

No. 757. PRUDENCE REALIZATION CORP. *v.* GEIST, TRUSTEE. January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Irving L. Schanzer* for petitioner. *Mr. A. Joseph Geist* for respondent. Reported below: 122 F. 2d 503.

No. 772. BRILLHART, ADMINISTRATOR, *v.* EXCESS INSURANCE CO. January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Mr. Clarence C. Chilcott* for petitioner. *Mr. Paul R. Stinson* for respondent. Reported below: 121 F. 2d 776.

DECISIONS DENYING CERTIORARI, FROM OCTOBER 6, 1941, THROUGH JANUARY 5, 1942.

No. 596. IRVINE *v.* SPAETH, COMMISSIONER OF TAXATION. See *ante*, p. 575.

No. 177. SPAULDING *v.* SANFORD, WARDEN. October 13, 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. JUSTICE DOUGLAS and MR. JUSTICE JACKSON took no part in the consideration and decision of these applications. *J. O. Spaulding, pro se.* Assistant Solicitor General *Fahy*, Assistant Attorney General *Berge*, and *Mr. Oscar A. Provost* for respondent. Reported below: 119 F. 2d 783.

No. 198. VANCE *v.* SANFORD, WARDEN. October 13, 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. *Joe Vance*,

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pro se. Assistant Solicitor General *Fahy*, Assistant Attorney General *Berge*, and Messrs. *Oscar A. Provost* and *W. Marvin Smith* for respondent. Reported below: 119 F. 2d 784.

No. 216. *SWEETNEY v. JOHNSTON, WARDEN*. October 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. *Clarence Mackel Sweetney, pro se.* Assistant Solicitor General *Fahy*, Assistant Attorney General *Berge*, and Mr. *Oscar A. Provost* for respondent. Reported below: 121 F. 2d 445.

No. 273. *LOVVORN v. JOHNSTON, WARDEN*. October 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. *James A. Lovvorn, pro se.* Assistant Solicitor General *Fahy*, Assistant Attorney General *Berge*, and Mr. *Oscar A. Provost* for respondent. Reported below: 118 F. 2d 704.

No. 276. *BROWN ET AL. v. FEDERAL LAND BANK OF LOUISVILLE, KY.* October 13, 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. Messrs. *Samuel E. Cook* and *Walter L. Clements* for petitioners. Assistant Solicitor General *Fahy* and Messrs. *Mastin G. White* and *Robert K. McConaughay* for respondent. Reported below: 118 F. 2d 871.

No. 297. *MOYER v. HINES, ADMINISTRATOR OF VETERANS AFFAIRS*. October 13, 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. *Messrs. Paul D. Smith and Thomas H. Sutherland* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea*, and *Messrs. Melvin H. Siegel and Paul A. Sweeney* for respondent.

No. 335. *JORDAN v. UNITED STATES*. October 13, 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. JUSTICE JACKSON* took no part in the consideration and decision of these applications. *Mr. John J. McCreary* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge*, and *Messrs. Oscar A. Provost and W. Marvin Smith* for the United States. Reported below: 120 F. 2d 65.

No. 250. *FLETCHER v. KRISE, RECEIVER*. October 13, 1941. The petition for writ of certiorari to the Court of Appeals for the District of Columbia; the motion to strike; and the motion for leave to proceed further *in forma pauperis*, are denied. *Edmond C. Fletcher, pro se*. *Messrs. William Stanley and J. Edward Burroughs, Jr.* for respondent. Reported below: 120 F. 2d 809.

No. 284. *WESLEY v. TEXAS*. On petition for writ of certiorari to the Court of Criminal Appeals of Texas;

No. 296. *ENGELS v. AMRINE, WARDEN, ET AL.* On petition for writ of certiorari to the Supreme Court of Kansas; and

No. 507. *PYLE v. KANSAS ET AL.* On petition for writ of certiorari to the Supreme Court of Kansas. October 13, 1941. The motions for leave to proceed further *in*

forma pauperis are denied for the reason that the Court, upon examination of the papers herein submitted, finds that the applications for writs of certiorari were not filed within the time provided by law. § 8 (a), Act of February 13, 1925 (43 Stat. 936, 940). The petitions for writs of certiorari are therefore also denied. *Mr. A. S. Baskett* for petitioner in No. 284. *William Hugh Engels* and *Harry Pyle, pro se.* Reported below: No. 284, 147 S. W. 2d 493; No. 507, 153 Kan. 568, 112 P. 2d 354.

No. 344. *BEST v. CALIFORNIA.* On petition for writ of certiorari to the District Court of Appeal, 2d Appellate District, of California; and

No. 586. *HAMILTON v. TEXAS.* On petition for writ of certiorari to the Court of Criminal Appeals of Texas. October 13, 1941. The motions for leave to proceed further *in forma pauperis* are denied for the reason that the Court, upon examination of the papers herein submitted, finds that the applications for writs of certiorari were not filed within the time provided by law. § 8 (a), Act of February 13, 1925 (43 Stat. 936, 940); *Finn v. Railroad Commission*, 286 U. S. 559. The petitions for writs of certiorari are therefore also denied. *James Best, pro se.* *Mr. Charles Mooney* for petitioner in No. 586. Reported below: No. 344, 43 Cal. App. 2d 100, 110 P. 2d 504; No. 586, 138 Tex. Cr. R. 205, 135 S. W. 2d 476; 150 S. W. 2d 395.

No. 302. *DE MARCOS v. OVERHOLSER, SUPERINTENDENT OF ST. ELIZABETHS HOSPITAL.* October 13, 1941. The petition for writ of certiorari to the Court of Appeals for the District of Columbia; the motion for a supplemental record; and the motion for leave to proceed further *in forma pauperis*, are denied. *J. Ralph De Marcos, pro se.*

Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. W. Marvin Smith for respondent. Reported below: 122 F. 2d 16.

No. 68. *WYANT v. CALDWELL, RECEIVER.* October 13, 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. *Claude Wyant, pro se.* Reported below: 116 F. 2d 83.

No. 99. *BROOKS v. HILL-SHAW COMPANY.* October 13, 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. *Messrs. Joseph D. Ryan and Marshall Solberg* for petitioner. *Messrs. Joseph H. Hinshaw and Oswell G. Treadway* for respondent. Reported below: 117 F. 2d 682.

No. 148. *DUGAN v. ASHE, WARDEN.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Pennsylvania, and motion for leave to proceed further *in forma pauperis*, denied. *Raymond Dugan, pro se.* Reported below: 342 Pa. 77, 19 A. 2d 461.

No. 158. *GOODALE v. CAMPBELL ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Hazel Frances Goodale, pro se. Mr. Harry C. Howard* for respondents.

No. 159. *NEW YORK EX REL. MARK v. WARDEN OF THE ATTICA STATE PRISON.* October 13, 1941. Petition for

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writ of certiorari to the Court of Appeals of New York, and motion for leave to proceed further *in forma pauperis*, denied. *Ralph Mark, pro se.* Reported below: 285 N. Y. 847, 35 N. E. 2d 509.

No. 176. *CARROLL v. CARROLL ET AL.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of California, and motion for leave to proceed further *in forma pauperis*, denied. *Catherine M. Carroll, pro se.* *Messrs. Archibald H. Vernon and Gilbert E. Harris* for respondents. Reported below: 103 P. 2d 233; 16 Cal. 2d 761, 108 P. 2d 420.

No. 178. *SWEENEY v. STATE BOARD OF PUBLIC ASSISTANCE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Frank Sweeney, pro se.* Reported below: 119 F. 2d 1023.

No. 189. *CONRAD v. ASHE, WARDEN.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Pennsylvania, and motion for leave to proceed further *in forma pauperis*, denied. *Donald Conrad, pro se.*

No. 208. *PIANEZZI v. CALIFORNIA; and*

No. 209. *PIANEZZI ET AL. v. CALIFORNIA.* October 13, 1941. Petitions for writs of certiorari to the District Court of Appeal, 2d Appellate District, of California, and motions for leave to proceed further *in forma pauperis*, denied. *Peter Pianezzi and Martin E. McGowan, pro se.* Reported below: 42 Cal. App. 2d 270, 108 P. 2d 685.

No. 235. *WILLEY ET AL. v. MAINE CENTRAL RAILROAD* Co. October 13, 1941. Petition for writ of certiorari to the Supreme Judicial Court of Maine, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Henry F. Butler* for petitioners. *Mr. Edward W. Wheeler* for respondent. Reported below: 137 Me. 336, 18 A. 2d 316.

No. 241. *JENKINS v. ASHE, WARDEN*. October 13, 1941. Petition for writ of certiorari to the Supreme Court of Pennsylvania, and motion for leave to proceed further *in forma pauperis*, denied. *James Jenkins, pro se.* Reported below: 341 Pa. 334, 19 A. 2d 472.

No. 242. *GROLEMUND v. CAFERATA ET AL.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of California, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Thos. D. Aitken* for petitioner. Reported below: 17 Cal. 2d 679, 111 P. 2d 641.

No. 249. *DONAHUE v. BURNS, SHERIFF*. October 13, 1941. Petition for writ of certiorari to the Supreme Court of Tennessee, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. George W. Chamlee* for petitioner.

No. 264. *NULSEN v. JOHNSON*. October 13, 1941. Petition for writ of certiorari to the 57th District Court of Bexar County, Texas, and motion for leave to proceed further *in forma pauperis*, denied. *Joseph K. Nulsen, pro se.*

No. 275. *KING v. SOUTH DAKOTA ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court

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of Appeals for the Eighth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *J. B. King, pro se.* Reported below: 121 F. 2d 455.

No. 345. *FENZEL, TRUSTEE, v. FENSTERWALD ET AL.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Ohio, and motion for leave to proceed further *in forma pauperis*, denied. *Maud L. Fenzel, pro se.* Reported below: 138 Ohio St. 257, 34 N. E. 2d 211.

No. 509. *BARTON ET AL. v. PHELAN COMPANY.* October 13, 1941. Petition for writ of certiorari to the Court of Appeal, 1st Circuit, of Louisiana, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Julius T. Long* for petitioners. *Mr. Charles A. McCoy* for respondent. Reported below: 200 So. 508.

No. 530. *ROBERTS v. PRATT ET AL.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals of New York, and motion for leave to proceed further *in forma pauperis*, denied. *Sam Roberts, pro se.* Reported below: 285 N. Y. 848, 35 N. E. 2d 510; 286 N. Y. 568, 35 N. E. 2d 922.

No. 531. *PULLEN v. SUN LIFE INSURANCE Co.* October 13, 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. *Mr. Samuel W. McCart* for petitioner. Reported below: 121 F. 2d 110.

No. 541. *GRAY v. EUREKA-MARYLAND ASSURANCE CORP.* October 13, 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. *Mr. Thurman L. Dodson* for petitioner. Reported below: 121 F. 2d 104.

No. 546. *FARREN v. MAHONEY, ACTING WARDEN*. October 13, 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. *Patrick Farren, pro se*.

No. 556. *CURLEY v. CURLEY*. October 13, 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. *Mr. Wm. J. Neale* for petitioner. *Messrs. Alvin L. Newmyer and David G. Bress* for respondent. Reported below: 120 F. 2d 730.

No. 47. *OATES ET UX. v. NEW YORK LIFE INSURANCE Co.* October 13, 1941. The motion to dispense with the printing of the record is granted. The petition for writ of certiorari to the Supreme Court of Florida is denied. *Mr. W. B. Dickenson, Jr.* for petitioners. *Messrs. Raymond D. Knight and Henry P. Adair* for respondent. Reported below: 144 Fla. 744, 198 So. 681.

No. 94. *BOARD OF COMMISSIONERS OF SAN JUAN v. DE CASTRO*. October 13, 1941. The motion for leave to file opposition to the petition is granted. The petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit is denied. *Mr. F. Fernandez Cuyar* for petitioner. *Mr. Hugh R. Francis* for respondent. Reported below: 116 F. 2d 806.

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No. 108. IDENTIFICATION DEVICES, INC. *v.* UNITED STATES. October 13, 1941. The motion to proceed on typewritten papers is granted. The petition for writ of certiorari to the Court of Appeals for the District of Columbia is denied. *James M. Rulong, pro se.* Reported below: 121 F. 2d 895.

No. 239. OSLAND *v.* STAR FISH & OYSTER CO. October 13, 1941. The motion to proceed on typewritten papers is granted. The petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit is denied. *Mr. Alex T. Howard* for petitioner. *Messrs. Palmer Pillans and Alexis T. Gresham* for respondent. Reported below: 118 F. 2d 772.

No. 295. WEBER, PRESIDENT OF THE AMERICAN FEDERATION OF MUSICIANS, ET AL. *v.* OPERA ON TOUR, INC. October 13, 1941. It does not appear from the record that the federal question presented by the petition was necessarily decided by the Court of Appeals. The petition for writ of certiorari to the Court of Appeals of New York is denied. *Lynch v. New York ex rel. Pierson*, 293 U.S. 52; *Honeyman v. Hanan*, 300 U.S. 14, 18. *Mr. William Macy* for petitioners. *Mr. Jack Lewis Kraus, II*, for respondent. Reported below: 285 N.Y. 348, 34 N.E. 2d 349; 286 N.Y. 565, 35 N.E. 2d 920.

No. 60. PUERTO RICO *v.* BANK OF NOVA SCOTIA. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. The CHIEF JUSTICE took no part in the consideration and decision of this application. *Messrs. William Cattron Rigby, George A. Malcolm*, Attorney General of Puerto

Rico, and *Nathan R. Margold* for petitioner. *Messrs. J. Henri Brown and Walter L. Newson, Jr.* for respondent. Reported below: 116 F. 2d 379.

No. 217. *BAILEY v. SEARS, ROEBUCK & Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. The CHIEF JUSTICE took no part in the consideration and decision of this application. *Mr. John F. Reilly* for petitioner. *Messrs. Stephen H. Philbin and Clyde A. Norton* for respondent. Reported below: 115 F. 2d 904.

No. 72. *MORTIMER v. UNITED STATES.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. JUSTICE DOUGLAS and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. John T. Dooling, Theodore Kiendl, and Christopher S. Sargent* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost, and W. Marvin Smith* for the United States. Reported below: 118 F. 2d 266.

No. 192. *SIMONS ET AL. v. UNITED STATES.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. MR. JUSTICE DOUGLAS and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Mark L. Herron* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. Oscar A. Provost* for the United States. Reported below: 119 F. 2d 539.

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No. 169. *LECHE v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. MR. JUSTICE MURPHY and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Martin W. Littleton, Jr.* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost, Louis B. Schwartz, and W. Marvin Smith* for the United States. Reported below: 118 F. 2d 246.

No. 194. *GUNDELFINGER v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. MR. JUSTICE MURPHY and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. H. F. Stambaugh* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost and W. Marvin Smith* for the United States. Reported below: 119 F. 2d 1023.

