

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

No. 95. MOODY BIBLE INSTITUTE *v.* CHICAGO. See *ante*, p. 705.

No. 275. PARKER ET AL. *v.* MISSISSIPPI. See *ante*, p. 705.

No. 213. TWISP MINING & SMELTING CO. *v.* CHELAN
MINING CO. ET AL. See *ante*, p. 705.

No. 72. COWAN *v.* FALLBROOK PUBLIC UTILITY DISTRICT. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Wm. G. Junge* for petitioner. *Mr. Albert J. Lee* for respondent. Reported below: 131 F. 2d 513.

No. 74. RAPHAEL *v.* COMMISSIONER OF INTERNAL REVENUE. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Byron C. Hanna and Harold C. Morton* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, Samuel H. Levy, and Warren F. Wattles* for respondent. Reported below: 133 F. 2d 442.

No. 76. DANT & RUSSELL, INC. *v.* BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES ET AL. October 11, 1943. Petition for writ of certiorari to the Supreme Court of California denied. *Mr. Henry C. Rohr* for petitioner. *Mr. J. H. O'Connor* for respondents. Reported below: 21 Cal. 2d 534, 133 P. 2d 817.

No. 77. *MCGREGOR ET AL. v. UNITED STATES*. October 11, 1943. Petition for writ of certiorari to the Court of Claims denied. *Messrs. William E. Leahy, Nicholas J. Chase, and Eugene B. Sullivan, and M. Pearl McCall* for petitioners. *Assistant Solicitor General Cox and Assistant Attorney General Shea* for the United States. Reported below: 98 Ct. Cls. 638.

No. 78. *FINCK CIGAR Co., INC. v. COMMISSIONER OF INTERNAL REVENUE*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Claude V. Birkhead* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and F. E. Youngman, and Miss Helen R. Carloss* for respondent. Reported below: 134 F. 2d 261.

No. 79. *CALDWELL v. TRAVELERS INSURANCE Co.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Thomas B. Pryor and Thomas B. Pryor, Jr.* for petitioner. *Messrs. Joseph M. Hill and Henry L. Fitzhugh* for respondent. Reported below: 133 F. 2d 649.

No. 80. *LA SOCIETE FRANCAISE DE BIENFAISANCE MUTUELLE v. CALIFORNIA EMPLOYMENT COMMISSION*. October 11, 1943. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, of California denied. *Mr. Charles D. Hamel* for petitioner. *Messrs. Robert W. Kenny, Attorney General of California, and Clarence A. Linn, Deputy Attorney General*, for respondent. Reported below: 56 Cal. App. 2d 534, 133 P. 2d 47.

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No. 81. MIDDLE WEST CONSTRUCTION, INC. *v.* METROPOLITAN DISTRICT. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. George H. Cohen* for petitioner. *Mr. W. Arthur Countryman, Jr.* for respondent. Reported below: 133 F. 2d 468.

No. 82. PARKER *v.* UNITED STATES ET AL. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Richard Wait* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark*, and *Messrs. Kenneth L. Kimble and John S. L. Yost* for respondents. Reported below: 135 F. 2d 54.

No. 89. JACKSONVILLE PAPER CO. *v.* UNITED STATES. October 11, 1943. Petition for writ of certiorari to the United States Court of Customs & Patent Appeals denied. *Messrs. Louis Kurz and Thos. B. Adams* for petitioner. *Solicitor General Fahy, Assistant Attorney General Rao*, and *Messrs. John R. Benney and Robert L. Stern* for the United States. Reported below: 30 C. C. P. A. (Customs) 159.

No. 90. TRUST COMPANY OF CHICAGO, ADMINISTRATOR, ET AL. *v.* CHICAGO ET AL. October 11, 1943. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Messrs. Weightstill Woods and Horace Russell* for petitioners. *Messrs. Barnet Hodes and J. Herzl Segal* for respondents.

No. 93. MCCOLGAN, FRANCHISE TAX COMMISSIONER, *v.* MAIER BREWING CO. ET AL. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for

the Ninth Circuit denied. *Messrs. Robert W. Kenny*, Attorney General of California, and *Hartwell H. Linney*, Assistant Attorney General, for petitioner. *Mr. Norman A. Bailie* for respondents. Reported below. 134 F. 2d 385.

No. 96. *PETTY v. MISSOURI & ARKANSAS RAILWAY CO.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Arkansas denied. *Messrs. W. R. Donham* and *Sam M. Wassell* for petitioner. *Messrs. W. S. Walker* and *Virgil D. Willis* for respondent. Reported below: 205 Ark. 990, 167 S. W. 2d 895.

No. 97. *WEST VIRGINIA GLASS SPECIALTY CO. v. NATIONAL LABOR RELATIONS BOARD.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Herbert M. Blair*, *Birk S. Stathers*, and *W. G. Stathers* for petitioner. *Assistant Solicitor General Cox*, *Messrs. Robert B. Watts* and *Ernest A. Gross*, and *Misses Ruth Weyand* and *Fannie M. Boyls* for respondent. Reported below: 134 F. 2d 551.

No. 101. *KEESHIN MOTOR EXPRESS CO., INC. v. INTERSTATE COMMERCE COMMISSION.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Luther M. Walter* and *Floyd F. Shields*, and *Mrs. Helen W. Munsert* for petitioner. *Solicitor General Fahy* and *Messrs. Daniel W. Knowlton*, *Allen Crenshaw*, and *Gregory U. Harmon* for respondent. Reported below: 134 F. 2d 228.

