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Decisions Granting Certiorari.

U. S. 553, 556. *Mr. Samuel E. Darby, Jr.* for appellant. *Mr. Alexander C. Neave* for appellees. Reported below: 47 F. Supp. 818.

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No. —, original. *EX PARTE EMMET H. BOZEL*;

No. —, original. *EX PARTE ELMER DAVIS*;

No. —, original. *EX PARTE CHARLES ERICKSON*; and

No. —, original. *EX PARTE FRANK ROBERSON*. April 19, 1943. The motions for leave to file petitions for writs of habeas corpus are denied.

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No. —, original. *EX PARTE THOMAS B. MULRENNAN*. April 19, 1943. The motion for leave to file petition for writ of habeas corpus is denied without prejudice to an application to the District Court.

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No. —. *DANIELS v. ALABAMA*; and

No. —. *ROBINSON v. ALABAMA*. April 19, 1943. The applications for stay of execution are granted and it is ordered that execution of the sentence of death in each of these cases be stayed until further order of this Court.

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#### DECISIONS GRANTING CERTIORARI, FROM JANUARY 19, 1943, THROUGH APRIL 19, 1943.

No. 396. *PEDERSEN v. J. F. FITZGERALD CONSTRUCTION Co.* See *ante*, p. 740.

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No. 584. *ROCHE, U. S. DISTRICT JUDGE, ET AL. v. EVAPORATED MILK ASSOCIATION ET AL.* February 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Solicitor General Fahy* for petitioners. *Messrs. Marshall P. Madison*,

*Francis R. Kirkham, Herbert W. Clark, Arthur B. Dunne, U. S. Webb, Maurice E. Harrison, Willis I. Morrison, Joseph A. Murphy, and Nat Brown* for respondents. Reported below: 130 F. 2d 843.

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Nos. 623, 624, and 625. *OKLAHOMA TAX COMMISSION v. UNITED STATES*. February 15, 1943. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Messrs. W. A. Barnett, C. W. King, and A. L. Herr* for petitioner. *Solicitor General Fahy, Assistant Attorney General Littell, and Mr. Norman MacDonald* for the United States. Reported below: 131 F. 2d 635.

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No. 636. *UNITED STATES v. DELIA*. February 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Solicitor General Fahy* for the United States. *Messrs. Morton A. Eden and Jack N. Tucker* for respondent. Reported below: 131 F. 2d 614.

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No. 480. *MURDOCK v. PENNSYLVANIA (CITY OF JEANNETTE)*;

No. 481. *PERISICH v. PENNSYLVANIA (CITY OF JEANNETTE)*;

No. 482. *MOWDER v. PENNSYLVANIA (CITY OF JEANNETTE)*;

No. 483. *SEDERS v. PENNSYLVANIA (CITY OF JEANNETTE)*;

No. 484. *LAMBORN v. PENNSYLVANIA (CITY OF JEANNETTE)*;

No. 485. *MALTEZOS v. PENNSYLVANIA (CITY OF JEANNETTE)*;

No. 486. *ANASTASIA TZANES v. PENNSYLVANIA (CITY OF JEANNETTE)*; and

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No. 487. *ELLAINE TZANES v. PENNSYLVANIA (CITY OF JEANNETTE)*. February 15, 1943. Petition for writs of certiorari to the Superior Court of Pennsylvania granted. *Mr. Hayden C. Covington* for petitioners. *Mr. Fred B. Trescher* for respondent. Reported below: 149 Pa. Super. 175, 27 A. 2d 666.

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No. 450. *DOUGLAS ET AL. v. CITY OF JEANNETTE (PENNSYLVANIA) ET AL.* February 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Hayden C. Covington* for petitioners. *Mr. Fred B. Trescher* for respondents. Reported below: 130 F. 2d 652.

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No. 589. *BOWLES v. UNITED STATES*. March 1, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Osmond K. Fraenkel* for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Oscar A. Provost, Andrew F. Oehmann, and W. Marvin Smith* for the United States. Reported below: 131 F. 2d 818.

