

312 U.S.

Decisions Denying Certiorari.

No. 782. AMERICAN SURETY CO. OF NEW YORK *v.* BETHLEHEM NATIONAL BANK ET AL. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. George P. Williams, Jr.* for petitioner. *Messrs. George P. Barse* and *H. P. McFadden* for respondents. Reported below: 116 F. 2d 75.

No. 758. NATIONAL LABOR RELATIONS BOARD *v.* VIRGINIA ELECTRIC & POWER Co.; and

No. 759. NATIONAL LABOR RELATIONS BOARD *v.* INDEPENDENT ORGANIZATION OF EMPLOYEES OF THE VIRGINIA ELECTRIC & POWER Co. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Solicitor General Biddle* and *Mr. Robert B. Watts* for petitioner. *Messrs. T. Justin Moore* and *Stephen H. Simes* for respondent in No. 758. *Mr. Paul E. Hadlick* for respondent in No. 759. Reported below: 115 F. 2d 414.

No. 812. TEXTILE MILLS SECURITIES CORP. *v.* COMMISSIONER OF INTERNAL REVENUE. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Edmund S. Kochersperger* for petitioner. *Solicitor General Biddle* for respondent. Reported below: 117 F. 2d 62.

DECISIONS DENYING CERTIORARI, FROM JANUARY 7, 1941, THROUGH MARCH 31, 1941.

No. 498. STEWART *v.* JOHNSTON. January 13, 1941. 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. The motion for leave to file petition for writ of mandamus is also denied. *J. L. Stewart, pro se.* Reported below: 97 F. 2d 548.

No. 609. SCOTT *v.* UNITED STATES. January 13, 1941. 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. C. L. McGuire* for petitioner. Reported below: 115 F. 2d 137.

No. 620. SLOCUM ET AL. *v.* FIRST NATIONAL BANK OF CHICAGO ET AL. January 13, 1941. Petition for writ of certiorari to the Appellate Court, 1st District, of Illinois, denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS took no part in the consideration and decision of this application. *Mr. Meyer Abrams* for petitioners. *Messrs. Max Swiren and Frank H. Towner* for the First National Bank et al.; and *Mr. Claire W. Hardy* for A. C. Allyn & Co., respondents. Reported below: 305 Ill. App. 488; 27 N. E. 2d 479.

No. 622. DRAVO CONTRACTING CO. *v.* JAMES, STATE TAX COMMISSIONER. January 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. MR. JUSTICE REED took no part in the consideration and decision of this application. *Messrs. Wm. S. Moorhead, Lawrence D. Blair, W. Chapman Revercomb, and W. Elliott Nefflen* for petitioner. *Messrs. Clarence W. Meadows, Attorney General of West Virginia, and W. Holt Wooddell, Assistant Attorney General,* for respondent. Reported below: 114 F. 2d 242.

No. 352. SUNSHINE MINING CO. *v.* NATIONAL LABOR RELATIONS BOARD. January 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Joseph C. Cheney and Charles H. Paul* for petitioner. *Solicitor General Biddle*

312 U. S.

Decisions Denying Certiorari.

and Messrs. *Thomas E. Harris*, *Charles Fahy*, *Robert B. Watts*, and *Laurence A. Knapp* for respondent. Reported below: 110 F. 2d 780.

No. 563. *HOSTETTER v. UNITED STATES*. January 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. H. F. Stambaugh* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Clark*, and Messrs. *Sewall Key*, *Arnold Raum*, and *F. E. Youngman* for the United States. Reported below: 113 F. 2d 64.

No. 582. *NEAL v. UNITED STATES*. January 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. Messrs. *Edward J. Callahan* and *William J. Hughes, Jr.* for petitioner. *Solicitor General Biddle* and Messrs. *Wendell Berge*, *Raoul Berger*, *George F. Kneip*, and *W. Marvin Smith* for the United States. Reported below: 114 F. 2d 1000.

No. 602. *CHALK, COMMISSIONER, ET AL. v. UNITED STATES*. January 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. Messrs. *Harry McMullan*, Attorney General of North Carolina, *Lee Overman Gregory*, Assistant Attorney General, *J. Y. Jordan, Jr.*, *J. M. Horner, Jr.*, and *Peyton Randolph Harris* for petitioners. *Solicitor General Biddle* for the United States. Reported below: 114 F. 2d 207.

No. 604. *UNITED STATES NATIONAL BANK OF SAN DIEGO ET AL. v. COUNTY OF SAN DIEGO ET AL.* January 13, 1941. Petition for writ of certiorari to the Supreme

Court of California denied. *Mr. Louis W. Myers* for petitioners. *Mr. H. H. Linney*, Deputy Attorney General of California, for respondents. Reported below: 16 Cal. 2d 142; 105 P. 2d 94.

No. 606. VIKING PUMP CO. *v.* NATIONAL LABOR RELATIONS BOARD. January 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. James B. Newman* for petitioner. *Solicitor General Biddle* and *Messrs. Robert B. Watts, Laurence A. Knapp, Mortimer B. Wolf, and A. Norman Somers* for respondent. Reported below: 113 F. 2d 759.

No. 615. STEWART DIE CASTING CORP. *v.* NATIONAL LABOR RELATIONS BOARD. January 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Silas H. Strawn and Frank H. Towner* for petitioner. *Solicitor General Biddle* and *Messrs. Thomas E. Harris, Robert B. Watts, Laurence A. Knapp, Mortimer B. Wolf, and Bertram Edises* for respondent. Reported below: 114 F. 2d 849.

No. 630. COMMISSIONER OF CORPORATIONS & TAXATION *v.* FLAHERTY. January 13, 1941. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. *Mr. Paul A. Dever*, Attorney General of Massachusetts, for petitioner. *Messrs. Charles B. Rugg and H. Brian Holland* for respondent. Reported below: 306 Mass. 461; 28 N. E. 2d 433.

