL ET AL., TRUSTEES OF VERTEX HOSIERY MILLS, INC. April 29, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Michael J. Evansha* for petitioner. *Mr. William E. Mikell, Jr.* for respondents. Reported below: 108 F. 2d 474.

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No. 841. STANDARD OIL Co. *v.* ZANGERLE, AUDITOR, ET AL. April 29, 1940. Petition for writ of certiorari to the Supreme Court of Ohio denied. *Mr. Isador Grossman* for petitioner. *Mr. Frederick W. Green* for respondents. Reported below: 136 Ohio St. 212; 24 N. E. 2d 829.

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No. 856. NORCOR COMPANY *v.* SCHMITT. April 29, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Irving Breakstone* for petitioner. *Mr. Ralph M. Snyder* for respondent. Reported below: 109 F. 2d 407.

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No. 857. AMERICAN LIFE INSURANCE Co. *v.* HUTCHESON. April 29, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. J. F. Finlay* for petitioner. *Mr. Chas. C. Moore* for respondent. Reported below: 109 F. 2d 424.

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No. 885. RAILROAD CREDIT CORP. *v.* SOUTHERN RAILWAY Co. April 29, 1940. Petition for writ of certiorari

to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Palmer Pillans, D. Willard, Jr., Wm. J. Kane, and Alexis T. Gresham* for petitioner. *Messrs. S. R. Prince, Sidney S. Alderman, and Henry L. Walker* for respondent. Reported below: 110 F. 2d 66.

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No. 821. *WRIGHT v. FIRST JOINT STOCK LAND BANK OF FORT WAYNE ET AL.* May 6, 1940. 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. Samuel E. Cook* for petitioner. *Messrs. Clyde J. Cover and John D. Shoaff* for respondents. Reported below: 108 F. 2d 359.

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No. 848. *CROCKETT v. JOHNSTON, WARDEN.* May 6, 1940. 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. *William C. Crockett, pro se.* Reported below: 109 F. 2d 444.

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No. 937. *DEATHERAGE ET AL. v. PLUMMER, WARDEN, ET AL.* May 6, 1940. Petition for writ of certiorari to the Supreme Court of California, and motion for leave to proceed further *in forma pauperis*, denied. *Thaddeus Deatherage and Louis Deatherage, pro se.*

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No. 964. *RHODES v. IOWA.* May 6, 1940. Petition for writ of certiorari to the Supreme Court of Iowa, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. F. E. Northup* for petitioner. Reported below: 227 Iowa 332; 288 N. W. 98.

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No. 871. FISHER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. May 6, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE MURPHY took no part in the consideration and decision of this application. *Mr. Benjamin E. Jaffe* for petitioners. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Arnold Raum and Maurice J. Mahoney* for respondent. Reported below: 108 F. 2d 707.

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No. 882. FRETWELL *v.* GILLETTE SAFETY RAZOR CO. May 6, 1940. The motion to proceed on typewritten papers is granted. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Herbert J. Jacobi* for petitioner. *Mr. Henry R. Ashton* for respondent. Reported below: 106 F. 2d 728.

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No. 817. BRITISH-AMERICAN TOBACCO CO., LTD. *v.* UNITED STATES. May 6, 1940. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Wm. Marshall Bullitt, Joseph M. Hartfield, and Roy H. Callahan* for petitioner. *Solicitor General Biddle, Assistant Attorney General Shea, and Mr. Paul A. Sweeney* for the United States. Reported below: 89 Ct. Cls. 438.

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No. 834. COLORADO SERUM CO. *v.* COMMISSIONER OF INTERNAL REVENUE. May 6, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Robert C. Foulston, George T. Buckingham, Paul E. Shorb, and H. Thomas Austern* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and F. E. Youngman* for respondent. Reported below: 108 F. 2d 843.

No. 850. *SOUTHWESTERN SERUM CO. v. COMMISSIONER OF INTERNAL REVENUE.* May 6, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Robert C. Foulston, George T. Buckingham, Paul E. Shorb, and H. Thomas Austern* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and F. E. Youngman* for respondent. Reported below: 108 F. 2d 843.

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No. 842. *NATIONAL FEDERATION OF RAILWAY WORKERS v. NATIONAL MEDIATION BOARD ET AL.* May 6, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. James A. Cobb and Perry W. Howard* for petitioner. *Solicitor General Biddle, Assistant Attorney General Arnold, and Messrs. Robert L. Stern and Thomas E. Harris* for respondents. Reported below: 110 F. 2d 529.

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No. 849. *HUBBARD v. MATSON NAVIGATION CO. ET AL.* May 6, 1940. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, California, denied. *Mr. George Olshausen* for petitioner. *Messrs. Herman Phleger, Maurice E. Harrison, and Gregory A. Harrison* for respondents. Reported below: 34 Cal. App. 2d 475; 93 P. 2d 846.

