

DECISIONS PER CURIAM, ETC., FROM OCTOBER
4, 1943, THROUGH JANUARY 10, 1944.*

No. 95. *MOODY BIBLE INSTITUTE v. CHICAGO*. Appeal from the Supreme Court of Illinois. October 11, 1943. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of jurisdiction. § 237 (a) of the Judicial Code, as amended, 28 U. S. C., § 344 (a). Treating the papers whereon the appeal was allowed as an application for writ of certiorari as required by § 237 (c) of the Judicial Code, as amended, 28 U. S. C., § 344 (c), certiorari is denied. *Mr. Howard F. Bishop* for appellant. *Messrs. Barnet Hodes, Joseph F. Grossman, and J. Herzl Segal* for appellee. Reported below: 382 Ill. 70, 46 N. E. 2d 918.

No. 275. *PARKER ET AL. v. MISSISSIPPI*. Appeal from the Supreme Court of Mississippi. October 11, 1943. *Per Curiam*: The motion for leave to proceed in forma pauperis is granted. The appeal is dismissed for the want of jurisdiction. § 237 (a) of the Judicial Code, as amended, 28 U. S. C., § 344 (a). Treating the papers whereon the appeal was allowed as an application for writ of certiorari as required by § 237 (c) of the Judicial Code, as amended, 28 U. S. C., § 344 (c), certiorari is denied. *MR. JUSTICE MURPHY* is of opinion certiorari should be granted. *Mr. Forrest B. Jackson* for appellants. Reported below: 194 Miss. 895, 13 So. 2d 620.

No. 213. *TWISP MINING & SMELTING CO. v. CHELAN MINING CO. ET AL.* Appeal from and petition for writ of certiorari to the Supreme Court of Washington. October

*For decisions on applications for certiorari, see *post*, pp. 720, 735; rehearing, *post*, p. 807. For cases disposed of without consideration by the Court, *post*, p. 805.

11, 1943. *Per Curiam*: The appeal is dismissed for failure to comply with Rule 12, paragraph 1. The petition for writ of certiorari is denied. *Messrs. Clarence C. Dill and E. A. Cornelius* for appellant. Reported below: 16 Wash. 2d 264, 133 P. 2d 300.

No. 294. *PAYNE v. KIRCHWEHM*. Appeal from the Supreme Court of Ohio. October 11, 1943. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. (1) *Alaska Packers Assn. v. Industrial Commission*, 294 U. S. 532, 547; *Pacific Insurance Co. v. Industrial Commission*, 306 U. S. 493, 502; (2) *Michigan Insurance Bank v. Eldred*, 130 U. S. 693, 696; *Platt v. Wilmot*, 193 U. S. 602, 610; *Guaranty Trust Co. v. United States*, 304 U. S. 126, 136. *Messrs. Sigmund H. Steinberg and William K. Gardner* for appellant. *Mr. Wayland K. Sullivan* for appellee. Reported below: 141 Ohio St. 384, 48 N. E. 2d 224.

No. 308. *HUGHES ET AL. v. GUST*. Appeal from the Supreme Court of Arizona. October 11, 1943. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. *Mr. Thomas O. Marlar* for appellants. *Mr. J. L. Gust* for appellee.

No. —. *BENTZ v. MICHIGAN*. October 11, 1943. The petition for appeal is denied for the reason that application therefor was not made within the time provided by law. § 8 (a), Act of February 13, 1925 (43 Stat. 936, 940), 28 U. S. C., § 350.

No. 9, original. *KANSAS v. MISSOURI*. October 11, 1943. The report of the Special Master herein is received and ordered to be filed.

No. 61. ICKES, SECRETARY OF THE INTERIOR, ET AL. *v.* ASSOCIATED INDUSTRIES OF NEW YORK STATE, INC. Certiorari, 319 U. S. 739, to the Circuit Court of Appeals for the Second Circuit. October 18, 1943. *Per Curiam:* This is a proceeding brought by respondent pursuant to § 6 (b) of the Bituminous Coal Act of 1937, 50 Stat. 85, 15 U. S. C., § 836 (b), as amended, to review an order of the Bituminous Coal Commission prescribing minimum prices for Minimum Price Area No. 1. We granted certiorari June 14, 1943, to review an order of the Circuit Court of Appeals refusing to dismiss the proceeding for want of capacity of respondent to bring it. Both parties now suggest that the cause has become moot by reason of the expiration of the Bituminous Coal Act on August 24, 1943. They disagree as to the proper disposition to be made of the cause. The record does not disclose and we are not informed whether the order of the Commission, which by its terms became effective on October 1, 1942, remained in effect between that date and August 24, 1943, or to what extent rights arose and liabilities and obligations were incurred under the Commission's order during that period, which survive the expiration of the Act. Accordingly we vacate the order of the Circuit Court of Appeals and remand the cause to that court for such further proceedings as may be appropriate. *Solicitor General Fahy and Messrs. Warner W. Gardner and Arnold Levy* for petitioners. *Mr. Horace R. Lamb* for respondent. Reported below: 134 F. 2d 694.

