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appellant. *Mr. Claude T. Reno*, Attorney General of Pennsylvania, for appellee. Reported below: 342 Pa. 529, 21 A. 2d 45.

No. —, original. *Ex parte Stephen Rogalski*; and

No. —, original. *Ex parte Kenneth Gerard*. January 5, 1942. The motion for leave to file petitions for writs of habeas corpus are denied.

No. 108. *Identification Devices, Inc. v. United States*. January 5, 1942. The motion for leave to file an amended petition for writ of certiorari is denied.

No. 37. *Cuno Engineering Corp. v. Automatic Devices Corp.* January 5, 1942. It is ordered that the mandate of this Court in the above-entitled cause on file in the District Court of the United States for the District of Connecticut be, and the same is hereby, recalled; and that said mandate be amended so as to give petitioner recovery for additional costs in the sum of \$70.60, being the expense incurred in furnishing copies of certain patents for inclusion in the record.

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

No. 181. *Magnolia Petroleum Co. et al. v. Hull et al.* See *ante*, p. 575.

No. 1023, October Term, 1940. *Pickett, General Chairman of the Brotherhood of Railway & Steamship Clerks, v. Union Terminal Co.* See *post*, p. 704.

No. 101. *HALLIDAY v. UNITED STATES*. 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*, granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. R. K. Wise and Warren E. Miller* for petitioner. *Assistant Solicitor General Fahy and Messrs. Julius C. Martin, Wilbur C. Pickett, Fendall Marbury, Keith L. Seegmiller, and W. Marvin Smith* for the United States. Reported below: 116 F. 2d 812.

No. 256. *GOLDSTEIN ET AL. v. UNITED STATES*. October 13, 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*, granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Theodore Kiendl* for Dr. Maximilian Goldstein; *Dr. Benjamin Schwartz, Herman Rubin, and Irving Elentuch, pro se*. *Assistant Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Richard H. Demuth, Oscar A. Provost, and Louis B. Schwartz* for the United States. Reported below: 120 F. 2d 485.

No. 510. *COCHRAN v. KANSAS ET AL.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Kansas, and motion for leave to proceed further *in forma pauperis*, granted. *C. H. Cochran, pro se*. Reported below: 153 Kan. 777, 113 P. 2d 1048.

No. 61. *MEILINK, TRUSTEE IN BANKRUPTCY, v. UNEMPLOYMENT RESERVES COMMISSION OF CALIFORNIA*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. John Walton Dinkelspiel* for petitioner. Reported below: 116 F. 2d 330.

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No. 78. *DUNCAN v. THOMPSON, TRUSTEE*. October 13, 1941. Petition for writ of certiorari to the Springfield Court of Appeals of Missouri granted. *Messrs. Harry G. Waltner, Jr. and John Moberly* for petitioner. Reported below: 146 S. W. 2d 112.

No. 83. *MERION CRICKET CLUB v. UNITED STATES*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. John Lewis Evans* for petitioner. *Solicitor General Biddle* for the United States. Reported below: 119 F. 2d 578.

No. 91. *FISCHER, COMMISSIONER OF INSURANCE OF IOWA, RECEIVER, v. AMERICAN UNITED LIFE INSURANCE CO. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Willis J. O'Brien and John N. Hughes* for petitioner. *Messrs. Clayton F. Jennings and Robert A. Adams* for respondents. Reported below: 117 F. 2d 811.

No. 95. *PUERTO RICO v. RUSSELL & CO., S. EN C.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Messrs. William Catron Rigby, George A. Malcolm, Attorney General of Puerto Rico, and Nathan R. Margold* for petitioner. *Mr. George M. Wolfson* for respondent. Reported below: 118 F. 2d 225.

No. 96. *PUERTO RICO v. RUBERT HERMANOS, INC. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Messrs. William Catron Rigby, George A. Malcolm, Attorney General of Puerto Rico, and Nathan R. Margold* for petitioner. *Mr. Henri Brown* for respondents. Reported below: 118 F. 2d 752.

No. 112. *WILLIAMS ET AL. v. JACKSONVILLE TERMINAL CO.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Frank F. L'Engle* for petitioners. *Messrs. Julian Hartridge and John Dickinson* for respondent. Reported below: 118 F. 2d 324.