No. 644. H. W. GOSSARD CO. *v.* LOEBER'S, INC. January 13, 1941. Petition for writ of certiorari to the Cir-

312 U. S.

Decisions Denying Certiorari.

cuit Court of Appeals for the Seventh Circuit denied. *Messrs. Hugh M. Morris, Frederic Burnham, and Donald Malcolm* for petitioner. *Messrs. Samuel E. Darby, Jr. and Floyd H. Crews* for respondent. Reported below: 114 F. 2d 166.

No. 600. WALDON *v.* UNITED STATES. January 20, 1941. 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. William Scott Stewart* for petitioner. Reported below: 114 F. 2d 982.

No. 626. GREEN *v.* HOLLAND, U. S. DISTRICT JUDGE. January 20, 1941. The motion to strike the brief of the City of Stuart is denied. The petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit is denied. *Mr. Manley P. Caldwell* for petitioner. *Mr. Geo. W. Coleman* for respondent. Reported below: 114 F. 2d 1018.

No. 612. MISSOURI PACIFIC TRANSPORTATION CO. ET AL. *v.* GEORGE ET AL. January 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Frank H. Myers* for petitioners. Reported below: 114 F. 2d 757.

No. 614. VALLEY WASTE MILLS *v.* PAGE ET AL. January 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. E. D. Smith, Jr., Hatton Lovejoy, and Marion Smith* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key*

and *Lee A. Jackson* for respondents. Reported below: 115 F. 2d 466.

No. 619. GENERAL MOTORS CORP. ET AL. *v.* FEDERAL TRADE COMMISSION. January 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. John Thomas Smith and Anthony J. Russo* for petitioners. *Solicitor General Biddle, Assistant Attorney General Arnold, and Messrs. Charles H. Weston and W. T. Kelley* for respondent. Reported below: 114 F. 2d 33.

No. 621. HENRY LEVAUR, INC., ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. January 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Allan Seserman* for petitioners. *Solicitor General Biddle and Messrs. Robert B. Watts, Laurence A. Knapp, and Mortimer B. Wolf* for respondent. Reported below: 115 F. 2d 105.

No. 632. DETROIT TRUST CO. (FORMERLY SECURITY TRUST COMPANY), EXECUTOR, *v.* WOODWORTH, COLLECTOR OF INTERNAL REVENUE. January 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Charles F. Delbridge and Francis W. McCauley* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, Thomas E. Harris, Maurice J. Mahoney, and George H. Zeutzius* for respondent. Reported below: 110 F. 2d 829.

No. 634. BALTIMORE & OHIO RAILROAD CO. *v.* JOSEPH, ADMINISTRATOR. January 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth

312 U. S.

Decisions Denying Certiorari.

Circuit denied. *Mr. Raymond T. Jackson* for petitioner. *Mr. Peter Q. Nyce* for respondent. Reported below: 112 F. 2d 518.

No. 643. MUTUAL BENEFIT HEALTH & ACCIDENT ASSN. *v.* MICCOLIS. January 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. L. L. Bomberger, John W. Morthland, Benjamin S. Minor, Arthur P. Drury, and John M. Lynham* for petitioner. *Mr. Oscar B. Thiel* for respondent. Reported below: 115 F. 2d 579.

No. 651. ANCHOR STOVE & RANGE Co. *v.* MONTGOMERY WARD & Co., INC. January 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Walter F. Murray* for petitioner. *Messrs. John A. Barr and Stuart S. Ball* for respondent. Reported below: 114 F. 2d 893.

No. 579. ODOM *v.* ADERHOLD, WARDEN. February 3, 1941. 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. *William Henry Odom, pro se.* Reported below: 115 F. 2d 202.

No. 608. MITCHELL *v.* BOARD OF GOVERNORS OF WASHINGTON STATE BAR ASSOCIATION. February 3, 1941. Petition for writ of certiorari to the Supreme Court of the State of Washington, and motion for leave to proceed further *in forma pauperis*, denied. *Walter B. Mitchell, pro se.*

No. 642. CRITES *v.* RADTKE ET AL. February 3, 1941. Petition for writ of certiorari to the Circuit Court of

Appeals for the Second Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Virgil C. Crites, pro se. Messrs. Stephen H. Philbin, Robert W. Perkins, and Leonard Day* for respondents.

No. 645. *MONFILS, ADMINISTRATRIX, v. HAZELWOOD ET AL.* February 3, 1941. Petition for writ of certiorari to the Supreme Court of North Carolina, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. J. H. Bridgers* for petitioner. *Mr. Bennett H. Perry* for respondents. Reported below: 218 N. C. 215; 10 S. E. 2d 673.

No. 635. *WELD ET AL. v. CALIFORNIA.* February 3, 1941. Petition for writ of certiorari to the Superior Court, County of Alameda, California, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. George Olshausen* for petitioners. *Messrs. Homer W. Buckley and Robert H. McCreary* for respondent.

No. 565. *LOVVERN v. JOHNSTON, WARDEN.* February 3, 1941. 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. *James A. Lovvern, pro se.*

No. 664. *KMECAK v. HUNT, WARDEN.* February 3, 1941. Petition for writ of certiorari to the Supreme Court of the State of New York, and motion for leave to proceed further *in forma pauperis*, denied. *Steve Kmecak, pro se.*

No. 636. *SCHWEIDEL v. LEHIGH VALLEY RAILROAD CO. ET AL.* February 3, 1941. Petition for writ of certiorari

312 U. S.

Decisions Denying Certiorari.

to the District Court of the United States for the Eastern District of Pennsylvania denied. MR. JUSTICE DOUGLAS took no part in the consideration and decision of this application. *Mr. Lemuel B. Schofield* for petitioner. *Mr. Maurice Bower Saul* for respondents.

No. 637. ABRAMS *v.* LEHIGH VALLEY RAILROAD Co. ET AL. February 3, 1941. Petition for writ of certiorari to the District Court of the United States for the Eastern District of Pennsylvania denied. MR. JUSTICE DOUGLAS took no part in the consideration and decision of this application. *Mr. Meyer Abrams, pro se.* *Mr. Maurice Bower Saul* for respondents.

