

317 U. S.

Rehearing Denied.

the Middle District of Pennsylvania. November 9, 1942. Docketed and dismissed on motion of counsel for the appellee. *Mr. Harry M. Showalter* for appellee. Reported below: 44 F. Supp. 912.

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DECISIONS GRANTING REHEARING, FROM  
OCTOBER 5, 1942, THROUGH JANUARY 18,  
1943.

No. 459. *BUIE v. UNITED STATES*. January 11, 1943. The petition for rehearing is granted. The order heretofore entered denying certiorari, *ante*, p. 689, is vacated. The application filed with the Clerk of this Court on June 5, 1942, will be treated as a petition for certiorari. *Vivian Wycliff Buie, pro se. Solicitor General Fahy* for the United States. Reported below: 127 F. 2d 367.

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DECISIONS DENYING REHEARING, THROUGH  
JANUARY 18, 1943.\*

No. 1202, October Term, 1941. *KRAMER v. SHEEHY, WARDEN*. July 31, 1942. The petition for rehearing is denied. The order of stay heretofore entered is vacated. *MR. JUSTICE MURPHY* took no part in the consideration or decision of this application.

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No. 962, October Term, 1940. *MARTIN M. GOLDMAN v. UNITED STATES*;

No. 963, October Term, 1940. *SHULMAN v. UNITED STATES*; and

No. 980, October Term, 1940. *THEODORE GOLDMAN v. UNITED STATES*. October 12, 1942. 316 U. S. 129.

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\*See Table of Cases Reported in this volume for earlier decisions in these cases, unless otherwise indicated.

Rehearing Denied.

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No. —, October Term, 1941. *WETZEL v. SCHAEFER*.  
October 12, 1942. 316 U. S. 647.

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No. 772, October Term, 1941. *BRILLHART, ADMINISTRATOR, v. EXCESS INSURANCE Co.* October 12, 1942.  
316 U. S. 491.

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No. 914, October Term, 1941. *CASEBEER v. HUDSPETH, WARDEN.* October 12, 1942. 316 U. S. 683.

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No. 1141, October Term, 1941. *BERRY ET AL. v. BOHN ALUMINUM & BRASS CORP. ET AL.* October 12, 1942.  
316 U. S. 689.

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No. 1157, October Term, 1941. *HELTON, ADMINISTRATOR, v. THOMPSON, TRUSTEE.* October 12, 1942. 316 U. S. 688.

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No. 1167, October Term, 1941. *MOODY ET AL. v. TOOLE COUNTY IRRIGATION DISTRICT.* October 12, 1942. 316 U. S. 690.

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No. 1176, October Term, 1941. *MESTA v. COMMISSIONER OF INTERNAL REVENUE.* October 12, 1942. 316 U. S. 695.

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No. 1184, October Term, 1941. *OWENS v. COMMISSIONER OF INTERNAL REVENUE.* October 12, 1942. 316 U. S. 704.

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No. 1198, October Term, 1941. *MASON v. ANDERSON-COTTONWOOD IRRIGATION DISTRICT.* October 12, 1942.  
316 U. S. 697.

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Rehearing Denied.

No. 1201, October Term, 1941. ENGINEERS CLUB OF PHILADELPHIA *v.* UNITED STATES. October 12, 1942. 316 U. S. 700.

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No. 1208, October Term, 1941. HASTINGS *v.* HUDSPETH, WARDEN. October 12, 1942. 316 U. S. 692.

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No. 1215, October Term, 1941. PRICE *v.* NATIONAL SURETY CORP. October 12, 1942. 316 U. S. 683.

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No. 1230, October Term, 1941. WEIDHAAS *v.* LOEW'S INC. ET AL. October 12, 1942. 316 U. S. 684.

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No. 1232, October Term, 1941. HOWARD *v.* UNITED STATES EX REL. ALEXANDER ET AL. October 12, 1942. 316 U. S. 699.

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No. 1237, October Term, 1941. CONCORD COMPANY *v.* WILL CUTS ET AL., EXECUTORS. October 12, 1942. 316 U. S. 705.

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No. 1248, October Term, 1941. HODGES *v.* OCEAN ACCIDENT & GUARANTEE CORP. October 12, 1942. 316 U. S. 693.