No. 102. *NORTH CAROLINA FINISHING CO. v. NATIONAL LABOR RELATIONS BOARD.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Ap-

peals for the Fourth Circuit denied. *Mr. Burton Craige* for petitioner. *Assistant Solicitor General Cox, Messrs. Robert B. Watts, Ernest A. Gross, Millard Cass, and Miss Ruth Weyand*, for respondent. Reported below: 133 F. 2d 714.

No. 104. *PACIFIC STATES SAVINGS & LOAN CO. ET AL. v. TREDE ET AL.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of California denied. *Messrs. Byron C. Hanna and Harold C. Morton* for petitioners. *Mr. Robert W. Kenny*, Attorney General of California, and *Mrs. Lenore D. Underwood*, Deputy Attorney General, for respondents. Reported below: 21 Cal. 2d 630, 134 P. 2d 745.

No. 106. *SEIDENBACH v. MARYLAND CASUALTY CO.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. William J. Dempsey* for petitioner. Reported below: 133 F. 2d 573.

No. 107. *KEASBEY & MATTISON CO. v. ROTHENSIES, COLLECTOR OF INTERNAL REVENUE.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Charles Myers* for petitioner. *Assistant Solicitor General Cox, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, Samuel H. Levy, and F. E. Youngman* for respondent. Reported below: 133 F. 2d 894.

No. 108. *WALLACE, DOING BUSINESS AS WALLACE LABORATORIES, v. F. W. WOOLWORTH CO.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. W. B.*

Morton and H. Stanley Mansfield for petitioner. *Mr. Roberts B. Larson* for respondent. Reported below: 133 F. 2d 763.

No. 110. *BARNETT, TRUSTEE IN BANKRUPTCY, v. MARYLAND CASUALTY CO.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. David Ralph Hertz* for petitioner. *Mr. C. M. Vrooman* for respondent. Reported below: 134 F. 2d 725.

No. 219. *CONTINENTAL CASUALTY CO. v. BARNETT, TRUSTEE.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Lloyd F. Loux* for petitioner. *Mr. David Ralph Hertz* for respondent. Reported below: 134 F. 2d 725.

No. 111. *PINE v. UNITED STATES.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. James M. Carson and Vincent C. Giblin* for petitioner. *Assistant Solicitor General Cox, Assistant Attorney General Berge, and Messrs. Oscar A. Provost, Edward G. Jennings, and W. Marvin Smith* for the United States. Reported below: 135 F. 2d 353.

No. 114. *J. L. HUDSON CO. v. NATIONAL LABOR RELATIONS BOARD.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Hal H. Smith and Archibald Broomfield* for petitioner. *Assistant Solicitor General Cox, Messrs. Robert B. Watts, Ernest A. Gross, John E. Lawyer, and Miss Ruth Weyand* for respondent. Reported below: 135 F. 2d 380.

No. 116. *LANE-WELLS COMPANY ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Raphael Dechter* for petitioners. *Assistant Solicitor General Cox, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and F. E. Youngman, and Miss Helen R. Carloss* for respondent. Reported below: 134 F. 2d 977.

No. 118. *KIKER v. PHILADELPHIA ET AL.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Messrs. Ralph W. Wescott, Louis B. LeDuc, and George P. Williams, Jr.* for petitioner. *Mr. Abraham Wernick* for respondents. Reported below: 346 Pa. 624, 31 A. 2d 289.

No. 120. *OSWALD v. UNITED STATES*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John K. Hagopian* for petitioner. *Assistant Solicitor General Cox, Assistant Attorney General Littell, and Messrs. Vernon L. Wilkinson and Roger P. Marquis* for the United States. Reported below: 133 F. 2d 82.

No. 121. *BARNES v. PENNSYLVANIA EX REL. BARNES*. October 11, 1943. Petition for writ of certiorari to the Superior Court of Pennsylvania denied. *Messrs. Charles S. Thompson and George W. Cupps, Jr.* for petitioner. *Mr. Samuel Kagle* for respondent. Reported below: 151 Pa. Super. 202, 30 A. 2d 437.

No. 122. *MUSKEGON MOTOR SPECIALTIES Co. v. COMMISSIONER OF INTERNAL REVENUE*. October 11, 1943.

Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Hal H. Smith and Archibald Broomfield* for petitioner. *Assistant Solicitor General Cox, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, Samuel H. Levy, and Joseph M. Jones* for respondent. Reported below: 134 F. 2d 904.

No. 124. *ROYER, ADMINISTRATRIX, v. GREINER.* October 11, 1943. Petition for writ of certiorari to the Superior Court of Pennsylvania denied. *Anna Royer, pro se.* Reported below: 151 Pa. Super. 515, 30 A. 2d 621.

No. 126. *THOMAS P. NICHOLS & SON CO. v. NATIONAL CITY BANK OF LYNN ET AL.* October 11, 1943. Petition for writ of certiorari to the Superior Court, Essex County, Massachusetts, denied. *Mr. Arthur V. Getchell* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Paul A. Sweeney and Francis C. Brown* for the Federal Deposit Insurance Corporation, respondent.

No. 127. *CREEKMORE, GENERAL CHAIRMAN OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES, v. PUBLIC BELT RAILROAD COMMISSION ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. James J. Farnan and Martin F. O'Donoghue* for petitioner. *Mr. Alfred C. Kammer* for respondents. Reported below: 134 F. 2d 576.

No. 128. *SKINNER v. DINGWELL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Elmer McClain*

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for petitioner. *Mr. Vincent Starzinger* for respondent. Reported below: 134 F. 2d 391.