No. 124. *HOTEL & RESTAURANT EMPLOYEES' INTERNATIONAL ALLIANCE, LOCAL NO. 122, ET AL. v. WISCONSIN EMPLOYMENT RELATIONS BOARD ET AL.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Wisconsin granted. *Messrs. Joseph A. Padway and I. E. Goldberg* for petitioners. *Messrs. John E. Martin, Attorney General of Wisconsin, James Ward Rector, Deputy Attorney General, and N. S. Boardman, Assistant Attorney General*, for the Wisconsin Employment Relations Board; and *Mr. Herman M. Knoeller* for the Plankinton House Co., respondents. Reported below: 236 Wis. 329, 294 N. W. 632, 295 N. W. 634.

No. 128. *BONDHOLDERS COMMITTEE, MARLBOROUGH INVESTMENT CO., FIRST MORTGAGE BONDS v. COMMISSIONER OF INTERNAL REVENUE*; and

No. 129. *MARLBOROUGH HOUSE, INC. v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Stephen V. Carey* for petitioners. *Assistant Solicitor General Fahy* for respondent. Reported below: 118 F. 2d 511.

No. 139. *THOMSON, TRUSTEE, ET AL. v. GASKILL ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted.

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Messrs. Wymer Dressler, Robert D. Neely, W. C. Fraser, and W. T. Faricy for petitioners. *Mr. Nelson C. Pratt* for respondents. Reported below: 119 F. 2d 105.

No. 151. *UNITED STATES v. JOLIET & CHICAGO RAILROAD Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Biddle* for the United States. *Messrs. Silas H. Strawn, Frank H. Towner, Edward G. Ince, and Arthur D. Welton, Jr.* for respondent. Reported below: 118 F. 2d 174.

No. 161. *STEWART, ADMINISTRATOR, v. SOUTHERN RAILWAY Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Charles M. Hay and William H. Allen* for petitioner. *Messrs. Wilder Lucas, H. O'B. Cooper, Sidney S. Alderman, and S. R. Prince* for respondent. Reported below: 115 F. 2d 317, 119 *id.* 85.

No. 179. *MACGREGOR, EXECUTOR, v. STATE MUTUAL LIFE ASSURANCE Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. William B. Giles* for petitioner. *Mr. Oscar C. Hull* for respondent. Reported below: 119 F. 2d 148.

No. 186. *CITY OF TEXARKANA, TEXAS, v. ARKANSAS LOUISIANA GAS Co.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Ed B. Levee and Benjamin E. Carter* for petitioner. *Messrs. Henry C. Walker, Jr., William C. Fitzhugh, and William H. Arnold, Jr.* for respondent. Reported below: 118 F. 2d 289.

No. 206. *D'OENCH, DUHME & Co., INC. v. FEDERAL DEPOSIT INSURANCE CORP.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Franklin E. Reagan* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Warner W. Gardner, Paul A. Sweeney, Francis C. Brown, and James E. Markham* for respondent. Reported below: 117 F. 2d 491.

No. 229. *WRIGHT ET AL. v. LOGAN ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. Elmer McClain and William Lemke* for petitioners. *Mr. Paul F. Jones* for respondents. Reported below: 119 F. 2d 354.

No. 238. *UNITED STATES v. STATE OF NEW YORK*; and
No. 251. *STATE OF NEW YORK v. UNITED STATES*. October 13, 1941. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key, Richard H. Demuth, and Michael H. Cardozo, IV*, for the United States. *Messrs. John J. Bennett, Jr., Attorney General, and Henry Epstein, Solicitor General*, for the State of New York. Reported below: 118 F. 2d 537.

No. 245. *CUDAHY PACKING CO. v. FLEMING, ADMINISTRATOR, WAGE AND HOUR DIVISION, U. S. DEPARTMENT OF LABOR*. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. James V. Hayes and Robert E. Sher* for petitioner. *Assistant Solicitor General Fahy* and

Messrs. Warner W. Gardner, Gerard D. Reilly, Irving J. Levy, and Miss Bessie Margolin for respondent. Reported below: 119 F. 2d 209.

No. 265. *FEDERAL POWER COMMISSION ET AL. v. NATURAL GAS PIPELINE CO. ET AL.*; and

No. 268. *NATURAL GAS PIPELINE CO. ET AL. v. FEDERAL POWER COMMISSION ET AL.* October 13, 1941. Petitions for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Assistant Solicitor General Fahy* and *Mr. George F. Barrett*, Attorney General of Illinois, for petitioners in No. 265 and respondents in No. 268. *Messrs. J. J. Hedrick, George I. Haight, and S. A. L. Morgan* for respondents in No. 265 and petitioners in No. 268. Reported below: 120 F. 2d 625.