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No. 852. *ORENDORF ET AL. v. FAYETTE FARMS, INC. ET AL.* May 6, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Laurence B. Finn* for petitioners. *Mr. Edward L. Bush* for respondents. Reported below: 112 F. 2d 149.

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No. 858. *BARBOUR v. COMMISSIONER OF INTERNAL REVENUE.* May 6, 1940. Petition for writ of certiorari

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to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Prew Savoy* for petitioner. *Attorney General Jackson, Assistant Attorney General Clark, and Messrs. Sewall Key and Arnold Raum* for respondent. Reported below: 110 F. 2d 660.

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No. 859. *REBUHN ET AL. v. UNITED STATES.* May 6, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Arthur Garfield Hays* for petitioners. *Solicitor General Biddle, Assistant Attorney General Rogge, and Messrs. William W. Barron, George F. Kneip, and W. Marvin Smith* for the United States. Reported below: 109 F. 2d 512.

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No. 860. *WILLIAMS, ADMINISTRATOR, v. UNITED STATES.* May 6, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Guy L. Webb* for petitioner. *Solicitor General Biddle and Messrs. Julius C. Martin, Wilbur C. Pickett, Young M. Smith, and W. Marvin Smith* for the United States. Reported below: 108 F. 2d 1023.

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No. 866. *TEXAS NATURAL GAS UTILITIES v. CITY OF EL CAMPO ET AL.* May 6, 1940. Petition for writ of certiorari to the Court of Civil Appeals, 1st Supreme Judicial District, of Texas, denied. *Mr. Irl F. Kennerly* for petitioner. *Mr. Donald M. Duson* for respondents. Reported below: 135 S. W. 2d 133.

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No. 869. *WALTON v. SUTTON & Co., INC.* May 6, 1940. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. *Mr. George W. Reilly* for petitioner. *Messrs. Guy B. Hazelgrove and Ralph T. Catterall* for respondent.

No. 878. METROPOLITAN LIFE INSURANCE Co. v. UNITED STATES. May 6, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Harry Cole Bates* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and Arnold Raum* for the United States. Reported below: 107 F. 2d 311.

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No. 884. GOOD COAL Co. v. NATIONAL LABOR RELATIONS BOARD. May 6, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Cleon K. Calvert* for petitioner. *Solicitor General Biddle and Messrs. Charles Fahy, Robert B. Watts, Laurence A. Knapp, and Owsley Vose* for respondent. Reported below: 110 F. 2d 501.

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No. 727. MORSE v. BRAGG. May 20, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *John H. Morse, pro se.* Reported below: 71 App. D. C. 1; 107 F. 2d 648.

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No. 951. TAGGART v. ABRAHAM ET AL. May 20, 1940. 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. *Grantham I. Taggart, pro se.* Reported below: 107 F. 2d 720.

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No. 970. COOK ET AL. v. ARMOUR & Co. ET AL. May 6, 1940. Petition for writ of certiorari to the Supreme Court of Kansas, and motion for leave to proceed further *in forma pauperis*, denied. *Isaiah Cook and Henrietta*

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*Harold, pro se.* Reported below: 151 Kan. 487; 99 P. 2d 856.

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No. 896. *McCAMPBELL v. WARRICH CORP. ET AL.* May 20, 1940. 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. Lewis H. Barnes* for petitioner. *Messrs. Harold L. Reeve* and *Elmer M. Leesman* for respondents. Reported below: 109 F. 2d 115.

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No. 911. *SPIVEY v. UNITED STATES.* May 20, 1940. 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. G. Ernest Jones* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Rogge*, and *Messrs. William W. Barron* and *Benj. M. Parker* for the United States. Reported below: 109 F. 2d 181.

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No. 952. *MALPUSS v. SANFORD, WARDEN.* May 20, 1940. 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. *Harry B. Malpuss, pro se.* Reported below: 109 F. 2d 1019.

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No. 944. *DISTRICT OF COLUMBIA v. SWEENEY.* May 20, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied in view of the fact that the tax is laid under a statute which has been repealed and the question is therefore not of public importance. *Messrs. Elwood H. Seal*, *Vernon E. West*, and *Glenn Simmon* for petitioner. *Mr. James J. Sweeney, pro se.* Reported below: 113 F. 2d 25.

No. 908. INTERNATIONAL ART CO. ET AL. *v.* FEDERAL TRADE COMMISSION. May 20, 1940. Motion to use the record printed for the Circuit Court of Appeals granted. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Albert H. Fry* for petitioners. *Solicitor General Biddle, Assistant Attorney General Arnold, and Messrs. Charles H. Weston, Richard H. Demuth, and W. T. Kelley* for respondent. Reported below: 109 F. 2d 393.