No. 129. MORRIS INVESTMENT CORP. *v.* COMMISSIONER OF INTERNAL REVENUE. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Edward L. Blackman* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Mr. Sewall Key* for respondent. Reported below: 134 F. 2d 774.

No. 136. LANGFIELD, DOING BUSINESS AS SOLVITE COMPANY, *v.* SOLVENTOL CHEMICAL PRODUCTS, INC. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Edward S. Rogers, William T. Woodson, Sherwin A. Hill, and Karl D. Loos* for petitioner. *Mr. Arthur W. Dickey* for respondent. Reported below: 134 F. 2d 899.

No. 138. MORRELL *v.* CITY OF NEW YORK ET AL. October 11, 1943. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. David V. Cahill* for petitioner. *Messrs. Paxton Blair and Charles F. Murphy* for respondents. Reported below: 290 N. Y. 606, 48 N. E. 2d 708.

No. 139. PERRY *v.* UNITED STATES. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Meyer J. Sawyer* for petitioner. *Solicitor General Fahy, Assistant Attorney General Berge, Mr. Oscar A. Provost, and Miss Melva M. Graney* for the United States. Reported below: 136 F. 2d 109.

No. 140. *ATWOOD ET AL. v. KLEBERG, EXECUTRIX, ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Brady Cole* for petitioners. *Mr. Leroy G. Denman* for Alice G. K. Kleberg, Executrix, et al.; and *Messrs. R. E. Seagler* and *E. E. Townes* for the Humble Oil & Refining Co.,—respondents. Reported below: 135 F. 2d 452.

No. 147. *MILLER v. MILLER.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Lloyd G. Owen, A. Flint Moss, and Villard Martin* for petitioner. *Mr. John Ladner* for respondent. Reported below: 134 F. 2d 583.

No. 148. *MATCOVICH v. ANGLIM, COLLECTOR OF INTERNAL REVENUE.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Horace B. Wulff* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and J. Louis Monarch* for respondent. Reported below: 134 F. 2d 834.

No. 149. *CELANESE CORPORATION OF AMERICA v. LIBBEY-OWENS-FORD GLASS CO.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Drury W. Cooper and Clifton V. Edwards* for petitioner. *Messrs. Edwin J. Marshall and George I. Haight* for respondent. Reported below: 135 F. 2d 138.

No. 151. *FIRST TRUST & DEPOSIT CO. ET AL., EXECUTORS, v. SHAUGHNESSY, COLLECTOR OF INTERNAL REVENUE.* October 11, 1943. Petition for writ of certiorari

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to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Henry S. Fraser* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Edward First*, and *Miss Helen R. Carloss* for respondent. Reported below: 134 F. 2d 940.

No. 152. *BUCKEYE UNION CASUALTY CO. v. RANALLO ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Wm. M. Byrnes* for petitioner. *Mr. C. M. Horn* for respondents. Reported below: 135 F. 2d 921.

No. 153. *FARRELL v. COMMISSIONER OF INTERNAL REVENUE.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Charles D. Hamel and John Enrietto* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Mrs. Maryhelen Wigle* for respondent. Reported below: 134 F. 2d 193.

No. 156. *BURNS v. UNITED STATES.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Alex. Simpson* 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 867.

No. 160. *REID, CIRCUIT JUDGE, v. SECOND NATIONAL BANK & TRUST CO. ET AL.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Messrs. Nelson Hartson and William Alfred Luck-*

ing for petitioner. *Mr. Thomas G. Long* for respondents. Reported below: 304 Mich. 376, 8 N. W. 2d 104.

No. 162. *KLINGER v. UNITED STATES*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Louis Halle* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Tom C. Clark*, and *Messrs. Robert L. Wright* and *Kenneth L. Kimble* for the United States. Reported below: 136 F. 2d 677.

No. 163. *WESTERN CARTRIDGE CO. ET AL. v. NATIONAL LABOR RELATIONS BOARD ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Thomas S. McPhee* and *Henry Davis* for petitioners. *Solicitor General Fahy*, *Mr. Robert B. Watts*, and *Miss Ruth Weyand* for respondents. Reported below: 134 F. 2d 240.

No. 164. *HOLLAND FURNACE CO. v. DEPARTMENT OF TREASURY ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Earl B. Barnes*, *Alan W. Boyd*, *Charles M. Wells*, and *Benj. F. J. Odell* for petitioner. *Messrs. James A. Emmert*, *Attorney General of Indiana*, *Joseph W. Hutchinson*, *David I. Day, Jr.*, *Byron B. Ems-willer*, and *Winslow Van Horne*, *Deputy Attorneys General*, for respondents. Reported below: 133 F. 2d 212.

No. 165. *INTERSTATE ROOFING & SUPPLY CO. v. DEPARTMENT OF TREASURY ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Earl B. Barnes*,

Alan W. Boyd, Charles M. Wells, and Benj. F. J. Odell for petitioner. *Messrs. James A. Emmert*, Attorney General of Indiana, *Joseph W. Hutchinson, David I. Day, Jr., Byron B. Emswiller, John J. McShane*, and *Winslow Van Horne*, Deputy Attorneys General, for respondents. Reported below: 133 F. 2d 212.

No. 166. *GREAT LAKES DREDGE & DOCK CO. ET AL. v. DEPARTMENT OF TREASURY ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Earl B. Barnes, Alan W. Boyd, Charles M. Wells, and Benj. F. J. Odell* for petitioners. *Messrs. James A. Emmert*, Attorney General of Indiana, *Joseph W. Hutchinson, David I. Day, Jr., Byron B. Emswiller*, and *John J. McShane*, Deputy Attorneys General, for respondents. Reported below: 133 F. 2d 212.