No. 520. *McDONALD v. HUfspeth, Warden*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. MR. JUSTICE MURPHY and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. John F. Rhodes* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. W. Marvin Smith* for respondent. Reported below: 120 F. 2d 962.

No. 304. *PFLEUGER v. UNITED STATES ET AL.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE

MURPHY took no part in the consideration and decision of this application. *Messrs. Reuben D. Silliman, Sherwood E. Silliman, and William R. Rodenberg* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Paul A. Sweeney and Harry Leroy Jones* for respondents. Reported below: 73 App. D. C. 364, 121 F. 2d 732.

No. 349. *DETROIT EDISON Co. v. SECURITIES & EX-CHANGE COMMISSION.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. The CHIEF JUSTICE, MR. JUSTICE DOUGLAS, and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. John Foster Dulles and Oscar C. Hull* for petitioner. *Assistant Solicitor General Fahy and Messrs. Arnold Raum, Chester T. Lane, Christopher M. Jenks, Lawrence S. Lesser, J. Leonard Townsend, and Homer Kripke* for respondent. Reported below: 119 F. 2d 730.

No. 352. *GENERAL MOTORS CORP. ET AL. v. UNITED STATES.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. The CHIEF JUSTICE, MR. JUSTICE MURPHY, and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. John Thomas Smith, Ernest S. Ballard, and Herbert Pope* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Arnold, and Mr. Robert L. Stern* for the United States. Reported below: 121 F. 2d 376.

No. 359. *CHINESE CONSOLIDATED BENEVOLENT ASSN., INC. v. SECURITIES & EXCHANGE COMMISSION.* October

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13, 1941. 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. William M. Chadbourne* for petitioner. *Assistant Solicitor General Fahy* and *Messrs. Richard H. Demuth, Chester T. Lane, Christopher M. Jenks, and John T. Davis* for respondent. Reported below: 120 F. 2d 738.

No. 65. *CROCKETT v. UNITED STATES*; and

No. 66. *CROCKETT v. McELROY ET AL.* October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Joseph M. Sanders and Oliver M. Loomis* for petitioner. *Solicitor General Biddle, Assistant Attorney General Shea, and Mr. Melvin H. Siegel* for respondents. Reported below: 116 F. 2d 646.

No. 74. *MOORE v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Court of Claims denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. J. C. Murphy* for petitioner. *Solicitor General Biddle and Assistant Solicitor General Fahy* for the United States. Reported below: 93 Ct. Cls. 209, 37 F. Supp. 136.

No. 89. *FIRST NATIONAL STEAMSHIP CO. ET AL. v. U. S. SHIPPING BOARD MERCHANT FLEET CORP.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Stanley Suydam and Prew Sa-*

voy for petitioners. *Solicitor General Biddle, Assistant Attorney General Shea, and Messrs. Melvin H. Siegel and Richard H. Demuth* for respondent. Reported below: 73 App. D. C. 237, 119 F. 2d 6.

No. 97. *KATZBERG ET AL. v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Court of Claims denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. David Steckler* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Melvin H. Siegel* for the United States. Reported below: 93 Ct. Cls. 281, 36 F. Supp. 1023.

No. 105. *RECONSTRUCTION FINANCE CORPORATION v. TETER ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Solicitor General Biddle* and *Assistant Solicitor General Fahy* for petitioner. *Mr. Vincent O'Brien* for Lucius Teter et al., and *Mr. Leland K. Neeves* for Fletcher M. Durbin et al., respondents. Reported below: 117 F. 2d 716.

No. 113. *AMEREX HOLDING CORPORATION v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Bertram F. Shipman* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key, Richard H. Demuth, and Arthur A. Armstrong* for respondent. Reported below: 117 F. 2d 1009.

No. 117. *PIRTLE v. BROWN ET AL., JUDGES OF ELECTION, ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Cramp-ton Harris and Lee Pressman* for petitioner. *Messrs. Nat Tipton and W. F. Barry* for respondents. Reported below: 118 F. 2d 218.

No. 119. *DONEGHY ET AL., RESIDUARY TRUSTEES, v. ALEXANDER, FORMERLY COLLECTOR OF INTERNAL REVENUE; and*

No. 120. *DONEGHY ET AL., RESIDUARY TRUSTEES, v. JONES, COLLECTOR OF INTERNAL REVENUE.* October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Chas. H. Garnett* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key, J. Louis Monarch, and William L. Cary* for respondents. Reported below: 118 F. 2d 521.

No. 125. *ESTATE OF GUGGENHEIM v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. John W. Davis, Montgomery B. Angell, Lucius A. Buck, Henry Breckinridge, and Paul B. Barringer* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key and Warren F. Wattles* for respondent. Reported below: 117 F. 2d 469.

No. 150. *PELLEY v. COLPOYS, U. S. MARSHAL*. October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. T. Edward O'Connell* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge*, and *Messrs. Oscar A. Provost and Edward M. Curran* for respondent. Reported below: 73 App. D. C. 395, 122 F. 2d 12.

No. 166. *RYAN, EXECUTRIX, v. ALEXANDER, FORMERLY COLLECTOR OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Chas. H. Garnett* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. Sewall Key and William L. Cary* for respondent. Reported below: 118 F. 2d 744.

No. 171. *HADEN COMPANY v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Homer L. Bruce* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. J. Louis Monarch, Richard H. Demuth, and Arthur A. Armstrong* for respondent. Reported below: 118 F. 2d 285.

No. 180. *WAGNER v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. MR. JUSTICE

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JACKSON took no part in the consideration and decision of this application. *Mr. David H. Cannon* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key, Warner W. Gardner, Gordon B. Tweedy, and Earl C. Crouter* for the United States. Reported below: 118 F. 2d 801.

No. 193. *SIMON v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Arthur Garfield Hays and Sidney Struble* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. Oscar A. Provost* for the United States. Reported below: 119 F. 2d 679.

No. 196. *FERGUSON v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Harry P. Lawther, Maury Hughes, and D. A. Frank* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. Oscar A. Provost* for the United States. Reported below: 119 F. 2d 582.

No. 200. *DUPONT v. COMMISSIONER OF INTERNAL REVENUE*; and

No. 201. *RASKOB v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Joseph M.*

Hartfield, Walter S. Orr, and A. Chauncey Newlin for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key and Arnold Raum* for respondent. Reported below: 118 F. 2d 544.

No. 226. *UNITED STATES EX REL. FLETCHER v. FAHEY ET AL.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Edmond C. Fletcher, pro se. Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Paul A. Sweeney, Harold Lee, E. K. Neumann, and Neil Thompson* for respondents. Reported below: 73 App. D. C. 257, 121 F. 2d 28.

Nos. 257, 258 and 259. *MINNESOTA MINING & MANUFACTURING Co. v. COE, COMMISSIONER OF PATENTS.* October 13, 1941. Petition for writs of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Paul Carpenter and Harold J. Kinney* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Melvin H. Siegel and Paul A. Sweeney* for respondent. Reported below: 73 App. D. C. 146, 118 F. 2d 593.

No. 278. *NATIONAL LIFE & ACCIDENT INSURANCE Co. v. BREWER, FORMER COLLECTOR OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Frederick Schwertner and James E. McCabe* for petitioner. *Assistant So-*

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Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Harry Marselli for respondent. Reported below: 119 F. 2d 313.

No. 285. *PIKE ET AL. v. WALKER, POSTMASTER GENERAL, ET AL.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Horace J. Donnelly, Jr.* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. Oscar A. Provost* for respondents. Reported below: 73 App. D. C. 289, 121 F. 2d 37.

No. 300. *HUNT v. UNITED STATES*; and

No. 301. *HENDERSON v. UNITED STATES*. October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Henry L. Balaban* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. Oscar A. Provost* for the United States. Reported below: 120 F. 2d 592.

No. 351. *ANHEUSER-BUSCH, INC. ET AL. v. BECKER, COLLECTOR OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Daniel N. Kirby and Harry W. Kroeger* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Miss Helen R. Carloss* and *Mr. Paul R. Russell* for respondent. Reported below: 120 F. 2d 403.

No. 355. HARVEY COAL CORP. *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. J. Nelson Anderson* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Miss Helen R. Carloss* and *Mr. William L. Cary* for the United States. Reported below: 118 F. 2d 350.

No. 498. POLAKOFF ET AL. *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Irving Spieler and Louis Halle* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. W. Marvin Smith* for the United States. Reported below: 121 F. 2d 333.

No. 501. DOLLOFF *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. L. P. Brooks and A. V. Roberts* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost and W. Marvin Smith* for the United States. Reported below: 121 F. 2d 157.

No. 502. LELLES *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. William A. Gilmore* for petitioner.

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Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost and W. Marvin Smith for the United States. Reported below: 120 F. 2d 447.

No. 525. *HEMPHILL v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Melville Monheimer* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost and Louis B. Schwartz* for the United States. Reported below: 120 F. 2d 115.

No. 526. *HILLIARD v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. John W. Carter, Jr. and Hugh T. Williams* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost and W. Marvin Smith* for the United States. Reported below: 121 F. 2d 992.

No. 62. *PUENTE v. SPANISH NATIONAL STATE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Julius I. Puente, pro se.* Reported below: 116 F. 2d 43.

No. 69. *C. A. ROSS, AGENT, INC. v. VENUTO, ADMINISTRATOR, ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Saul Nemser* for petitioner. *Mr.*

Louis Spiegel for respondents. Reported below: 118 F. 2d 679.

No. 77. *LEWIS v. ILLINOIS*. October 13, 1941. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Ode L. Rankin* for petitioner. *Messrs. George F. Barrett*, Attorney General of Illinois, and *Thomas J. Courtney* for respondent. Reported below: 375 Ill. 330, 31 N. E. 2d 795.

No. 79. *CITY OF HARVEY ET AL. v. GETZ*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. John J. Dowdle* for petitioners. *Mr. Henry O. Nickel* for respondent. Reported below: 118 F. 2d 817.

No. 80. *CITY OF HARVEY v. GETZ*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. John J. Dowdle* for petitioner. *Mr. Henry O. Nickel* for respondent. Reported below: 118 F. 2d 817.

No. 84. *SARGENT & COMPANY ET AL. v. MOORE ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Raymond J. Scully* and *Hilbert I. Trachman* for petitioners. *Mr. Frank Weinstein* for respondents. Reported below: 117 F. 2d 140.

No. 85. *HALL ET AL. v. BARNES ET AL., MEMBERS OF THE UNEMPLOYMENT COMPENSATION COMMISSION OF KEN-*

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TUCKY, ET AL. October 13, 1941. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. *Mr. John Y. Brown* for petitioners. *Mr. A. E. Funk* for respondents. Reported below: 285 Ky. 160, 146 S. W. 2d 929.

No. 87. COCA-COLA COMPANY *v.* DIXIE-COLA LABORATORIES, INC., ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Harry D. Nims* and *Edward S. Rogers* for petitioner. *Mr. W. Hamilton Whiteford* for respondents. Reported below: 117 F. 2d 352.

No. 88. HUNTER & CO., INC. *v.* VILLAGE OF BELLWOOD. October 13, 1941. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. John F. Voight* for petitioner. *Mr. Henry O. Nickel* for respondent. Reported below: 375 Ill. 627, 32 N. E. 2d 160.

No. 90. JOGGER MANUFACTURING CORP. *v.* ROQUEMORE, DOING BUSINESS AS MULTIGRAPH SALES AGENCY. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Sidney Neuman* for petitioner. *Mr. Philip M. Aitken* for respondent. Reported below: 118 F. 2d 867.

No. 92. MITCHELL, ADMINISTRATOR, *v.* NEW ENGLAND MUTUAL LIFE INSURANCE CO. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. John W. Carter, Jr.* for petitioner. *Mr. John L. Walker* for respondent. Reported below: 118 F. 2d 414.

No. 93. M. JACOBSON & SONS TRUST *v.* BOMEISLER ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Francis P. Garland and Frank P. Ryan* for petitioner. *Mr. Marcien Jenckes* for respondents. Reported below: 118 F. 2d 261.

No. 102. ORFANOS, ADMINISTRATOR, *v.* ZOLINTAKIS, EXECUTOR. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. P. T. Farnsworth, Jr. and W. Q. Van Cott* for petitioner. *Messrs. Calvin W. Rawlings and H. E. Wallace* for respondent. Reported below: 119 F. 2d 571.

No. 104. ALBERTY, TRADING AS ALBERTY'S FOOD PRODUCTS, ET AL. *v.* FEDERAL TRADE COMMISSION. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. W. I. Gilbert, Jr. and Charles H. Carr* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Arnold*, and *Messrs. Charles H. Weston and W. T. Kelley* for respondent. Reported below: 118 F. 2d 669.

No. 106. MISSISSIPPI FOR THE USE AND BENEFIT OF SHOEMAKER, ADMINISTRATOR, *v.* THAMES ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Webb M. Mize* for petitioner. *Messrs. William H. Watkins and George Butler* for respondents. Reported below: 117 F. 2d 949.

No. 107. POPE ESTATE CO. *v.* LEWIS, FORMER COLLECTOR OF INTERNAL REVENUE. October 13, 1941. Petition

for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. James Farragher* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark* and *Messrs. Sewall Key, J. Louis Monarch, and S. Dee Hanson* for respondent. Reported below: 116 F. 2d 328.

No. 109. *BURDICK ET AL., TRUSTEES, v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Dallas S. Townsend and Gardner D. Howie* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key, J. Louis Monarch, and Carlton Fox* for respondent. Reported below: 117 F. 2d 972.

No. 111. *AMERICAN BRAKE SHOE & FOUNDRY CO. v. ALLTEX PRODUCTS CORP.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Edward S. Rogers, George H. Wallace, and Karl D. Loos* for petitioner. *Mr. Jacob W. Friedman* for respondent. Reported below: 117 F. 2d 983.

No. 114. *DUNNING v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Vernon Cook* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key and L. W. Post* for respondent. Reported below: 118 F. 2d 341.

No. 115. *SKOUSEN ET AL. v. CONSOLIDATED MOTORS, INC.* October 13, 1941. Petition for writ of certiorari

to the Supreme Court of Arizona denied. *Mr. John J. McCullough* for petitioners. *Mr. Charles L. Strouss* for respondent. Reported below: 56 Ariz. 481, 109 P. 2d 41.

No. 116. *PENNSYLVANIA RAILROAD Co. v. MISTRÖT*. October 13, 1941. Petition for writ of certiorari to the Court of Appeal, 1st District, of Louisiana denied. *Messrs. Frederic D. McKenney, John S. Flannery, G. Bowdoin Craighill, R. Aubrey Bogley, and E. B. Dubuisson* for petitioner. *Mr. Wade O. Martin, Jr.* for respondent. Reported below: 199 So. 163.

No. 118. *PITTMAN, TRUSTEE, v. UNION PLANTERS NATIONAL BANK & TRUST CO. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Lowell W. Taylor and Thos. A. Evans* for petitioner. *Mr. J. W. Canada* for Union Planters National Bank & Trust Co. et al., and *Messrs. F. M. Bass and Cecil Sims* for the American National Bank, respondents. Reported below: 118 F. 2d 211.