No. 657. BRENNAN *v.* BALTIMORE & OHIO RAILROAD Co. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. JUSTICE BLACK is of the opinion that the petition for certiorari should be granted. *Mr. William Paul Allen* for petitioner. *Mr. Harold R. Oakes* for respondent. Reported below: 115 F. 2d 555.

No. 633. PECORARO ET AL. *v.* UNITED STATES. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Louis Halle* for petitioners. *Solicitor General Biddle* and *Messrs. Wendell Berge, George F. Kneip, and W. Marvin Smith* for the United States. Reported below: 115 F. 2d 245.

No. 639. STERN ET AL., COMMITTEE OF WAGE EARNERS OF DEBTOR, *v.* PENNSYLVANIA CENTRAL BREWING Co., BANKRUPT. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third

Circuit denied. *Mr. J. Julius Levy* for petitioners. Reported below: 114 F. 2d 1010.

No. 646. OLIN, ADMINISTRATRIX, *v.* NEW ENGLAND LIFE INSURANCE Co. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Arthur R. Robinson* for petitioner. *Messrs. Clair McTurnan and William R. Higgins* for respondent. Reported below: 114 F. 2d 131.

No. 650. FUHRMAN & FORSTER Co. *v.* COMMISSIONER OF INTERNAL REVENUE. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Rayford W. Lemley* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, Warner W. Gardner, and F. E. Youngman* for respondent. Reported below: 114 F. 2d 863.

No. 652. FARMERS UNDERWRITERS ASSOCIATION *v.* CARTER, ADMINISTRATOR. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Joseph D. Brady* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and John A. Gage* for respondent. Reported below: 115 F. 2d 302.

No. 653. ATLAS MILLING Co. *v.* JONES, COLLECTOR OF INTERNAL REVENUE. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Harry W. Blair* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, Norman D. Keller, and Thomas E. Harris* for respondent. Reported below: 115 F. 2d 61.

312 U. S.

Decisions Denying Certiorari.

No. 656. INGRAM-RICHARDSON MANUFACTURING CO. v. DEPARTMENT OF TREASURY OF INDIANA ET AL. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Earl B. Barnes, Alan W. Boyd, and Charles M. Wells* for petitioner. *Messrs. Samuel D. Jackson, Attorney General of Indiana, Joseph W. Hutchinson, and Joseph P. McNamara* for respondents. Reported below: 114 F. 2d 889.

No. 649. ALLIED BRIDGE & CONSTRUCTION CO. v. DANVILLE SANITARY DISTRICT. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Charles P. R. Macaulay* for petitioner. *Mr. Paul F. Jones* for respondent. Reported below: 114 F. 2d 155.

No. 660. BURLEY IRRIGATION DISTRICT v. ICKES, SECRETARY OF THE INTERIOR. February 3, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. E. Barrett Prettyman, F. G. Awalt, Raymond Sparks, and S. T. Lowe* for petitioner. *Solicitor General Biddle* for respondent. Reported below: 116 F. 2d 529.

No. 665. WIELAND v. PAGE. February 3, 1941. Petition for writ of certiorari to the Supreme Court of Ohio denied. *Mr. Charles Auerbach* for petitioner. *Mr. George Q. Keeley* for respondent. Reported below: 137 Ohio St. 198; 28 N. E. 2d 583.

No. 669. PEERLESS EQUIPMENT Co. v. W. H. MINER, INC. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit

denied. *Messrs. David P. Wolhaupter and Franklin M. Warden* for petitioner. *Mr. George I. Haight* for respondent. Reported below: 115 F. 2d 650.

No. 670. *SANA LABORATORIES, INC., ET AL. v. UNITED STATES*. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Harlan Besson* for petitioners. *Solicitor General Biddle and Messrs. Wendell Berge, George F. Kneip, Fred E. Strine, and W. Marvin Smith* for the United States. Reported below: 115 F. 2d 717.

No. 677. *KYCOGA LAND CO. v. KENTUCKY RIVER COAL CORP.* February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Joseph S. Graydon and Buford C. Tynes* for petitioner. *Mr. Peter T. Wheeler* for respondent. Reported below: 110 F. 2d 894.

No. 682. *GORHAM v. MUTUAL BENEFIT HEALTH & ACCIDENT ASSOCIATION OF OMAHA*. February 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. I. M. Bailey and W. H. Yarborough* for petitioner. *Messrs. Julius C. Smith and C. R. Wharton* for respondent. Reported below: 114 F. 2d 97.

No. 703. *GUERIN v. GRIEFEN*. February 3, 1941. Petition for writ of certiorari to the Appellate Court, First District, of Illinois, denied. *Mr. William S. Kleinman* for petitioner. *Mr. Charles O. Rundall* for respondent. Reported below: 305 Ill. App. 494; 27 N. E. 2d 609.

312 U. S.

Decisions Denying Certiorari.

No. 13, original. *EX PARTE WILLIAM H. LOCKHART*. February 10, 1941. The motion for leave to file petition for writ of certiorari is granted. The 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*, are denied. *William H. Lockhart, pro se*.

No. 60. *CANTU v. TEXAS*. February 10, 1941. The motion to proceed on typewritten papers is granted. The petition for writ of certiorari to the Court of Criminal Appeals of Texas is denied. *Mr. A. B. Cole* for petitioner. *Messrs. Gerald C. Mann*, Attorney General of Texas, and *Lloyd W. Davidson* for respondent. Reported below: 135 S. W. 2d 705.

No. 136. *C & C ICE CREAM CO., INC. v. EWING-VON ALLMEN DAIRY CO. ET AL.* February 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE ROBERTS took no part in the consideration and decision of this application. *Mr. Joseph S. Lawton* for petitioner. *Messrs. Marvin H. Taylor* and *Edward P. Humphrey* for respondents. Reported below: 109 F. 2d 898.

No. 661. *FORD MOTOR CO. v. NATIONAL LABOR RELATIONS BOARD*. February 10, 1941. 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. *Messrs. Frederick H. Wood* and *Alfred McCormack* for petitioner. *Solicitor General Biddle* and *Messrs. Warner W. Gardner, Robert B. Watts, Laurence A. Knapp,* and *Mortimer B. Wolf* for respondent. Reported below: 114 F. 2d 905.