No. 155. MATHEWS ET AL. *v.* WEST VIRGINIA EX REL. HAMILTON, PROSECUTING ATTORNEY. On petition for writ of certiorari to the Circuit Court of Calhoun County, West Virginia. October 18, 1943. *Per Curiam:* The petition for writ of certiorari is granted. Subsequent to the decision of the Supreme Court of Appeals of West Virginia, denying leave to appeal on the ground that the decree of

the Circuit Court of Calhoun County was "plainly right," this Court in *Taylor v. Mississippi*, 319 U. S. 583, *Benoit v. Mississippi*, 319 U. S. 583, *Cummings v. Mississippi*, 319 U. S. 583, and *West Virginia State Board of Education v. Barnette*, 319 U. S. 624, considered questions having a bearing on the issues in the present case. Accordingly we vacate the judgment and remand the cause to the Circuit Court of Calhoun County for further consideration in the light of our decisions in those cases. *New York ex rel. Whitman v. Wilson*, 318 U. S. 688, 690-91, and cases cited. *Mr. Hayden C. Covington* for petitioners.

No. 278. *GRACE v. BOARD OF COMMISSIONERS OF THE STATE BAR OF ALABAMA*. Appeal from the Supreme Court of Alabama. October 18, 1943. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *Ex parte Burr*, 9 Wheat. 528, 530; *Ex parte Secombe*, 19 How. 9, 13; *Ex parte Robinson*, 19 Wall. 505, 512; *Selling v. Radford*, 243 U. S. 46, 49. *Menza B. Grace, pro se*. *Mr. Richard T. Rives* for appellee. Reported below: 244 Ala. 267, 13 So. 2d 178.

No. 2. *UNITED STATES v. ALUMINUM COMPANY OF AMERICA ET AL.* Appeal from the District Court of the United States for the Southern District of New York; and

No. 6. *NORTH AMERICAN COMPANY v. SECURITIES & EXCHANGE COMMISSION*. Certiorari, 318 U. S. 750, to the Circuit Court of Appeals for the Second Circuit. October 18, 1943. As four Justices have disqualified themselves from participating in the decision in each of these cases, the Court is unable to make final disposition of them because of the absence of a quorum of six Justices as prescribed by 28 U. S. C., § 321. These cases will accordingly be transferred to a special docket and all further proceedings in them postponed in each case until such time as

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there is a quorum of Justices qualified to sit in it, when it will be restored to the regular docket for such further proceedings as may be appropriate. Reported below: No. 2, 47 F. Supp. 647; No. 6, 133 F. 2d 148.

No. —. *EX PARTE EARLE GOLDEN*; and

No. —. *EX PARTE RALPH BARTON BUTZ*. October 18, 1943. Applications denied.

No. —. *EX PARTE DAISY D. WILSON*;

No. —. *EX PARTE OLIVER GOBIN*;

No. —. *EX PARTE ROBERT L. PEYTON*; and

No. —. *EX PARTE FORREST HOLIDAY*. October 18, 1943. The motions for leave to file petitions for writs of mandamus are denied.

No. 11, original. *ILLINOIS v. INDIANA ET AL.* October 18, 1943. The motion for leave to file bill of complaint is granted.

No. 360. *CALLISON v. TEXAS*. Appeal from the Court of Civil Appeals, 8th Supreme Judicial District, of Texas. October 25, 1943. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *Ah Sin v. Wittman*, 198 U. S. 500, 505; *Marvin v. Trout*, 199 U. S. 212, 224, cf. *Federal Trade Comm'n v. Keppel & Bro.*, 291 U. S. 304. *Mr. A. S. Baskett* for appellant. Reported below: 172 S. W. 2d 772.

No. 368. *RISS & COMPANY, INC. v. UNITED STATES ET AL.* Appeal from the District Court of the United States for the Northern District of Oklahoma. October 25, 1943.