No. 168. *DENNEY v. FORT RECOVERY BANKING CO.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Elmer McClain* for petitioner. *Mr. Orel J. Myers* for respondent. Reported below: 135 F. 2d 184.

No. 169. *I. T. S. COMPANY v. SEIBERLING RUBBER CO. ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. F. O. Richey and H. F. McNenny* for petitioner. *Messrs. Arthur H. VanHorn and Harvey R. Hawgood* for respondents. Reported below: 134 F. 2d 871.

No. 172. *WASHINGTON WATER POWER CO. ET AL. v. UNITED STATES.* October 11, 1943. Petition for writ of

certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Henry E. T. Herman and Richard W. Nuzum*, Assistant Attorney General of the State of Washington, for petitioners. *Solicitor General Fahy, Assistant Attorney General Littell*, and *Messrs. Arnold Raum and Vernon L. Wilkinson* for the United States. Reported below: 135 F. 2d 541.

No. 173. *RICH v. RICH*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Joseph Nemerov, Maurice J. Dix*, and *George Gussaroff* for petitioner. Reported below: 134 F. 2d 779.

No. 174. *CITY OF YOUNGSTOWN v. ERIE RAILROAD CO.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Charles S. Rhyne* for petitioner. *Mr. James E. Bennett* for respondent. Reported below: 133 F. 2d 730.

No. 175. *ANDREWS v. COMMISSIONER OF INTERNAL REVENUE*;

No. 176. *RAINEY ET AL., EXECUTORS, v. COMMISSIONER OF INTERNAL REVENUE*;

No. 177. *RAINEY v. COMMISSIONER OF INTERNAL REVENUE*;

No. 178. *STODDARD v. COMMISSIONER OF INTERNAL REVENUE*; and

No. 179. *ANDREWS v. COMMISSIONER OF INTERNAL REVENUE*. October 11, 1943. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Alexander S. Andrews* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr.*, and *Messrs. Sewall Key, Samuel H.*

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Levy, and *F. E. Youngman* for respondent. Reported below: 135 F. 2d 314.

No. 180. *TRANSBAY CONSTRUCTION CO. v. CITY AND COUNTY OF SAN FRANCISCO*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Sidney M. Ehrman* and *H. Thomas Austern* for petitioner. *Messrs. Dion R. Holm*, *Henry Heidelberg*, and *Maurice E. Harrison* for respondent. Reported below: 134 F. 2d 468.

No. 181. *LIPPARD ET AL. v. NORTH CAROLINA*. October 11, 1943. Petition for writ of certiorari to the Supreme Court of North Carolina denied. *Mr. John M. Robinson* for petitioners. *Messrs. Harry McMullan*, Attorney General of North Carolina, and *Hughes J. Rhodes*, Assistant Attorney General, for respondent. Reported below: 223 N. C. 167, 25 S. E. 2d 594.

No. 182. *SCHIAVONE-BONOMO CORPORATION v. BOUCHARD TRANSPORTATION CO., INC. ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Paul Speer* for petitioner. *Messrs. Frank C. Mason* and *Edward L. P. O'Connor* for the Bouchard Transportation Co.; and *Mr. John C. Crawley* for the Buffalo Barge Towing Corporation,—respondents. Reported below: 134 F. 2d 1022.

No. 184. *COVER v. CHICAGO EYE SHIELD CO.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Joshua R. H. Potts* and *Eugene Vincent Clarke* for petitioner. *Mr. Franklin M. Warden* for respondent. Reported below: 136 F. 2d 374.

No. 185. *SNYDER v. PROVIDENT TRUST CO.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Mr. Norman J. Griffin* for petitioner. Reported below: 346 Pa. 615, 31 A. 2d 132.

No. 186. *PATCH v. STAHLY.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Lloyd W. Patch* for petitioner. Reported below: 135 F. 2d 269.

No. 188. *BAUMER v. FRANKLIN COUNTY DISTILLING CO., INC.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Frank S. Ginocchio* for petitioner. *Mr. Leslie W. Morris* for respondent. Reported below: 135 F. 2d 384.

No. 192. *EVANS v. SOUTH CAROLINA.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of South Carolina denied. *Mr. John F. Williams* for petitioner. Reported below: 202 S. C. 463, 25 S. E. 2d 492.

No. 194. *WILLIAMS ET AL. v. UNITED STATES.* October 11, 1943. Petition for writ of certiorari to the Court of Claims denied. *Mr. Carl J. Batter* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and J. Louis Monarch, and Mrs. Elizabeth B. Davis* for the United States. Reported below: 99 Ct. Cls. 203.

No. 225. *INSULAR SUGAR REFINING CORP. v. UNITED STATES.* October 11, 1943. Petition for writ of certiorari to the Court of Claims denied. *Mr. J. Sterling Halstead*

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for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Samuel H. Levy, and Mrs. Elizabeth B. Davis* for the United States. Reported below: 99 Ct. Cls. 345.

No. 196. *GARRISON v. UNITED STATES*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Ben F. Cameron* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for the United States. Reported below: 135 F. 2d 877.

No. 197. *DELEND0 CORPORATION (FORMERLY OLDE-TYME DISTILLERS CORPORATION) ET AL. v. SMOLOWE ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Jay Leo Rothschild* for petitioners. *Solicitor General Fahy and Mr. Chester T. Lane* for the United States, respondent. Reported below: 136 F. 2d 231.