No. 662. NUDELMAN, DIRECTOR OF FINANCE OF ILLINOIS, *v.* GLOBE VARNISH CO. February 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied for the want of jurisdiction. *Davis v. Preston*, 280 U. S. 406. *Messrs. John E. Cassidy*, Attorney General of Illinois, *Montgomery S. Winning*, *Edwin T. Breen*, *Eli J. Bibo*, and *Philip J. Simon*, Assistant Attorneys General, for petitioner. *Messrs. Thurlow G. Essington*, *Russell Whitman*, *William P. Sidley*, and *Hamilton K. Beebe* for respondent. Reported below: 114 F. 2d 916.

No. 187. RATH ET AL. *v.* CROSBY. February 10, 1941. Petition for writ of certiorari to the Supreme Court of Ohio denied. *Messrs. Joseph A. Padway* and *Leonard J. Stern* for petitioners. *Messrs. Welles K. Stanley* and *Harry E. Smoyer* for respondent. Reported below: 135 Ohio St. 666; 136 Ohio St. 352; 22 N. E. 2d 83; 25 N. E. 2d 934.

No. 685. KNIFFIN, TRUSTEE, *v.* STATE OF NEW YORK. February 10, 1941. Petition for writ of certiorari to the Court of Claims of the State of New York denied. *Mr. Lloyd B. Kanter* for petitioner. *Messrs. John J. Bennett, Jr.*, Attorney General of New York, *Henry Epstein*, Solicitor General, and *James H. Glavin, Jr.*, Assistant Attorney General, for respondent. Reported below: 257 App. Div. 43; 283 N. Y. 317; 284 N. Y. 593; 12 N. Y. S. 2d 422; 28 N. E. 2d 853; 29 N. E. 2d 668.

No. 690. VAN GILDER *v.* AMERICAN SURETY CO. OF NEW YORK. February 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Joseph W. Planck* for petitioner.

312 U. S.

Decisions Denying Certiorari.

Mr. Clayton F. Jennings for respondent. Reported below: 115 F. 2d 200.

No. 711. *MAY, DOING BUSINESS AS GEORGE S. MAY Co., v. MULLIGAN.* February 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Harry C. Howard* for petitioner. Reported below: 117 F. 2d 259.

No. 190. *KELLY v. JOHNSTON, WARDEN.* February 17, 1941. 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. *Harry C. Kelly, pro se.* Reported below: 111 F. 2d 613.

No. 576. *DE VEUVE, DOING BUSINESS AS SAN FRANCISCO UNDERWRITERS OF SAN FRANCISCO, ET AL. v. TARLETON ET AL.* February 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Wallace Shepard* for petitioners. *Mr. James D. Meredith* for respondents. Reported below: 113 F. 2d 290.

No. 668. *MANUFACTURERS TRUST Co. v. UNITED STATES.* February 17, 1941. Petition for writ of certiorari to the Court of Claims denied. *Mr. Donald Marks* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark,* and *Messrs. Sewall Key* and *J. Louis Monarch* for the United States. Reported below: 91 Ct. Cls. 406; 32 F. Supp. 289.

No. 674. *SCIORTINO v. UNITED STATES.* February 17, 1941. Petition for writ of certiorari to the Circuit Court

of Appeals for the Second Circuit denied. *Mr. Leo H. Klugherz* for petitioner. *Solicitor General Biddle* and *Messrs. Wendell Berge, George F. Kneip, and W. Marvin Smith* for the United States. Reported below: 115 F. 2d 504.

No. 691. CHICAGO & NORTH WESTERN RAILWAY CO. ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. February 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Nelson Trottman and William T. Faricy* for petitioners. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and Joseph M. Jones* for respondent. Reported below: 114 F. 2d 882.

No. 693. BAKER ET AL. *v.* UNITED STATES. February 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. A. G. Bush, W. R. Donham, L. E. Gwinn, and Jacob N. Halper* for petitioners. *Solicitor General Biddle* and *Messrs. Wendell Berge, Herbert Wechsler, William J. Connor, and M. Joseph Matan* for the United States. Reported below: 115 F. 2d 533.

No. 694. LUZON BROKERAGE CO., INC. *v.* PUBLIC SERVICE COMMISSION ET AL. February 17, 1941. Petition for writ of certiorari to the Supreme Court of the Philippines denied. *Mr. L. D. Lockwood* for petitioner. *Mr. Nathan R. Margold* for respondents.

No. 695. DETROIT & WINDSOR FERRY CO. *v.* WOODWORTH, FORMER COLLECTOR OF INTERNAL REVENUE. February 17, 1941. Petition for writ of certiorari to the

312 U. S.

Decisions Denying Certiorari.

Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Hal H. Smith* for petitioner. *Solicitor General Bidle*, *Assistant Attorney General Clark*, and *Messrs. Sewall Key* and *Arthur A. Armstrong* for respondent. Reported below: 115 F. 2d 795.

No. 696. BEKINS ET AL., TRUSTEES, ET AL. *v.* LINDSAY-STRATHMORE IRRIGATION DISTRICT. February 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. W. Coburn Cook* for petitioners. *Messrs. Guy Knupp* and *Jas. R. McBride* for respondent. Reported below: 114 F. 2d 680.

No. 698. JORDAN ET AL. *v.* PALO VERDE IRRIGATION DISTRICT. February 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. W. Coburn Cook* for petitioners. *Messrs. Arvin B. Shaw, Jr.* and *Wm. L. Murphey* for respondent. Reported below: 114 F. 2d 691.

No. 699. MOODY ET AL. *v.* JAMES IRRIGATION DISTRICT, DEBTOR. February 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. W. Coburn Cook* for petitioners. *Mr. A. L. Cowell* for respondent. Reported below: 114 F. 2d 685.