Per Curiam: The motion to affirm is granted and the judgment is affirmed on the authority of *Gregg Cartage Co. v. United States*, 316 U. S. 74. Dissenting: MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS. *Messrs. H. D. Driscoll and H. Russell Bishop* for appellant. *Solicitor General Fahy* and *Mr. Daniel W. Knowlton* for appellees.

No. —. EX PARTE ARTHUR DOYLE;
No. —. EX PARTE ORAL S. EVENSON;
No. —. EX PARTE LOUIS T. McCONNELL; and
No. —. EX PARTE CHESTEEN McCONNELL. October 25, 1943. The motions for leave to file petitions for writs of habeas corpus are denied.

No. —. EX PARTE MARS, INCORPORATED. October 25, 1943. The motion for leave to file the petition for writ of mandamus is denied without consideration of the merits and without prejudice to its presentation to the Circuit Court of Appeals for the Eighth Circuit, as is deemed to be the more appropriate procedure. *Ex parte Peru*, 318 U. S. 578, 584, and cases cited; *Ex parte Fred Benioff Co.*, 317 U. S. 594. Proceedings before the Special Master will be stayed for ten days to afford petitioner an opportunity to present its petition to the Circuit Court of Appeals.

No. —. JAMES v. FLORIDA. October 25, 1943. Petition for stay of execution denied.

No. 438. GILMORE v. NEW MEXICO. Appeal from the Supreme Court of New Mexico. November 8, 1943. *Per Curiam:* The appeal is dismissed for the want of a

substantial federal question. *Hoke v. United States*, 227 U. S. 308, 324; *Berger v. United States*, 295 U. S. 78, 82. *Mr. Edwin Mechem* for appellant. Reported below: 47 N. M. 59, 134 P. 2d 541.

No. 412. *KRAMER v. OHIO*. Appeal from and petition for writ of certiorari to the Supreme Court of Ohio. November 8, 1943. *Per Curiam*: The motion for leave to file statement as to jurisdiction is granted. The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *McNaughton v. Johnson*, 242 U. S. 344, 348-9; *Graves v. Minnesota*, 272 U. S. 425, 428; *Roschen v. Ward*, 279 U. S. 337, 339-40; *Semler v. Board of Dental Examiners*, 294 U. S. 608, 611. The petition for writ of certiorari is denied. *Mr. William J. Corrigan* for appellant-petitioner. *Mr. Frank T. Cullitan* for appellee-respondent. Reported below: 141 Ohio St. 667, 49 N. E. 2d 683.

No. 21. *UNITED STATES EX REL. BRENSILBER ET AL. v. BAUSCH & LOMB OPTICAL CO. ET AL.* Certiorari, 319 U. S. 733, to the Circuit Court of Appeals for the Second Circuit. Argued October 13, 14, 1943. Decided November 8, 1943. *Per Curiam*: Judgment affirmed by an equally divided Court. MR. JUSTICE JACKSON took no part in the consideration or decision of this case. *Mr. William Stanley*, with whom *Mr. Homer Cummings* was on the brief, for petitioners. *Mr. Whitney North Seymour* for Bausch & Lomb Optical Co. et al.; and *Mr. Raymond M. White* for Carl Zeiss, Inc.,—respondents. *Solicitor General Fahy*, *Assistant Attorney General Shea*, and *Messrs. K. Norman Diamond* and *Robert L. Stern* filed a brief on behalf of the United States, as *amicus curiae*, urging reversal. Reported below: 131 F. 2d 545.

No. —. *EX PARTE ALBERT O. HEGNEY*;

No. —. *EX PARTE WILLIAM IRA JENKINS*; and

No. —. *EX PARTE JOHN O. STORY*. November 8, 1943.
Applications denied.

No. —. *EX PARTE MARY A. RUTHVEN*; and

No. —. *EX PARTE STANLEY B. PEPLOWSKI*. November 8, 1943. The motions for leave to file petitions for writs of habeas corpus are denied.

No. —. *WILSON v. HINMAN*. November 8, 1943. The motion for leave to file petition for writ of mandamus is denied.

No. 10, original. *UNITED STATES v. LOUISIANA ET AL.* November 8, 1943. The transcript of testimony is received and ordered to be filed.

No. 452. *BENNETT v. CITY OF DALTON*. Appeal from the Court of Appeals of Georgia. November 15, 1943. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *Cox v. New Hampshire*, 312 U. S. 569, 574; *Chaplinsky v. New Hampshire*, 315 U. S. 568, 571-2. *Messrs. Hayden C. Covington and Grover C. Powell* for appellant. Reported below: 69 Ga. App. 438, 25 S. E. 2d 726.