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No. 593. *DIRECT SALES CO. v. UNITED STATES*. March 1, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Messrs. Edwin J. Culligan and William B. Mahoney* for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Robert S. Erdahl and W. Marvin Smith* for the United States. Reported below: 131 F. 2d 835.

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No. 675. *DETROIT EDISON CO. v. COMMISSIONER OF INTERNAL REVENUE*. March 1, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth

Circuit granted. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Messrs. Edward H. Green, Norris Darrell, and Oscar C. Hull* for petitioner. *Solicitor General Fahy* for respondent. Reported below: 131 F. 2d 619.

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No. 721. *NORTH AMERICAN COMPANY v. SECURITIES & EXCHANGE COMMISSION*. March 1, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Mr. Charles E. Hughes, Jr.* for petitioner. *Solicitor General Fahy* and *Mr. John F. Davis* for respondent. Reported below: 133 F. 2d 148.

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No. 725. *RICHARDSON v. JAMES GIBBONS Co.* March 1, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Mr. George A. Mahone* for petitioner. *Messrs. O. Bowie Duckett and Edward E. Hargest, Jr.* for respondent. Reported below: 132 F. 2d 627.

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No. 696. *ALTVATER ET AL. v. FREEMAN ET AL.* March 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Lawrence C. Kingsland and Edmund C. Rogers* for petitioners. *Mr. Marston Allen* for respondents. Reported below: 130 F. 2d 763.

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No. 698. *BOONE v. LIGHTNER ET AL.* March 8, 1943. Petition for writ of certiorari to the Supreme Court of North Carolina granted. *Messrs. Milton I. Baldinger, Stuart H. Robeson, Roy L. Deal, J. G. Moser, and I. Irving*

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*Bolotin* for petitioner. *Mr. M. R. McCown* for respondents. Reported below: 222 N. C. 205, 22 S. E. 2d 426.

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No. 687. *ST. PIERRE v. UNITED STATES*. March 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Edward V. Broderick, S. Bertram Friedman, and Joseph H. Broderick* for petitioner. *Solicitor General Fahy* for the United States. *Mr. Osmond K. Fraenkel* filed a brief on behalf of the American Civil Liberties Union, as *amicus curiae*, in support of the petition. Reported below: 132 F. 2d 837.

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No. 552. *INTERSTATE TRANSIT LINES v. COMMISSIONER OF INTERNAL REVENUE*. March 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Joseph F. Mann and Nelson Trottman* for petitioner. *Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key and Joseph M. Jones* for respondent. Reported below: 130 F. 2d 136.

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No. 660. *MOLINE PROPERTIES, INC. v. COMMISSIONER OF INTERNAL REVENUE*. March 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Bart A. Riley and Thomas H. Anderson* for petitioner. *Solicitor General Fahy, Assistant Attorney General Clark, and Messrs. Sewall Key and J. Louis Monarch* for respondent. Reported below: 131 F. 2d 388.

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No. 640. *BAILEY, ADMINISTRATRIX, v. CENTRAL VERMONT RAILWAY, INC.* March 8, 1943. Petition for writ

of certiorari to the Supreme Court of Vermont granted. *Mr. Joseph A. McNamara* for petitioner. *Mr. Horace H. Powers* for respondent. Reported below: 113 Vt. 8, 28 A. 2d 639.

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No. 684. *COUNTY OF MAHNOMEN v. UNITED STATES*. March 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. J. A. A. Burnquist*, Attorney General of Minnesota, and *Geo. B. Sjoselius*, Assistant Attorney General, for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Littell*, and *Mr. Vernon L. Wilkinson* for the United States. Reported below: 131 F. 2d 936.

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No. 707. *FREEMAN v. BEE MACHINE Co., INC.* March 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Messrs. Marston Allen* and *Nathan Heard* for petitioner. *Messrs. George P. Dike* and *Cedric W. Porter* for respondent. Reported below: 131 F. 2d 190.

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No. 709. *VIRGINIA ELECTRIC & POWER Co. v. NATIONAL LABOR RELATIONS BOARD*. March 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Messrs. T. Justin Moore* and *George D. Gibson* for petitioner. *Solicitor General Fahy* and *Mr. Robert B. Watts* for respondent. Reported below: 132 F. 2d 390.