No. 725. CASCO PRODUCTS CORP. *v.* SINKO TOOL & MANUFACTURING Co. February 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Drury W. Cooper*, *Henry M. Huxley*, and *Thomas J. Byrne* for petitioner. *Messrs. Bernard A. Schroeder*, *Russell Wiles*, and *George*

A. *Chritton* for respondent. Reported below: 116 F. 2d 119.

No. 716. *HUSOCK v. STATE OF NEW YORK*. See *ante*, p. 659.

No. 15, original. *EARLEY v. CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC R. CO.* March 3, 1941. Motion for leave to file a petition for writ of certiorari granted. 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. JUSTICE DOUGLAS took no part in the consideration and decision of these applications. *John J. Earley, pro se.*

No. 688. *LATIMER v. STATE OF WASHINGTON ET AL.* March 3, 1941. Petition for writ of certiorari to the Supreme Court of the State of Washington, and motion for leave to proceed further *in forma pauperis*, denied. *George D. Latimer, pro se.*

No. 713. *FLETCHER v. EVENING STAR NEWSPAPER CO.* March 3, 1941. 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. *Edmond C. Fletcher, pro se.* Reported below: 72 App. D. C. 303; 114 F. 2d 582.

No. 730. *STRZEP v. STATE OF NEW YORK*. March 3, 1941. Petition for writ of certiorari to the Supreme Court of New York, and motion for leave to proceed further *in forma pauperis*, denied. *Celestian L. Strzep, pro se.* Reported below: 257 App. Div. 1042, 1100; 283

312 U. S.

Decisions Denying Certiorari

N. Y. 699; 284 N. Y. 580; 13 N. Y. S. 2d 850; 14 N. Y. S. 2d 1006; 28 N. E. 2d 715; 29 N. E. 2d 659.

No. 659. CHOCTAW NATION *v.* UNITED STATES. March 3, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. W. F. Semple, R. M. Rainey, Streeter B. Flynn, and T. P. Gore* for petitioner. *Solicitor General Biddle* for the United States. Reported below: 91 Ct. Cls. 320.

No. 680. REUTER *v.* UNITED STATES. March 3, 1941. Petition for writ of certiorari to the Court of Claims denied. *Mr. James A. Cosgrove* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Mr. Sewall Key* for the United States. Reported below: 92 Ct. Cls. 74; 34 F. Supp. 1014.

No. 702. MCINTYRE *v.* GEORGIA. March 3, 1941. Petition for writ of certiorari to the Supreme Court of Georgia denied. *Mr. G. Seals Aiken* for petitioner. *Mr. J. W. LeCraw* for respondent. Reported below: 190 Ga. 872; 11 S. E. 2d 5.

No. 704. MONARCH DISTRIBUTING CO. ET AL. *v.* UNITED STATES. March 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Harold J. Bandy* for petitioners. *Solicitor General Biddle and Messrs. Wendell Berge, Raoul Berger, George F. Kneip, and W. Marvin Smith* for the United States. Reported below: 116 F. 2d 11.

No. 706. ROMANS ET AL. *v.* MARYLAND. March 3, 1941. Petition for writ of certiorari to the Court of Appeals of Maryland denied. *Mr. Eldridge Hood Young*

for petitioners. *Mr. William C. Walsh*, Attorney General of Maryland, for respondent. Reported below: 178 Md. 588; 16 A. 2d 642.

No. 707. *CITY OF NEW YORK v. UNITED STATES ET AL.* March 3, 1941. Petition for writ of certiorari to the Supreme Court of New York denied. *Messrs. William C. Chanler, Paxton Blair, and Sol Charles Levine* for petitioner. *Solicitor General Biddle, Assistant Attorney General Shea, and Messrs. Melvin H. Siegel and Paul A. Sweeney* for respondents. Reported below: 259 App. Div. 688; 284 N. Y. 713; 20 N. Y. S. 2d 573; 31 N. E. 2d 48.

No. 663. *OBARTUCH v. SECURITY MUTUAL LIFE INSURANCE Co.* March 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Roy Massena and Donald N. Schaffer* for petitioner. *Messrs. Dwight S. Bobb and Robert W. Childs* for respondent. Reported below: 114 F. 2d 873.

No. 672. *H. B. NELSON CONSTRUCTION Co. v. UNITED STATES.* March 3, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. S. Wallace Dempsey and Thomas Bruce Fuller* for petitioner. *Solicitor General Biddle, Assistant Attorney General Shea, and Mr. Paul A. Sweeney* for the United States. Reported below: 91 Ct. Cls. 476.

No. 673. *H. B. NELSON CONSTRUCTION Co. v. UNITED STATES.* March 3, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. S. Wallace Dempsey and Thomas Bruce Fuller* for petitioner. *So-*

312 U.S.

Decisions Denying Certiorari.

licitor General Biddle, Assistant Attorney General Shea, and Mr. Melvin H. Siegel for the United States. Reported below: 91 Ct. Cls. 488.

No. 675. SEEDS ET AL. *v.* UNITED STATES. March 3, 1941. Petition for writ of certiorari to the Court of Claims denied. *Mr. Walter Biddle Saul* for petitioners. *Solicitor General Biddle, Assistant Attorney General Shea, and Messrs. Melvin H. Siegel and Thomas E. Harris* for the United States. Reported below: 92 Ct. Cls. 97.

No. 723. JORDAN ET AL. *v.* FISHER ET AL. March 3, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. E. L. Klett and W. W. Campbell* for petitioners. *Mr. Alfred McKnight* for respondents. Reported below: 116 F. 2d 183.

No. 747. SHEPPARD, COMPTROLLER OF PUBLIC ACCOUNTS, ET AL. *v.* CARPENTER. March 3, 1941. Petition for writ of certiorari to the Supreme Court of Texas denied. *Messrs. Gerald C. Mann, Attorney General of Texas, Grover Sellers, First Assistant Attorney General, R. W. Fairchild, Ocie Speer, and Geo. W. Barcus, Assistant Attorneys General,* for petitioners. *Messrs. Dan Moody, Everett L. Looney, Claude V. Birkhead, R. L. Bobbitt, and Charles L. Black* for respondent. Reported below: 135 Texas 413; 145 S. W. 2d 562.