No. 60. *MARVICH v. CALIFORNIA ET AL.* Certiorari, 319 U. S. 739, to the Supreme Court of California. November 15, 1943. *Per Curiam*: The motion of respondent to remand is granted, the judgment is vacated and the cause is remanded to the Supreme Court of California for further proceedings. *Mr. Neil Burkinshaw* for petitioner.

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Messrs. Robert W. Kenny, Attorney General of California, and Eugene M. Elson, Deputy Attorney General, for respondents. Reported below: 44 Cal. App. 2d 858, 113 P. 2d 223.

No. —. *EX PARTE KENNETH M. RING;*

No. —. *EX PARTE PAUL S. CAMPBELL;*

No. —. *EX PARTE GEORGE DIEHL;*

No. —. *EX PARTE JAKE HINLEY; and*

No. —. *EX PARTE KENNETH L. HENDRIX.* November 15, 1943. The motions for leave to file petitions for writs of habeas corpus are denied.

No. —. *EX PARTE REX BAYLESS; and*

No. —. *EX PARTE FRANK E. POTTS.* November 15, 1943. The motions for leave to file petitions for writs of mandamus are denied.

No. 112. *DAVIES WAREHOUSE Co. v. BROWN, PRICE ADMINISTRATOR;*

No. 299. *MARS, INC. v. BROWN, PRICE ADMINISTRATOR;*

No. 305. *TAYLOR v. BROWN, PRICE ADMINISTRATOR;*

No. 316. *HECHT COMPANY v. BROWN, PRICE ADMINISTRATOR;*

No. 396. *VINSON, DIRECTOR OF ECONOMIC STABILIZATION, BY BROWN, PRICE ADMINISTRATOR, v. WASHINGTON GAS LIGHT CO. ET AL.;*

No. 464. *BROWN, PRICE ADMINISTRATOR, v. WILLINGHAM ET AL.; and*

No. 481. *SAFEWAY STORES, INC. v. BROWN, PRICE ADMINISTRATOR.* November 16, 1943. Bowles, present Administrator of the Office of Price Administration, substituted as a party in these cases in the place and stead of Brown, resigned.

No. 437. *WILSON v. LOUISIANA*. Appeal from the Supreme Court of Louisiana. November 22, 1943. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed, it appearing that the decision is based upon a nonfederal ground adequate to support it. *Mr. Max M. Schaumberger* for appellant. *Messrs. Eugene Stanley, Attorney General of Louisiana, Alex. W. Swords, and George J. Gulotta* for appellee. Reported below: 204 La. 24, 14 So. 2d 873.

No. --. *EX PARTE C. E. PHILLIPS*;

No. --. *EX PARTE JOHN KEATING*; and

No. --. *EX PARTE WILLIAM A. YOELL*. November 22, 1943. The motions for leave to file petitions for writs of habeas corpus are denied.

Nos. 49 and 50. *FORD MOTOR Co. v. GORDON FORM LATHE Co.* Certiorari, 319 U. S. 738, to the Circuit Court of Appeals for the Sixth Circuit. Argued November 8, 9, 1943. Decided December 6, 1943. *Per Curiam*: The judgments are affirmed by an equally divided Court. *Mr. JUSTICE MURPHY* took no part in the consideration or decision of these cases. *Mr. I. Joseph Farley*, with whom *Mr. Drury W. Cooper* was on the brief, for petitioner. *Messrs. F. O. Richey and George D. Spohn*, with whom *Messrs. John W. Michael and B. D. Watts* were on the brief, for respondent. Reported below: 133 F. 2d 487.

No. 421. *SECOND NATIONAL BANK v. FINDLEY, COUNTY TREASURER, ET AL.*; and

No. 422. *FIRST NATIONAL BANK v. FINDLEY, COUNTY TREASURER, ET AL.* Appeals from the Supreme Court of Ohio. December 6, 1943. *Per Curiam*: The judgments

are affirmed on the authority of *Aberdeen Bank v. Chehalis County*, 166 U. S. 440, 443-6; *Citizens National Bank v. Kentucky*, 217 U. S. 443, 451; *Des Moines National Bank v. Fairweather*, 263 U. S. 103, 110-12; and *Colorado National Bank v. Bedford*, 310 U. S. 41, 52-3. *Mr. George Thornburg* for appellants. *Messrs. Ross Michener, A. G. Lancione*, and *C. C. Sedgwick* for appellees. Reported below: 142 Ohio St. 6, 50 N. E. 2d 157.