No. 123. *MAR DE PASSY CORPORATION v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Harry S. Hall and George Gordon Battle* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Paul A. Sweeney* for the United States. Reported below: 92 Ct. Cls. 316, 37 F. Supp. 141.

No. 126. *FIXLER BROS., INC. v. AUTOMOBILE INSURANCE CO.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit

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denied. *Mr. Joseph McCormack* for petitioner. *Mr. Thomas V. Koykka* for respondent. Reported below: 117 F. 2d 979.

No. 127. *HEMLER v. HOPE PRODUCING Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. G. P. Bullis* for petitioner. *Mr. Henry P. Dart, Jr.* for respondent. Reported below: 117 F. 2d 231.

No. 130. *STEPHENS ET AL. v. ST. LOUIS UNION TRUST Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. George Thompson, Jr., Sidney L. Samuels, Rosser J. Coke, and Charles Kassel* for petitioners. *Mr. Henry Davis* for respondent. Reported below: 116 F. 2d 574.

No. 133. *KROUSE v. LOWDEN ET AL., TRUSTEES.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Kansas denied. *Mr. Charles A. Horsky* for petitioner. Reported below: 153 Kan. 181, 109 P. 2d 138.

No. 73. *PYLE v. TENNESSEE CENTRAL RAILWAY Co.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Tennessee denied. *Mr. J. W. Stone* for petitioner. *Mr. Geo. H. Armistead, Jr.* for respondent.

No. 134. *ARROW DISTILLERIES, INC., AN ILLINOIS CORPORATION, v. ARROW DISTILLERIES, INC., A MICHIGAN CORPORATION.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Donald A. Gardiner* for petitioner.

Mr. Ralph M. Snyder for respondent. Reported below: 117 F. 2d 636.

No. 135. *ESTATE OF WILDER v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. W. W. Spalding* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key, Arnold Raum, and Joseph M. Jones* for respondent. Reported below: 118 F. 2d 281.

No. 136. *BADGER OIL Co. v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Geo. S. McCarthy* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Joseph M. Jones* for respondent. Reported below: 118 F. 2d 791.

No. 137. *PETTIT v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. W. B. Harrell* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Mr. J. Louis Monarch, and Miss Louise Foster* for respondent. Reported below: 118 F. 2d 816.

No. 138. *PETTIT v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. W. B. Harrell* for petitioner. *Assistant Solicitor General Fahy* for respondent. Reported below: 118 F. 2d 816.

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No. 191. ROESER & PENDLETON, INC. *v.* COMMISSIONER OF INTERNAL REVENUE. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. George Thompson, Jr.* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Joseph M. Jones* for respondent. Reported below: 118 F. 2d 462.

No. 140. BIRCKNER *v.* TILCH ET AL. October 13, 1941. Petition for writ of certiorari to the Court of Appeals of Maryland denied. *Mr. Wm. J. O'Mahony* for petitioner. Reported below: 18 A. 2d 222.

No. 141. EASTMAN ET AL. *v.* UNITED STATES ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. W. A. Ackerman, Otto B. Rupp, and Alfred J. Schweppé* for petitioners. *Assistant Solicitor General Fahy and Assistant Attorney General Littell* for respondents. Reported below: 118 F. 2d 421.

No. 144. EWEN ET AL. *v.* PEORIA & EASTERN RAILWAY Co. October 13, 1941. Petition for writ of certiorari to the District Court of the United States for the Southern District of New York denied. *Mr. Charles S. Aronstam* for petitioners. *Messrs. Jacob Aronson and John Puryear* for respondent. Reported below: 37 F. Supp. 917.

No. 145. BALABANOFF *v.* KELLOGG ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. W. H. Metson* for petitioner. *Mr. Guy C. Calden* for respondents. Reported below: 118 F. 2d 597.

No. 146. *HILL-BEHAN LUMBER Co. v. STATE HIGHWAY COMMISSION*. October 13, 1941. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Messrs. Jacob M. Lashly and Frank E. Atwood* for petitioner. *Mr. Daniel C. Rogers* for respondent. Reported below: 347 Mo. 671, 148 S. W. 2d 499.

No. 147. *HOLMES v. McCOLGAN, BANK & CORPORATION FRANCHISE TAX COMMISSIONER*. October 13, 1941. Petition for writ of certiorari to the Supreme Court of California denied. *Messrs. Ralph D. Brown and E. H. Conley* for petitioner. *Messrs. Earl Warren*, Attorney General of California, and *H. H. Linney*, Deputy Attorney General, for respondent. Reported below: 17 Cal. 2d 426, 110 P. 2d 428.

No. 152. *KEYES v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. W. Gwynn Gardiner and James M. Earnest* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Littell*, and *Mr. Warner W. Gardner* for the United States. Reported below: 73 App. D. C. 273, 119 F. 2d 444.

No. 153. *CHICKERING, ADMINISTRATOR, v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Frederick H. Nash and Richard Wait* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. Sewall Key, Richard H. Demuth, and Miss Louise Foster* for respondent. Reported below: 118 F. 2d 254.

No. 324. *MILLARD, EXECUTOR, v. MALONEY*. October 13, 1941. Petition for writ of certiorari to the Circuit

Court of Appeals for the Third Circuit denied. *Mr. George W. C. McCarter* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Miss Helen R. Carloss* and *Mr. Lee A. Jackson* for respondent. Reported below: 121 F. 2d 257.

No. 154. *EXHIBIT SUPPLY Co. v. ACE PATENTS CORP.*;

No. 155. *GENCO, INC. v. ACE PATENTS CORP.*; and

No. 156. *CHICAGO COIN MACHINE Co. v. ACE PATENTS CORP.* October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Clarence E. Threedy and John H. Sutherland* for petitioners. *Mr. Casper W. Ooms* for respondent. Reported below: 119 F. 2d 349.

No. 157. *VINCE v. GREAT NORTHERN LIFE INSURANCE Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Arthur J. Abbott* for petitioner. *Mr. Albert F. Beasley* for respondent. Reported below: 118 F. 2d 232.

No. 162. *PHILLIPS PETROLEUM Co. v. GREEN, CHAIRMAN OF THE IOWA STATE BOARD OF ASSESSMENT & REVIEW, ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. H. D. Emery and Rayburn L. Foster* for petitioner. Reported below: 119 F. 2d 466.

No. 163. *OBERGFELL ET AL. v. GREEN ET AL.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. Martin F. O'Donoghue and William J. Hughes, Jr.* for petitioners. *Mr. Joseph A. Padway* for respondents. Reported below: 73 App. D. C. 298, 121 F. 2d 46.

No. 164. *PITCAIRN ET AL., RECEIVERS, v. WILD.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Mr. Homer Hall* for petitioners. *Messrs. Mark D. Eagleton and Roberts P. Elam* for respondent. Reported below: 347 Mo. 915, 149 S. W. 2d 800.

No. 165. *BORIN CORPORATION, FORMERLY ZERO ICE CORP., v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Theodore Levin* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key and Hubert L. Will* for respondent. Reported below: 117 F. 2d 917.

No. 167. *SONKEN-GALAMBA CORPORATION ET AL. v. BUTLER IRON & STEEL CO., INC.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. I. J. Ringolsky, Harry L. Jacobs, and Wm. G. Boatright* for petitioners. *Messrs. Maurice J. O'Sullivan and David R. Milsten* for respondent. Reported below: 119 F. 2d 283.

No. 172. *BRIGHAM YOUNG UNIVERSITY v. LILLYWHITE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Robert L. Judd, Paul H. Ray, and S. J. Quinney* for petitioner. *Mr. Calvin W. Rawlings* for respondent. Reported below: 118 F. 2d 836.

No. 173. *MASON, TRUSTEE IN BANKRUPTCY, v. WYLDE ET AL.* October 13, 1941. Petition for writ of certiorari to the Superior Court, Worcester County, Massachusetts,

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denied. *Mr. Joseph Talamo* for petitioner. *Mr. Clarence W. Rowley* for respondents. Reported below: 308 Mass. 268, 32 N. E. 2d 615.

No. 174. *CASALDUC, TRUSTEE, v. GONZALEZ ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Benicio F. Sanchez* for petitioner. Reported below: 117 F. 2d 915.

No. 175. *CHEWNING v. DISTRICT OF COLUMBIA.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Mr. Cornelius H. Doherty* for petitioner. *Messrs. Richmond B. Keech and Vernon E. West* for respondent. Reported below: 73 App. D. C. 392, 119 F. 2d 459.

No. 182. *PAULY JAIL BUILDING CO. ET AL. v. INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL & ORNAMENTAL IRON WORKERS ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Gustavus A. Buder, Jr.* for petitioners. Reported below: 118 F. 2d 615.

No. 183. *HAWKINSON v. JOHNSTON.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Maurice J. O'Sullivan, J. Francis O'Sullivan, and Leo T. Schwartz* for petitioner. Reported below: 119 F. 2d 110.

No. 187. *Rios v. BOWIE ET AL., TRUSTEES.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Henry*

G. Molina for petitioner. *Mr. Earle T. Fiddler* for respondents. Reported below: 118 F. 2d 435.

No. 195. *KILLOREN, TRUSTEE IN BANKRUPTCY, v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Lon O. Hocker and Harry S. Gleick* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Mr. J. Louis Monarch* and *Miss Louise Foster* for the United States. Reported below: 119 F. 2d 364.

No. 202. *NEW AMSTERDAM CASUALTY CO. v. MIAMI CONSERVANCY DISTRICT*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Byron B. Harlan* for petitioner. *Mr. Andrew U. Thomas* for respondent. Reported below: 118 F. 2d 604.

No. 203. *RYAN ET AL., TRADING AS KEYSTONE TRANSFER CO., v. PENNSYLVANIA PUBLIC UTILITY COMMISSION*. October 13, 1941. Petition for writ of certiorari to the Superior Court of Pennsylvania denied. *Mr. Harold S. Shertz* for petitioners. *Messrs. Claude T. Reno, Attorney General of Pennsylvania, and Harry M. Showalter* for respondent. Reported below: 143 Pa. Super. 517, 17 A. 2d 637.

No. 204. *MEYER ET AL. v. KENMORE-GRANVILLE HOTEL CO. ET AL.* October 13, 1941. Petition for writ of certiorari to the Appellate Court, First District, of Illinois denied. *Mr. Meyer Abrams* for petitioners. *Mr. Claude A. Roth* for respondents. Reported below: 308 Ill. App. 78, 31 N. E. 2d 330.

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No. 205. *GREENE, GUARDIAN, v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. J. M. Mannon, Jr.* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. Sewall Key and Michael H. Cardozo, IV*, for respondent. Reported below: 119 F. 2d 383.

No. 207. *RUBERT HERMANOS, INC. ET AL. v. PUERTO Rico*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Henri Brown* for petitioners. *Messrs. William Cattron Rigby, George A. Malcolm*, Attorney General of Puerto Rico, and *Nathan R. Margold* for respondent. Reported below: 118 F. 2d 752.

No. 211. *HANNAN ET AL. v. CITY OF HAVERHILL ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Joseph F. Rutherford* and *Hayden Covington* for petitioners. Reported below: 120 F. 2d 87.

No. 213. *PASCONE v. MASSACHUSETTS*. October 13, 1941. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. *Messrs. Joseph F. Rutherford* and *Hayden Covington* for petitioner. *Mr. Frank G. Volpe*, Assistant Attorney General of Massachusetts, for respondent. Reported below: 308 Mass. 591, 33 N. E. 2d 522.

No. 212. *BARNETT ET AL. v. RECONSTRUCTION FINANCE CORPORATION*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh

Circuit denied. *Messrs. Dominic P. Sevald and Fred Barnett* for petitioners. *Assistant Solicitor General Fahy* and *Messrs. C. J. Durr and Hans A. Klagsbrunn* for respondent. Reported below: 118 F. 2d 190.

No. 214. *FORT STREET UNION DEPOT Co. v. HILLEN, SPECIAL ADMINISTRATRIX*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John C. Shields* for petitioner. *Messrs. Tom Davis, Ernest A. Michel, and Carl L. Yaeger* for respondent. Reported below: 119 F. 2d 307.

No. 215. *S. NATHAN & Co., INC. ET AL. v. RED CAB, INC. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Burke G. Slaymaker and William Otis Badger* for petitioners. *Mr. William E. Reiley* for respondents. Reported below: 118 F. 2d 864.

No. 218. *HAYES v. C. C. MOORE CONSTRUCTION Co., INC.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Toxey Hall and Lee D. Hall* for petitioner. *Mr. Thomas C. Hannah* for respondent. Reported below: 119 F. 2d 742.

No. 219. *NEWFIELD, TRUSTEE, v. EAST RIVER SAVINGS BANK.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. W. Cameron Burton* for petitioner. *Mr. Edwin A. Falk* for respondent. Reported below: 118 F. 2d 453.

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No. 220. *CASPERSEN v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Jackson R. Collins* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. J. Louis Monarch and L. W. Post* for respondent. Reported below: 119 F. 2d 94.

No. 221. *BROCK ET AL. v. BARNSDALL OIL CO. ET AL.*; and

No. 222. *ASH ET AL. v. BARNSDALL OIL CO. ET AL.* October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. J. B. Lewright* for petitioners in No. 221, and *Mr. Chas. M. Alderson* for petitioners in No. 222. *Messrs. W. J. Howard, E. E. Townes, and R. E. Seagler* for Barnsdall Oil Co. et al., and *Mr. David B. Trammell* for *J. O. Phillips et al.*, respondents. Reported below: 118 F. 2d 699.

No. 224. *URSETH v. SUN LIFE ASSURANCE CO. OF CANADA*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. J. L. London* for petitioner. *Mr. Harold R. Small* for respondent. Reported below: 119 F. 2d 529.

No. 225. *WEGENER v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Chas. H. Garnett and C. F. Miller* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. Sewall Key and Samuel H. Levy* for respondent. Reported below: 119 F. 2d 49.

No. 227. *TWIN PORTS OIL CO. v. PURE OIL CO.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Tom Davis and Ernest A. Michel* for petitioner. *Messrs. S. A. Mitchell, H. H. Thomas, and Harry S. Stearns* for respondent. Reported below: 119 F. 2d 747.

No. 228. *S. S. WHITE DENTAL MANUFACTURING CO. v. UNITED STATES.* October 13, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. J. Henry Walters and Harry Levine* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Mr. J. Louis Monarch* and *Mrs. Elizabeth B. Davis* for the United States. Reported below: 93 Ct. Cls. 469, 38 F. Supp. 301.

No. 230. *TRIPPETT ET AL., TRANSFEREES, ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Chas. D. Turner* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. F. E. Youngman and J. Louis Monarch* for respondent. Reported below: 118 F. 2d 764.

No. 231. *GORDON v. VALLEE ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Joel H. Berry* for petitioner. Reported below: 119 F. 2d 118.