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No. 1284, October Term, 1941. BARRETT *v.* WILLIAMSON. October 12, 1942. 316 U. S. 703.

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No. 903, October Term, 1941. PEYTON *v.* RAILWAY EXPRESS AGENCY, INC., ET AL. October 12, 1942. The petition for rehearing and the motion to recall the mandate and retax costs are denied. See 316 U. S. 350.

Rehearing Denied.

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No. 1197, October Term, 1941. CARLOTA BENITEZ SAMPAYO *v.* BANK OF NOVA SCOTIA. October 12, 1942. The petition for rehearing is denied. The CHIEF JUSTICE took no part in the consideration or decision of this application. 316 U. S. 702.

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No. 1058, October Term, 1941. MIDLAND COOPERATIVE WHOLESALE, INC. *v.* ICKES, SECRETARY OF THE INTERIOR, ET AL. October 19, 1942. Motion for leave to file a second petition for rehearing denied. 316 U. S. 712.

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No. 94. MOTHER LODGE COALITION MINES Co. *v.* COMMISSIONER OF INTERNAL REVENUE. October 19, 1942.

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No. 622, October Term, 1941. WALLING *v.* A. H. BELO CORPORATION. October 26, 1942. 316 U. S. 624.

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No. 939, October Term, 1941. OVERNIGHT MOTOR TRANSPORTATION Co., INC. *v.* MISSEL. October 26, 1942. 316 U. S. 572.

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No. —, Original. EX PARTE THOMAS JORDAN. November 9, 1942.

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No. 105. DUQUESNE CLUB *v.* BELL, FORMER ACTING COLLECTOR OF INTERNAL REVENUE; and

No. 106. DUQUESNE CLUB *v.* DRISCOLL, COLLECTOR OF INTERNAL REVENUE. November 9, 1942.

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No. 107. EVANS *v.* COMMISSIONER OF INTERNAL REVENUE; and

No. 108. MOREHEAD *v.* COMMISSIONER OF INTERNAL REVENUE. November 9, 1942.

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Rehearing Denied.

No. 113. DAVIDSON TRANSFER & STORAGE CO. ET AL.  
*v.* UNITED STATES ET AL. November 9, 1942.

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No. 116. NIESCHLAG & Co., INC. *v.* ATLANTIC MUTUAL  
INSURANCE Co. November 9, 1942.

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No. 128. GURNEY ET AL. *v.* FERGUSON ET AL. Novem-  
ber 9, 1942.

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No. 139. YANIS *v.* SMITH, WARDEN. November 9,  
1942.

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No. 159. MASON *v.* MERCED IRRIGATION DISTRICT.  
November 9, 1942.

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No. 160. CHELTENHAM & ABINGTON SEWERAGE Co.  
*v.* PENNSYLVANIA PUBLIC UTILITY COMMISSION ET AL.  
November 9, 1942.

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No. 168. LEVINE *v.* HUDSPETH, WARDEN. November  
9, 1942.

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No. 180. SOUTHWESTERN GREYHOUND LINES, INC. *v.*  
BUCHANAN. November 9, 1942.

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No. 188. NIVENS *v.* HUDSPETH, WARDEN. November  
9, 1942.

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No. 216. A. W. STICKLE & Co. *v.* INTERSTATE COM-  
MERCE COMMISSION. November 9, 1942.

Rehearing Denied.

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No. 239. RHEINSTROM, EXECUTOR, *v.* CONNOR, COLLECTOR OF INTERNAL REVENUE; and

No. 240. FIRST NATIONAL BANK, TRUSTEE, *v.* CONNOR, COLLECTOR OF INTERNAL REVENUE. November 9, 1942.

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No. 276. GONZALES ET AL. *v.* CALIFORNIA. November 9, 1942.

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No. 294. WIREN *v.* SHUBERT THEATRE CORP. ET AL. November 9, 1942.

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No. 301. THOMSON, TRUSTEE, ET AL. *v.* HICKS ET AL. November 9, 1942.

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No. 307. PICKING ET AL. *v.* NEW YORK. November 9, 1942.

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No. 310. LACY *v.* UNITED STATES. November 9, 1942.

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No. 340. DOEHLER METAL FURNITURE Co., INC. *v.* WARREN, COMPTROLLER GENERAL. November 9, 1942.