No. 613. ROBBINS *v.* SANFORD, WARDEN. March 10, 1941. 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. James*

F. Kemp for petitioner. Reported below: 115 F. 2d 435.

No. 720. *PARRISH v. STRATTON CRIPPLE CREEK MINING & DEVELOPMENT Co.* March 10, 1941. 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. *E. F. Parrish, pro se. Mr. David P. Strickler* for respondent. Reported below: 116 F. 2d 207.

No. 701. *SMITH v. HENDERSON, WARDEN.* March 10, 1941. Petition for writ of certiorari to the Supreme Court of Georgia, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Leon A. Ransom* for petitioner. *Mr. J. Walter LeCraw* for respondent. Reported below: 190 Ga. 886; 10 S. E. 2d 921.

No. 751. *INDIANA UNEMPLOYMENT COMPENSATION BOARD v. BENNER-CORYELL LUMBER Co., INC.* March 10, 1941. Petition for writ of certiorari to the Supreme Court of Indiana denied for the want of a final judgment. *Messrs. Joseph P. McNamara and Thomas M. Quinn, Jr.* for petitioner. *Mr. John R. Browne* for respondent. Briefs were filed on behalf of unemployment compensation agencies of several States, as *amici curiae*, in support of the petition. Reported below: 218 Ind. —; 29 N. E. 2d 776.

No. 779. *CITY OF JACKSON ET AL. v. MISSISSIPPI POWER & LIGHT Co.* March 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. MR. JUSTICE DOUGLAS took no part in the consideration and decision of this application. *Messrs. J. Morgan Stevens and W. E. Morse* for petitioners.

312 U.S.

Decisions Denying Certiorari.

Messrs. Marcellus Green and Garner W. Green for respondent. Reported below: 116 F. 2d 924.

No. 681. SHIP CONSTRUCTION & TRADING Co., INC. v. UNITED STATES. March 10, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Asbury Hayne de Yampert and Herbert M. Bingham* for petitioner. *Solicitor General Biddle, Assistant Attorney General Shea, and Messrs. Melvin H. Siegel and Thomas E. Harris* for the United States. Reported below: 91 Ct. Cls. 419.

No. 722. ADAMS, TRUSTEE, v. CITY BANK & TRUST Co. March 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. F. Baldwin Martin* for petitioner. *Mr. A. O. B. Sparks* for respondent. Reported below: 115 F. 2d 453.

No. 724. TROY-PARISIAN, INC. v. UNITED STATES EX REL. ADMINISTRATOR OF THE FEDERAL HOUSING ADMINISTRATION. March 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. O. A. Johannesen* for petitioner. *Solicitor General Biddle, Assistant Attorney General Shea, and Mr. Melvin H. Siegel* for respondent. Reported below: 115 F. 2d 224.

No. 726. ANHEUSER-BUSCH, INC., ET AL. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE. March 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Daniel N. Kirby, Allen C. Orrick, and Harry W. Kroeger* for petitioners. *Solicitor General Biddle and Messrs. Sewall Key, Richard H. Demuth, and Morton K. Rothschild* for respondent. Reported below: 115 F. 2d 662.

No. 728. MAY DEPARTMENT STORES CO. ET AL. *v.* TAKASHI KATAOKA ET AL. March 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Frank J. Hogan, Edmund L. Jones, and Walter O. Schell* for petitioners. *Mr. J. Marion Wright* for respondents. Reported below: 115 F. 2d 521.

No. 733. ROERICH *v.* HELVERING, COMMISSIONER OF INTERNAL REVENUE. March 10, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. Charles B. McInnis and John H. Jackson* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Mr. Sewall Key* for respondent. Reported below: 115 F. 2d 39.

No. 745. UNION TRUST CO. OF PITTSBURGH, TRUSTEE, *v.* COMMISSIONER OF INTERNAL REVENUE. March 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. J. Merrill Wright and David R. Shelton* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Mr. Sewall Key* for respondent. Reported below: 115 F. 2d 86.

No. 749. WELLS FARGO BANK & UNION TRUST CO. *v.* COLLECTOR OF INTERNAL REVENUE. March 10, 1941. Petition for writ of certiorari to the Supreme Court of the Philippines denied. *Messrs. Sidney M. Ehrman and Lloyd W. Dinkelspiel* for petitioner. *Mr. Nathan R. Margold* for respondent.

No. 750. BLAIR, JUDGE OF THE CIRCUIT COURT OF COLE COUNTY, MISSOURI *v.* MISSOURI EX REL. LUCAS, SUPERINTENDENT. March 10, 1941. Petition for writ of cer-

312 U.S.

Decisions Denying Certiorari.

tiorari to the Supreme Court of Missouri denied. *Mr. John T. Barker* for petitioner. *Messrs. Roy McKittrick*, Attorney General of Missouri, *Covell R. Hewitt*, *Harry H. Kay*, Assistant Attorneys General, and *Charles L. Henson* for respondent. Reported below: 146 Mo. 1017; 144 S. W. 2d 106.

No. 647. *MONSEN v. UNITED STATES*. March 17, 1941. 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. *Jennings B. Monsen, pro se*. Reported below: 115 F. 2d 635.

No. 742. *MORGAN v. UNITED STATES*. March 17, 1941. 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. C. L. Dawson* for petitioner. Reported below: 115 F. 2d 427.

No. 754. *OHIO EX REL. SMITH v. YOUNG, JUDGE, ET AL.* March 17, 1941. Petition for writ of certiorari to the Supreme Court of Ohio, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. Paul D. Smith* and *Thomas M. Sutherland* for petitioner. *Mr. Howard F. Guthery* for respondents. Reported below: 137 Ohio St. 319; 29 N. E. 2d 564.

No. 731. *MORGAN v. TENNESSEE VALLEY AUTHORITY ET AL.* March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *MR. JUSTICE FRANKFURTER* took no part in the consideration and decision of this application. *Mr. Edwin H. Cassels* for petitioner. *Solicitor General Bid-*

dle, Assistant Attorney General Shea, and Mr. William C. Fitts, Jr. for respondents. Reported below: 115 F. 2d 990.