No. 435. BROTHERHOOD OF RAILWAY & STEAMSHIP CLERKS, FREIGHT HANDLERS, EXPRESS & STATION EMPLOYEES ET AL. v. UNITED TRANSPORT SERVICE EMPLOYEES ET AL. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia. December 6, 1943. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed on the authority of *General Committee of Adjustment v. Missouri-Kansas-Texas R. Co.*, 320 U. S. 323; *General Committee of Adjustment v. Southern Pacific Co.*, 320 U. S. 338; *General Grievance Committee v. General Committee of Adjustment*, 320 U. S. 338; and *Switchmen's Union v. National Mediation Board*, 320 U. S. 297. *Messrs. Frank L. Mulholland, Clarence M. Mulholland, and Willard H. McEwen* for petitioners. Reported below: 137 F. 2d 817.

No. 487. KELLEY v. CALIFORNIA. Appeal from the Supreme Court of California. December 6, 1943. *Per Curiam*: The appeal is dismissed for want of jurisdiction. § 237 (a), Judicial Code, as amended, 28 U. S. C., § 344 (a). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by § 237 (c) of the Judicial Code, as amended, 28 U. S. C., § 344 (c), certiorari is denied. *Mr. Morris Lavine* for appellant. Reported below: 22 Cal. 2d 169, 137 P. 2d 1.

No. 213. *TWISP MINING & SMELTING CO. v. CHELAN MINING CO. ET AL.* Appeal from and petition for writ of certiorari to the Supreme Court of Washington. December 6, 1943. *Per Curiam:* Appellant having filed a petition for rehearing and an amended jurisdictional statement which conforms to Rule 12, par. 1, the petition for rehearing is granted and the order of October 11, 1943, dismissing the appeal and denying the petition for writ of certiorari, *ante*, p. 705, is vacated. The appeal is dismissed for want of jurisdiction. § 237 (a) of the Judicial Code, as amended, 28 U. S. C., § 344 (a). The petition for a writ of certiorari is denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this case. *Messrs. Clarence C. Dill and E. A. Cornelius* for appellant-petitioner. Reported below: 16 Wash. 2d 264, 133 P. 2d 300.

No.—. *HUMES v. UNITED STATES.* December 6, 1943. Application denied. MR. JUSTICE MURPHY took no part in the consideration or decision of this application.

No.—. *BLAYDES v. RAGEN, WARDEN.* December 6, 1943. Application denied.

No.—. *REED v. HUFF, GENERAL SUPERINTENDENT.* December 6, 1943. The motion for leave to file a petition for a writ of certiorari is denied.

No.—. *EX PARTE RAYMOND PAUL HILE;*
No.—. *EX PARTE DEWEY GOOCH;*
No.—. *EX PARTE PAUL O'NEIL;*
No.—. *EX PARTE HARRY MILLER;* and

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No. —. EX PARTE HAROLD JACKSON. December 6, 1943. The motions for leave to file petitions for writs of habeas corpus are denied.

No. —. EX PARTE UNITED STATES EX REL. TENNESSEE VALLEY AUTHORITY. December 6, 1943. The motion for leave to file a petition for writ of mandamus or writ of prohibition is denied without prejudice to the filing of an application for a writ of certiorari. MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, and MR. JUSTICE RUTLEDGE think that a rule to show cause should issue. *Solicitor General Fahy and Mr. William C. Fitts, Jr.* for petitioner.

No. 502. SMITH ET AL., CO-PARTNERS, TRADING AS THOMSON & MCKINNON, v. LUMMUS, TAX ASSESSOR, ET AL. Appeal from the Supreme Court of Florida. December 13, 1943. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question: *Metropolitan Life Ins. Co. v. New Orleans*, 205 U. S. 395; *Liverpool Ins. Co. v. Board of Assessors*, 221 U. S. 346; *Curry v. McCanless*, 307 U. S. 357, 368. *Mr. George H. Salley* for appellants. *Messrs. J. Tom Watson*, Attorney General of Florida, and *Lawrence A. Truett*, Assistant Attorney General, for appellees. Reported below: 14 So. 2d 897.

No. —. EX PARTE EDWARD CASEBEER; and

No. —. EX PARTE FRANK J. KANE. December 13, 1943. The motions for leave to file petitions for writs of habeas corpus are denied.