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No. 361. YELLOW MANUFACTURING ACCEPTANCE CORP. ET AL. *v.* STONE, CHAIRMAN, ET AL. November 9, 1942.

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No. 115. CARLOTA BENITEZ SAMPAYO *v.* BANK OF NOVA SCOTIA;

No. 280. GENERAL MOTORS ACCEPTANCE CORP. ET AL. *v.* HULBERT, COUNTY ASSESSOR; and

No. 317. MORRIS PLAN INDUSTRIAL BANK *v.* GRAVES ET AL. November 9, 1942. Petitions for rehearing denied. The CHIEF JUSTICE took no part in the consideration or decision of these applications.

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Rehearing Denied.

No. 221. *GANTZ v. UNITED STATES*. November 9, 1942. Petition for rehearing denied. The motion to stay execution of the mandate of the Circuit Court of Appeals is also denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of these applications.

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No. 382. *MCDONALD ET AL. v. HUDSPETH, WARDEN*. November 9, 1942. Petition for rehearing denied. The "Petition for Court Order" is also denied.

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No. —, Original. *EX PARTE FRANK CONTARDI*. November 16, 1942.

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No. 137. *ABRAHAM ET AL., TRUSTEES, v. HIDALGO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT No. 1, ET AL.* November 16, 1942.

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No. 306. *MINER, SUCCESSOR TRUSTEE, v. RECONSTRUCTION FINANCE CORPORATION*. November 16, 1942.

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No. 343. *THOMPSON v. GEORGIA*. November 16, 1942.

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No. 347. *KALB v. YELLOW MANUFACTURING ACCEPTANCE CORP.* November 16, 1942.

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No. 393. *BARRY ET AL. v. CHRYSLER CORPORATION ET AL.* November 16, 1942. Petition for rehearing denied. MR. JUSTICE ROBERTS took no part in the consideration or decision of this application.

Rehearing Denied.

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No. 65. UNITED STATES *v.* CALLAHAN WALKER CONSTRUCTION Co. November 23, 1942.

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No. 378. PORTER ET AL. *v.* COOKE ET AL. November 23, 1942.

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No. 404. SHULTZ ET AL., CO-EXECUTORS, *v.* MANUFACTURERS & TRADERS TRUST Co., CO-EXECUTORS, ET AL. November 23, 1942.

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No. 412. HOWELL ET AL. *v.* COUCH, DOING BUSINESS AS COUCH MANUFACTURING Co. November 23, 1942.

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No. 416. BELAND *v.* UNITED STATES. November 23, 1942.

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No. 24. MARINE HARBOR PROPERTIES, INC. *v.* MANUFACTURERS TRUST Co., TRUSTEE, ET AL. December 7, 1942.

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No. 226. WATERMAN *v.* SOMERVELL ET AL., AGENTS, ET AL. December 7, 1942.

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No. 413. CALIFORNIA EX REL. MCCOLGAN, STATE FRANCHISE TAX COMMISSIONER, *v.* BRUCE. December 7, 1942.

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No. 431. H. T. POINDEXTER & SONS MERCHANDISE Co. *v.* UNITED STATES. December 7, 1942.

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No. 433. TERMINAL RAILROAD ASSOCIATION *v.* MILLER, ADMINISTRATRIX. December 7, 1942.

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Rehearing Denied.

No. 435. HUNSBERGER *v.* FISCHER ET AL. December 7, 1942.

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No. 444. O'KEITH *v.* JOHNSTON, WARDEN. December 7, 1942.

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No. 49. HELVERING, COMMISSIONER OF INTERNAL REVENUE, *v.* R. DOUGLAS STUART; and

No. 48. HELVERING, COMMISSIONER OF INTERNAL REVENUE, *v.* JOHN STUART. See *ante*, p. 154.

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Nos. 437, 438, and 439. HALLIDAY ET AL. *v.* OHIO EX REL. SQUIRE, SUPERINTENDENT OF BANKS, ET AL. December 14, 1942.

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No. 451. BAKER *v.* HUNTER (SUCCESSOR TO HUDSPETH), WARDEN. December 14, 1942.

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No. 462. KOOLISH ET AL., TRADING AS STANDARD DISTRIBUTING CO., *v.* FEDERAL TRADE COMMISSION. December 14, 1942.