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No. 833. BROWNSTEIN-LOUIS CO. *v.* UNITED STATES. May 20, 1940. Petition for writ of certiorari to the Court of Claims denied. *Mr. Don Marlin* for petitioner. *Solicitor General Biddle, Assistant Attorney General Shea, and Mr. Paul A. Sweeney* for the United States. Reported below: 90 Ct. Cls. 1.

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No. 835. HARRIS TRUST & SAVINGS BANK ET AL. *v.* UNITED STATES. May 20, 1940. Petition for writ of certiorari to the Court of Claims denied. *Mr. Albert H. Veeder* for petitioners. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and Richard H. Demuth* for the United States. Reported below: 90 Ct. Cls. 17; 29 F. Supp. 876.

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No. 853. NORTH WHITTIER HEIGHTS CITRUS ASSN. *v.* NATIONAL LABOR RELATIONS BOARD. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Ivan G. McDaniel* for petitioner. *Solicitor General Biddle and Messrs. Warner W. Gardner, Charles Fahy, Robert B. Watts, Laurence A. Knapp, and Mortimer B. Wolf*; and

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*Ruth Weyand* for respondent. Reported below: 109 F. 2d 76.

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No. 863. NEW YORK TRUST CO., TRUSTEE, ET AL. *v.* NEW YORK, SUSQUEHANNA & WESTERN RAILROAD CO. ET AL.; and

No. 872. WOODRUFF ET AL., TRUSTEES, *v.* NEW YORK, SUSQUEHANNA & WESTERN RAILROAD CO., DEBTOR, ET AL. May 20, 1940. Petitions for writs of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. J. Harlin O'Connell* for petitioners in No. 863. *Mr. Arthur A. Ballantine* for Commercial Trust Co.; *Mr. John M. Perry* for Central Hanover Bank & Trust Co.; and *Mr. J. H. Harrison* for National State Bank, respondents in No. 863. *Mr. Wm. Clarke Mason* for petitioners in No. 872. *Mr. John M. Perry* for Central Hanover Bank & Trust Co.; and *Mr. J. H. Harrison* for National State Bank,—respondents in No. 872. Reported below: 109 F. 2d 988.

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No. 877. AMERICAN INSURANCE CO. *v.* GENTILE BROS. Co. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Harry L. Thompson* and *J. Tweed McMullen* for petitioner. *Messrs. Hugh Akerman* and *William H. Dial* for respondent. Reported below: 109 F. 2d 732.

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No. 886. MAXWELL ET AL. *v.* TARRANT COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NUMBER ONE. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Clay Cooke, G. R. Lipscomb, George P. Barse, John F. Anderson, Lee Roy Stover,* and *William E. Allen* for

petitioners. *Messrs. Sidney L. Samuels, William R. Watkins, and Mark McGee* for respondent. Reported below: 109 F. 2d 604.

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No. 887. *SHALER COMPANY v. RITE-WAY PRODUCTS, INC. ET AL.* May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. S. L. Wheeler* for petitioner. *Messrs. John B. Snowden, II, and Frank E. Liverance, Jr.* for respondents. Reported below: 107 F. 2d 82.

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No. 890. *BENEDUM-TREES OIL Co. v. DAVIS ET AL.*; and

No. 891. *SAME v. SEDMAN ET AL.* May 20, 1940. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. J. W. Stone and Rufus S. Marriner* for petitioner. *Mr. Joe C. Thomason* for respondents. Reported below: 107 F. 2d 981.

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No. 898. *MARYLAND CASUALTY Co. v. TOWN OF RIVER JUNCTION ET AL.* May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Francis M. Holt and Sam R. Marks* for petitioner. *Messrs. C. L. Waller and Millard Caldwell* for respondents. Reported below: 110 F. 2d 278.

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No. 899. *IRVING LEWIS v. UNITED STATES*; and

No. 900. *ROSE LEWIS v. UNITED STATES.* May 20, 1940. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Julian C. Ryer and Philip Lutz* for petitioners. *Solicitor General Biddle, Assistant Attorney General Rogge, and*

*Messrs. William W. Barron, Fred E. Strine, George F. Kneip, and W. Marvin Smith* for the United States. Reported below: 110 F. 2d 460.

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No. 902. MORPHY, RECEIVER, ET AL. *v.* GRAND INTERNATIONAL BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Edwin W. Lawrence, Hersey Egginton, and George L. Shearer* for petitioners. *Messrs. Harold C. Heiss, William R. McFeeters, and Harold N. McLaughlin* for respondents. Reported below: 109 F. 2d 576.

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No. 903. MORPHY, RECEIVER, ET AL. *v.* BURKE. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Edwin W. Lawrence, Hersey Egginton, and George L. Shearer* for petitioners. *Messrs. Harold C. Heiss, William R. McFeeters, and Harold N. McLaughlin* for respondent. Reported below: 109 F. 2d 572.

