

DECISIONS GRANTING CERTIORARI, FROM
APRIL 1, 1941, THROUGH JUNE 2, 1941.

No. 697. *WHITE v. JOHNSTON, WARDEN*. See *ante*, p. 538.

No. 449. *VERNON v. ALABAMA*. See *ante*, p. 540.

No. 761. *CRENSHAW v. UNITED STATES*. See *post*, p. 596.

No. 796. *GLASSER v. UNITED STATES*;

No. 797. *KRETSKE v. UNITED STATES*; and

No. 798. *ROTH v. UNITED STATES*. April 7, 1941. 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 petitions for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit are granted. *Messrs. Homer Cummings* and *William D. Donnelly* for petitioner in No. 796. *Mr. Edward M. Keating* for petitioner in No. 797. *Mr. Alfred E. Roth, pro se*. *Solicitor General Biddle*, *Assistant Attorney General Berge*, and *Messrs. George F. Kneip, Fred E. Strine*, and *W. Marvin Smith* for the United States. *Mr. Ralph M. Snyder* filed a brief, as *amicus curiae*, in support of petitioner in No. 796. Reported below: 116 F. 2d 690.

No. 781. *CLOVERLEAF BUTTER Co. v. PATTERSON, COMMISSIONER OF AGRICULTURE AND INDUSTRIES OF ALABAMA, ET AL.* April 7, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Horace C. Wilkinson* and *Erle Pettus* for petitioner. *Messrs. Thomas L. Lawson*, Attorney General

of Alabama, and *William H. Loeb*, Assistant Attorney General, for respondents. Reported below: 116 F. 2d 227.

No. 803. *UNITED STATES v. EMORY ET AL.* April 7, 1941. Petition for writ of certiorari to the Springfield Court of Appeals, of Missouri, granted. *Solicitor General Biddle* for the United States. Reported below: 143 S. W. 2d 318.

No. 817. *ROYAL INDEMNITY Co. v. UNITED STATES.* April 7, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Harry S. Hall and Nathaniel E. Wheeler* for petitioner. *Solicitor General Biddle* for the United States. Reported below: 116 F. 2d 247.

No. 853. *UNITED STATES v. A. S. KREIDER Co.* April 14, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Biddle* for the United States. *Mr. Donald Horne* for respondent. Reported below: 117 F. 2d 133.

No. 863. *CITY OF NEW YORK v. FEIRING, TRUSTEE IN BANKRUPTCY.* April 14, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. William C. Chanler, Paxton Blair, and Sol Charles Levine* for petitioner. *Mr. Benjamin Siegel* for respondent. Reported below: 118 F. 2d 329.

No. 833. *PIERCE v. UNITED STATES.* April 14, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *MR. JUSTICE BLACK*

313 U.S.

Decisions Granting Certiorari.

took no part in the consideration or decision of this application. *Mr. L. E. Gwinn* for petitioner. *Solicitor General Biddle, Assistant Attorney General Berge, and Messrs. George F. Kneip, Fred E. Strine, and W. Marvin Smith* for the United States. Reported below: 115 F. 2d 399.

No. 851. *CUNO ENGINEERING CORPORATION v. AUTOMATIC DEVICES CORPORATION*. April 14, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted, limited to the question whether claims 2, 3, and 11, of the Mead patent No. 1,736,544 are valid. *Mr. Roberts B. Larson* for petitioner. Reported below: 117 F. 2d 361.

No. 826. *UNITED STATES v. KALES*. April 28, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. CHIEF JUSTICE HUGHES* took no part in the consideration and decision of this application. *Solicitor General Biddle* for the United States. *Mr. Hal H. Smith* for respondent. Reported below: 115 F. 2d 497.

No. 827. *ODOM ET AL. v. UNITED STATES*. See *ante*, p. 544.