No. 232. *KOEBERLEIN v. DURBIN ET AL.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Anan Raymond* for petitioner.

Messrs. Craig Van Meter and Fred H. Kelly for respondents. Reported below: 376 Ill. 398, 34 N. E. 2d 407.

No. 233. *PENN, DOING BUSINESS AS SUPERLITE COMPANY, ET AL. v. NOVADEL-AGENE CORPORATION.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Samuel E. Darby, Jr., Robert A. Ritchie, and Louis D. Fletcher* for petitioners. *Messrs. Drury W. Cooper and Brady Cole* for respondent. Reported below: 119 F. 2d 764.

No. 234. *OMAHA PACKING CO. v. PITTSBURGH, FORT WAYNE & CHICAGO RAILWAY CO. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. John S. Lord and Austin V. Clifford* for petitioner. *Messrs. Frederic D. McKenney, Silas H. Strawn, Frank J. Loesch, John D. Black, Edward M. Burke, and David L. Dickson* for respondents. Reported below: 120 F. 2d 594.

No. 236. *CLARKE v. BARCLAY PARK CORP.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *John T. Clarke, pro se.* *Mr. Russell C. MacFall* for respondent.

No. 237. *WHEAT v. FORD MOTOR CO.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Martin J. O'Donnell* for petitioner. *Mr. Frank Parker Davis* for respondent. Reported below: 118 F. 2d 612.

No. 240. *HANSON v. LEHIGH VALLEY RAILROAD CO.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied.

Mr. James Raymond Berry for petitioner. *Mr. Edward A. Markley* for respondent. Reported below: 120 F. 2d 498.

No. 243. *MARYLAND & VIRGINIA MILK PRODUCERS' ASSN., INC. v. DISTRICT OF COLUMBIA.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. John S. Barbour* and *Christopher B. Garnett* for petitioner. *Messrs. Richmond B. Keech, Vernon E. West*, and *Glenn Simmon* for respondent. *Mr. Charles W. Wilson* filed a brief on behalf of the National Cooperative Milk Producers' Federation, as *amicus curiae*, in support of the petition. Reported below: 73 App. D. C. 399, 119 F. 2d 787.

No. 246. *KOPKE ET AL. v. ILLINOIS.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Wm. Scott Stewart* for petitioners. *Mr. George F. Barrett*, Attorney General of Illinois, for respondent. Reported below: 376 Ill. 171, 33 N. E. 2d 216.

No. 247. *SUPPLEE ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Louis A. Spiess* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. Sewall Key, J. Louis Monarch*, and *Warren F. Wattles* for respondent. Reported below: 119 F. 2d 423.

No. 253. *ELSTELNAT HOLDING CORPORATION v. PALMER, TRUSTEE IN BANKRUPTCY.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Herman A. Benjamin* for petitioner. Reported below: 119 F. 2d 605.

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No. 254. *HUNTEMAN, GUARDIAN, v. NEW ORLEANS PUBLIC SERVICE, INC.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John W. Harrell* for petitioner. *Mr. William W. Ogden* for respondent. Reported below: 119 F. 2d 465.

No. 260. *SPRINKLE v. DAVIS.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. S. S. Lambeth, Jr.* for petitioner. *Mr. S. H. Williams* for respondent. Reported below: 117 F. 2d 938.

No. 261. *BACHELDER, RECEIVER, v. NATIONAL LABOR RELATIONS BOARD.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. H. K. Bachelder and W. C. Bachelder* for petitioner. *Assistant Solicitor General Fahy* and *Messrs. Richard H. Demuth, Robert B. Watts, Laurence A. Knapp, and Frederick M. Davenport, Jr.* for respondent. Reported below: 120 F. 2d 574.

No. 263. *WALKER, TRUSTEE IN BANKRUPTCY, v. L. MAXCY, INC.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Claude L. Gray* for petitioner. *Messrs. O. K. Reaves and Howell M. Hampton* for respondent. Reported below: 119 F. 2d 535.

No. 266. *McCLAVE & Co. v. CARDEN ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Samuel C. Duberstein* for petitioner. *Mr. Louis Boehm* for respondents. Reported below: 118 F. 2d 677.

No. 269. YOUNG MEN'S CHRISTIAN ASSOCIATION *v.* NEW YORK CASUALTY CO. ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Vincent Starzinger* for petitioner. *Messrs. Donald Evans and Wm. F. Riley* for New York Casualty Co., and *Messrs. Jesse A. Miller and Fred C. Huebner* for Employers Mutual Casualty Co., respondents. Reported below: 119 F. 2d 387.

No. 270. FIRST TRUST & SAVINGS BANK *v.* KENT, RECEIVER. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. J. A. Fowler* for petitioner. Reported below: 119 F. 2d 151.

No. 271. SMITH *v.* FOURTH NATIONAL BANK OF TULSA. October 13, 1941. Petition for writ of certiorari to the Supreme Court of Oklahoma denied. *Mr. Neal E. McNeill* for petitioner. *Messrs. Chas. L. Yancey and G. C. Spillers* for respondent. Reported below: 181 Okla. 280, 73 P. 2d 414; 189 Okla. 1, 112 P. 2d 158.

No. 274. MASSMAN CONSTRUCTION CO. *v.* BASSETT, DEPUTY COMMISSIONER OF U. S. EMPLOYEES' COMPENSATION COMM'N, ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Ben Ely* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Melvin H. Siegel* for respondents. Reported below: 120 F. 2d 230.

No. 279. WHITE SWAN CO. *v.* NATIONAL LABOR RELATIONS BOARD. October 13, 1941. Petition for writ of cer-

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tiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. H. C. A. Hofacker* for petitioner. *Assistant Solicitor General Fahy* and *Messrs. Warner W. Gardner, Robert B. Watts, Laurence A. Knapp*, and *Miss Ruth Weyand* for respondent. Reported below: 118 F. 2d 1002.

No. 282. *POWELL ET AL., RECEIVERS, v. WIGGINS.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. F. P. Fleming* and *Charles R. Scott* for petitioners. *Mr. Charles O. Andrews, Jr.* for respondent. Reported below: 119 F. 2d 751.

Nos. 287 and 288. *KEEFE ET AL. v. BLOOMFIELD VILLAGE DRAIN DISTRICT ET AL.* October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Raymond K. Dykema* and *David M. Wood* for petitioners. *Mr. James R. Breakey, Jr.* for respondents. Reported below: 119 F. 2d 157.

No. 289. *KEEFE ET AL. v. MARTIN DRAIN AND BRANCHES DRAIN DISTRICT ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Raymond K. Dykema* and *David M. Wood* for petitioners. *Messrs. Alex. J. Groesbeck* and *Bert V. Nunneley* for respondents. *Mr. Joseph W. Hutchinson* filed a brief on behalf of the Board of Trustees of the Indiana State Teachers' Retirement Fund, as *amicus curiae*, in support of the petition. Reported below: 119 F. 2d 157.

No. 290. *KEEFE ET AL. v. CENTER LINE RELIEF DRAIN DISTRICT ET AL.* October 13, 1941. Petition for writ of

certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Raymond K. Dykema and David M. Wood* for petitioners. *Messrs. Alex. J. Groesbeck and Bert V. Nunneley* for respondents. Reported below: 119 F. 2d 157.

No. 291. *KEEFE ET AL. v. NINE-MILE-HALFWAY DRAIN DISTRICT ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Raymond K. Dykema and David M. Wood* for petitioners. *Messrs. Alex. J. Groesbeck and Bert V. Nunneley* for respondents. Reported below: 119 F. 2d 157.

No. 292. *BAHR ET AL., EXECUTORS, v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. William Fulton Tarver and John C. White* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and John J. Pringle, Jr.* for respondent. Reported below: 119 F. 2d 371.

No. 293. *TILLMAN v. NATIONAL CITY BANK OF NEW YORK.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Borris M. Komar* for petitioner. *Mr. Philip A. Carroll* for respondent. Reported below: 118 F. 2d 631.

No. 294. *LONTOK v. BATTUNG ET AL.* October 13, 1941. Petition for writ of certiorari to the Court of Appeals of the Philippines denied. *Marcelino Lontok, pro se.*

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No. 298. *GETTY v. KINZBACH TOOL CO., INC. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Nelson J. Jewett, J. O. Modisette, and George B. Springston* for petitioner. Reported below: 119 F. 2d 249.

No. 299. *STEPHENS v. RICHMAN & SAMUELS, INC.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Sawnie B. Smith* for petitioner. *Mr. Morris Cukor* for respondent. Reported below: 118 F. 2d 1011.

No. 310. *LOWDEN ET AL., TRUSTEES, v. UNITED STATES.* October 13, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. M. L. Bell, W. F. Peter, Thomas P. Littlepage, W. R. Bleakmore, and Robert E. Lee* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Littell, and Messrs. Richard H. Demuth and Vernon L. Wilkinson* for the United States. Reported below: 93 Ct. Cls. 584.

No. 312. *AMES ET UX. v. EMPIRE STAR MINES CO., LTD.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of California denied. *Messrs. Simeon E. Sheffey and Herman Weinberger* for petitioners. *Messrs. Robert M. Searls and William E. Colby* for respondent. Reported below: 17 Cal. 2d 213, 110 P. 2d 13.

No. 314. *BOWDEN ET AL. v. CITY OF FORT SMITH.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Arkansas denied. *Messrs. Joseph F.*

Rutherford and *Hayden Covington* for petitioners.
Reported below: 202 Ark. 614, 151 S. W. 2d 1000.

No. 316. *LYNCH, RECEIVER, ET AL. v. JACKSON, TRUSTEE IN BANKRUPTCY, ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Leonard J. Mayberg* for petitioners. *Mr. Earl E. Moss* for respondents. Reported below: 121 F. 2d 152.

No. 317. *COGGAN v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Lawrence E. Green* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Miss Helen R. Carloss* and *Mr. Harry Marselli* for respondent. Reported below: 119 F. 2d 504.

No. 319. *BEAR GULCH WATER Co. v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John U. Calkins, Jr.* for petitioner. *Assistant Solicitor General Fahy and Assistant Attorney General Clark* for respondent. Reported below: 116 F. 2d 975.

No. 326. *MAIER v. CONTINENTAL OIL Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. William H. Thompson, Perry E. O'Neal, and Patrick J. Smith* for petitioner. *Messrs. William H. Zwick and T. Morton McDonald* for respondent. Reported below: 120 F. 2d 237.

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No. 329. *BLAIR v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. John W. Gaskins, George R. Shields, and Herman J. Galloway* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Paul A. Sweeney* for the United States. Reported below: 93 Ct. Cls. 555.

No. 330. *HYDROILOID, INCORPORATED, ET AL. v. L. L. BROWN PAPER CO. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. William Morton Carden* for petitioners. Reported below: 118 F. 2d 674.

No. 333. *CHICAGO & EASTERN ILLINOIS RAILROAD CO. v. GOURLEY*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. George I. Haight and K. L. Richmond* for petitioner. *Mr. Joseph D. Ryan* for respondent. Reported below: 121 F. 2d 785.

No. 334. *JOSEPH E. SEAGRAM & SONS, INC. v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Joseph E. Davies and Raymond N. Beebe* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Miss Helen R. Carloss* and *Mr. Samuel E. Blackham* for the United States. Reported below: 93 Ct. Cls. 538, 36 F. Supp. 1013.

No. 336. *SPIKES v. STREET & SMITH PUBLICATIONS, INC.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied.

Mr. Mark McMahon for petitioner. *Mr. Neil P. Cullom* for respondent. Reported below: 120 F. 2d 895.

No. 337. PRIME SECURITIES CORP. *v.* UNITED STATES;

No. 338. MICHIGAN SILICA CO. *v.* UNITED STATES;

No. 339. GENERAL CHROMIUM CORP. *v.* UNITED STATES;

No. 340. SENIOR INVESTMENT CORP. *v.* UNITED STATES;

No. 341. UDYLITE COMPANY *v.* UNITED STATES; and

No. 342. STANDARD COTTON PRODUCTS CO. *v.* UNITED STATES. October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Benjamin E. Jaffe* for petitioners. Assistant Solicitor General *Fahy*, Assistant Attorney General *Clark*, and Messrs. *Richard H. Demuth* and *Paul S. McMahon* for the United States. Reported below: 119 F. 2d 939.

No. 343. AMERICAN NATIONAL BANK, TRUSTEE, *v.* SERVICE LIFE INSURANCE CO. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. Messrs. *William H. Thompson*, *Perry E. O'Neal*, and *Patrick J. Smith* for petitioner. Reported below: 120 F. 2d 579.

No. 346. LOUISIANA DELTA CATTLE CO., INC. *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Court of Claims denied. *Mr. Camden R. McAtee* for petitioner. Assistant Solicitor General *Fahy*, Assistant Attorney General *Shea*, and *Mr. Paul A. Sweeney* for the United States. Reported below: 93 Ct. Cls. 662.

No. 347. TASTY BAKING CO. *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Court

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of Claims denied. *Mr. Hugh Satterlee* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Mr. J. Louis Monarch* for the United States. Reported below: 93 Ct. Cls. 667, 38 F. Supp. 844.

No. 350. *WISCONSIN CO-OPERATIVE MILK POOL v. FIRST WISCONSIN NATIONAL BANK ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. John Ernest Roe* for petitioner. *Mr. Bert Vandervelde* for respondents. Reported below: 119 F. 2d 999.

No. 353. *HASKINS, RECEIVER, v. ROSEBERRY ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Thomas F. Ryan, Joseph M. Hartfield, and Eugene Frederick Roth* for petitioner. *Messrs. George B. Thatcher and William Woodburn* for respondents. Reported below: 119 F. 2d 803.

No. 354. *MORTON, TRUSTEE, ET AL. v. DARDANELLE SPECIAL SCHOOL DISTRICT No. 15.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. J. W. House and James B. McDonough* for petitioners. *Mr. Wallace Townsend* for respondent. *Mr. Justin D. Bowersock* filed a brief on behalf of Martin-Holloway-Purcell, a Co-partnership, as *amicus curiae*, in support of the petition. Reported below: 121 F. 2d 423.

No. 358. *STEIN v. DELANO, COMPTROLLER OF THE CURRENCY, ET AL.* October 13, 1941. Petition for writ of

certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Saul J. Zucker and Lionel P. Kristeller* for petitioner. Reported below: 121 F. 2d 975.

No. 497. *EDWARDS v. BINGHAM PUMP Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. George P. Dike, Cedric W. Porter, and John F. McCarthy* for petitioner. *Mr. Robert F. Maguire* for respondent. Reported below: 118 F. 2d 338.

No. 506. *SYSTEM FEDERATION No. 59 OF THE RAILWAY EMPLOYEES DEPT. v. LOUISIANA & ARKANSAS RAILWAY Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. S. P. Jones* for petitioner. *Messrs. A. L. Burford and T. W. Holloman* for respondent. Reported below: 119 F. 2d 509.