No. 199. *ALFRED I. DUPONT TESTAMENTARY TRUST ET AL. v. OKEECHOBEE COUNTY*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Giles J. Patterson* for petitioners. Reported below: 135 F. 2d 577.

No. 202. *PAN AMERICAN AIRWAYS, INC. ET AL. v. UNITED STATES*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Henry J. Friendly and J. E. Yonge* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Er-*

dahl for the United States. Reported below: 135 F. 2d 51.

No. 203. *BARBER v. POWELL ET AL., RECEIVERS.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. K. R. Hoyle* for petitioner. *Messrs. L. R. Varser and O. L. Henry* for respondents. Reported below: 135 F. 2d 728.

No. 204. *MEAD JOHNSON & Co. v. HILLMAN'S, INC.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Russell Wiles, George A. Chritton, and Jules L. Brady* for petitioner. *Messrs. S. Warwick Keegin and William A. McSwain* for respondent. Reported below: 135 F. 2d 955.

No. 205. *CITIZENS & SOUTHERN NATIONAL BANK, CO-TRUSTEE, v. COMMISSIONER OF INTERNAL REVENUE.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. McKibben Lane and Charles J. Bloch* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, Samuel H. Levy, and Joseph M. Jones* for respondent. Reported below: 136 F. 2d 406.

No. 206. *MISSISSIPPI ROAD SUPPLY Co. v. WALLING, ADMINISTRATOR.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Pat H. Eager, Jr.* for petitioner. *Solicitor General Fahy and Messrs. Douglas B. Maggs and Irving J. Levy* for respondent. Reported below: 136 F. 2d 391.

No. 207. RARITAN COMPANY, INC. *v.* COMMISSIONER OF INTERNAL REVENUE. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Paul F. Myers and James Craig Peacock* 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: 136 F. 2d 364.

No. 208. NATIONAL MINERAL CO. *v.* NATIONAL LABOR RELATIONS BOARD. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Lloyd L. Lanham* for petitioner. *Solicitor General Fahy, Mr. Robert B. Watts, and Miss Ruth Weyand* for respondent. Reported below: 134 F. 2d 424.

No. 210. WERNER *v.* HEIN-WERNER MOTOR PARTS CORP. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. S. L. Wheeler* for petitioner. *Mr. Arthur H. Boettcher* for respondent. Reported below: 135 F. 2d 187.

No. 216. PUERTO RICO, ON BEHALF OF THE ISABELA IRRIGATION SERVICE, *v.* UNITED STATES ET AL. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. William Catron Rigby* for petitioner. *Solicitor General Fahy, Assistant Attorney General Littell, and Messrs. Vernon L. Wilkinson and Lawrence Vold* for respondents. Reported below: 134 F. 2d 267.

No. 220. GORMLY *v.* UNITED STATES. October 11, 1943. Petition for writ of certiorari to the Circuit Court

of Appeals for the Seventh Circuit denied. *Mr. Perry J. Stearns* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark*, and *Messrs. Oscar A. Provost and Valentine Brookes* for the United States. Reported below: 136 F. 2d 227.

No. 221. *DEAN, DOING BUSINESS AS RED RIVER BARGE LINE, v. BARGE TRANSPORT Co.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs L. J. Benckenstein, George W. Brown, Jr., and Selim B. Lemle* for petitioner. *Mr. H. Cecil Kilpatrick* for respondent. Reported below: 135 F. 2d 731.

No. 224. *VERTEX INVESTMENT Co. v. SCHWABACHER ET AL., EXECUTORS, ET AL.* October 11, 1943. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, of California denied. *Mr. Philip S. Ehrlich* for petitioner. *Mr. Maurice E. Harrison* for respondents. Reported below: 57 Cal. App. 2d 406, 134 P. 2d 891.

No. 228. *MORRIS & ESSEX RAILROAD Co. ET AL. v. UNITED STATES.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Frederick M. Schlater and Samuel Hershenstein* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, and Paul R. Russell* for the United States. Reported below: 135 F. 2d 711.

No. 229. *COLLINS ET AL. v. O'CONNELL ET UX.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr.*

Thomas Owen Marlar for petitioners. *Mr. J. L. Gust* for respondents. Reported below: 136 F. 2d 141.

No. 230. *WESTGATE v. TIMMER, RECEIVER, ET AL.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Elmore L. Westgate, pro se. Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Homer R. Miller, and Miss Helen R. Carloss* for the United States; and *Bertha L. Westgate, pro se*,—respondents. Reported below: 305 Mich. 423, 9 N. W. 2d 661.

No. 231. *UNITED STATES EX REL. PARKER v. CAREY, SHERIFF.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Wm. Scott Stewart* for petitioner. Reported below: 135 F. 2d 205.

No. 233. *NYE v. UNITED STATES.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. L. R. Varser, Ozmer L. Henry, and R. A. McIntyre* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Oscar A. Provost* for the United States. Reported below: 137 F. 2d 73.

No. 236. *UNITED STATES EX REL. GUTTERSON v. THOMPSON, WARDEN.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. David Saperstein* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and W. Marvin Smith* for respondent. Reported below: 135 F. 2d 626.

No. 237. *JAPHA v. PUBLIC SERVICE COMPANY OF NORTHERN ILLINOIS ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Irving L. Schanzer* for petitioner. *Mr. Howard D. Moses* for respondents. Reported below: 122 F. 2d 1023.

No. 238. *NORRIS ET AL., EXECUTORS, v. COMMISSIONER OF INTERNAL REVENUE.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Perry J. Stearns* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, and L. W. Post* for respondent. Reported below: 134 F. 2d 796.