No. 903. *UNITED STATES v. PINK, SUPERINTENDENT OF INSURANCE, ET AL.* May 5, 1941. Petition for writ of certiorari to the Supreme Court of New York granted. *Mr. JUSTICE REED* and *Mr. JUSTICE MURPHY* took no part in the consideration and decision of this application. *Solicitor General Biddle* for the United States. *Mr. John M. Downes* for respondents. *Mr. Albert G. Avery* filed a brief on behalf of *Frederick H. Cattley et al.*

as *amici curiae*, in support of respondents. Reported below: 259 App. Div. 871, 886; 284 N. Y. 555; 20 N. Y. S. 2d 665, 983; 32 N. E. 2d 552.

No. 869. *TINKOFF ET AL. v. GOLD, TRUSTEE, ET AL.* See *ante*, p. 545.

No. 919. *STEELEY v. KURN ET AL., TRUSTEES.* See *ante*, p. 545.

No. 686. *REITZ v. MEALEY, COMMISSIONER OF MOTOR VEHICLES.* See *post*, p. 597.

No. 906. *UNITED STATES v. TEXAS ET AL.* May 12, 1941. Petition for writ of certiorari to the Court of Civil Appeals, 2nd Judicial District, of Texas, granted. *Solicitor General Biddle* for the United States. Reported below: 138 S. W. 2d 924.

No. 909. *UNITED STATES v. KANSAS FLOUR MILLS CORP.* May 12, 1941. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Biddle* for the United States. *Mr. Phil D. Morelock* for respondent. Reported below: 92 Ct. Cls. 390.

No. 926. *PARKER, DEPUTY COMMISSIONER, v. MOTOR BOAT SALES, INC.* May 12, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Solicitor General Biddle* for petitioner. *Mr. Minitree Jones Fulton* for respondent. Reported below: 116 F. 2d 789.

No. 932. *PINK, SUPERINTENDENT OF INSURANCE, v. A. A. A. HIGHWAY EXPRESS, INC., ET AL.* May 26, 1941. Petition for writ of certiorari to the Supreme Court of Georgia granted. *Messrs. M. F. Goldstein, Alfred C. Bennett, and Arthur G. Powell* for petitioner. *Messrs. Allen Post, A. O. B. Sparks, and T. Baldwin Martin* for respondents. Reported below: 191 Ga. 502; 13 S. E. 2d 337.

No. 710. *MASSACHUSETTS BONDING & INSURANCE CO. v. WEBBER ET AL.* May 26, 1941. Petition for writ of certiorari to the Supreme Court of Ohio granted. *Mr. Frank Harrison* for petitioner. *Mr. Charles A. Rogers* for respondents. Reported below: 137 Ohio St. 324; 29 N. E. 2d 565.

No. 946. *MORTON SALT CO. v. G. S. SUPPIGER CO.* May 26, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Clarence E. Mehlhope* for petitioner. *Messrs. Lawrence C. Kingsland, Edmund C. Rogers, and Robert H. Wendt* for respondent. Reported below: 117 F. 2d 968.

No. 1004. *WHITE ET AL., FORMER COLLECTORS OF INTERNAL REVENUE, v. WINCHESTER COUNTRY CLUB.* May 26, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Assistant Solicitor General Fahy* for petitioners. *Mr. Charles W. Mulcahy* for respondent. Reported below: 117 F. 2d 146.

No. 1043. *RILEY ET AL., EXECUTORS, v. NEW YORK TRUST CO., ADMINISTRATOR, ET AL.* May 26, 1941. Petition for writ of certiorari to the Supreme Court of Delaware granted. *Messrs. Dan MacDougald and James A.*

Branch for petitioners. Messrs. Hiram C. Todd, Clarence A. Southerland, Daniel O. Hastings, and Marion Smith for respondents. Reported below: 16 A. 2d 772.