No. 277. *DINAN ET AL. v. FIRST NATIONAL BANK.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. John R. Rood* for petitioners. *Messrs. Robert S. Marx and George P. Barse* for respondent. Reported below: 117 F. 2d 459.

No. 280. *JONES v. OPELIKA.* October 13, 1941. Petition for writ of certiorari to the Supreme Court of Alabama granted. *Messrs. Joseph F. Rutherford and Hayden C. Covington* for petitioner. *Mr. John W. Guider* for respondent. Reported below: 3 So. 2d 74, 76.

No. 306. *PEARCE v. COMMISSIONER OF INTERNAL REVENUE.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit

granted. *Mr. Gordon S. P. Kleeberg* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. J. Louis Monarch and Michael H. Cardozo, IV*, for respondent. Reported below: 120 F. 2d 228.

No. 320. *SOUTHERN STEAMSHIP CO. v. NATIONAL LABOR RELATIONS BOARD ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Joseph W. Henderson and Randolph W. Childs* for petitioner. *Assistant Solicitor General Fahy and Messrs. Robert B. Watts, Morris P. Glushien, and Miss Ruth Weyand* for respondents. Reported below: 120 F. 2d 505.

No. 321. *STONITE PRODUCTS CO. v. MELVIN LLOYD CO. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Charles W. Rivise* for petitioner. *Mr. Isaac J. Silin* for respondents. Reported below: 119 F. 2d 883.

No. 323. *MUNCIE GEAR WORKS, INC. ET AL. v. OUTBOARD, MARINE & MANUFACTURING CO. ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. Samuel E. Darby, Jr., Charles W. Rummel, and Floyd H. Crews* for petitioners. *Messrs. Geo. L. Wilkinson, S. L. Wheeler, and Isadore Levin* for respondents. Reported below: 119 F. 2d 404.

No. 500. *UNITED STATES EX REL. TENNESSEE VALLEY AUTHORITY v. POWELSON, ASSIGNEE, ET AL.* October 13, 1941. Petition for writ of certiorari to the Circuit Court

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of Appeals for the Fourth Circuit granted. *Assistant Solicitor General Fahy* and *William C. Fitts, Jr.* for petitioner. *Messrs. George Lyle Jones* and *George H. Wright* for respondents. Reported below: 118 F. 2d 79.

No. 505. *CRANCER ET AL., CO-PARTNERS, DOING BUSINESS AS VALLEY STEEL PRODUCTS CO., ET AL. v. LOWDEN ET AL., TRUSTEES.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Abraham B. Frey* for petitioners. *Messrs. William S. Hogsett* and *Hale Houts* for respondents. Reported below: 121 F. 2d 645.

No. 527. *CARPENTERS & JOINERS UNION OF AMERICA, LOCAL NO. 213, ET AL. v. RITTER'S CAFE ET AL.* October 13, 1941. Petition for writ of certiorari to the Court of Civil Appeals, First Supreme Judicial District of Texas, granted. *Mr. Sewall Myer* for petitioners. Reported below: 138 S. W. 2d 223; 149 S. W. 2d 694.

No. 589. *JACOB v. NEW YORK CITY.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Silas B. Axtell* and *Dominick Blasi* for petitioner. *Messrs. William C. Chanler* and *Paxton Blair* for respondent. Reported below: 119 F. 2d 800.

No. 86. *YOUNG v. UNITED STATES.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. Fred Patterson* for petitioner. Assist-

ant 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: 119 F. 2d 399.

No. 131. UNITED STATES *v.* LOCAL 807 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS ET AL.; and

No. 132. LOCAL 807 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS ET AL. *v.* UNITED STATES. October 13, 1941. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. MR. JUSTICE JACKSON took no part in the consideration and decision of these applications. *Solicitor General Biddle* for the United States. *Messrs. Louis B. Boudin, Edward C. Maguire, and James D. C. Murray* for respondents in No. 131 and petitioners in No. 132. Reported below: 118 F. 2d 684.

No. 149. GREAT NORTHERN RAILWAY Co. *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Mr. F. G. Dorety* for petitioner. *Assistant Solicitor General Fahy* for the United States. Reported below: 119 F. 2d 821.

No. 188. NATIONAL LABOR RELATIONS BOARD *v.* AUTOMOTIVE MAINTENANCE MACHINERY Co. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Assistant Solicitor General Fahy* and *Mr. Robert B. Watts* for petitioner. *Mr. Charles S. Baker* for respondent. Reported below: 116 F. 2d 350.