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No. 244. MONKS *v.* LEE ET AL. December 21, 1942.

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No. 364. BUNN *v.* ATLANTA. December 21, 1942.

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No. 561. EDWARDS *v.* UNITED STATES. December 21, 1942.

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No. 381. VILES *v.* SYMES ET AL. December 21, 1942. The motion for leave to file petition for rehearing is denied.

Rehearing Denied.

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No. —, Original. *EX PARTE CECIL WRIGHT*. January 4, 1943. The petition for rehearing is denied. The motion for leave to file petition for writ of certiorari is also denied.

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No. 23. *STATE BANK OF HARDINSBURG v. BROWN ET UX*. January 4, 1943. The motion for leave to consider petition for rehearing on typewritten copies is granted. The petition for rehearing is denied.

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No. 176. *HUGHES v. WENDEL, COUNTY TREASURER, ET AL*. January 4, 1943. On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari in that relation, the motion for a writ of certiorari is granted. The petition for rehearing is denied.

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No. 250. *CARLOTA BENITEZ DE SEIX ET AL. v. ROS MARIA ANCIANI ET AL*. January 4, 1943. The petition for reconsideration of "Petition to Court" filed herein September 9th is denied.

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No. 476. *AMERICAN INSURANCE CO. ET AL. v. SCHEUFLE, SUPERINTENDENT, ET AL*. January 4, 1943. The petition for rehearing is denied. MR. JUSTICE ROBERTS and MR. JUSTICE MURPHY took no part in the consideration or decision of this application.

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No. 74. *MANGUS ET AL. v. MILLER*. January 4, 1943.

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No. 234. *ALBIN v. COWING PRESSURE RELIEVING JOINT Co. ET AL*. January 4, 1943.

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Rehearing Denied.

No. 503. *RAU CONSTRUCTION Co. v. PHILLIPS PETROLEUM Co.* January 4, 1943.

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No. 505. *PAPER CONTAINER MFG. Co. v. DIXIE-VORTEX Co.* January 4, 1943.

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No. 76. *MILLER v. UNITED STATES.* January 11, 1943.

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No. 86. *DAVIS v. DEPARTMENT OF LABOR AND INDUSTRIES OF THE STATE OF WASHINGTON.* January 11, 1943.

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No. 463. *RANIERI v. UNITED STATES.* January 11, 1943.

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No. 509. *VAN WORMER v. CHAMPION PAPER & FIBRE Co.* January 11, 1943.

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No. 537. *RODDENBERRY v. FLORIDA.* January 11, 1943.

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No. 516. *EASTMAN v. GUARANTY TRUST Co. ET AL.* January 11, 1943. Petition for rehearing denied. MR. JUSTICE ROBERTS and MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application.

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No. 349. *LARGENT v. REEVES, CITY MARSHAL.* January 14, 1943. The motion for leave to file petition for rehearing is granted, and the petition for rehearing is denied. The application for bail is also denied.

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No. 79. *ADAMS, WARDEN, ET AL. v. UNITED STATES EX REL. McCANN.* See *ante*, p. 605.

Rehearing Denied.

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Nos. 26 and 27. PFISTER *v.* NORTHERN ILLINOIS FINANCE CORP. ET AL. January 18, 1943.

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No. 507. HOLIDAY *v.* UNITED STATES. January 18, 1943.

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No. 534. ORLANDO *v.* ILLINOIS. January 18, 1943.

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No. 50. DAVIS *v.* DEPARTMENT OF LABOR AND INDUSTRY. January 18, 1943.

No. 502. HANCOCK *v.* UNITED STATES. January 18, 1943.

No. 500. VAN WORMER *v.* CHRYSLER FINANCIAL CORP. January 11, 1943.

No. 521. HARRINGTON *v.* ILLINOIS. January 11, 1943.

No. 516. EASTMAN *v.* GUARANTY TRUST CO. ET AL. January 11, 1943. Petition for rehearing denied. Mr. Justice Brandeis and Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 510. LAWRENCE *v.* HENRY CITY MARSHAL. January 14, 1943. The motion for leave to file the petition for rehearing is granted, and the petition for rehearing is denied. The application for bail is also denied.

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No. 70. ARNOLD, WALKER, ET AL. *v.* UNITED STATES ET AL. See ante, p. 605.