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No. 606. *BUCHALTER v. NEW YORK*;

No. 610. *WEISS v. NEW YORK*; and

No. 619. *CAPONE v. NEW YORK*. See *post*, p. 797.

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No. 717. *UNITED STATES v. DOTTERWEICH*. April 5, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Fahy* for the United States. *Mr. Francis E. Bagot* for respondent. Reported below: 131 F. 2d 500.

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No. 756. *ROBERTS v. UNITED STATES*. April 5, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. Benton Littleton Britnell and Newton Benjamin Powell* for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge*, and *Messrs. Oscar A. Provost and W. Marvin Smith* and *Miss Melva M. Graney* for the United States. Reported below: 131 F. 2d 392.

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No. 794. *GREEN, DOING BUSINESS AS GREEN VACUUM CLEANER Co., v. ELECTRIC VACUUM CLEANER Co., INC.* April 5, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. Merritt A. Vickery and Earl William Aurelius* for petitioner. *Messrs. John F. Oberlin and L. C. Spieth* for respondent. Reported below: 132 F. 2d 312.

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No. 750. *CARTER v. KUBLER*. April 5, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted limited to the first question presented by the petition. *Mr. Elmer McClain* for petitioner. *George A. Kubler, pro se.* Reported below: 131 F. 2d 222.

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No. 708. *HILL, ADMINISTRATOR, v. HAWES, TRUSTEE, ET AL.* April 5, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of

Columbia granted. *Messrs. Henry Lincoln Johnson and Thurman L. Dodson* for petitioner. *Mr. John B. Gunion* for respondents. Reported below: 132 F. 2d 569.

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No. 766. *VIRGINIAN HOTEL CORP. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE*. April 5, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Messrs. S. V. Kemp and F. G. Davidson, Jr.* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, and L. W. Post* for respondent. *Mr. W. A. Sutherland* filed a brief, as *amicus curiae*, in support of the petition. Reported below: 132 F. 2d 909.

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No. 849. *GREAT LAKES DREDGE & DOCK CO. ET AL. v. HUFFMAN, ADMINISTRATOR*. April 5, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Messrs. R. Emmett Kerigan and James J. Morrison* for petitioners. *Mr. Eugene Stanley* for respondent. Reported below: 134 F. 2d 213.

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No. 787. *MCLEOD v. THRELKELD ET AL., DOING BUSINESS AS THRELKELD COMMISSARY CO.* April 5, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Harry Dow* for petitioner. *Mr. John P. Bullington* for respondents. Reported below: 131 F. 2d 880.

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No. 762. *BARTCHY v. UNITED STATES*. April 12, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Bernard A.*

Golding for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge*, and *Mr. Robert S. Erdahl* for the United States. Reported below: 132 F. 2d 348.

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No. 848. BROTHERHOOD OF RAILROAD TRAINMEN ET AL. v. TOLEDO, PEORIA & WESTERN RAILROAD. April 19, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. John E. Cassidy* for petitioners. *Messrs. John M. Elliott* and *Clarence W. Heyl* for respondent. Reported below: 132 F. 2d 265.

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No. 815. SECURITIES & EXCHANGE COMMISSION v. C. M. JOINER LEASING CORP. ET AL. April 19, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Solicitor General Fahy* and *Mr. John F. Davis* for petitioner. *Mr. David A. Frank* for respondents. Reported below: 133 F. 2d 241.

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No. 749. BELL v. PREFERRED LIFE ASSURANCE SOCIETY ET AL. April 19, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Warren E. Miller* for petitioner. *Mr. Richard T. Rives* for respondents. Reported below: 131 F. 2d 516.

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#### DECISIONS DENYING CERTIORARI, FROM JANUARY 19, 1943, THROUGH APRIL 19, 1943.

No. 577. THOMSON, TRUSTEE, v. INDUSTRIAL COMMISSION OF ILLINOIS (HERMAN E. STOLL). February 1, 1943. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Messrs. William T. Faricy* and *Weldon A. Dayton* for petitioner. *Messrs. Marshall Solberg*