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No. 281. NATIONAL LABOR RELATIONS BOARD *v.* SPARKS-WITHINGTON CO. ET AL. October 31, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Assistant Solicitor General Fahy* and *Mr. Robert B. Watts* for petitioner. *Mr. John T. Scott* for the Sparks-Withington Co., and *Mr. Benjamin Kleinstiver* for the United Cooperative Society, respondents. Reported below: 119 F. 2d 78.

No. 311. SCHNEIDERMAN *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Carol Weiss King* for petitioner. *Assistant Solicitor General Fahy*, *Assistant Attorney General Berge*, and *Mr. Warner W. Gardner* for the United States. *Pearl M. Hart* filed a brief on behalf of the American Committee for Protection of Foreign Born, as *amicus curiae*, in support of the petition. Reported below: 119 F. 2d 500.

No. 348. SEMINOLE NATION *v.* UNITED STATES. October 13, 1941. Petition for writ of certiorari to the Court of Claims granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Paul M. Niebell* and *W. W. Pryor* for petitioner. *Assistant Solicitor General Fahy*, *Assistant Attorney General Littell*, and *Mr. Vernon L. Wilkinson* for the United States. Reported below: 93 Ct. Cls. 500.

No. 325. RODIEK, ANCILLARY EXECUTOR, *v.* UNITED STATES ET AL. October 13, 1941. Petition for writ of

certiorari to the Circuit Court of Appeals for the Second Circuit granted. The CHIEF JUSTICE and MR. JUSTICE MURPHY took no part in the consideration and decision of this application. *Messrs. Reuben D. Silliman, Sherwood E. Silliman, Russell C. Gay, and Charles H. Lawson* for petitioner. *Assistant Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Melvin H. Siegel, Paul A. Sweeney, Richard H. Demuth, and Harry Leroy Jones* for the respondents. Reported below: 117 F. 2d 588; 120 F. 2d 760.

No. 328. HELVERING, COMMISSIONER OF INTERNAL REVENUE, *v.* ALABAMA ASPHALTIC LIMESTONE Co. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Assistant Solicitor General Fahy* for petitioner. Reported below: 119 F. 2d 819.

No. 286. HELVERING, COMMISSIONER OF INTERNAL REVENUE, *v.* SOUTHWEST CONSOLIDATED CORP. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Assistant Solicitor General Fahy* for petitioner. *Mr. A. Chauncy Newlin* for respondent. Reported below: 119 F. 2d 561.

No. 503. PALM SPRINGS HOLDING CORP. *v.* COMMISSIONER OF INTERNAL REVENUE. October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Thomas R. Dempsey* for petitioner. *Assistant Solicitor General Fahy* for respondent. Reported below: 119 F. 2d 846.

No. 248. HELVERING, COMMISSIONER OF INTERNAL REVENUE, *v.* LERNER STORES CORPORATION (Md.). Octo-

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ber 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Assistant Solicitor General Fahy* for petitioner. *Mr. Andrew B. Trudgian* for respondent. Reported below: 118 F. 2d 455.

No. 529. *FLEMING, ADMINISTRATOR, WAGE & HOUR DIVISION, U. S. DEPARTMENT OF LABOR v. LOWELL SUN CO.* October 13, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Assistant Solicitor General Fahy* and *Mr. Gerard D. Reilly* for petitioner. *Mr. Elisha Hanson* for respondent. Reported below: 120 F. 2d 213.

No. 602. *ALABAMA v. KING & BOOZER, A PARTNERSHIP, ET AL.*; and

No. 603. *CURRY, COMMISSIONER OF REVENUE, v. UNITED STATES ET AL.* October 13, 1941. Petitions for writs of certiorari to the Supreme Court of Alabama granted. *Mr. JUSTICE JACKSON* took no part in the consideration and decision of these applications. *Messrs. Thomas S. Lawson*, Attorney General of Alabama, *John W. Lapsley*, and *J. Edward Thornton*, Assistant Attorneys General, for petitioners. *Assistant Solicitor General Fahy* and *Mr. Fred L. Blackmon* for respondents. Reported below: 241 Ala. 557, 569; 3 So. 2d 572, 582.

No. 962, October Term, 1940. *MARTIN M. GOLDMAN v. UNITED STATES*;

No. 963, October Term, 1940. *SHULMAN v. UNITED STATES*; and

No. 980, October Term, 1940. *THEODORE GOLDMAN v. UNITED STATES*. See *post*, p. 704.

