

314 U.S. Cases Disposed of Without Consideration by the Court.

No. 758. NORTH AMERICAN BOND TRUST, CITY BANK FARMERS TRUST CO., TRUSTEE, *v.* COMMISSIONER OF INTERNAL REVENUE. January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. JUSTICE DOUGLAS took no part in the consideration and decision of this application. *Mr. Claude A. Hope* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Clark*, and *Messrs. J. Louis Monarch* and *Michael H. Cardozo, IV*, for respondent. Reported below: 122 F.2d 545.

Nos. 763 and 764. FITZGERALD, TRUSTEE, *v.* GULF REFINING CO.;

No. 765. FITZGERALD, TRUSTEE, *v.* HUMBLE OIL & REFINING CO.;

No. 766. FITZGERALD, TRUSTEE, *v.* SHELL OIL CO., INC.;

No. 767. FITZGERALD, TRUSTEE, *v.* FREEPORT SULPHUR CO.;

No. 768. FITZGERALD, TRUSTEE, *v.* COCKRELL;

No. 769. FITZGERALD, TRUSTEE, *v.* GULF REFINING CO. OF LOUISIANA ET AL.; and

Nos. 770 and 771. FITZGERALD, TRUSTEE, *v.* COCKRELL ET AL. January 5, 1942. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE DOUGLAS took no part in the consideration and decision of this application. *Messrs. Robert S. Marx*, *Frank E. Wood*, *Eugene D. Saunders*, and *Eldon S. Lazarus* for petitioner. *Messrs. Monte M. Lemann*, *Victor W. Klein*, and *Walter J. Suthon, Jr.* for the Gulf Refining Co. et al., respondents. Reported below: 122 F.2d 232.

CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, THROUGH JANUARY 5, 1942.

No. 308. KNOTT ET AL. *v.* GOVERNOR CLINTON CO., INC. On petition for writ of certiorari to the Circuit Court of

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Appeals for the Second Circuit. September 3, 1941. Dismissed per stipulation pursuant to Rule 35. *Mr. George C. Levin* for petitioners. *Mr. Brison Howie* for respondent. Reported below: 120 F. 2d 149.

No. 309. *CANTOR ET AL. v. GOVERNOR CLINTON Co., INC.* On petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit. September 3, 1941. Dismissed per stipulation pursuant to Rule 35. *Mr. George C. Levin* for petitioners. *Mr. Brison Howie* for respondent.

No. 262. *WAGNER SIGN SERVICE, INC. v. MIDWEST NEWS REEL THEATRES, INC.* On petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit. September 13, 1941. Dismissed per stipulation pursuant to Rule 35. *Mr. A. G. McCaleb* for petitioner. *Mr. Arthur A. Olson* for respondent. Reported below: 119 F. 2d 929.

No. 27. *CRENSHAW v. UNITED STATES.* Certiorari, 313 U. S. 596, to the Circuit Court of Appeals for the Sixth Circuit. September 24, 1941. Dismissed per stipulation pursuant to Rule 35. *Messrs. L. E. Gwinn* and *Charles C. Grassham* for petitioner. *Assistant Solicitor General Fahy* for the United States. Reported below: 116 F. 2d 737.

No. 103. *KANSAS CITY SOUTHERN RAILWAY Co. v. WILLIAMSON, ATTORNEY GENERAL.* Appeal from the District Court of the United States for the Western District of Oklahoma. October 2, 1941. Dismissed per stipulation pursuant to Rule 35. *Messrs. F. H. Moore* and *Joseph*

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R. Brown for appellant. *Messrs. Mac Q. Williamson*, Attorney General of Oklahoma, and *F. M. Dudley* for appellee.

No. 518. *MORAN, RECEIVER, v. COBB*. On petition for writ of certiorari to the Court of Appeals for the District of Columbia. October 27, 1941. Dismissed per stipulation of counsel. *Mr. George P. Barse* for petitioner. *Mr. James A. Cobb, pro se*. Reported below: 73 App. D. C. 200, 120 F. 2d 16.

No. 22. *MASSACHUSETTS BONDING & INSURANCE CO. v. WEBBER ET AL.* Certiorari, 313 U.S. 555, to the Supreme Court of Ohio. November 10, 1941. Dismissed on motion of counsel for the petitioner. *Mr. Frank Harrison* for petitioner. *Mr. Charles A. Rogers* for respondents. Reported below: 137 Ohio St. 324, 29 N. E. 2d 565.

No. 667. *MCALLISTER v. WOODSON ET AL.* November 17, 1941. On petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. Dismissed per stipulation of counsel. *Messrs. S. J. Brooks, W. L. Matthews, J. D. Wheeler, Samuel Herrick, and Albert E. Conradis* for petitioner. *Mr. H. Grady Chandler* for respondents. Reported below: 121 F. 2d 126.

No. 281. *NATIONAL LABOR RELATIONS BOARD v. SPARKS-WITHINGTON Co. ET AL.* January 5, 1942. Certiorari, *ante*, p. 597, to the Circuit Court of Appeals for the Sixth Circuit. Dismissed on motion of counsel for the petitioner. *Assistant Solicitor General Fahy* and *Messrs. Robert B. Watts and Laurence E. Knapp* for petitioner. *Mr. John T. Scott* for the Sparks-Withington Co., and

Rehearings Granted.

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Mr. Benjamin Kleinstiver for the United Cooperative Society of Jackson, Inc., respondents. Reported below: 119 F. 2d 78.

REHEARINGS GRANTED FROM OCTOBER 6, 1941,
THROUGH JANUARY 5, 1942.

No. 1023, October Term, 1940. PICKETT, GENERAL CHAIRMAN OF THE BROTHERHOOD OF RAILWAY & STEAMSHIP CLERKS, *v.* UNION TERMINAL Co. October 13, 1941. The petition for rehearing is granted. The order denying certiorari, 313 U. S. 591, is vacated and the petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit is granted. *Messrs. Chas. M. Hay* and *S. D. Flanagan* for petitioner. Reported below: 118 F. 2d 328.

No. 901, October Term, 1940. BAKERY & PASTRY DRIVERS & HELPERS LOCAL 802 OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS ET AL. *v.* WOHL ET AL. October 20, 1941. The petition for rehearing is granted. The judgment entered June 2, 1941, 313 U. S. 548, is vacated and the mandate is recalled. *Mr. Edward C. Maguire* for petitioners. *Hyman Wohl* and *Louis Platzman*, *pro se.* Reported below: 284 N. Y. 788, 31 N. E. 2d 765; 285 N. Y. 843, 35 N. E. 2d 506.

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 20, 1941. The motion to defer consideration of the petition for rehearing is denied. The petition for rehearing is granted. The order denying cer-