No. 757. CRAB ORCHARD IMPROVEMENT Co. *v.* CHESAPEAKE & OHIO RAILWAY Co. March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. MR. JUSTICE REED took no part in the consideration and decision of this application. *Mr. W. A. Thornhill* for petitioner. Reported below: 115 F. 2d 277.

No. 762. MCGLOON *v.* UNITED STATES. March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. JUSTICE DOUGLAS and MR. JUSTICE MURPHY took no part in the consideration and decision of this application. *Mr. Fred A. Ironside, Jr.* for petitioner. *Solicitor General Biddle, Assistant Attorney General Berge, and Messrs. James P. O'Brien, Arthur Breuer, W. Marvin Smith, and Chester T. Lane* for the United States. Reported below: 116 F. 2d 285.

No. 648. DOMENECH, TREASURER, *v.* SAN JUAN TRADING Co., INC.; and

No. 679. SAN JUAN TRADING Co., INC. *v.* DOMENECH, TREASURER OF PUERTO RICO. March 17, 1941. Petitions for writs 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 in No. 648 and respondent in No. 679. *Mr. L. E. Dubon* for respondent in No. 648 and petitioner in No. 679. Reported below: 114 F. 2d 969.

312 U. S.

Decisions Denying Certiorari

No. 712. *KYNETTE v. CALIFORNIA*. March 17, 1941. Petition for writ of certiorari to the Supreme Court of California denied. *Earle E. Kynette, pro se. Messrs. Earl Warren, Attorney General of California, Everett W. Mattoon, Assistant Attorney General, and Frank Richards, Deputy Attorney General, for respondent.* Reported below: 15 Cal. 2d 731; 97 P. 2d 287; 104 P. 2d 794.

No. 721. *SCOTT v. COHEN*. March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Robert Allen Ritchie for petitioner.* Reported below: 115 F. 2d 704.

No. 752. *SOUTHWESTERN HOTEL Co. v. UNITED STATES*. March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Thornton Hardie for petitioner. Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and F. E. Youngman for the United States.* Reported below: 115 F. 2d 686.

No. 760. *MILLER v. COMMISSIONER OF INTERNAL REVENUE*. March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. J. G. Korner, Jr. for petitioner. Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key, Arnold Raum, and Maurice J. Mahoney for respondent.* Reported below: 115 F. 2d 479.

No. 761. *CRENSHAW v. UNITED STATES*. March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. L. E.*

Gwinn and Charles C. Grassham for petitioner. *Solicitor General Biddle, Assistant Attorney General Berge,* and *Mr. George F. Kneip* for the United States. Reported below: 116 F. 2d 737.

No. 764. *HELVERING, COMMISSIONER OF INTERNAL REVENUE, v. CLEVELAND TRUST Co., TRUSTEE.* March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Solicitor General Biddle* for petitioner. *Mr. Charles P. Hine* for respondent. Reported below: 115 F. 2d 481.

No. 765. *COTSIRILOS v. KLEIN, TRUSTEE.* March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Harold O. Mulks* for petitioner. Reported below: 115 F. 2d 626.

No. 788. *NEW YORK LIFE INSURANCE Co. v. GRIESE-DIECK.* March 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. James C. Jones, Lon O. Hocker, James C. Jones, Jr., and Louis H. Cooke* for petitioner. *Mr. William L. Mason* for respondent. Reported below: 116 F. 2d 559.

No. 772. *BARTINDALE v. STATE OF NEW YORK.* March 31, 1941. Petition for writ of certiorari to the County Court of Rockland County, State of New York, and motion for leave to proceed further *in forma pauperis*, denied. *Horace Lee Bartindale, pro se. Messrs. John J. Bennett, Jr., Attorney General of New York, and George V. Dorsey* for respondent. Reported below: 259 App. Div. 841; 284 N. Y. 677; 20 N. Y. S. 2d 172; 30 N. E. 2d 724.

312 U.S.

Decisions Denying Certiorari.

No. 813. LEWIS *v.* LOUISIANA. March 31, 1941. Petition for writ of certiorari to the Supreme Court of Louisiana, and motion for leave to proceed further *in forma pauperis*, denied. *Annie C. Lewis, pro se.* Reported below: 196 La. 814; 200 So. 265.

No. 777. ILLINOIS EX REL. LEAF, COUNTY TREASURER, *v.* ORVIS. March 31, 1941. Petition for writ of certiorari to the Supreme Court of Illinois denied for the want of a final judgment. *Messrs. Werner W. Schroeder and Hamilton K. Beebe* for petitioner. *Mr. Nelson Trottman* for respondent. Reported below: 374 Ill. 536; 30 N. E. 2d 28.

No. 783. EWING *v.* NATIONAL AIRPORT CORPORATION. March 31, 1941. The motion to consider the petition on appendices to briefs filed in the Circuit Court of Appeals is granted. The petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit is denied. *Messrs. William E. Leahy and William J. Hughes, Jr.* for petitioner. *Mr. Albert V. Bryan* for respondent. Reported below: 115 F. 2d 859.

No. 756. CARPENTER ET AL. *v.* SUPERIOR COURT OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES. March 31, 1941. The motion for leave to use the record in *Carpenter v. Hamilton*, 311 U. S. 656, is granted. The petition for writ of certiorari to the Supreme Court of California is denied. *Mr. A. L. Wirin* for petitioners. *Mr. W. B. McKesson* for respondent. Reported below: 15 Cal. 2d 130; 98 P. 2d 1027.

No. 768. DIXON ET AL. *v.* UNITED STATES. March 31, 1941. Petition for writ of certiorari to the Circuit Court

of Appeals for the Eighth Circuit denied. *Mr. Frank Hickman* for petitioners. *Solicitor General Biddle*, *Assistant Attorney General Berge*, and *Mr. George F. Kneip* for the United States. Reported below: 116 F. 2d 907.

