

## REHEARING ASKED BY OUSTED TRIO

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general's office to determine whether the three officials of the board the former governor named to succeed them were entitled to hold office. The commissioners named successors, and who now are in office, are D. L. O'Hern, Fred A. Fligman and Thomas O. Collins.

In the petition for a rehearing and a new trial, filed by Attorneys George Hurd and Horace Davis, the former commissioners set forth the following grounds as the basis of their request:

That the decision and judgment of the supreme court in its ruling February 17 are "contrary to and against law"; that the evidence adduced and presented is "insufficient to justify or warrant" the court's decision; that "questions, decisive of the case submitted, were overlooked and not given effect by the court in its decision," and that the decision "is in conflict with, and contrary to, controlling decisions of this court, which said controlling decisions were overlooked or not given effect by the court in its decision herein."

Arguments in support of the petition covering 27 typewritten pages were presented to the court.

The majority decision of the court upholding the removal of the former board was written by Justice S. V. Stewart and concurred in by Associate Justices Ralph Anderson and Claude Morris. The dissenting opinion was written by Justice A. H. Angstman and concurred in by Chief Justice W. B. Sands.

## Commissioners Petition Supreme Court for New Trial (continued)

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