No. 511. *TEXAS & PACIFIC RAILWAY CO. ET AL. v. CITIZENS NATIONAL BANK.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Texas denied. *Mr. M. E. Clinton* for petitioners. *Mr. Paul E. Lesh* for respondent. Reported below: 136 Tex. 333, 150 S. W. 2d 1003.

No. 512. *BOARD OF PUBLIC INSTRUCTION FOR THE COUNTY OF HERNANDO, FLORIDA, v. MEREDITH ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. O. K. Reaves* for petitioner. *Mr. Robert J. Pleus* for respondents. Reported below: 119 F. 2d 712.

No. 513. OUTBOARD, MARINE & MANUFACTURING CO. v. MUNCIE GEAR WORKS, INC. ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. George L. Wilkinson, S. L. Wheeler, and Isadore Levin* for petitioner. *Mr. Chas. W. Rummel* for respondents. Reported below: 119 F. 2d 404.

No. 514. COMMERCE TITLE GUARANTY CO. v. UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Walter P. Armstrong and J. E. McCadden* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Miss Helen R. Carloss* and *Michael H. Cardozo, IV*, for the United States. Reported below: 121 F. 2d 452.

No. 515. SHERMAN, TRUSTEE, v. BUCKLEY ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Sydney C. Perell* for petitioner. *Messrs. Russell C. Gay and Loring M. Black* for respondents. Reported below: 119 F. 2d 280.

No. 516. WHITELEY v. COMMISSIONER OF INTERNAL REVENUE. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Frederick H. Spotts* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Arnold Raum, L. W. Post, and Miss Helen R. Carloss* for respondent. Reported below: 120 F. 2d 782.

No. 517. SIROCCO COMPANY *v.* MIAMI. October 13, 1941. Petition for writ of certiorari to the Supreme Court of Florida denied. *Mr. Sol A. Rosenblatt* for petitioner. *Mr. John W. Watson, Jr.* for respondent. Reported below: 145 Fla. 500, 1 So. 2d 725.

No. 519. CAMDEN FIRE INSURANCE ASSN. *v.* SUNDQUIST, ADMINISTRATRIX. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Herbert W. Hirsh* for petitioner. *Mr. Harry C. Heyl* for respondent. Reported below: 119 F. 2d 955.

No. 521. DARLING STORES CORP. *v.* YOUNG REALTY Co. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Eugene F. Roth* and *George Cosson* for petitioner. *Mr. Vincent Starzinger* for respondent. Reported below: 121 F. 2d 112.

No. 522. HERCULES MINING Co. *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John H. Wourms* for petitioner. *Assistant Solicitor General Fahy*, *Assistant Attorney General Clark*, and *Misses Helen R. Carloss* and *Louise Foster* for the United States. Reported below: 119 F. 2d 288.

No. 528. OHIO OIL Co. ET AL. *v.* THOMPSON, TRUSTEE, ET AL. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Thos. H. Cobbs, Craig Van Meter, Wm.*

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H. Armstrong, and *Fred H. Kelly* for petitioners. *Mr. Thomas T. Railey* for respondents. Reported below: 120 F. 2d 831.

No. 534. *HALL v. GEORGIA*. October 13, 1941. Petition for writ of certiorari to the Court of Appeals of Georgia denied. *Mr. Augustus M. Roan* for petitioner. Reported below: 64 Ga. App. 644, 13 S. E. 2d 868.

No. 537. *KENT v. ROTHENSIES, COLLECTOR OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Robert H. Montgomery, James O. Wynn, Thomas G. Haight, Leighton P. Stradley, J. Marvin Haynes, Chester J. McGuire*, and *George G. Tyler* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. Arnold Raum and J. Louis Monarch* for respondent. Reported below: 120 F. 2d 476.

No. 538. *SOUTHARD v. JACKSON, WARDEN*. October 13, 1941. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. Thomas Marshall* for petitioner. *Mr. Herbert J. Rushton*, Attorney General of Michigan, for respondent. Reported below. 298 Mich. 75, 298 N. W. 457.

No. 539. *WHITE v. STEINMAN, TRUSTEE, ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John P. McGrath* for petitioner. *Mr. Harry H. Schutte* for Irving Steinman, Trustee, respondent. Reported below: 120 F. 2d 799.

No. 540. *NICHOLS ET AL. v. TUFFY, TRUSTEE IN BANKRUPTCY*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Charles M. Lyman* for petitioners. *Mr. Emmet L. Holbrook* for respondent. Reported below: 120 F. 2d 906.

No. 542. *HOUSMAN v. CALIFORNIA*. October 13, 1941. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, of California, denied. *Mr. Leo R. Friedman* for petitioner. *Mr. Earl Warren*, Attorney General of California, for respondent. Reported below: 44 Cal. App. 2d 619, 112 P. 2d 944.

No. 547. *MAHLER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Harry Friedman* for petitioners. *Assistant Solicitor General Fahy*, *Assistant Attorney General Clark*, and *Messrs. J. Louis Monarch and F. E. Youngman* for respondent. Reported below: 119 F. 2d 869.

No. 560. *FEDERAL LIFE INSURANCE CO. v. ETTMAN*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Wayne Ely* for petitioner. *Mr. J. L. London* for respondent. Reported below: 120 F. 2d 837.

No. 561. *THE LACKAWANNA ET AL. v. STEAMTUG "S. & H. NO. 2," INC.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Oscar R. Houston* for petitioners. *Mr. James A. Martin* for respondent. Reported below: 119 F. 2d 666.

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No. 565. *JONES v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Lon O. Hocker* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Mr. J. Louis Monarch* for respondent. Reported below: 120 F. 2d 828.

No. 573. *MURPHY, DOING BUSINESS AS LA FRANCE TOLEDO CO., v. BRADY, ACTING COLLECTOR OF INTERNAL REVENUE*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. William O. Ballard and U. G. Denman* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Mr. J. Louis Monarch* for respondent. Reported below: 120 F. 2d 243.

No. 10, original. *EX PARTE RAYMOND OSWALD DE MAUREZ*. October 20, 1941. The motion for leave to file petition for writ of certiorari is granted. The motion for leave to proceed further *in forma pauperis*, and the petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit, are denied. *Raymond Oswald De Maurez, pro se*. *Assistant Solicitor General Fahy, Assistant Attorney General Berge*, and *Mr. Oscar A. Provost* for *P. J. Squier, Warden*, respondent.

No. 305. *HARRISON v. UNITED STATES*. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Louis Harrison, pro se*. *Assistant Solicitor General Fahy and Assistant Attorney General Berge* for the United States. Reported below: 121 F. 2d 930.

No. 562. *MARTINDALE v. LOS ANGELES COUNTY FLOOD CONTROL DISTRICT*. October 20, 1941. Petition for writ of certiorari to the District Court of Appeal, 2d Appellate District, of California, and motion for leave to proceed further *in forma pauperis*, denied. *E. D. Martindale, pro se. Mr. W. B. McKesson* for respondent.

No. 570. *FAIN v. UNITED STATES*. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. Newell Blair and Harry W. Blair* for petitioner. *Assistant Solicitor General Fahy and Messrs. Julius C. Martin, Wilbur C. Pickett, Fendall Marbury, and W. Marvin Smith* for the United States. Reported below: 119 F. 2d 208.

No. 574. *SAMPLES v. UNITED STATES*. October 20, 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. *E. C. Samples, pro se. Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. W. Marvin Smith* for the United States. Reported below: 121 F. 2d 263.

No. 583. *KICAK v. HAUBER, EXECUTOR*. October 20, 1941. Petition for writ of certiorari to the Supreme Court of Ohio, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. Joseph Sheban and J. Francis Kicak* for petitioner. Reported below: 138 Ohio St. 456.

No. 593. *FLETCHER v. McMAHON ET AL.* October 20, 1941. Petition for writ of certiorari to the Court of Ap-

peals for the District of Columbia, and motion for leave to proceed further *in forma pauperis*, denied. *Edmond C. Fletcher, pro se.* *Assistant Solicitor General Fahy, Assistant Attorney General Shea*, and *Mr. Paul A. Sweeney* for John P. McMahon et al., and *Messrs. Richmond B. Keech and Vernon E. West* for Thomas M. Rives, respondents. Reported below: 121 F. 2d 729.

No. 303. *C. M. LANE LIFEBOAT Co., INC., ET AL. v. UNITED STATES.* See *ante*, p. 579.

Nos. 121 and 122. *WALLACE v. FISKE ET AL.* On petition for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit. October 20, 1941. In No. 122, the petition for writ of certiorari to review the judgment entered November 16, 1940, rehearing denied November 27, 1940, is denied on the ground that it was not filed within the time provided by law. 28 U. S. C., § 350. In No. 121, the motion for leave to dispense with the filing and printing of unnecessary portions of the record is denied for the reason that the Court, upon examination of the papers submitted, finds no ground upon which a writ of certiorari should be issued. The petition for writ of certiorari is therefore also denied. *Messrs. James C. Jones, Lon O. Hocker, and Frank Y. Gladney* for petitioner. Reported below: 115 F. 2d 1003.

No. 160. *SPRINGFIELD, OHIO, LOCAL No. 352, OF THE INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES, ET AL. v. SETTOS, LESSEE.* October 20, 1941. On petition for writ of certiorari to the Supreme Court of Ohio. It does not appear from the record that the federal

question presented by the petition was necessarily decided by the court below. The petition for writ of certiorari is denied. *Lynch v. New York ex rel. Pierson*, 293 U. S. 52; *Honeyman v. Hanan*, 300 U. S. 14, 18. Mr. Joseph A. Padway for petitioners. Messrs. A. C. Link and Samuel A. Bowman for respondent. Reported below: 138 Ohio St. 40, 32 N. E. 2d 22.

No. 524. *STEIN, TRADING AS JEAN CHEMICAL CO., ET AL. v. UNITED STATES*. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. Mr. Justice JACKSON took no part in the consideration and decision of this application. Mr. Patrick J. Friel for petitioners. Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Newton K. Fox for the United States. Reported below: 119 F. 2d 677.

No. 548. *RALPH W. CREWS v. COMMISSIONER OF INTERNAL REVENUE*;

No. 549. *ROBERT E. CREWS v. COMMISSIONER OF INTERNAL REVENUE*;

No. 550. *TRESNER v. COMMISSIONER OF INTERNAL REVENUE*;

No. 551. *CHARLES CREWS v. COMMISSIONER OF INTERNAL REVENUE*;

No. 552. *EVERETT J. CREWS v. COMMISSIONER OF INTERNAL REVENUE*; and

No. 553. *WILLIS v. COMMISSIONER OF INTERNAL REVENUE*. October 20, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. Mr. Justice JACKSON took no part in the consideration and decision of this application. Mr. J. D. Lydick for petitioners. Assistant Solicitor General Fahy,

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Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Richard H. Demuth for respondent. Reported below: 120 F. 2d 749.

No. 555. *C. R. Kirk & Co. v. UNITED STATES.* October 20, 1941. Petition for writ of certiorari to the Court of Claims denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. James A. Cosgrove* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Mr. J. Louis Monarch* and *Mrs. Elizabeth B. Davis* for the United States. Reported below: 93 Ct. Cls. 488, 37 F. Supp. 934.

No. 543. *ILSENG v. UNITED STATES;*

No. 544. *ILSENG v. UNITED STATES;* and

No. 545. *McKERCHER v. UNITED STATES.* October 20, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. MR. JUSTICE DOUGLAS and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. David H. Cannon* for petitioners. *Assistant Solicitor General Fahy and Assistant Attorney General Berge* for the United States. Reported below: 120 F. 2d 823.

No. 585. *JONES v. KENNEDY ET AL.* October 20, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE REED, MR. JUSTICE DOUGLAS, and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. James J. Laughlin* for petitioner. *Assistant Solicitor General Fahy and Messrs. Richard H. Demuth, Chester T. Lane, James A. Pike, and Robert E. Kline, Jr.* for James M. Landis et al., respondents. Reported below: 73 App. D. C. 292, 121 F. 2d 40.

No. 559. *Powell et al., Receivers, et al. v. Laughter*. October 20, 1941. The motion to substitute is granted and A. B. Laughter, administrator of the estate of John Grant Laughter, deceased, is substituted as the party respondent herein. The petition for writ of certiorari to the Supreme Court of North Carolina is denied. *Mr. Murray Allen* for petitioners. *Mr. Daniel A. Reed* for respondent. Reported below: 219 N. C. 689, 14 S. E. 2d 826.

No. 356. *Oliver v. United States*; and

No. 357. *SELLERS v. UNITED STATES*. October 20, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Hugh B. Woodward and C. Ray Smith* for petitioners. *Assistant Solicitor General Fahy* and *Assistant Attorney General Berge* for the United States. Reported below: 121 F. 2d 245.

No. 504. *GETZ ET AL. v. TOWN OF BELLEAIR*; and

No. 609. *TOWN OF BELLEAIR v. GETZ ET AL.* October 20, 1941. Petitions for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Giles J. Patterson* for petitioners in No. 504 and respondents in No. 609. *Mr. O. K. Reaves* for respondent in No. 504 and petitioner in No. 609. Reported below: 120 F. 2d 494.

No. 557. *HANCOCK OIL CO. v. UNIVERSAL OIL PRODUCTS CO.* October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. F. A. Knight* for petitioner. *Messrs. Frederick S. Lyon and Leonard S. Lyon* for respondent. Reported below: 120 F. 2d 959.

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No. 563. *CARSTENS ET AL. v. PUBLIC UTILITY DISTRICT No. 1 OF LINCOLN COUNTY ET AL.* October 20, 1941. Petition for writ of certiorari to the Supreme Court of the State of Washington denied. *Messrs. Antone E. Russell and Henry E. T. Herman* for petitioners. *Mr. E. K. Murray* for respondents. Reported below: 8 Wash. 2d 136, 111 P. 2d 583.

No. 571. *COEN v. AMERICAN SURETY Co.* October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. John T. Harding and David A. Murphy* for petitioner. *Mr. Mitchel J. Henderson* for respondent. Reported below: 120 F. 2d 393.

No. 572. *CREEK NATION v. UNITED STATES.* October 20, 1941. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Paul M. Niebell and W. W. Spalding* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Littell* and *Mr. Vernon L. Wilkinson* for the United States. Reported below: 92 Ct. Cls. 346; 93 Ct. Cls. 767.

No. 575. *SHARP, SUPERINTENDENT, ET AL. v. MITCHELL IRRIGATION DISTRICT.* October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Ewing T. Kerr* for petitioners. Reported below: 121 F. 2d 964.

No. 576. *FINSTERWALD FURNITURE Co. v. FINSTERWALD CLOTHING Co.* October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Theodore Levin* for petitioner. *Mr.*

Jason L. Honigman for respondent. Reported below: 121 F. 2d 453.

No. 577. *EHRMAN ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Sidney M. Ehrman and Lloyd W. Dinkelspiel* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Warner W. Gardner* for respondent. Reported below: 120 F. 2d 607.

