DECISIONS PER CURIAM, ETC., FROM JANUARY 18, 1938, THROUGH APRIL 11, 1938.*

No. —, original. Ex parte E. R. Lindsey. January 31, 1938. The motion for leave to file petition for writ of mandamus is denied.

No. —, original. Ex parte Albert B. Bleecker. January 31, 1938. Motion for leave to file petition for writ of habeas corpus denied.

No. —, original. Ex parte Peter Gibbons. January 31, 1938. Motion for leave to file petition for writ of habeas corpus denied.

No. 636. Electric Bond & Share Co. et al. *v.* Securities and Exchange Commission et al. January 31, 1938. Jerome N. Frank and John W. Hanes, members of the Securities and Exchange Commission, substituted as parties respondent in the place of James M. Landis and James D. Ross, resigned, on motion of *Assistant Solicitor General Bell* in that behalf. Reported below: 92 F. 2d 580.

No. 730. Cosman *v.* United States. On petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit. Decided February 7, 1938. *Per Curiam:* The motion for leave to proceed *in forma pauperis* is

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* Mr. Justice Cardozo was absent from the bench, on account of illness, during the period covered by this volume.

For decisions on applications for certiorari, see *post,* pp. 628, 634; for rehearing, *post,* p. 665.

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ORDER. March 14, 1938. In view of pending legislation General Order No. LIII in Bankruptcy is hereby suspended until further order of the Court.

No. 840. EDGAR BROTHERS CO. *v.* STATE REVENUE COMMISSION ET AL. Appeal from the Supreme Court of Georgia. Decided March 28, 1938. *Per Curiam:* The motion of the appellees to dismiss the appeal is granted and the appeal is dismissed for the want of a final judgment. *California National Bank* v. *Stateler,* 171 U. S. 447, 449; *Haseltine* v. *Central Bank of Springfield (No. 1),* 183 U. S. 130, 131; *Bruce* v. *Tobin,* 245 U. S. 18; *Mississippi Central R. Co.* v. *Smith,* 295 U. S. 718. *Mr. Orville A. Park* for appellant. *Messrs. M. J. Yeomans* and *O. H. Dukes* for appellees. Reported below: 185 Ga. 216; 194 S. E. 505.

No. 857. KIRKPATRICK *v.* HARDT. On petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit. Decided March 28, 1938. *Per Curiam:* The motion for leave to proceed further herein *in forma pauperis* is denied for the reason that the Court, upon examination of the papers herein submitted, finds that the application for writ of certiorari was not made within the time provided by law. Act of February 13, 1925, sec. 8 (a) (43 Stat. 936, 940). *Finn* v. *Railroad Commission,* 286 U. S. 559; *Cresswell &c.* v. *Tillinghast,* 286 U. S. 560. The petition for writ of certiorari is therefore also denied. *Mr. James Martin Kirkpatrick, pro se.* No appearance for respondent. Reported below: 91 F. 2d 857.

No. —, original. EX PARTE ALBERT R. HOUSE. March 28, 1938. The rule to show cause herein is discharged and the motion for leave to file petition for writ of habeas corpus is denied.