No. 332. WILLIAMS MANUFACTURING CO. *v.* UNITED SHOE MACHINERY CORP. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. H. A. Toulmin and H. A. Toulmin, Jr.* for petitioner. *Messrs. Harrison F. Lyman and Thomas J. Ryan* for respondent. Reported below: 121 F. 2d 273.

Nos. 581 and 582. SPRECKELS *v.* COMMISSIONER OF INTERNAL REVENUE. October 20, 1941. Petition for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Walter Slack* for petitioner. *Assistant Solicitor General Fahy* for respondent. Reported below: 119 F. 2d 667.

No. 588. NATIONAL LABOR RELATIONS BOARD *v.* ELECTRIC VACUUM CLEANER CO., INC. ET AL. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Assistant Solicitor General Fahy and Mr. Robert B. Watts* for petitioner. *Mr. Lawrence C. Spieth* for the Electric Vacuum Cleaner Co., and *Messrs. Joseph A. Padway and Herbert S. Thatcher* for the International Molders' Union of North America, Local 430, et al., respondents. Reported below: 120 F. 2d 611.

No. 142. COLUMBIA RIVER PACKERS ASSN., INC. *v.* HINTON ET AL. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Ralph E. Moody* for petitioner. *Mr. Lee Pressman* for respondents. Reported below: 117 F. 2d 310.

No. 523. WEBER *v.* UNITED STATES. October 20, 1941. Petition for writ of certiorari to the Circuit Court of Ap-

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peals for the Ninth Circuit granted. *Mr. Justice Jackson* took no part in the consideration and decision of this application. *Mr. A. L. Wirin* for petitioner. *Assistant Solicitor General Fahy*, *Assistant Attorney General Berge*, and *Mr. Warner W. Gardner* for the United States. Reported below: 119 F. 2d 932.

No. 600. *HELVERING, COMMISSIONER OF INTERNAL REVENUE, v. SAFE DEPOSIT & TRUST CO. OF BALTIMORE, TRUSTEE, ET AL.* October 27, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Assistant Solicitor General Fahy* for petitioner. *Mr. Charles McH. Howard* for respondents. Reported below: 121 F. 2d 307.

No. 601. *MAGRUDER, COLLECTOR OF INTERNAL REVENUE, v. WASHINGTON, BALTIMORE & ANNAPOLIS REALTY CORP.* October 27, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Assistant Solicitor General Fahy* for petitioner. *Mr. Richard F. Cleveland* for respondent. Reported below: 120 F. 2d 441.

No. 604. *GRAVES ET AL., CONSTITUTING THE STATE TAX COMM'N OF NEW YORK, v. SCHMIDLAPP ET AL., EXECUTORS.* October 27, 1941. Petition for writ of certiorari to the Surrogates Court of the County of New York, State of New York, granted. *Mr. Mortimer M. Kassell* for petitioners. *Mr. Harrison Tweed* for respondents. Reported below: 285 N. Y. 741, 34 N. E. 2d 901; 286 N. Y. 596, 35 N. E. 2d 937.

No. 622. *FLEMING, ADMINISTRATOR, v. A. H. BELO CORPORATION.* October 27, 1941. Petition for writ of

certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Assistant Solicitor General Fahy* and *Mr. Gerard D. Reilly* for petitioner. *Messrs. Eugene P. Locke* and *Maurice E. Purnell* for respondent. Reported below: 121 F. 2d 207.

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.* See *post*, p. 705.

No. 665. *PENCE v. UNITED STATES.* November 10, 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*, granted. *Mr. William B. Collins* for petitioner. *Assistant Solicitor General Fahy* and *Messrs. Julius C. Martin, Fendall Marbury, and Keith L. Seegmiller* for the United States. Reported below: 121 F. 2d 804.

No. 272. *MILES ET AL. v. ILLINOIS CENTRAL RAILROAD CO.* November 10, 1941. Petition for writ of certiorari to the Court of Appeals of Tennessee granted. *Messrs. William G. Cavett* and *Louis E. Miller* for petitioners. *Messrs. Marion G. Evans, Thos. A. Evans, Clinton H. McKay, and Chas. A. Helsell* for respondent.

No. 658. *UNITED STATES TO THE USE OF NOLAND COMPANY, INC. v. IRWIN ET AL.* November 10, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia granted. *Messrs. Bynum E. Hinton* and *Alexander M. Heron* for petitioner. *Messrs. Prentice E. Edrington* and *Amasa M. Holcombe* for respondents. Reported below: 122 F. 2d 73.