No. —. *EX PARTE WADE H. COOPER*. December 13, 1943. The motion for leave to file petition for writ of mandamus is denied.

No. 504. *CHICAGO & NORTH WESTERN RAILWAY CO. v. UNITED STATES ET AL.* Appeal from the District Court of the United States for the Northern District of Illinois. December 20, 1943. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. (1) § 77 (e) and (f) of the Bankruptcy Act; *Ecker v. Western Pacific R. Corp.*, 318 U. S. 448, 471-475; *Group of Investors v. Chicago, M., St. P. & P. R. Co.*, 318 U. S. 523, 564. (2) *Great Northern Ry. Co. v. United States*, 277 U. S. 172, 180-183; *United States v. Griffin*, 303 U. S. 226, 234-237. *Mrs. Helen W. Munsert and Mr. Luther M. Walter* for appellant. *Solicitor General Fahy* and *Mr. Daniel W. Knowlton* for the United States et al.; and *Messrs. Kenneth F. Burgess, Fred N. Oliver, and Douglas F. Smith* for the Life Insurance Group Committee et al.,—appellees. Reported below: 52 F. Supp. 65.

No. 266. *HARRISON, COLLECTOR OF INTERNAL REVENUE, v. DURKEE FAMOUS FOODS, INC.* On petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit. December 20, 1943. *Per Curiam*: The petition for writ of certiorari in this case is granted. The judgment is reversed upon the authority of *Colgate-Palmolive-Peet Co. v. United States*, 320 U. S. 422. *Solicitor General Fahy* for petitioner. *Mr. Roger Hinds* for respondent. Reported below: 136 F. 2d 303.

No. —. *EX PARTE PERCY WATTS*. December 20, 1943. The motion for leave to file petition for writ of habeas corpus is denied.

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No. —. EX PARTE ANDREW BARNETT; and

No. —. EX PARTE JACK A. MCCOY. January 3, 1944.
Applications denied.

No. —. EX PARTE ALLIANCE BRASS & BRONZE CO. January 3, 1944. The motion for leave to file petition for writ of prohibition or, in the alternative, mandamus, is denied.

No. —. EX PARTE RALPH O. LUCAS;

No. —. EX PARTE N. M. MAXWELL;

No. —. EX PARTE JAMES SPARKS;

No. —. EX PARTE BERNARD NELSON;

No. —. EX PARTE NORMAN MICHAUD; and

No. —. EX PARTE H. ELY GOLDSMITH. January 3, 1944. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 966, October Term, 1941. *JOBIN v. ARIZONA*. January 3, 1944. Upon consideration of appellant's motion to compel payment of costs and appellee's reply, it is ordered that appellant's motion be denied without prejudice to its renewal in the event that the Attorney General of Arizona does not report the judgment to the Arizona Legislature at its next session and if so reported the Legislature does not make provision for payment. See 319 U. S. 103.

No. 159. *WALTON, ADMINISTRATRIX, v. SOUTHERN PACKAGE CORP.* January 3, 1944. The motion for additional attorney's fee is denied without prejudice to an appropriate application to the Supreme Court of Mississippi. See *ante*, p. 540.

No. —. *EX PARTE CHESTEEN McCONNELL*;
No. —. *EX PARTE HARRISON HOWARD*;
No. —. *EX PARTE LEONARD PALMORE*; and
No. —. *EX PARTE CARL JACKSON*. January 10, 1944.
The motions for leave to file petitions for writs of habeas corpus are denied.

DECISIONS GRANTING CERTIORARI, FROM OCTOBER 4, 1943, THROUGH JANUARY 10, 1944.

No. 71. *UNITED STATES v. LAUDANI*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Fahy* for the United States. *Mr. Harold Simandl* for respondent. Reported below: 134 F. 2d 847.

No. 75. *UNITED STATES v. BLAIR, INDIVIDUALLY AND TO THE USE OF ROANOKE MARBLE & GRANITE CO., INC.* October 11, 1943. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Fahy* for the United States. *Messrs. H. C. Kilpatrick and Richard S. Doyle* for respondent. Reported below: 99 Ct. Cls. 71.

No. 84. *DIXIE PINE PRODUCTS CO. v. COMMISSIONER OF INTERNAL REVENUE*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. T. J. Wills* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Samuel H. Levy, and Mrs. Maryhelen Wigle* for respondent. Reported below: 134 F. 2d 273.