

Cases Disposed of Without Consideration by the Court. 311 U. S.

No. 607. AMERICAN LUMBERMENS MUTUAL CASUALTY Co. v. SUTCLIFFE, ADMINISTRATRIX, ET AL. January 6, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Frederick A. Keck* for petitioner. *Mr. Anthony J. Travia* for respondents. Reported below: 115 F. 2d 410.

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CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, THROUGH JANUARY 6, 1941.

Nos. 70 and 71. GRAND TRUNK WESTERN RAILROAD Co. v. STEPHENSON, ADMINISTRATRIX. Certiorari, 310 U. S. 623, to the Circuit Court of Appeals for the Seventh Circuit. July 1, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. Silas H. Strawn* for petitioner. *Mr. Ralph F. Potter* for respondent. Reported below: 110 F. 2d 401.

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No. 219. DOWNER v. O'BRIEN, SHERIFF, ET AL. Appeal from the Supreme Court of Illinois. August 30, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. Lee R. La Rochelle* for appellant. *Mr. John E. Cassidy*, Attorney General of Illinois, for appellees. Reported below: 373 Ill. 383; 26 N. E. 2d 488.

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No. 6. MURRAY, RECEIVER OF INTERBOROUGH RAPID TRANSIT Co., v. CITY OF NEW YORK ET AL.; and

No. 7. ROBERTS, RECEIVER OF MANHATTAN RAILWAY Co., v. MURRAY, RECEIVER, ET AL. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit. September 18, 1940. Dismissed per stipulation pursuant to Rule 35. *Messrs. Carl M. Owen, Nathan L. Miller, and James L. Quackenbush* for Murray, Receiver of Interborough Rapid Transit Co.; *Wilbur Cummings*

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

for Interborough Rapid Transit Co.; *John W. Davis* and *Edwin S. S. Sunderland* for Guaranty Trust Co. et al.; *Phillip A. Carroll* for J. Herbert Case et al.; *Jesse E. Waid* and *J. M. Hartfield* for Bankers Trust Co.; *Louis Boehm* for Norman Johnson et al.; and *Ira W. Hirshfield* for Dwight F. Faulkner, Jr. et al. Messrs. *William C. Chanler*, *William G. Mulligan, Jr.*, *Paxton Blair*, and *John D. Hill* for the City of New York; *John J. Curtin*, *Joseph H. Choate, Jr.*, and *Chester W. Cuthell* for the Transit Commission; *Charles E. Hughes, Jr.* and *Allen S. Hubbard* for Roberts, Receiver of the Manhattan Railway Co.; *Harold C. McCollom* for Central Hanover Bank; *Arthur A. Gammell* and *Timothy N. Pfeiffer* for Chase National Bank; *Boykin C. Wright* and *Clifton Murphy* for Van Santvoord Merle-Smith et al.; *Rayford W. Alley* for William S. Kies et al.; *William V. Hodges* for Nathan L. Amster et al.; *Charles Franklin* for Manhattan Ry. Co.; and *John B. Doyle* and *Franklin C. Laughlin* for Harold Palmer et al. Reported below: 103 F. 2d 889.

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No. 321. *KEEFE ET AL. v. BRODERICK, COLLECTOR.* On petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit. September 20, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. Ira Lloyd Letts* for petitioners. *Solicitor General Biddle* and *Mr. N. A. Townsend* for respondent. Reported below: 112 F. 2d 293.

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No. 98. *BAILEY ET AL., EXECUTORS, v. UNITED STATES.* On petition for writ of certiorari to the Court of Claims. September 27, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. Gordon H. Block* for petitioners. *Solicitor General Biddle* and *Mr. N. A. Townsend* for the United States. Reported below: 89 Ct. Cls. 364; 90 *id.* 644; 31 F. Supp. 778.

Cases Disposed of Without Consideration by the Court. 311 U. S.

No. 63. *RYAN v. EMPLOYERS' LIABILITY ASSURANCE CORP.* Certiorari, 310 U. S. 621, to the Circuit Court of Appeals for the Sixth Circuit. September 28, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. M. Y. Yost* for petitioner. *Mr. John R. Kistner* for respondent. Reported below: 100 F. 2d 690.

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No. 125. *MISSOURI PACIFIC TRANSPORTATION Co. v. TALLEY.* On petition for writ of certiorari to the Supreme Court of Arkansas. October 7, 1940. Dismissed on motion of counsel for the petitioner. *Mr. C. H. Moses* for petitioner. *Messrs. Theron W. Agee and David S. Partain* for respondent. Reported below: 199 Ark. 835; 136 S. W. 2d 688.

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No. 241. *BURLEIGH v. UNITED STATES, ACTING FOR AND IN BEHALF OF THE FARM CREDIT ADMINISTRATION.* On petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit. October 7, 1940. Dismissed pursuant to stipulation of counsel. *Mr. Guy E. Kelly* for petitioner. *Solicitor General Biddle* for respondent. Reported below: 110 F. 2d 793.

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No. 339. *HART v. UNITED STATES.* On petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. October 7, 1940. Dismissed on motion of counsel for the petitioner. *Mr. O. R. McGuire* for petitioner. *Solicitor General Biddle, Assistant Attorney General Rogge, and Mr. Fred E. Strine* for the United States. Reported below: 112 F. 2d 128.

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No. 248. *NATIONAL LABOR RELATIONS BOARD v. STERLING ELECTRIC MOTORS, INC.* On petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Cir-



311 U. S.

Rehearing Denied.

cuit. October 28, 1940. Dismissed on motion of counsel for the petitioner. *Solicitor General Biddle* and *Messrs. Charles Fahy* and *Robert B. Watts* for petitioner. *Mr. Earle M. Daniels* for respondent. Reported below: 109 F. 2d 194; 112 *id.* 63; 114 *id.* 738.

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No. 508. *LANE COTTON MILLS Co. v. NATIONAL LABOR RELATIONS BOARD*. On petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. December 9, 1940. Dismissed on motion of counsel for the petitioner. *Messrs. Charles Rosen, Alfred C. Kammer, Benjamin W. Dart, Henry P. Dart, and Esmond Phelps* for petitioner. Reported below: 111 F. 2d 814.

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PETITIONS FOR REHEARING DENIED, FROM  
OCTOBER 7, 1940, THROUGH JANUARY 6, 1941.\*

No. 621, October Term, 1939. *VILES v. PRUDENTIAL INSURANCE Co.*; and

No. 854, October Term, 1939. *MOON v. UNION CENTRAL LIFE INSURANCE Co. ET AL.* October 14, 1940. The motions for leave to file petitions for rehearing in these cases are denied. 309 U. S. 695; 310 U. S. 658.

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No. 459, October Term, 1939. *H. ROUW COMPANY v. CRIVELLA*. See *ante*, p. 613.

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No. —, original, October Term, 1939. *EX PARTE EDMOND C. FLETCHER*. October 14, 1940. 310 U. S. 615.

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No. —, original, October Term, 1939. *EX PARTE ALBERT LEIGHTON*. October 14, 1940. 309 U. S. 641.

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\*See Table of Cases Reported for references to earlier orders in these cases, unless otherwise indicated.