Nos. 241 and 242. *UNDERWRITERS' LABORATORIES, INC. v. COMMISSIONER OF INTERNAL REVENUE.* October 11, 1943. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Louis Johnson, Jay C. Halls, and Samuel H. Horne* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Miss Helen R. Carrillo* for respondent. Reported below: 135 F. 2d 371.

No. 243. *SALOMON v. CITY OF NEW YORK ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Solomon G. Salomon* for petitioner. *Messrs. Paxton Blair, Leo Brown, Clifton Murphy, Edwin S. S. Sunderland, and Philip A. Carroll* for respondents. Reported below: 136 F. 2d 681.

No. 244. *MORRISDALE COAL CO. v. UNITED STATES.* October 11, 1943. Petition for writ of certiorari to the

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Circuit Court of Appeals for the Third Circuit denied. *Messrs. Geo. E. H. Goodner and Scott P. Crampton* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, and F. E. Youngman* for the United States. Reported below: 135 F. 2d 921.

No. 245. *STECKLER, ADMINISTRATOR, v. PENNROAD CORPORATION ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Emil Weitzner* for petitioner. *Messrs. C. B. Heiserman, R. Sturgis Ingersoll, Elder W. Marshall, and Thomas Stokes* for respondents. Reported below: 136 F. 2d 197.

No. 246. *A. M. BYERS COMPANY v. PENNSYLVANIA.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Mr. William M. Young* for petitioner. Reported below: 346 Pa. 555, 31 A. 2d 530.

No. 248. *GENERAL MANAGEMENT CORPORATION v. COMMISSIONER OF INTERNAL REVENUE.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Carl Meyer and Harry Thom* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and Samuel H. Levy* for respondent. Reported below: 135 F. 2d 882.

No. 249. *EVANGELICAL LUTHERAN SYNOD v. FIRST ENGLISH LUTHERAN CHURCH ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. W. R. Bleakmore*

for petitioner. *Mr. J. D. Lydick* for respondents. Reported below: 135 F. 2d 701.

No. 253. *TWINING ET AL., NATURAL GUARDIANS, ET AL. v. LAND TITLE BANK & TRUST CO., TRUSTEE.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Mr. Henry D. O'Connor* for petitioners. *Mr. Walter J. Brobyn* for respondent. Reported below: 347 Pa. 221, 32 A. 2d 23.

No. 254. *EASTERN WINE CORP. v. WINSLOW-WARREN, LTD., INC.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Asher Blum* for petitioner. Reported below: 137 F. 2d 955.

No. 255. *PRICE v. LOUISIANA RURAL REHABILITATION CORPORATION.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. G. P. Bullis* for petitioner. *Solicitor General Fahy* for respondent. Reported below: 134 F. 2d 548.

No. 256. *WHITMORE ET AL. v. PENNSYLVANIA SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Messrs. George I. Puhak, Carroll L. Beedy, Warren E. Magee, and Preston B. Kavanagh* for petitioners. *Messrs. Everett H. Brown, Jr. and Frederic L. Clark* for respondent. Reported below: 346 Pa. 610, 31 A. 2d 280.

No. 257. *FEDERAL CRUDE OIL CO. v. TEXAS.* October 11, 1943. Petition for writ of certiorari to the Court of

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Civil Appeals, 3d Supreme Judicial District, of Texas denied. *Mr. Wm. D. Gordon* for petitioner. Reported below: 169 S. W. 2d 283.

No. 259. *TILNEY ET AL. v. CHICAGO ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Weightstill Woods* for petitioners. *Messrs. Barnet Hodes, Joseph F. Grossman, and J. Herzl Segal* for respondents. Reported below: 134 F. 2d 682.

No. 260. *HIRSCH v. UNITED STATES.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Loring M. Black* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and Fred E. Strine* for the United States. Reported below: 136 F. 2d 976.

No. 263. *HERNDON v. NORTH CAROLINA.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of North Carolina denied. *Messrs. Malcolm McQueen and Robert H. Dye* for petitioner. *Messrs. Harry McMullan, Attorney General of North Carolina, and Hughes J. Rhodes, Assistant Attorney General*, for respondent. Reported below: 223 N. C. 208, 25 S. E. 2d 611.

No. 268. *BENNETT v. DE GEETER.* October 11, 1943. Petition for writ of certiorari to the Court of Errors and Appeals of New Jersey denied. *Mr. Ellwood Thomas* for petitioner. *Mr. Milton T. Lasher* for respondent. Reported below: 133 N. J. Eq. 349, 32 A. 2d 335.

No. 269. GEOPHYSICAL DEVELOPMENT CORPORATION ET AL. *v.* COE, COMMISSIONER OF PATENTS. October 11, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Lawrence Koenigsberger* for petitioners. *Solicitor General Fahy, Assistant Attorney General Shea*, and *Mr. Joseph Y. Houghton* for respondent. Reported below: 136 F. 2d 275.

No. 270. WALLACE *v.* DELAWARE RIVER FERRY Co. October 11, 1943. Petition for writ of certiorari to the Court of Errors and Appeals of New Jersey denied. *Mr. William C. Gotshalk* for petitioner. *Messrs. Samuel H. Richards* and *Floyd H. Bradley* for respondent. Reported below: 130 N. J. L. 216, 32 A. 2d 363.

No. 272. PARSHESKY *v.* COMMISSIONER OF INTERNAL REVENUE. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Lawrence A. Baker* and *Henry Ravenel* 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. Reported below: 135 F. 2d 596.