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No. 909. BEARD *v.* SANFORD, WARDEN. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. James J. Laughlin and Ellis Klein* for petitioner. *Solicitor General Biddle, Assistant Attorney General Rogge, and Messrs. William W. Barron, George F. Kneip, and W. Marvin Smith* for respondent. Reported below: 110 F. 2d 527.

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No. 933. JEFFERSON STANDARD LIFE INSURANCE CO. *v.* DELONG. May 20, 1940. Petition for writ of cer-

tiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Giles J. Patterson, Julius C. Smith, and C. R. Wharton* for petitioner. *Mr. Charles Cook Howell* for respondent. Reported below: 109 F. 2d 585.

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No. 920. VOLUNTEER STATE LIFE INSURANCE CO. *v.* HELVERING, COMMISSIONER OF INTERNAL REVENUE. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Vaughn Miller and Robert A. Littleton* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, Edward H. Horton, and Thomas E. Harris* for respondent. Reported below: 110 F. 2d 879.

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No. 910. PRENTISS *v.* MUTUAL BENEFIT HEALTH & ACCIDENT ASSOCIATION. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. T. Morton McDonald* for petitioner. *Mr. Edward H. Knight* for respondent. Reported below: 109 F. 2d 1.

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No. 912. CARL *v.* FERRELL. May 20, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Mr. Paul J. Sedgwick* for petitioner. Reported below: 109 F. 2d 351.

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No. 913. CARL *v.* NORRIS. May 20, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Mr. Paul J. Sedgwick* for petitioner. Reported below: 110 F. 2d 266.

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No. 918. COOK *v.* UNITED STATES. May 20, 1940. Petition for writ of certiorari to the Circuit Court of

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Appeals for the Fifth Circuit denied. *Mr. William R. Watkins* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, Maurice J. Mahoney, and Thomas E. Harris* for the United States. Reported below: 108 F. 2d 804.

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No. 919. *DICKINSON ET AL. v. PAYNE.* May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Hans v. Briesen* for petitioners. *Mr. Hugh C. Smith* for respondent. Reported below: 109 F. 2d 52.

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No. 923. *WEIR v. COMMISSIONER OF INTERNAL REVENUE.* May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Earl F. Reed* for petitioner. *Attorney General Jackson, Assistant Attorney General Clark, and Messrs. Sewall Key, Arnold Raum, and S. Dee Hanson* for respondent. Reported below: 109 F. 2d 996.

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No. 924. *LEHMAN ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Edgar J. Bernheimer and Sidney J. Schwartz* for petitioners. *Solicitor General Biddle, Assistant Attorney General Clark, and Mr. Sewall Key* for respondent. Reported below: 109 F. 2d 99.

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No. 925. *SHOOLMAN v. COMMISSIONER OF INTERNAL REVENUE.* May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. David Stoneman* for petitioner. *Solicitor*

*General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and A. F. Prescott* for respondent. Reported below: 108 F. 2d 987.

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No. 927. *WEBB-CRAWFORD CO. ET AL. v. FEDERAL TRADE COMMISSION*. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Max Michael and Edgar Watkins* for petitioners. *Solicitor General Biddle, Assistant Attorney General Arnold, and Messrs. Charles H. Weston and W. T. Kelley* for respondent. Reported below: 109 F. 2d 268.

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No. 928. *BAKEWELL v. UNITED STATES*. May 20, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Eight Circuit denied. *Paul Bakewell, Jr., pro se. Solicitor General Biddle, Assistant Attorney General Shea, and Mr. Harry LeRoy Jones* for the United States. Reported below: 110 F. 2d 564.

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No. 931. *JEFFERS v. ILLINOIS*. May 20, 1940. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. James W. Templeman* for petitioner. *Messrs. John E. Cassidy and Ivan J. Hutchens* for respondent. Reported below: 372 Ill. 590; 25 N. E. 2d 35.

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No. 934. *ERRINGTON v. HUDSPETH, WARDEN*. May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Robert G. Errington, pro se*. Reported below: 110 F. 2d 384.

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No. 935. WILLIAMSON, TRUSTEE, *v.* COLUMBIA GAS & ELECTRIC CORP. May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Mr. Arthur G. Logan* for petitioner. *Messrs. Douglas M. Moffat and Clarence A. Southerland* for respondent. Reported below: 110 F. 2d 15.

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No. 861. R. HOE & CO., INC. ET AL. *v.* WEISS ET AL. May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Samuel E. Darby, Jr., Neil P. Cullom, and James J. Kennedy* for petitioners. *Mr. Thomas G. Haight* for respondents. Reported below: 109 F. 2d 722.

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No. 874. GENECOV *v.* WINE, RECEIVER. May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. Edward Lee* for petitioner. *Messrs. H. M. Barney, Frank S. Quinn, and James D. Head* for respondent. Reported below: 109 F. 2d 265.