No. 578. *MAY v. MIDWEST REFINING CO. ET AL.* October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Harry T. Smith* for petitioner. *Mr. Robert Hale* for respondents. Reported below: 121 F. 2d 431.

No. 579. *TSERIONI ET AL. v. UNITED STATES*. October 20, 1941. Petition for writ of certiorari to the Court of Claims denied. *Mr. David Steckler* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Melvin H. Siegel* for the United States. Reported below: 94 Ct. Cls. 142.

No. 580. *FORD MOTOR CO. v. FEDERAL TRADE COMMISSION*. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Clifford B. Longley* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Arnold, and Messrs. Charles H. Weston and W. T. Kelley* for respondent. Reported below: 120 F. 2d 175.

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No. 587. REICH, DOING BUSINESS AS AUTOMOTIVE PRODUCTS Co., *v.* CHAMPION SPARK PLUG Co. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Donald W. Johnson and Charles V. Garnett* for petitioner. *Mr. Wilber Owen* for respondent. Reported below: 121 F. 2d 769.

No. 590. STANDARD OIL CO. OF NEW JERSEY *v.* UNITED STATES. October 20, 1941. Petition for writ of certiorari to the Court of Customs and Patent Appeals denied. *Mr. Edward P. Sharretts* for petitioner. *Assistant Solicitor General Fahy and Messrs. Paul P. Rao, Charles D. Lawrence, and John R. Benney* for the United States. Reported below: 29 C. C. P. A. (Customs) 82, 120 F. 2d 340.

No. 592. SPRAGUE, RECEIVER, *v.* WOLL, U. S. ATTORNEY, ET AL. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Ralph R. Bradley and Robert E. Quirk* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Arnold, and Messrs. Robert L. Stern, Daniel W. Knowlton, and Nelson Thomas* for J. Albert Woll et al., and *Mr. Wm. B. Rubin* for Division 900 of the Amalgamated Association of Street Electric Railway & Motor Coach Employees, respondents. Reported below: 122 F. 2d 128.

No. 584. POPE *v.* CURRAN ET AL. October 27, 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. *Haywood Pope, pro se.* Reported below: 73 App. D. C. 170, 117 F. 2d 779.

No. 598. *Cox v. WILSON, WARDEN*. October 27, 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. *Thomas R. Cox, pro se*. Reported below: 120 F. 2d 808.

No. 618. *FRETWELL v. PEOPLES SERVICE DRUG STORES, INC.* October 27, 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. *Julian W. Fretwell, pro se*. Reported below: 118 F. 2d 76.

No. 620. *WRIGHT v. UNION CENTRAL LIFE INSURANCE Co.* October 27, 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. Samuel E. Cook* for petitioner. *Messrs. Arthur S. Lytton and Virgil D. Parish* for respondent.

No. 605. *GROVES v. UNITED STATES*. October 27, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *MR. JUSTICE REED, MR. JUSTICE DOUGLAS, and MR. JUSTICE JACKSON* took no part in the consideration and decision of this application. *Messrs. James B. Alley and George Z. Medalie* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. W. Marvin Smith* for the United States. Reported below: 122 F. 2d 87.

No. 624. *MCLEAN v. COMMISSIONER OF INTERNAL REVENUE*. October 27, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit

denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. L. J. Benkenstein* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Richard H. Demuth and Warren F. Wattles* for respondent. Reported below: 120 F. 2d 942.

No. 612. TERMINAL & SHAKER HEIGHTS REALTY Co.
v. VAN SWERINGEN COMPANY;

No. 613. TERMINAL & SHAKER HEIGHTS REALTY Co.
v. VAN SWERINGEN CORPORATION ET AL.; and

No. 614. TERMINAL & SHAKER HEIGHTS REALTY Co.
v. CLEVELAND TERMINAL BUILDING CO. ET AL. October 27, 1941. Petitions for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE REED and MR. JUSTICE DOUGLAS took no part in the consideration and decision of these applications. *Mr. William H. Thompson* for petitioner. *Mr. Robert M. Calfee* for respondent in No. 612. *Mr. Frederick L. Leckie* for the Trustees of Van Sweringen Corp., respondents in No. 613; *Messrs. Joseph L. Stern and Meyer Abrams* for A. B. Gochenour et al., intervenor-respondents in Nos. 613 and 614, and *Mr. J. Hall Kellogg* for the Cleveland Terminal Bldg. Co., respondent in No. 614. Reported below: 119 F. 2d 231.

No. 606. STILL *v. UNITED STATES*. October 27, 1941. The motion to proceed on the typewritten record is granted. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. R. K. Wise and Warren E. Miller* for petitioner. *Assistant Solicitor General Fahy and Messrs. Julius C. Martin, Wilbur C. Pickett, and Fendall Marbury* for the United States. Reported below: 120 F. 2d 876.

No. 623. *WEST ET AL. v. AMERICAN TELEPHONE & TELEGRAPH CO.* October 27, 1941. The motion to use the certified record in Nos. 44 and 45, October Term, 1940, and to dispense with the printing thereof, is granted. The petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit is denied. *Messrs. Harry L. Deibel and Orlin F. Goudy* for petitioners. *Mr. William B. Cockley* for respondent. Reported below: 121 F. 2d 142.

No. 38. *LOVELL ET AL. v. DULAC CYPRESS CO., LTD. ET AL.*; and

No. 82. *DULAC CYPRESS CO., LTD. ET AL. v. LOVELL ET AL.* October 27, 1941. Petitions for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. James Q. Smith* for petitioners in No. 38 and respondents in No. 82. *Mr. Roberts C. Milling* for respondents in No. 38 and petitioners in No. 82. Reported below: 117 F. 2d 1.

No. 594. *TAKOMA PARK BANK, INC. v. ABBOTT.* October 27, 1941. Petition for writ of certiorari to the Court of Appeals of Maryland denied. *Messrs. Leonard J. Ganse, John W. Cragun, and Carl F. Bauersfeld* for petitioner. *Mr. W. C. Sullivan* for respondent. Reported below: 19 A. 2d 169.

No. 597. *COLLIN & GISSEL (LUDWIG BAER) v. UNITED STATES.* October 27, 1941. Petition for writ of certiorari to the Court of Customs and Patent Appeals denied. *Mr. Ernest F. Mechlin* for petitioner. *Assistant Solicitor General Fahy* and *Messrs. Paul P. Rao, Charles D. Lawrence, and John R. Benney* for the United States. Reported below: 29 C. C. P. A. (Customs) 96.

No. 599. LOFLAND *v.* FOX, RECEIVER. October 27, 1941. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Mr. Joseph Ominsky* for petitioner. *Mr. Abraham Wernick* for respondent. Reported below: 341 Pa. 401, 20 A. 2d 224.

No. 607. MORGAN *v.* POTTER, SUPERINTENDENT OF MILWAUKEE PUBLIC SCHOOLS. October 27, 1941. Petition for writ of certiorari to the Supreme Court of Wisconsin denied. *Mr. A. W. Richter* for petitioner. *Messrs. Walter J. Mattison* and *Omar T. McMahon* for respondent. Reported below: 238 Wis. 246, 298 N. W. 763.

No. 608. FRIEND ET AL., TRUSTEES, *v.* COMMISSIONER OF INTERNAL REVENUE. October 27, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. A. J. Pflaum* and *Harry N. Wyatt* for petitioners. *Assistant Solicitor General Fahy*, *Assistant Attorney General Clark* and *Messrs. Arnold Raum, J. Louis Monarch*, and *Joseph M. Jones* for respondent. Reported below: 119 F. 2d 959.

No. 615. GAMMONS ET AL., EXECUTORS AND TRUSTEES, *v.* HASSETT, COLLECTOR OF INTERNAL REVENUE. October 27, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Harold Williams* for petitioners. *Assistant Solicitor General Fahy*, *Assistant Attorney General Clark*, and *Messrs. J. Louis Monarch* and *Joseph M. Jones* for respondent. Reported below: 121 F. 2d 229.

No. 616. WARDELL, RECEIVER, *v.* DISTRICT OF COLUMBIA. October 27, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied.

Messrs. Brice Clagett, Charles E. Wainwright, George P. Barse, John F. Anderson, and Lee Roy Stover for petitioner. *Messrs. Richmond B. Keech, Vernon E. West, and Glenn Simmon* for respondent. Reported below: 122 F. 2d 202.

No. 617. *BROWN ET AL. v. J. B. SIMPSON, INC.* October 27, 1941. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. Herbert J. Rushton*, Attorney General, for petitioners. *Mr. Isadore Levin* for respondent. Reported below: 297 Mich. 403, 298 N. W. 81.

No. 625. *NORTH MIAMI v. MEREDITH ET AL.* October 27, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. D. H. Redfearn* for petitioner. *Messrs. D. C. Hull, Erskine W. Landis, Francis P. Whitehair, John L. Graham and J. Compton French* for respondents. Reported below 121 F. 2d 279.

No. 627. *WAREHOUSEMEN'S UNION, LOCAL 117, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, ETC. v. NATIONAL LABOR RELATIONS BOARD*; and

No. 628. *McKESSON & ROBBINS, INC. ET AL. v. NATIONAL LABOR RELATIONS BOARD.* October 27, 1941. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia denied. *Messrs. Joseph A. Padway and Herbert S. Thatcher* for petitioner in No. 627. *Mr. Clinton Robb* for petitioners in No. 628. *Assistant Solicitor General Fahy* and *Messrs. Richard H. Demuth, Robert B. Watts, Laurence A. Knapp, and Morris P. Glushien* for respondent. Reported below: 121 F. 2d 84.

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No. 315. *UNITED STATES EX REL. ROBINSON v. JOHNSTON, WARDEN*. November 10, 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. MR. JUSTICE JACKSON took no part in the consideration and decision of these applications. *Thomas Henry Robinson, Jr., pro se. Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Mr. W. Marvin Smith* for respondent. Reported below: 118 F. 2d 998.

No. 695. *CLARK v. BARLOW ET AL.* November 10, 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. MR. JUSTICE JACKSON took no part in the consideration and decision of these applications. *Mr. Carl L. Ristine* for petitioner. *Mr. Dean Hill Stanley* for Lester P. Barlow, and *Assistant Attorney General Shea and Messrs. Warner W. Gardner, Sidney J. Kaplan, and Paul A. Sweeney* for Henry Morgenthau, Jr., Secretary of the Treasury, et al., respondents. Reported below: 122 F. 2d 337.

No. 684. *McGOLDRICK v. EQUITABLE LIFE ASSURANCE SOCIETY*. November 10, 1941. The motion to consider certain orders of the District Court as a part of the record is granted. 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. *Mr. William Lemke* for petitioner. *Mr. E. D. Weller* for respondent. Reported below: 121 F. 2d 746.

No. 621. *KNIGHT v. CALIFORNIA*. November 10, 1941. Petition for writ of certiorari to the District Court of Appeal, 2d Appellate District, of California, and motion

for leave to proceed further *in forma pauperis*, denied. *Mr. Jack W. Hardy* for petitioner. Reported below: 44 Cal. App. 2d 887, 113 P. 2d 226.

No. 647. *GLOVER v. TEXAS*. November 10, 1941. Petition for writ of certiorari to the Court of Criminal Appeals of Texas, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. F. S. K. Whittaker* for petitioner. *Mr. Geo. W. Barcus*, Assistant Attorney General of Texas, for respondent. Reported below: 152 S. W. 2d 747.

No. 650. *WEST v. STATE OF WASHINGTON*. November 10, 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. *Fred Hartzell West, pro se*.

No. 611. *LOVVORN v. WELSH, DISTRICT JUDGE*. November 10, 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. Lovvorn, pro se*. Assistant Attorney General *Berge* and *Messrs. Warner W. Gardner and W. Marvin Smith* for respondent.

No. 677. *PIERRE v. LOUISIANA*. November 10, 1941. Petition for writ of certiorari to the Supreme Court of Louisiana, and motion for leave to proceed further *in forma pauperis*, denied. *Mr. Maurice R. Woulfe* for petitioner. Reported below: 198 La. 619, 3 So. 2d 895.

No. 681. *STEFFLER v. JOHNSTON, WARDEN*. November 10, 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. *Fred Steffler, pro se.* Assistant Attorney General *Berge* and *Mr. Warner W. Gardner* for respondent. Reported below: 121 F. 2d 447.

No. 636. *A. G. REEVES STEEL CONSTRUCTION Co. v. WEISS, EXECUTRIX.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. John E. Hughes* for petitioner. Assistant Solicitor General *Fahy*, Assistant Attorney General *Clark*, and Messrs. *J. Louis Monarch* and *Warren F. Wattles* for respondent. Reported below: 119 F. 2d 472.

No. 662. *FLIPPIN ET AL. v. UNITED STATES.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. J. Forrest McCutcheon* for petitioners. Assistant Solicitor General *Fahy*, Assistant Attorney General *Berge*, and Messrs. *Oscar A. Provost* and *W. Marvin Smith* for the United States. Reported below: 121 F. 2d 742.

No. 670. *KRUEGER ET AL. v. UNITED STATES.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Arthur T. Vanderbilt* for petitioners. Assistant Attorney General *Clark* and Messrs. *Warner W. Gardner*, *J. Louis Monarch*, and *Paul R. Russell* for the United States. Reported below: 121 F. 2d 842.

Nos. 641 and 642. *GLIDDEN COMPANY ET AL. v. UNITED STATES*. November 10, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE REED and MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. H. J. Crawford, Frank Harrison, and Roger Hinds* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Mr. J. Louis Monarch* for the United States. Reported below: 119 F. 2d 235.

No. 643. *SIMUS v. DONOGHUE, JUDGE*. November 10, 1941. The motion to proceed on the typewritten record is granted. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Charles Liebman and Pearl M. Hart* for petitioner. *Mr. David Silbert* for respondent. Reported below: 377 Ill. 122, 35 N. E. 2d 371.

No. 654. *WARRING v. HUFF, GENERAL SUPERINTENDENT*; and

No. 655. *WARRING v. COLPOYS, U. S. MARSHAL*. November 10, 1941. The motion for bail is denied. Petition for writs of certiorari to the Court of Appeals for the District of Columbia denied. MR. JUSTICE MURPHY and MR. JUSTICE JACKSON took no part in the consideration and decision of these applications. *Mr. Myron G. Ehrlich* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost and W. Marvin Smith* for respondents. Reported below: 122 F. 2d 641.

No. 536. *HALLIDAY v. SQUIRE, SUPERINTENDENT OF BANKS*. November 10, 1941. The motion to proceed on typewritten copies of the record is granted. Petition for writ of certiorari to the Supreme Court of Ohio denied.

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Mr. Wm. T. Arnos for petitioner. *Mr. Thomas J. Herbert*, Attorney General of Ohio, for respondent.

