

No. 1036. *ESTATE OF ROGERS ET AL. v. HELVERING, COMMISSIONER OF INTERNAL REVENUE.* June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Justice Murphy* took no part in the consideration or decision of this application. *Mr. John W. Drye, Jr.* for petitioners. *Solicitor General Fahy* for respondent. Reported below: 135 F. 2d 35.

No. 1039. *J. I. CASE Co. v. NATIONAL LABOR RELATIONS BOARD.* June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Justice Roberts* took no part in the consideration or decision of this application. *Messrs. Clark M. Robertson, John C. Gall, and Ben T. Reidy* for petitioner. *Solicitor General Fahy, Messrs. Robert L. Stern, Robert B. Watts, Ernest A. Gross, and Miss Ruth Weyand* for respondent. Reported below: 134 F. 2d 70.

DECISIONS DENYING CERTIORARI, FROM
JUNE 15, 1943, THROUGH JUNE 21, 1943.

No. 1064. *PREBYL v. PRUDENTIAL INSURANCE CO. ET AL.* See *ante*, p. 208.

No. 1035. *MILLER, DOING BUSINESS AS MILLER MOTOR FREIGHT SERVICE, ET AL. v. BATES.* June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. I. Nathaniel Treblow* for petitioners. *Mr. David Vorhaus* for respondent. Reported below: 133 F. 2d 645.

No. 1040. *DAVIS v. MASSACHUSETTS.* June 21, 1943. Petition for writ of certiorari to the Supreme Court of Texas denied. *Messrs. Dan Moody and W. L. Matthews*

for petitioner. *Mr. Benjamin Albert Greathouse* for respondent. Reported below: 140 Tex. 398, 168 S. W. 2d 216.

No. 1045. FIRST NATIONAL BENEFIT SOCIETY *v.* STUART, COLLECTOR OF INTERNAL REVENUE. June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Allan K. Perry* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, Samuel H. Levy, and Paul R. Russell* for respondent. Reported below: 134 F. 2d 438.

No. 1046. DURABLE TOY & NOVELTY CORP. *v. J. CHEIN & CO., INC., ET AL.* June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John P. Chandler* for petitioner. Reported below: 133 F. 2d 853.

No. 1049. NIKOLAS ET AL. *v. WITTER.* June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Walter E. Wiles and Harry G. Hershenson* for petitioners. *Mr. Hyman S. Gratch* for respondent. Reported below: 134 F. 2d 839.

No. 1050. ORDER OF UNITED COMMERCIAL TRAVELERS *v. MOORE.* June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Harry L. Greene and E. W. Dillon* for petitioner. *Mr. Welborn B. Cody* for respondent. Reported below: 134 F. 2d 558.

No. 1054. GRECO *v. UNITED STATES.* June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Frederic M. P.*

Pearse for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge, Mr. Robert S. Erdahl and Miss Beatrice Rosenberg* for the United States. Reported below: 134 F. 2d 1023.

No. 1070. *GUYTON v. UNITED STATES*. June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Mack Taylor* for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge, and Mr. Robert S. Erdahl* for the United States. Reported below: 134 F. 2d 618.

No. 1015. *SMITH v. LOUISIANA & ARKANSAS RAILWAY Co.* June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. **MR. JUSTICE BLACK** is of opinion that certiorari should be granted. *Messrs. Wils Davis and W. S. Atkins* for petitioner. *Mr. A. L. Burford* for respondent. Reported below: 133 F. 2d 436.

No. 1069. *KUSHNER v. UNITED STATES*. June 21, 1943. 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 or decision of this application. *Messrs. Samuel M. Ostroff and Herman Mendes* for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge, Mr. Robert S. Erdahl and Miss Beatrice Rosenberg* for the United States. Reported below: 135 F. 2d 668.

No. 1081. *ARNOLD v. UNITED STATES*. June 21, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. **MR. JUSTICE DOUGLAS** took no part in the consideration or decision of this application. *Mr. Maury Hughes* for petitioner. Reported below: 134 F. 2d 1023.

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Rehearing Granted.

No. 1082. *FARRIS v. VIRGINIA*. June 21, 1943. Petition for writ of certiorari to the Hustings Court of the City of Richmond denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Mr. L. Gleason Gianniny* for petitioner. *Mr. Abram P. Staples*, Attorney General of Virginia, for respondent.

No. 1085. *FRAME v. AMRINE, WARDEN, KANSAS STATE PENITENTIARY*. June 21, 1943. Petition for writ of certiorari to the Supreme Court of Kansas denied. MR. JUSTICE ROBERTS and MR. JUSTICE DOUGLAS took no part in the consideration or decision of these applications. *Perry Frame, pro se.*

No. 1099. *SHEPPARD v. MASSACHUSETTS*. June 21, 1943. Motion for stay denied. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. MR. JUSTICE DOUGLAS and MR. JUSTICE ROBERTS took no part in the consideration or decision of these applications. *Mr. Edward A. Ryan* for petitioner. Reported below: 313 Mass. 590, 48 N. E. 2d 630.

DECISIONS GRANTING REHEARING, FROM JUNE 15, 1943, THROUGH JUNE 21, 1943.

Nos. 945 and 946. *FORD MOTOR Co. v. GORDON FORM LATHE Co.* June 21, 1943. The petition for rehearing is granted and the order entered June 7, 1943, 319 U. S. 738, is vacated. The petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit is granted. MR. JUSTICE ROBERTS and MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Messrs. Drury W. Cooper and I. Joseph Farley* for petitioner. Reported below: 133 F. 2d 487.