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Nos. 875 and 876. ROOSTH *v.* WINE, RECEIVER. May 27, 1940. Petition for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. Edward Lee* for petitioner. *Messrs. H. M. Barney and Frank S. Quinn* for respondent. Reported below: 109 F. 2d 265.

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No. 883. SEMINOLE NATION *v.* UNITED STATES. May 27, 1940. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Paul M. Niebell, Ernest L.*

*Wilkinson, Frank J. Boudinot, John W. Cragun, and W. W. Pryor* for petitioner. *Solicitor General Biddle* for the United States. Reported below: 90 Ct. Cls. 151.

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No. 904. *MORGAN ET AL. v. SUN OIL CO. ET AL.* May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Oliver J. Todd* for petitioners. *Messrs. Fred L. Williams and W. N. Foster* for respondents. Reported below: 109 F. 2d 178.

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No. 922. *EQUITABLE LIFE ASSURANCE SOCIETY v. ZOLINTAKIS ET AL.* May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Ernest D. Hurd* for petitioner. *Messrs. Calvin W. Rawlings and H. E. Wallace* for respondents. Reported below: 108 F. 2d 902.

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No. 932. *PITCHER v. METROPOLITAN LIFE INSURANCE Co.* May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Eberhard P. Deutsch* for petitioner. Reported below: 108 F. 2d 621.

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No. 936. *ITALIANO ET AL. v. FLORIDA.* May 27, 1940. Petition for writ of certiorari to the Supreme Court of Florida denied. *Mr. Kenneth I. McKay* for petitioners. *Mr. George Couper Gibbs*, Attorney General of Florida, for respondent. Reported below: 141 Fla. 249; 193 So. 48.

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No. 938. *PARSONS ET AL. v. CHILDS ET AL., TRUSTEES.* May 27, 1940. Petition for writ of certiorari to the Su-

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preme Court of Missouri denied. *Mr. Martin J. O'Donnell* for petitioners. *Messrs. Charles M. Blackmar, Samuel W. Sawyer, and Elliott H. Jones* for respondents. Reported below: 136 S. W. 2d 327.

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No. 942. UNIVERSAL DEALERS CO. *v.* CROMELIN, TRUSTEE. May 27, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Mr. Wm. E. Richardson* for petitioner. *Mr. Francis C. Brooke* for respondent. Reported below: 109 F. 2d 828.

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No. 945. EAGLE TRANSPORT CO. ET AL. *v.* UNITED STATES, AS OWNER OF THE POCAHONTAS. May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Robert S. Erskine* for petitioners. *Solicitor General Biddle, Assistant Attorney General Shea, and Mr. Paul A. Sweeney* for the United States. Reported below: 109 F. 2d 929; 111 *id.* 451.

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No. 947. BONET, TREASURER, *v.* HUMACAO SHIPPING CORP. May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. William Cattron Rigby, George A. Malcolm, and Nathan R. Margold* for petitioner. *Mr. Earle T. Fiddler* for respondent. Reported below: 108 F. 2d 157.

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No. 948. HEWITT *v.* UNITED STATES. May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Wendel W. McCandles* for petitioner. *Solicitor General Biddle, Assistant Attorney General Rogge, and Messrs. William W. Barron, George F. Kneip, Fred E. Strine, and W. Marvin*

*Smith* for the United States. Reported below: 110 F. 2d 1.

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No. 949. *MAGNANI v. HARNETT, COMMISSIONER OF MOTOR VEHICLES, ET AL.* May 27, 1940. Petition for writ of certiorari to the Supreme Court of New York denied. *Messrs. Samuel B. Wasserman* and *Roy P. Monahan* for petitioner. *Messrs. John J. Bennett*, Attorney General of New York, and *Henry Epstein*, Solicitor General, for respondents. Reported below: 257 App. Div. 487; 282 N. Y. 619; 169 Misc. 697; 8 N. Y. S. 2d 447; 14 N. Y. S. 2d 107; 25 N. E. 2d 395.

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No. 955. *ASPRODITES, ADMINISTRATRIX, v. STANDARD FRUIT & STEAMSHIP Co.* May 27, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Samuel J. Tennant, Jr.* for petitioner. *Messrs. Geo. H. Terriberry* and *Jos. M. Rault* for respondent. Reported below: 108 F. 2d 728.

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No. 982. *WESTRUP v. ILLINOIS.* May 27, 1940. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Charles P. R. Macaulay* for petitioner. *Mr. John E. Cassidy*, Attorney General of Illinois, for respondent. Reported below: 372 Ill. 517; 25 N. E. 2d 16.