No. 629. *BUCKLEY v. CHRISTMAS*. November 10, 1941. The motion to dispense with the printing of parts of the record is granted. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Harvey L. Rabbitt, Jacob H. Gilbert, and Miss Susan Brandeis* for petitioner. *Mr. E. Milton Altfeld* for respondent. Reported below: 121 F. 2d 323.

No. 669. *HARDESTY, RECEIVER, v. FAIRMONT SUPPLY Co.* November 10, 1941. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied for the want of a final judgment. *Mr. George P. Barse* for petitioner. *Mr. Eli Whitney Debevoise* for respondent. Reported below: 14 S. E. 2d 436.

No. 630. *HOBART, DOING BUSINESS AS THE HOBART CABINET Co., v. NATIONAL LABOR RELATIONS BOARD*. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Leonard H. Shipman* for petitioner. *Assistant Solicitor General Fahy* and *Messrs. Robert B. Watts and Laurence A. Knapp* for respondent.

No. 631. *ABRAMS ET AL. v. SCANDRETT ET AL., TRUSTEES, ET AL.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Meyer Abrams* for petitioners. *Mr. A. N. Whitlock* for Henry A. Scandrett et al., Trustees; *Mr. Fred N. Oliver* for the Mutual Savings Bank Group; and *Messrs.*

Kenneth F. Burgess and Douglas F. Smith for the Life Insurance Group, respondents. Reported below: 121 F. 2d 371.

No. 632. *MOSLEY ET AL. v. UNITED STATES APPLIANCE CORP.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Alan W. Davidson* for petitioners. *Mr. Philip Harper Allen* for respondent. Reported below: 121 F. 2d 149.

No. 633. *TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS v. STAENGEL.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Carleton S. Hadley and Walter N. Davis* for petitioner. *Messrs. Mark D. Eagleton and Roberts P. Elam* for respondent. Reported below: 122 F. 2d 271.

No. 634. *COTROS ET AL. v. NASHVILLE TRUST CO., EXECUTOR.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Robert Lee Bartels and Felix Earl Hagler* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and William L. Cary* for respondent. Reported below: 122 F. 2d 326.

No. 637. *RICE ET AL., TRUSTEES, v. GUTERMAN, TRUSTEE IN BANKRUPTCY.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Paul A. Dever and Edward O. Proctor* for petitioners. *Mr. Harry N. Guterman* for respondent. Reported below: 121 F. 2d 251.

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No. 638. ARGUS HOSIERY MILLS, INC. *v.* ROBERTSON. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Russell R. Kramer* and *J. W. Baker* for petitioner. *Mr. W. O. Lowe* for respondent. Reported below: 121 F. 2d 285.

No. 640. GARTLAND STEAMSHIP CO. *v.* INTERLAKE IRON CORP. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Frederick L. Leckie* for petitioner. *Mr. Henry N. Longley* for respondent. Reported below: 121 F. 2d 267.

No. 651. TOWN OF DAVENPORT ET AL. *v.* HUGHES ET AL. November 10, 1941. Petition for writ of certiorari to the Supreme Court of Florida denied. *Messrs. Stuart B. Warren, George W. Wylie, D. C. Hull, Francis P. Whitehair, and John L. Graham* for petitioners. *Messrs. Robt. R. Milam, A. Y. Milam, and E. T. McIlvaine* for respondents. Reported below: 147 Fla. 228, 2 So. 2d 851.

No. 652. TERNSTEDT MANUFACTURING CO. ET AL. *v.* MOTOR PRODUCTS CORP. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John H. Bruninga* for petitioners. *Mr. Sherwin A. Hill* for respondent. Reported below: 119 F. 2d 834.

No. 656. JOHNSON *v.* FULLER ET AL. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Arthur Garfield Hays and Alan S. Hays* for petitioner. *Mr. Francis H. Scheetz* for respondents. Reported below: 121 F. 2d 618.

Nos. 659 and 660. *MOLONEY ELECTRIC CO. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* November 10, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Donald A. Callahan* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Edward First* for respondent. Reported below: 120 F. 2d 617.

No. 664. *BOSTON & MAINE RAILROAD v. CUNNINGHAM.* November 10, 1941. Petition for writ of certiorari to the Supreme Court for the County of Hampden, Massachusetts, denied. *Mr. Francis P. Garland* for petitioner. *James H. Cunningham, pro se.* Reported below: 309 Mass. 215, 34 N. E. 2d 697.

No. 672. *SOUTHGATE NELSON CORP. v. QUINN.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Arthur M. Boal* for petitioner. *Mr. Simone N. Gazan* for respondent. Reported below: 121 F. 2d 190.

No. 674. *WEST PRODUCTION CO. v. COMMISSIONER OF INTERNAL REVENUE.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Robert Ash* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Mr. J. Louis Monarch* for respondent. Reported below: 121 F. 2d 9.

No. 675. *CITY INVESTING CO. v. 165 BROADWAY BUILDING, INC. ET AL.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Elmer O. Goodwin* for petitioner. *Messrs. Leonard G. Bisco and David Barnett* for respondents. Reported below: 120 F. 2d 813.

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No. 671. *FARMERS & GINNERS COTTON OIL CO. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. William B. White* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Edward H. Hammond* for respondent. Reported below: 120 F. 2d 772.

No. 673. *WINGREN, TRUSTEE, v. HANSSEN ET AL.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Miss Norma L. Comstock* for petitioner. *Mr. Albert J. Gould* for respondents. Reported below: 121 F. 2d 1011.

No. 676. *CARBO-FROST, INC. ET AL. v. STANLEY KNIGHT CORP. ET AL.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Paul R. Stinson, Arthur Mag, and Roy B. Thomson* for petitioners. *Messrs. Geo. H. Wallace and Charles B. Cannon* for respondents. Reported below: 121 F. 2d 576.

No. 682. *HOAN v. JOURNAL COMPANY ET AL.* November 10, 1941. Petition for writ of certiorari to the Supreme Court of Wisconsin denied. *Messrs. Francis E. McGovern and Stephen J. McMahon* for petitioner. *Mr. J. Gilbert Hardgrove* for respondents. Reported below: 238 Wis. 311, 298 N. W. 228.

No. 685. *WEST VIRGINIA POWER CO. ET AL. v. UNITED STATES.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Cir-

cuit denied. *Messrs. Raymond T. Jackson, Jesse Knight, and Joseph M. Sanders* for petitioners. *Assistant Solicitor General Fahy and Assistant Attorney General Littell* for the United States. Reported below: 122 F. 2d 733.

No. 686. *WILLIS, EXECUTRIX, v. PENNSYLVANIA RAILROAD CO.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Thomas J. O'Neill* for petitioner. *Messrs. Frederic D. McKenney, Ray Rood Allen, and G. Hunter Merritt* for respondent. Reported below: 122 F. 2d 248.

No. 687. *UNITED NEW YORK SANDY Hook PILOTS ASSN. ET AL. v. THE OSLOFJORD ET AL.*; and

No. 688. *UNITED NEW YORK SANDY Hook PILOTS ASSN. ET AL. v. DEN NORSKE AMERIKALINJE A/S.* November 10, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. W. H. McGrann* for petitioners. *Mr. John W. Griffin* for respondents. Reported below: 121 F. 2d 304.

No. 689. *MOORE-McCORMACK LINES, INC. v. HUME.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Geo. Whitefield Betts* for petitioner. *Mr. Simone N. Gazan* for respondent. Reported below: 121 F. 2d 336.

No. 692. *RICHARDSON v. COMMISSIONER OF INTERNAL REVENUE.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Charles E. Hughes, Jr., Joseph M. Hartfield, and Holt S. McKinney* for petitioner. *Assist-*

ant Attorney General Clark and Messrs. Warner W. Gardner, J. Louis Monarch, Richard H. Demuth, and Morton K. Rothschild for respondent. Reported below: 121 F. 2d 1.

No. 698. *GARLAND, TRUSTEE, ET AL. v. UNITED STATES.* November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. John B. Duval and Robert C. Duval, Jr.* for petitioners. *Messrs. Warner W. Gardner, Julius C. Martin, Wilbur C. Pickett, Fendall Marbury, and Richard S. Salant* for the United States. Reported below: 122 F. 2d 118.

No. 657. *GEIGER v. CALIFORNIA.* On petition for writ of certiorari to the Superior Court, Los Angeles County, California; and

No. 683. *GEIGER v. CALIFORNIA.* On petition for writ of certiorari to the Superior Court, Appellate Department, California. November 17, 1941. The motions for leave to proceed further *in forma pauperis*, and the petitions for writs of certiorari, are denied. *Mr. Morris Lavine* for petitioner. *Messrs. Ray L. Chesebro, John L. Bland and W. Jos. McFarland* for respondent.

No. 619. *QUERY ET AL., CONSTITUTING THE SOUTH CAROLINA TAX COMM'N, v. UNITED STATES ET AL.* November 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. John M. Daniel and Claude K. Wingate* for petitioners. *Solicitor General Fahy* for respondents. Reported below: 121 F. 2d 631.

No. 653. *HOTEL MARKHAM, INC. ET AL. v. BALL ET AL.* November 17, 1941. Petition for writ of certiorari to the

Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Albert S. Bozeman and Webb M. Mize* for petitioners. *Messrs. Giles J. Patterson and J. C. Floyd* for respondents. Reported below: 120 F. 2d 753.

Nos. 678 and 679. *CRANDALL v. PENNSYLVANIA*. November 17, 1941. Petition for writs of certiorari to the Superior Court of Pennsylvania denied. *Mr. H. Eugene Gardner* for petitioner. *Mr. Herbert B. Cohen* for respondent. Reported below: 145 Pa. Super. 353, 21 A. 2d 232.

No. 690. *PATTERSON ET UX. v. PEEL*. November 17, 1941. Petition for writ of certiorari to the Court of Civil Appeals, 9th Supreme Judicial District, of Texas, denied. *Mr. Dan Moody* for petitioners. Reported below: 149 S. W. 2d 284.

No. 691. *BRIGHT BROOKS LUMBER Co. v. WEISS, TRUSTEE*. November 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Charles Polis* for petitioner. Reported below: 122 F. 2d 336.

No. 696. *GODFREY-KEELER Co., INC. v. WICKES BOILER Co., INC.* November 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Jacob Levine* for petitioner. *Mr. Alfred B. Nathan* for respondent. Reported below: 121 F. 2d 415.

No. 699. *THOMPSON ET AL., INDEPENDENT EXECUTORS, v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. November 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied.

Messrs. Harry C. Weeks and Benjamin L. Bird for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. J. Louis Monarch and Joseph M. Jones* for respondent. Reported below: 121 F. 2d 725.

No. 703. *MAYTAG COMPANY ET AL. v. APEX ELECTRICAL MANUFACTURING Co.* November 17, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Wallace R. Lane and Benton Baker* for petitioners. *Messrs. F. O. Richey and H. F. McNenny* for respondent. Reported below: 122 F. 2d 182.

No. 639. *CORCORAN v. MONTGOMERY WARD & Co., INC.* November 24, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit, and motion to proceed further *in forma pauperis*, denied. *Mr. Fulton Brylawski* for petitioner. *Mr. Leonard S. Lyon* for respondent. Reported below: 121 F. 2d 572.

No. 697. *WEISS v. UNITED STATES.* November 24, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. **MR. JUSTICE MURPHY** and **MR. JUSTICE JACKSON** took no part in the consideration and decision of this application. *Messrs. Hugh M. Wilkinson and John D. Lambert* for petitioner. *Assistant Solicitor General Fahy* and *Assistant Attorney General Berge* for the United States. Reported below: 122 F. 2d 675.

No. 712. *NICK ET AL. v. UNITED STATES.* November 24, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. **MR. JUSTICE JACKSON** took no part in the consideration and

decision of this application. *Messrs. Bryan Purteet and Warren E. Miller* for petitioners. *Assistant Solicitor General Fahy, Assistant Attorney General Arnold* and *Mr. Charles H. Weston* for the United States. Reported below: 122 F. 2d 660.

No. 718. *GENERAL MOTORS CORP. v. COE, COMMISSIONER OF PATENTS.* November 24, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied. The CHIEF JUSTICE took no part in the consideration and decision of this application. *Messrs. Drury W. Cooper and Frank E. Liverance, Jr.* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea* and *Mr. Melvin H. Siegel* for respondent. *Messrs. William B. Kerkam and John J. Darby* filed a brief on behalf of the American Patent Law Association, as *amicus curiae*, in support of the petition. Reported below: 120 F. 2d 736.

No. 663. *JONES v. CITY OF ARCADIA.* November 24, 1941. Petition for writ of certiorari to the Supreme Court of Florida denied. *Mr. W. D. Bell* for petitioner. *Mr. R. W. Shackleford* for respondent. Reported below: 147 Fla. 571, 3 So. 2d 338.

No. 700. *HARWICK, ASSIGNEE, ET AL. v. O'HERN, RECEIVER, ET AL.* November 24, 1941. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Frank T. Miller* for petitioners. *Messrs. Donald R. Richberg, D. I. Jarrett, George Z. Barnes, George W. Hunt, David J. Kadyk, and Howard White* for respondents. Reported below: 376 Ill. 517, 34 N. E. 2d 829.

No. 702. *PHILLIPS ET AL., TRUSTEES, v. BAKER ET AL., A PARTNERSHIP.* November 24, 1941. Petition for writ

of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Theodore H. Lassagne and James M. Naylor* for petitioners. *Mr. Percy S. Webster* for respondents. Reported below: 121 F. 2d 752.

No. 704. *UNITED STATES EX REL. ENG FON SING v. UHL, DISTRICT DIRECTOR OF IMMIGRATION.* November 24, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John Holley Clark, Jr.* for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge, and Mr. W. Marvin Smith* for respondent. Reported below: 122 F. 2d 552.

No. 721. *ISBRANDTSEN-MOLLER Co., INC. v. THE TOLEDO ET AL.* November 24, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. James W. Ryan* for petitioner. *Messrs. John W. Griffin and Wharton Poor* for respondents. Reported below: 122 F. 2d 255.

No. 736. *MORRIS, SPECIAL ADMINISTRATRIX, ET AL. v. CLARK ET AL.* See *ante*, p. 584.

No. 668. *FENNELL v. BACHE ET AL., TRADING AS J. S. BACHE & Co.* December 8, 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. *Mr. James J. Laughlin* for petitioner. *Mr. Frank J. O'Connor* for respondents.

No. 719. *VAN HORNE v. HINES, ADMINISTRATOR OF VETERANS AFFAIRS.* December 8, 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. *Messrs. C. L. Dawson and Warren E. Miller* for petitioner. *Solicitor General Fahy* and *Messrs. Julius C. Martin, Wilbur C. Pickett, Fendall Marbury, and W. Marvin Smith* for respondent. Reported below: 122 F. 2d 207.

No. 785. *MICKENS v. VIRGINIA*. December 8, 1941. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia, and motion for leave to proceed further *in forma pauperis*, denied. The order heretofore entered staying execution of sentence is vacated. *MR. JUSTICE MURPHY* is of opinion that the petition for writ of certiorari should be granted. *Mr. Charles Curry* for petitioner. Reported below: 178 Va. 273, 16 S. E. 2d 641.