No. 273. IN THE MATTER OF I. WALTER MECKLEY. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Wm. A. Gray* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Oscar A. Provost*, and *Miss Melva M. Graney* for the United States, in opposition. Reported below: 137 F. 2d 310.

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No. 279. *WITHROW, TRADING AS ROYAL BLUE CAB CO., ET AL. v. EDWARDS, ADMINISTRATRIX.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. *Mr. John S. Rixey* for petitioners. Reported below: 181 Va. 592, 25 S. E. 2d 899.

No. 281. *THOMSON ET AL. v. BUTLER ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. W. H. H. Piatt and Ernest D. Martin* for petitioners. *Mr. Henry N. Ess* for respondents. Reported below: 136 F. 2d 644.

No. 290. *AMERICAN ANODE, INC. v. DEWEY & ALMY CHEMICAL CO.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Harrison F. Lyman* for petitioner. *Mr. George P. Dike* for respondent. Reported below: 137 F. 2d 68.

Nos. 300 and 304. *AXELRATH v. SPENCER KELLOGG & SONS, INC.* October 11, 1943. Petition for writs of certiorari to the Court of Appeals of New York denied. *Messrs. Sydney J. Schwartz and Howard F. R. Mulligan* for petitioner. *Mr. Carver W. Wolfe* for respondent. Reported below: 290 N. Y. 767, 50 N. E. 2d 103.

No. 307. *HOME ICE CO. v. CHAPMAN ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Julian C. Wilson* for petitioner. Reported below: 136 F. 2d 353.

No. 92. *SWAN CARBURETOR Co. v. NASH MOTOR Co.* October 11, 1943. The motion to supplement and amend the petition for writ of certiorari is granted. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. F. O. Richey, B. D. Watts, and Edwin F. Samuels* for petitioner. *Mr. William J. Barnes* for respondent. Reported below: 133 F. 2d 562.

No. 100. *Doss v. ILLINOIS.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Illinois 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. *Mr. A. M. Fitzgerald* for petitioner. *Messrs. George F. Barrett, Attorney General of Illinois, and William C. Wines, Assistant Attorney General*, for respondent. Reported below: 382 Ill. 307, 46 N. E. 2d 984.

No. 170. *STOIKE v. FIRST NATIONAL BANK OF THE CITY OF NEW YORK.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. Daniel William Leider* for petitioner. *Mr. Lowell Wadmond* for respondent. *Solicitor General Fahy* and *Mr. Douglas B. Maggs* filed a brief on behalf of the Administrator of the Wage and Hour Division, U. S. Dept. of Labor, as *amicus curiae*, in support of the petition. Reported below: 290 N. Y. 195, 48 N. E. 2d 482.

No. 191. *COYLE v. NEW YORK.* October 11, 1943. Petition for writ of certiorari to the Court of Appeals of New York denied. *Mr. David P. Siegel* for petitioner. *Mr. Stanley H. Fuld* for respondent. Reported below: 290 N. Y. 765, 50 N. E. 2d 102.

No. 212. *OSBORNE v. SOUTH CAROLINA*. October 11, 1943. Petition for writ of certiorari to the Supreme Court of South Carolina denied. MR. JUSTICE MURPHY is of the opinion that the petition should be granted. *Sammie Osborne, pro se*. Reported below: 202 S. C. 473, 25 S. E. 2d 561.

No. 218. *SKIDMORE ET AL. v. SWIFT & Co.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. MR. JUSTICE BLACK is of the opinion that the petition should be granted. *Mr. Mack Taylor* for petitioners. Reported below: 136 F. 2d 112.

No. 271. *STILWELL v. NORMENT ET AL.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit 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. *Mr. Clive L. Wright* for petitioner. *Mr. Edwin J. Culligan* for respondents. Reported below: 135 F. 2d 132.

No. 288. *SWISS NATIONAL INSURANCE Co., LTD. v. CROWLEY, ALIEN PROPERTY CUSTODIAN, ET AL.* October 11, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. The CHIEF JUSTICE, MR. JUSTICE MURPHY, and MR. JUSTICE JACKSON took no part in the consideration or decision of this application. *Messrs. Frederic R. Coudert and Alexis C. Coudert* for petitioner. *Solicitor General Fahy, Assistant Attorney General Cox, and Messrs. George A. McNulty, Harry Leroy Jones, Robert L. Stern, and Frederick L. Smith* for respondents. Reported below: 136 F. 2d 265.

No. 234. *SNIDER v. KELLY ET AL.*; and

No. 240. *WAYNE v. ROBINSON ET AL.* October 11, 1943. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia denied. MR. JUSTICE RUTLEDGE took no part in the consideration or decision of these applications. *Mr. Cornelius H. Doherty* for petitioner in No. 234; *Messrs. John H. Bruninga, John H. Sutherland, and Chas. E. Riordon* for petitioner in No. 240. *Messrs. Louis M. Denit, Thomas S. Jackson, and A. Leckie Cox* for respondents in No. 234; *Messrs. Raymond F. Adams and Lee B. Kemon* for respondents in No. 240. Reported below: No. 234, 135 F. 2d 817; No. 240, 136 F. 2d 767.

No. 125. *DEATHERAGE v. PLUMMER, WARDEN.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of California denied. *Thaddeus Deatherage, pro se.*

No. 135. *CANNES v. OKLAHOMA.* October 11, 1943. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied. *Bill Cannes, pro se.* Reported below: 138 P. 2d 561.