No. 991. *DISTRICT OF COLUMBIA v. MURPHY*; and

No. 992. *DISTRICT OF COLUMBIA v. DEHART*. May 26, 1941. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia granted. MR. JUSTICE STONE and MR. JUSTICE ROBERTS took no part in the consideration and decision of these applications. *Messrs. Richmond B. Keech, Vernon E. West, and Glenn Simmon for petitioner. Mr. Harry Raymond Turkel for respondents. Reported below: 73 App. D. C. 345, 347; 119 F. 2d 449, 451.*

No. 1035. *FEDERAL LAND BANK OF SAINT PAUL v. BISMARCK LUMBER Co. ET AL.* May 26, 1941. Petition for writ of certiorari to the Supreme Court of North Dakota granted. *Solicitor General Biddle for petitioner. Reported below: 70 N. D. 607; 297 N. W. 42.*

No. 746. *SOUTHERN RAILWAY Co. v. PAINTER, ADMINISTRATRIX*. May 26, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Sidney S. Alderman, H. O'B. Cooper, Rudolph J. Kramer, Bruce A. Campbell, and S. R. Prince for petitioner. Reported below: 117 F. 2d 100.*

No. 901. *BAKERY & PASTRY DRIVERS & HELPERS LOCAL 802 OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS ET AL. v. WOHL ET AL.* See *ante*, p. 548.

No. 1008. *HYSLER v. FLORIDA*. June 2, 1941. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Supreme Court of Florida is also granted. *Clyde Hysler, pro se*. *Messrs. J. Tom Watson*, Attorney General of Florida, and *Nathan Cockrell*, Assistant Attorney General, for respondent. Reported below: 136 Fla. 563; 187 So. 261; 1 So. 2d 628.

No. 974. *UNITED STATES v. RAGEN*;
No. 975. *UNITED STATES v. ARNOLD W. KRUSE*; and
No. 976. *UNITED STATES v. LESTER A. KRUSE*. June 2, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Assistant Solicitor General Fahy* for the United States. *Messrs. John L. McInerney and Matthias Concannon* for respondent in No. 974. *Mr. George K. Bowden* for respondents in Nos. 975 and 976. Reported below: 118 F. 2d 128.

No. 981. *SCAIFE COMPANY v. COMMISSIONER OF INTERNAL REVENUE*. June 2, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Samuel Kaufman, S. Leo Rushlander, and James M. Magee* for petitioner. *Solicitor General Biddle* for respondent. Reported below: 117 F. 2d 572.

No. 1024. *NATIONAL LABOR RELATIONS BOARD v. P. LORILLARD CO.* June 2, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Assistant Solicitor General Fahy* and *Mr. Robert B. Watts* for petitioner. *Messrs. Charles W. Milner and Chas. G. Middleton* for respondent. Reported below: 117 F. 2d 921.

Decisions Denying Certiorari.

313 U. S.

No. 1033. B. B. CHEMICAL Co. v. ELLIS ET AL. June 2, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Mr. Harrison F. Lyman* for petitioner. *Mr. Robert Cushman* for respondents. Reported below: 117 F. 2d 829.

No. 1012. SOUTHPORT PETROLEUM Co. v. NATIONAL LABOR RELATIONS BOARD. June 2, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted, limited to the question of the correctness of denial by the Circuit Court of Appeals of the petitioner's motion to remand to the National Labor Relations Board for further evidence. *Mr. Morris D. Meyer* for petitioner. *Solicitor General Biddle* and *Messrs. Arnold Raum, Robert B. Watts, Laurence A. Knapp, and Mortimer B. Wolf* for respondent. Reported below: 117 F. 2d 90.

DECISIONS DENYING CERTIORARI, FROM APRIL 1, 1941, THROUGH JUNE 2, 1941.

No. 692. MACOMBER v. HUDSPETH, WARDEN. April 7, 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. *Ora B. Macomber, pro se.* Reported below: 115 F. 2d 114.

No. 802. BOONE ET AL. v. EQUITABLE HOLDING Co. ET AL. April 7, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. Samuel Biern and Connor Hall* for petitioners. *Mr. Christopher B. Garnett* for respondents.