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No. 1003. *SHELLEY v. UNITED STATES.* June 3, 1940. Petition for writ of certiorari to the Court of Appeals of the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Rebecca Shelley, pro se.*

No. 926. *McAFFEE v. UNITED STATES*. June 3, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. Robert I. Miller and Thomas M. David* for petitioner. Reported below: 110 F. 2d 199.

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No. 958. *WILLIAMS v. SANFORD, WARDEN*. June 3, 1940. 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. *Robert Henry Williams, pro se*. Reported below: 110 F. 2d 526.

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No. 1028. *BRADLEY v. SIMPSON, SOLICITOR GENERAL EX REL. OF PIEDMONT CIRCUIT, GEORGIA*. June 3, 1940. Petition for writ of certiorari to the Court of Appeals of Georgia, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. J. D. Bradley and G. Seals Aiken* for petitioner. Reported below: 189 Ga. 316; 6 S. E. 2d 424.

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No. 1045. *MOORE v. HUDSPETH, WARDEN*. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *MR. JUSTICE DOUGLAS* took no part in the consideration and decision of this application. *Otis B. Moore, pro se*. Reported below: 110 F. 2d 386.

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No. 1016. *WAGNER v. UNITED STATES*. June 3, 1940. 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. JUSTICE DOUGLAS took no part in the consideration and decision of this application. *Mr. Wm. W. Flournoy* for petitioner. Reported below: 110 F. 2d 595.

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No. 959. AMERICAN MEDICAL ASSOCIATION ET AL. *v.* UNITED STATES. June 3, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE MURPHY took no part in the consideration and decision of this application. *Messrs. Edward M. Burke, Seth W. Richardson, Charles S. Baker, Adrien F. Busick, William E. Leahy, and John E. Laskey* for petitioners. *Solicitor General Biddle, Assistant Attorney General Arnold, and Messrs. Charles H. Weston, John Henry Lewin, and Grant W. Kelleher* for the United States. Reported below: 110 F. 2d 703.

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No. 963. WICHITA ROYALTY CO. ET AL. *v.* CITY NATIONAL BANK OF WICHITA FALLS ET AL. June 3, 1940. The motion to dispense with reprinting Volumes 1, 2, and 3 of the record is granted. The petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit is denied. *Messrs. Guy Rogers and Ray Bland* for petitioners. *Messrs. T. R. Boone and Leslie Humphrey* for respondents. Reported below: 109 F. 2d 299.

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No. 1015. DONAHOE'S INCORPORATED PREFERRED AND CLASS A STOCKHOLDERS' PROTECTIVE ASSOCIATION ET AL. *v.* DONAHOE'S INCORPORATED ET AL. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. MR. JUSTICE DOUGLAS took no part in the consideration and decision of this application. *Mr. Samuel G. Wagner* for petitioners.

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*Messrs. William D. Donnelly and Charles S. Lynch* for respondents. Reported below: 108 F. 2d 1012.

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No. 873. ARABI PACKING Co. v. COMMISSIONER OF INTERNAL REVENUE. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. H. W. Robinson* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, F. E. Youngman, and Richard H. Demuth* for respondent. Reported below: 109 F. 2d 278.

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No. 917. RUNDIN v. SELLS. June 3, 1940. Petition for writ of certiorari to the Supreme Court of Washington denied. *Elmer Rundin, pro se.* Reported below: 1 Wash. 2d 332; 95 P. 2d 1023.

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No. 939. UNITED STATES EX REL. TSEVDOS v. REIMER, COMMISSIONER OF IMMIGRATION. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John S. Wise, Jr.* for petitioner. *Solicitor General Biddle, Assistant Attorney General Rogge, and Messrs. William W. Barron, George F. Kneip, and W. Marvin Smith* for respondent. Reported below: 108 F. 2d 860.

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No. 940. SENTINEL OIL Co. v. UNITED STATES. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Reuben G. Hunt* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and Lee A. Jackson* for respondent. Reported below: 109 F. 2d 854.

No. 941. LADINSKY ET AL. *v.* UNITED STATES. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. George C. Dyer* for petitioners. *Solicitor General Biddle* and *Mr. Webster Spates* for the United States. Reported below: 109 F. 2d 908.

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No. 950. ARROW DISTILLERIES, INC. *v.* ALEXANDER, ADMINISTRATOR. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Horace J. Donnelly, Jr.* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Arnold*, and *Messrs. Robert L. Stern, Richard H. Demuth, Philip E. Buck, and Merton B. Tice* for respondent. Reported below: 109 F. 2d 397.

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No. 954. De COPPET ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Elden McFarland* for petitioners. *Solicitor General Biddle*; *Assistant Attorney General Clark*, and *Messrs. Sewall Key and Arnold Raum*; and *Miss Helen R. Carlross* for respondent. Reported below: 108 F. 2d 787.