No. 773. *QUEEN INSURANCE CO. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. William H. Hotchkiss* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Clark*, and *Messrs. Sewall Key, Richard H. Demuth, and Warren F. Wattles* for respondent. Reported below: 115 F. 2d 341.

No. 774. *ALTMAYER v. COMMISSIONER OF INTERNAL REVENUE*. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John J. Kendrick* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Clark*, and *Messrs. Sewall Key, J. Louis Monarch, and Edward H. Hammond* for respondent. Reported below: 116 F. 2d 162.

No. 780. *REELEY v. PENNSYLVANIA RAILROAD CO.* March 31, 1941. Petition for writ of certiorari to the Court of Appeals of Maryland denied. *Mr. Isaac Lobe Straus* for petitioner. *Messrs. Edward E. Hargest, Jr. and O. Bowie Duckett, Jr.* for respondent. Reported below: 179 Md. 39; 16 A. 2d 904.

No. 787. *OHIO NATIONAL LIFE INSURANCE CO. v. SACHS ET AL.* March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh

312 U.S. Decisions Denying Certiorari.

Circuit denied. *Mr. O. John Rogge* for petitioner. *Mr. Myron D. Alexander* for respondents. Reported below: 116 F. 2d 113.

No. 790. *WALKER ET AL. v. O'BRIEN ET AL.* March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. A. G. M. Robertson* and *Garner Anthony* for petitioners. *Mr. Howard B. Henshey* for respondents. Reported below: 115 F. 2d 956.

No. 791. *MUTUAL LIFE INSURANCE Co. v. HEILBRONNER, GUARDIAN.* March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. James C. Jones, Lon O. Hocker,* and *James C. Jones, Jr.* for petitioner. Reported below: 116 F. 2d 855.

No. 800. *FROST ET AL., EXECUTORS AND TRUSTEES, ET AL. v. AMERICAN SECURITY & TRUST Co. ET AL.* March 31, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. Norman B. Frost* and *Frederic N. Towers, pro se,* and *Messrs. John A. Kratz, James C. Wilkes,* and *Frank H. Myers* for petitioners. *Messrs. Frederic D. McKenney, John S. Flannery, G. Bowdoin Craighill,* and *John E. Larson* for American Security & Trust Co., respondent. Reported below: 117 F. 2d 283.

Nos. 820, 821 and 822. *GERRITSEN BASIN DEVELOPMENT CORP. v. CITY OF NEW YORK.* March 31, 1941. Petition for writs of certiorari to the Court of Appeals of New York denied. *Mr. Thos. L. Zimmerman, Jr.* for petitioner. *Messrs. William C. Chanler, Paxton Blair,* and *Joseph F. Mulqueen, Jr.* for respondent. Reported be-

low: 258 App. Div. 191; 284 N. Y. 673; 16 N. Y. S. 2d 55; 30 N. E. 2d 722.

No. 738. GENERAL MOTORS CORP. (AS TRANSFEREE IN COMPLETE LIQUIDATION OF WALTER J. BEMB, INC.) *v.* UNITED STATES. March 31, 1941. Petition for writ of certiorari to the Court of Claims denied. *Mr. Benjamin E. Jaffe* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Clark*, and *Messrs. Sewall Key* and *Richard H. Demuth* for the United States. Reported below: 92 Ct. Cls. 159; 35 F. Supp. 466.

No. 739. UNITED MOTOR SERVICE, INC. *v.* UNITED STATES. March 31, 1941. Petition for writ of certiorari to the Court of Claims denied. *Mr. Benjamin E. Jaffe* for petitioner. *Solicitor General Biddle*, *Assistant Attorney General Clark*, and *Messrs. Sewall Key* and *Richard H. Demuth* for the United States. Reported below: 92 Ct. Cls. 159; 35 F. Supp. 466.

No. 766. MILK CONTROL COMMISSION OF PENNSYLVANIA *v.* GREEN, TRADING AS GREEN'S DAIRY, ET AL. March 31, 1941. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Messrs. Claude T. Reno*, *Attorney General of Pennsylvania*, and *Frank E. Coho*, *Deputy Attorney General*, for petitioner. *Mr. George H. Hafer* for respondents. Reported below: 340 Pa. 1; 16 A. 2d 9.

No. 771. BRITISH AMERICAN OIL PRODUCING Co. *v.* BUFFINGTON ET AL. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. William E. Allen* for petitioner. *Mr. Mark McMahon* for respondents. Reported below: 116 F. 2d 363.

312 U.S. Decisions Denying Certiorari.

No. 775. CALIFORNIA LUMBERMEN'S COUNCIL ET AL. *v.* FEDERAL TRADE COMMISSION. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Morgan J. Doyle* for petitioners. *Solicitor General Biddle, Assistant Attorney General Arnold, and Messrs. Charles H. Weston, Thomas E. Harris, and W. T. Kelley* for respondent. Reported below: 115 F. 2d 178.

No. 778. NEW JERSEY WORSTED MILLS *v.* GNICHTEL ET AL., EXECUTORS. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Laurence Arnold Tanzer* for petitioner. *Solicitor General Biddle, Assistant Attorney General Clark, and Messrs. Sewall Key and Maurice J. Mahoney* for respondents. Reported below: 116 F. 2d 338.

No. 786. CHERRY-BURRELL CORPORATION ET AL. *v.* CREAMERY PACKAGE MANUFACTURING Co. March 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Clair W. Fairbank, Hugh M. Morris, and Alexander L. Nichols* for petitioners. *Messrs. George W. Hansen and M. Hudson Rathburn* for respondent. Reported below: 115 F. 2d 980.

No. 801. SCHNEIDER *v.* STATE OF NEW YORK. March 31, 1941. Petition for writ of certiorari to the Court of General Sessions, County of New York, State of New York, denied. *Mr. Louis B. Boudin* for petitioner. *Mr. Stanley H. Fuld* for respondent. Reported below: 258 App. Div. 1044; 284 N. Y. 777; 18 N. Y. S. 2d 1000; 31 N. E. 2d 764.