No. 532. CENTERS *v.* SANFORD, WARDEN. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Augustus M. Roan* for petitioner. *Assistant Attorney General Berge* and *Messrs. Warner W. Gardner* and *W. Marvin Smith* for respondent. Reported below: 120 F. 2d 217.

No. 680. U. S. INDUSTRIAL CHEMICALS, INC. *v.* CARBIDE & CARBON CHEMICALS CORP. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Messrs. William H. Davis, Dean S. Edmonds, and Thomas D. Thacher* for petitioner. *Messrs. Leonard A. Watson, Clair V. Johnson, and Clair W. Fairbank* for respondent. Reported below: 121 F. 2d 665.

No. 648. PECHER LOZENGE Co., INC. *v.* NATIONAL CANDY CORP. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. Counsel are requested to present their views as to whether state law governs and, if so, what the applicable state law is. *Messrs. Joseph Fairbanks and Alfred J. L'Heureux* for petitioner. *Mr. James D. Carpenter, Jr.* for respondent. Reported below: 122 F. 2d 318.

No. 649. MISHAWAKA RUBBER & WOOLEN MANUFACTURING Co. *v.* S. S. KRESGE Co. November 10, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted, limited to the first and second questions presented in the petition for certiorari. *Mr. George L. Wilkinson* for petitioner. *Mr. William B. Giles* for respondent. Reported below: 119 F. 2d 316.

No. 706. *CHICAGO ET AL. v. FIELDCREST DAIRIES, INC.* November 24, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. Barnet Hodes, James A. Velde, and Walter V. Schaefer* for petitioners. *Mr. Owen Rall* for respondent. Reported below: 122 F. 2d 132.

No. 707. *VALENTINE, POLICE COMMISSIONER, v. CHRESTENSEN.* November 24, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. William C. Chanler* for petitioner. *Mr. Walter W. Land* for respondent. Reported below: 122 F. 2d 511.

No. 708. *HELVERING, COMMISSIONER OF INTERNAL REVENUE, v. CREDIT ALLIANCE CORP.* November 24, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Assistant Solicitor General Fahy* for petitioner. *Messrs. Newell W. Ellison, Duane R. Dills, and Christopher S. Sargent* for respondent. Reported below: 122 F. 2d 361.

No. 711. *GORMAN, CITY TREASURER, ET AL. v. WASHINGTON UNIVERSITY.* November 24, 1941. Petition for writ of certiorari to the Supreme Court of Missouri granted. *Mr. William E. Kemp* for petitioners. *Messrs. R. B. Caldwell and Richard S. Bull* for respondent. Reported below: 348 Mo. 310, 153 S. W. 2d 35.

No. 50. *HOLMES v. UNITED STATES.* See *ante*, p. 583.

No. 720. *MILCOR STEEL Co. v. GEORGE A. FULLER Co. ET AL.* December 8, 1941. Petition for writ of certiorari

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to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. George L. Wilkinson and Asher Blum* for petitioner. *Messrs. Malcolm K. Buckley and Conrad Christel* for respondents. Reported below: 122 F. 2d 292.

No. 744. UNITED STATES *v.* WRIGHTWOOD DAIRY CO.; and

No. 783. WRIGHTWOOD DAIRY CO. *v.* UNITED STATES. December 8, 1941. Petitions for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Fahy* for the United States. *Mr. Alvin E. Stein* for the Wrightwood Dairy Co. Reported below: 123 F. 2d 100.

No. 738. UNITED STATES *v.* KERR, ADMINISTRATRIX. December 15, 1941. Petition for writ of certiorari to the Court of Appeals for the District of Columbia granted. *Solicitor General Fahy* for the United States. *Mr. Camden R. McAtee* for respondent. Reported below: 122 F. 2d 638.

No. 990, October Term, 1940. UNITED STATES *v.* NUNNALLY INVESTMENT CO. See *post*, p. 705.

No. 745. SCHENECTADY UNION PUBLISHING CO. *v.* SWEENEY. December 22, 1941. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. MR. JUSTICE JACKSON took no part in the consideration and decision of this application. *Messrs. Morris L. Ernst, William A. Roberts, and Benjamin Kaplan* for petitioner. *Messrs. John O'Connor and William F. Cusick* for respondent. Reported below: 122 F. 2d 288.

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*,