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No. 956. BALLARD *v.* ATCHISON, TOPEKA & SANTA FE RY. Co. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Walker Saulsbury* for petitioner. *Messrs. Ballinger Mills, Grady B. Ross, and Thornton Hardie* for respondent. Reported below: 108 F. 2d 768; 109 *id.* 1012.

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No. 960. ARN ET AL. *v.* BRADSHAW OIL & GAS Co. ET AL. June 3, 1940. Petition for writ of certiorari to

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the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Homer Cummings* and *T. P. Gore* for petitioners. *Mr. A. F. Moss* for respondents. Reported below: 108 F. 2d 125.

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No. 965. HUGHES, TRUSTEE, *v.* LAWYERS TRUST CO. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John F. Hughes* for petitioner. *Mr. Richard L. Sullivan* for respondent. Reported below: 108 F. 2d 792.

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No. 966. RICHTER *v.* PRITCHARD, TRUSTEE. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. A. W. Richter* for petitioner. *Mr. Morris Karon* for respondent. Reported below: 110 F. 2d 459.

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No. 968. UNION JOINT STOCK LAND BANK OF DETROIT *v.* EATON, RECEIVER. June 3, 1940. Petition for writ of certiorari to the Supreme Court of Ohio denied. *Messrs. Ralph G. Martin, A. G. Masters, and Robert E. Gibbs* for petitioner. *Messrs. Will L. Gates and Edward E. Corn* for respondent. Reported below: 136 Ohio St. 293; 25 N. E. 2d 345.

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No. 969. GAY UNION CORP., INC., ET AL. *v.* WALLACE, SECRETARY OF AGRICULTURE. June 3, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. Leonard B. Levy, William C. Dufour, and John St. Paul, Jr.*; and *Miss Anna Judge Veters* for petitioners. *Solicitor General Biddle, Assistant Attorney General Arnold, and Messrs. Hugh B. Cox, John S. L. Yost, W. Carroll Hunter, and Warner W. Gardner* for respondent. Reported below: 112 F. 2d 192.

No. 971. *GRAIN BELT SUPPLY CO. v. COMMISSIONER OF INTERNAL REVENUE*. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. J. A. C. Kennedy, George T. Buckingham, Paul E. Shorb, and H. Thomas Austern* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and F. E. Youngman* for respondent. Reported below: 109 F. 2d 490.

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No. 974. *UNITED STATES EX REL. BERGDOLL v. DRUM, COMMANDING OFFICER, UNITED STATES ARMY, ET AL.* June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. George R. Shields, Herman J. Galloway, Fred W. Shields, and Joseph C. Thomson* for petitioner. *Solicitor General Biddle, Assistant Attorney General Rogge, and Messrs. William W. Barron, Fred E. Strine, George F. Kneip, and W. Marvin Smith* for respondents. Reported below: 107 F. 2d 897.

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No. 983. *PIETCH v. UNITED STATES*. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Roy St. Lewis, John J. Sirica, and Paul Pinson* for petitioner. *Solicitor General Biddle, Assistant Attorney General Rogge, and Messrs. J. Albert Woll, William J. Connor, and M. Joseph Matan* for the United States. Reported below: 110 F. 2d 817.

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No. 985. *BEIDLER v. PHOTOSTAT CORPORATION*. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Harold E. Stonebraker* for petitioner. Reported below: 81 F. 2d 1015.

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No. 988. HARTFORD ACCIDENT & INDEMNITY CO. *v.* CARDILLO, DEPUTY COMMISSIONER, ET AL. June 3, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Mr. Cornelius H. Doherty* for petitioner. *Solicitor General Biddle, Assistant Attorney General Shea, and Messrs. Paul A. Sweeney and Richard H. Demuth* for respondents. Reported below: 112 F. 2d 11.

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No. 989. NEUMANN-ENDLER, INC. *v.* UNITED STATES (MAJESTIC FORWARDING & SHIPPING CO., APPEARING AS PARTIES IN INTEREST). June 3, 1940. Petition for writ of certiorari to the Court of Customs & Patent Appeals denied. *Mr. John G. Lerch* for petitioner. *Mr. John Walsh* for Majestic Forwarding & Shipping Co., respondent. Reported below: 27 C. C. P. A. (Customs) 306.

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No. 997. FIDELITY-BANKERS TRUST CO., TRUSTEE, ET AL. *v.* HELVERING, COMMISSIONER OF INTERNAL REVENUE. June 3, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Mr. Forrest Andrews* for petitioners. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and F. E. Youngman* for respondent. Reported below: 113 F. 2d 14.

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No. 973. TENNESSEE CONSOLIDATED COAL CO. *v.* UNITED STATES. June 3, 1940. Petition for writ of certiorari to the Court of Claims denied. *Mr. Geo. E. H. Goodner* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and Arnold Raum* for the United States. Reported below: 89 Ct. Cls. 542.