No. 715. *WATERMAN ET AL. v. THE AAKRE ET AL.* December 8, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. D. Roger Englar, T. Catesby Jones, and F. Herbert Prem* for petitioners. *Messrs. John W. Griffin and Wharton Poor* for Rederi A/S Henneseid; *Mr. George C. Sprague* for the Continental Grain Co.; and *Mr. Chauncy I. Clark* for the Lamport & Holt Line, Ltd., respondents. Reported below: 122 F. 2d 469.

No. 716. *UNIVERSAL INSURANCE CO. v. HALL-SCOTT MOTOR CAR CO.* December 8, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Robert B. Gaylord* for petitioner. *Mr. Chalmers G. Graham* for respondent. Reported below: 122 F. 2d 531.

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No. 717. *CORCORAN v. ROYAL DEVELOPMENT CO.* December 8, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. David M. Palley* for petitioner. *Mr. Harold E. Stonebraker* for respondent. Reported below: 121 F. 2d 957.

No. 730. *A. B. v. C. D.* December 8, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Samuel G. Wagner* and *David L. Ullman* for petitioner. *Mr. Thomas Raeburn White* for respondent. Reported below: 123 F. 2d 1017.

No. 722. *DYESS v. MILLER.* December 8, 1941. Petition for writ of certiorari to the Supreme Court of Texas denied. *Messrs. H. Russell Bishop* and *H. D. Driscoll* for petitioner. Reported below: 151 S. W. 2d 186.

No. 725. *CONWAY, TRADING AS CONWAY NEGLIGEES, ET AL. v. STONE, TRUSTEE, ET AL.* December 8, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *James Conway, pro se.* *Mr. Frank L. Weil* for respondents. Reported below: 121 F. 2d 972.

No. 726. *COOK, TRUSTEE, v. HANNAH ET AL.* December 8, 1941. Petition for writ of certiorari to the Supreme Court of Iowa denied. *Mr. L. W. Powers* for petitioner. *Mr. John E. Mulroney* for respondents. Reported below: 230 Iowa 249, 297 N. W. 262.

No. 727. *BARBOUR v. COMMISSIONER OF INTERNAL REVENUE.* December 8, 1941. Petition for writ of certiorari

to the Circuit Court of Appeals for the Second Circuit denied. *Mr. George M. Wolfson* for petitioner. *Solicitor General Fahy* and *Messrs. J. Louis Monarch* and *Harry Marselli* for respondent. Reported below: 122 F. 2d 165.

No. 728. *ELIAS v. COMMISSIONER OF INTERNAL REVENUE*. December 8, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Edgar B. Bronson* and *Jeremiah T. Mahoney* for petitioner. *Solicitor General Fahy, Assistant Attorney General Clark*, and *Messrs. J. Louis Monarch* and *L. W. Post* for respondent. Reported below: 122 F. 2d 171.

No. 737. *WALGREEN COMPANY ET AL. v. GLADE*. December 8, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. C. Paul Parker* for petitioners. *Messrs. George Bayard Jones, George A. Chritton*, and *Russell Wiles* for respondent. Reported below: 122 F. 2d 306.

No. 554. *SPENCER ET AL. v. LUCKENBACH GULF STEAMSHIP CO. ET AL.* On petition for writ of certiorari to the Supreme Court of Louisiana. December 15, 1941. Petitioners' motion to file a narrative form of testimony in lieu of questions and answers is denied for the reason that the Court, upon examination of all the papers submitted, finds no ground upon which a writ of certiorari should be issued. The petition for a writ of certiorari is therefore also denied. *J. B. Spencer, pro se.* Reported below: 197 La. 652, 2 So. 2d 53.

No. 713. *TENNER v. DULLEA, CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO*. On petition for writ

of certiorari to the Superior Court for the City and County of San Francisco, California. December 15, 1941. The petition for writ of certiorari is denied in the exercise of our discretion for the reason that petitioner has not presented his application for habeas corpus to the highest court of the state. The stay heretofore entered is continued until further order of this Court to afford petitioner a reasonable opportunity to present his application for habeas corpus to the highest court of the state, and in the event of its denial to renew in this Court an application for a writ of certiorari. *Messrs. William Klein and William F. Herron* for petitioner. *Messrs. Earl Warren, Attorney General of California, and Smith Troy, Attorney General of the State of Washington*, for respondent.

No. 307. *NEWARK MORNING LEDGER CO. v. NATIONAL LABOR RELATIONS BOARD*. December 15, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. **MR. JUSTICE JACKSON** took no part in the consideration and decision of this application. *Mr. Charles Goldman* for petitioner. *Solicitor General Biddle* and *Messrs. Robert B. Watts and Morris P. Glushien* for respondent. Reported below: 120 F. 2d 262.

No. 743. *WOOLLEY v. COMMISSIONER OF INTERNAL REVENUE*. December 15, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. **MR. JUSTICE JACKSON** took no part in the consideration and decision of this application. *Mr. Elden McFarland* for petitioner. *Solicitor General Fahy* and *Messrs. J. Louis Monarch and Harry Marselli* for respondent. Reported below: 122 F. 2d 167.

No. 724. *SUBURBAN LUMBER CO. v. NATIONAL LABOR RELATIONS BOARD*. December 15, 1941. Petition for writ

of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Floyd H. Bradley* for petitioner. *Solicitor General Fahy* and *Messrs. Robert B. Watts, Laurence A. Knapp* and *Morris P. Glushien* for respondent. Reported below: 121 F. 2d 829.

No. 735. *AMERICAN PACKING & PROVISION Co. v. UNITED STATES*. December 15, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. J. H. DeVine, J. A. Howell*, and *Neil R. Olmstead* for petitioner. *Solicitor General Fahy* for the United States. Reported below: 122 F. 2d 445.

No. 742. *HAWKINSON v. JOHNSTON*. December 15, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Maurice J. O'Sullivan, J. Francis O'Sullivan*, and *Leo T. Schwartz* for petitioner. *Mr. Inghram D. Hook* for respondent. Reported below: 122 F. 2d 724.

No. 327. *HAMMOND-KNOWLTON, ADMINISTRATRIX, v. UNITED STATES ET AL.* December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *MR. JUSTICE JACKSON* took no part in the consideration and decision of this application. *Mr. Rudolph L. von Bernuth* for petitioner. *Assistant Solicitor General Fahy* for respondents. Reported below: 121 F. 2d 192.

No. 734. *SIMON v. UNITED STATES*. December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *MR. JUSTICE JACKSON* took no part in the consideration and decision of this application. *Mr. Randolph Bias* for petitioner. *So-*

Solicitor General Fahy and *Assistant Attorney General Berge* for the United States. Reported below: 123 F. 2d 80.

Nos. 731 and 732. *STARR, ATTORNEY GENERAL, v. SCHRAM, RECEIVER.* December 22, 1941. Petition for writs 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. Herbert J. Rushton*, Attorney General of Michigan, *James F. Shepherd*, Chief Assistant Attorney General, and *Merlin Wiley* for petitioner. *Messrs. Robert S. Marx, Frank E. Wood, and George P. Barse* for respondent. Reported below: 118 F. 2d 541.

No. 729. *HALVERSON, BENEFICIARY, v. UNITED STATES.* December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Joseph J. Witry* for petitioner. *Solicitor General Fahy* and *Messrs. Julius C. Martin, Wilbur C. Pickett, Keith L. Seegmiller* and *W. Marvin Smith* for the United States. Reported below: 121 F. 2d 420.

No. 661. *AMERICAN TRI-ERGON CORP. ET AL. v. RADTKE PATENTS CORP. ET AL.;*

No. 705. *RADTKE PATENTS CORP. ET AL. v. COE, COMMISSIONER OF PATENTS, ET AL.;* and

No. 740. *WHITSON PHOTOPHONE CORP. ET AL. v. COE, COMMISSIONER OF PATENTS, ET AL.* December 22, 1941. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia denied. *Mr. Kenneth S. Neal* for petitioners in No. 661; *Mr. Leonard Day* for petitioners in No. 705; and *Mr. Joseph A. Shay* for petitioners in No. 740. *Assistant Solicitor General Fahy, Assistant Attor-*

ney General Shea, and Messrs. Melvin H. Siegel and Paul A. Sweeney for the Commissioner of Patents in No. 661. *Solicitor General Fahy* for the Commissioner of Patents in Nos. 705 and 740. Reported below: 122 F. 2d 937.

No. 739. *KILLOREN, TRUSTEE, v. NATIONAL LABOR RELATIONS BOARD.* December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Lon O. Hocker and Harry S. Gleick* for petitioner. *Solicitor General Fahy and Messrs. Robert B. Watts, Laurence A. Knapp, and A. Norman Somers* for respondent. Reported below: 122 F. 2d 609.

No. 741. *SKENANDOA RAYON CORP. v. COMMISSIONER OF INTERNAL REVENUE.* December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Horace R. Lamb* for petitioner. *Solicitor General Fahy and Messrs. J. Louis Monarch and Newton K. Fox* for respondent. Reported below: 122 F. 2d 268.

No. 746. *HUDSON MOTOR CAR CO. v. HERTZ, ADMINISTRATOR; and*

No. 747. *MOTOR WHEEL CORP. v. HERTZ, ADMINISTRATOR.* December 22, 1941. Petitions for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Ivin E. Kerr* for petitioners. *Messrs. Harold H. Emmons and Robert H. McNeill* for respondent. Reported below: 121 F. 2d 326.

No. 748. *VEST v. FEDERAL DEPOSIT INSURANCE CORP., RECEIVER.* December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Ernest Woodward* for petitioner.

Messrs. Francis C. Brown, James M. Kane, and Wilson W. Wyatt for respondent. Reported below: 122 F. 2d 765.

No. 749. *SWALL v. COMMISSIONER OF INTERNAL REVENUE*. December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Chas. B. McInnis* for petitioner. *Solicitor General Fahy* for respondent. Reported below: 122 F. 2d 324.

No. 753. *PITCAIRN ET AL., RECEIVERS, v. PERRY*. December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Wayne Ely* for petitioners. *Mr. Samuel Cohen* for respondent. Reported below: 122 F. 2d 881.

No. 759. *WILKERSON v. BAREFOOT ET AL., JUDGES OF THE CRIMINAL COURT OF APPEALS OF OKLAHOMA*. January 5, 1942. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma, and motion for leave to proceed further *in forma pauperis*, denied. *Messrs. W. N. Redwine, W. J. Hulsey and Mrs. Lena Hulsey* for petitioner. Reported below: 117 P. 2d 172.

No. 776. *WOONER v. AMRINE, WARDEN*. January 5, 1942. Petition for writ of certiorari to the Supreme Court of Kansas, and motion for leave to proceed further *in forma pauperis*, denied. *Bert Wooner, pro se.* Reported below: 154 Kan. 211, 117 P. 2d 608.

No. 784. *FITZGERALD v. KANSAS ET AL.* January 5, 1942. Petition for writ of certiorari to the Supreme Court of Kansas, and motion for leave to proceed further *in*

forma pauperis, denied. *E. R. Fitzgerald, pro se.* Reported below: 154 Kan. 209, 117 P. 2d 582.

No. 790. *MUMMIANI v. NEW YORK*; and

No. 791. *NEW YORK EX REL. MUMMIANI v. HUNT, WARDEN, ET AL.* January 5, 1942. Petition for writs of certiorari to the Court of Appeals of New York, and motion for leave to proceed further *in forma pauperis*, denied. *Vincent Mummianni, pro se.* Reported below: 286 N. Y. 693, 723; 37 N. E. 2d 136, 455.

No. 635. *EVANS v. UNITED STATES.* January 5, 1942. 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. JUSTICE JACKSON* took no part in the consideration and decision of these applications. *Mr. Richard H. Wels* for petitioner. Reported below: 122 F. 2d 461.

Nos. 666 and 779. *GATES v. UNITED STATES.* January 5, 1942. Petitions for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit, and motions for leave to proceed further *in forma pauperis*, denied. *MR. JUSTICE DOUGLAS* took no part in the consideration and decision of these applications. *Eugene S. Gates, pro se.* *Solicitor General Fahy* and *Assistant Attorney General Berge* for the United States. Reported below: 122 F. 2d 571.

No. 750. *MILBURN v. PROCTOR TRUST CO. ET AL.* January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John W. Harrell* for petitioner. Reported below: 122 F. 2d 569.

No. 751. *TAYLOR v. COMMISSIONER OF INTERNAL REVENUE*. January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Robert T. McCracken* 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 714.

No. 752. *GIRARD INVESTMENT CO. v. COMMISSIONER OF INTERNAL REVENUE*. January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Jackson R. Collins* for petitioner. *Solicitor General Fahy, Assistant Attorney General Clark, and Mr. J. Louis Monarch and Miss Louise Foster* for respondent. Reported below: 122 F. 2d 843.

No. 760. *ESTATE OF SAGE ET AL., EXECUTORS, v. COMMISSIONER OF INTERNAL REVENUE*. January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. T. Girard Wharton* for petitioners. *Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Archibald Cox and Miss Louise Foster* for respondent. Reported below: 122 F. 2d 480.

No. 761. *ELECTRO METALLURGICAL CO. ET AL. v. KRUPP NIROSTA CO., INC.* January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Leonard A. Watson* for petitioners. *Mr. Roberts B. Larson* for respondent. Reported below: 122 F. 2d 314.

No. 773. *DAROCa v. METROPOLITAN LIFE INSURANCE CO. ET AL.* January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Michael M. Irwin* for petitioner. Reported below: 121 F. 2d 917.

No. 762. *LEAVER v. CITIZENS NATIONAL TRUST & SAVINGS BANK OF RIVERSIDE ET AL.* January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Charles E. Riordon and C. Russell Riordon* for petitioner. *Messrs. Herbert W. Clark, Roland C. Foerster, Allan P. Matthew, Edwin S. Pillsbury, Ross O. Hinkle, and Boice Gross* for respondents. Reported below: 121 F. 2d 738.

No. 777. *McLAUGHLIN LAND & LIVESTOCK Co. v. BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSN.* January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. George Thomas Davis* for petitioner. *Mr. Herbert W. Erskine* for respondent. Reported below: 122 F. 2d 193.

No. 778. *McREYNOLDS v. NEW YORK LIFE INSURANCE Co.* January 5, 1942. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Kendall B. Randolph* for petitioner. *Messrs. Richard S. Righter and Horace F. Blackwell, Jr.* for respondent. Reported below: 122 F. 2d 895.

No. 797. *MISSOURI v. ST. LOUIS UNION TRUST Co. ET AL.* January 5, 1942. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Mr. Roy McKittrick*, Attorney General of Missouri, for petitioner. *Messrs. Daniel N. Kirby, Allen C. Orrick, and Harry W. Kroeger* for respondents. Reported below: 155 S. W. 2d 107.

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