No. 976. CHANNELL, EXECUTRIX, *v.* SAMPSON. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Edward R. Hale* for petitioner. *Mr. James T. Connolly* for respondent. Reported below: 110 F. 2d 754.

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No. 980. SAMUEL E. DIESCHER ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE; and

No. 981. AUGUST P. DIESCHER ET UX. *v.* SAME. June 3, 1940. Petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. S. Leo Ruslander* and *Samuel Kaufman* for petitioners. *Solicitor General Biddle*, *Assistant Attorney General Clark*, and *Messrs. Sewall Key, J. Louis Monarch*, and *Carlton Fox* for respondent. Reported below: 110 F. 2d 90.

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No. 986. PORTLAND OIL CO. *v.* COMMISSIONER OF INTERNAL REVENUE. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Malcolm Donald* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Clark*, and *Messrs. Sewall Key, J. Louis Monarch*, and *Berryman Green* for respondent. Reported below: 109 F. 2d 479.

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No. 1002. PENDER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Richard B. Barker* for petitioners. *Solicitor General Biddle*, *Assistant Attorney General Clark*, and *Messrs. Sewall Key, Maurice J. Mahoney*, and *Richard H. Demuth* for respondent. Reported below: 110 F. 2d 477.

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No. 1004. MEYER, EXECUTRIX, *v.* COMMISSIONER OF INTERNAL REVENUE. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Henry M. Stevenson* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, J. Louis Monarch, and Carlton Fox* for respondent. Reported below: 110 F. 2d 367.

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No. 1006. PANDOLFI ET AL. *v.* UNITED STATES. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Nicholas T. Rogers and Jesse Climenko* for petitioners. *Solicitor General Biddle, Assistant Attorney General Rogge, and Messrs. William W. Barron, Fred E. Strine, George F. Kneip, and W. Marvin Smith* for the United States. Reported below: 110 F. 2d 736.

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No. 1008. BROWN PAPER MILL CO., INC. *v.* NATIONAL LABOR RELATIONS BOARD. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. W. A. Bolinger and L. J. Benckenstein* for petitioner. *Solicitor General Biddle and Messrs. Thomas E. Harris, Charles Fahy, Robert B. Watts, Laurence A. Knapp, and Mortimer B. Wolf* for respondent. Reported below: 108 F. 2d 867.

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No. 1022. COUPE ET AL. *v.* UNITED STATES. June 3, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. Oliver Wendell Holmes Hughes and Fred W. McConnell* for petitioners. *Solicitor General Biddle, Assistant Attorney General Rogge, and Messrs. George F. Kneip and*

*W. Marvin Smith* for the United States. Reported below: 113 F. 2d 145.

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No. 1038. *TOUCHTON v. CITY OF FORT PIERCE*. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Harvey C. Crittenden* for petitioner. *Mr. Robert J. Pleus* for respondent. Reported below: 109 F. 2d 370.

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No. 1046. *BAYER v. UNITED STATES*. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Abraham Solomon* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Rogge*, and *Messrs. George F. Kneip* and *W. Marvin Smith* for the United States. Reported below: 111 F. 2d 649.

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No. 975. *INTERNATIONAL TRADING CORP. v. EDISON ET AL.* June 3, 1940. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Mr. D. F. McGowan* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Shea*, and *Messrs. Paul A. Sweeney* and *Warner W. Gardner* for respondents. Reported below: 109 F. 2d 825.

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No. 984. *DENTON v. LOWDEN ET AL., TRUSTEES*. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Mitchel J. Henderson* for petitioner. *Messrs. Hale Houts* and *William S. Hogsett* for respondents. Reported below: 110 F. 2d 274.

No. 990. CUMMER SONS CYPRESS CO. *v.* ATLANTIC COAST LINE RAILROAD CO. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Henry P. Adair and Clarence G. Ashby* for petitioner. *Messrs. Carl H. Davis, John B. Sutton, C. C. Howell, and Wm. Hart Sibley* for respondent. Reported below: 109 F. 2d 623.

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No. 991. WILSON CYPRESS CO. *v.* ATLANTIC COAST LINE RAILROAD CO. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Henry P. Adair and Clarence G. Ashby* for petitioner. *Messrs. Carl H. Davis, John B. Sutton, C. C. Howell, and Wm. Hart Sibley* for respondent. Reported below: 109 F. 2d 623.

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No. 999. JANE HOLDING CORP. *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. *Messrs. Daniel N. Kirby and Harry W. Kroeger* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, J. Louis Monarch, Carlton Fox, and Thomas E. Harris* for respondent. Reported below: 109 F. 2d 933.

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No. 1012. ZINSMaster BAKING CO. *v.* COMMISSIONER OF INTERNAL REVENUE. June 3, 1940. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. R. Brown* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, F. E. Youngman, and Richard H. Demuth* for respondent. Reported below: 109 F. 2d 738.

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-