No. 137. *POWELL v. SANFORD, WARDEN.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Joe T. Powell, pro se. Solicitor General Fahy, Assistant Attorney General Berge, and Mr. Oscar A. Provost* for respondent. Reported below: 136 F. 2d 58.

No. 141. *BAILEY v. MISSOURI.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of

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Missouri denied. *George William Bailey, pro se.* Reported below: 350 Mo. 1259, 169 S. W. 2d 380.

No. 157. *ATWOOD v. HUNTER, WARDEN.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Ivy E. Atwood, pro se. Solicitor General Fahy, Assistant Attorney General Berge, Messrs. Oscar A. Provost and W. Marvin Smith, and Miss Melva M. Graney* for respondent.

No. 171. *SWEARENGIN v. AMRINE, WARDEN, ET AL.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of Kansas denied. *R. B. Swearengin, pro se.* Reported below: 156 Kan. 660, 135 P. 2d 564.

No. 189. *BURROUGHS v. SANFORD, WARDEN.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Laconia Chappelle Burroughs, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Melva M. Graney* for respondent. Reported below: 135 F. 2d 735.

No. 190. *BISTANY v. BROPHY, WARDEN.* October 11, 1943. Petition for writ of certiorari to the Supreme Court of New York denied. *Harvey Bistany, pro se.*

No. 264. *CARR v. MARTIN, WARDEN.* October 11, 1943. Petition for writ of certiorari to the County Court of Wyoming County, New York, denied. *Richard Carr, pro se.*

No. 277. *SPRUILL v. NEWBY, CHAIRMAN*. October 11, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Georgia M. Spruill, pro se.*

No. 289. *STAMPHILL v. JOHNSTON, WARDEN*. October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Dale Stamphill, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Oscar A. Provost and W. Marvin Smith* for respondent. Reported below: 136 F. 2d 291.

No. 297. *TATE v. EMPIRE BUILDING CORP.* October 11, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. W. O. Lowe* for petitioner. Reported below: 135 F. 2d 743.

No. 303. *COLLEY v. TENNESSEE*. October 11, 1943. Petition for writ of certiorari to the Supreme Court of Tennessee denied. *Mr. Jordan Stokes, III*, for petitioner. *Mr. Ernest F. Smith*, Assistant Attorney General of Tennessee, for respondent. Reported below: 179 Tenn. 651, 169 S. W. 2d 848.

No. 332. *LUMARE v. MISSOURI*. October 11, 1943. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Pantaleona Lumare, pro se.*

No. 123. *DEAR v. MAYO, STATE PRISON CUSTODIAN*. October 11, 1943. Petition for writ of certiorari to the Supreme Court of Florida denied. The motion for leave to file petition for writ of habeas corpus is also denied. *Wilbur Dear, pro se.* Reported below: 14 So. 2d 267.

No. 167. *FLOWERS v. FLORIDA*. October 11, 1943. Petition for writ of certiorari to the Supreme Court of Florida denied. MR. JUSTICE MURPHY and MR. JUSTICE DOUGLAS are of the opinion that the petition should be granted. *Mr. William R. Ming, Jr.*, for petitioner. *Mr. J. Tom Watson*, Attorney General of Florida, for respondent. Reported below: 152 Fla. 649, 12 So. 2d 772.

No. 258. *COLEMAN v. DUFFY, WARDEN*. October 11, 1943. Petition for writ of certiorari to the Supreme Court of California denied on the ground that the case is moot. *John Lawrence Coleman, pro se.* Reported below: 20 Cal. 2d 399, 126 P. 2d 349.

No. 261. *SHARPE v. KENTUCKY ET AL.* October 11, 1943. Petition for writ of certiorari to the Court of Appeals of Kentucky denied for the reason that the 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. *Howard M. Sharpe, pro se.* Reported below: 292 Ky. 86, 165 S. W. 2d 993.

No. 187. *NEW YORK EX REL. ROGALSKI v. MARTIN, WARDEN*. October 11, 1943. 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. Pier-
son*, 293 U. S. 52; *Honeyman v. Hanan*, 300 U. S. 14, 18; *Bakery & Pastry Drivers Local 802 v. Wohl*, 313 U. S. 572. *Stephen Rogalski, pro se.* *Messrs. Nathaniel L. Goldstein*, Attorney General of New York, *Orrin G. Judd*, Solicitor General, and *Wendell P. Brown*, First Assistant

Attorney General, for respondent. Reported below: 290 N. Y. 751, 50 N. E. 2d 98.

No. —, original, October Term, 1942. *EX PARTE EDWARD J. BORAH*. See *post*, p. 807.

No. 201. *TROJAN POWDER CO. v. NATIONAL LABOR RELATIONS BOARD*. October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. A. V. Cherbonnier and Robert A. Lilly* for petitioner. *Solicitor General Fahy, Mr. Robert B. Watts*, and *Miss Ruth Weyand* for respondent. Reported below: 135 F. 2d 337.

No. 334. *NATIONAL LABOR RELATIONS BOARD v. AMERICAN TUBE BENDING CO., INC.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Solicitor General Fahy and Mr. Robert B. Watts* for petitioner. *Mr. Luke H. Stapleton* for respondent. Reported below: 134 F. 2d 993.

No. 293. *BROOKS, DOING BUSINESS AS EAST SIDE ICE & FUEL CO., ET AL. v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Loyd E. Roberts* for petitioners. *Mr. Clifford B. Kimberly* for respondent. Reported below: 136 F. 2d 807.

No. 298. *ROBERTS v. UNITED STATES*. October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Lester S.*

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Parsons for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Messrs. Oscar A. Provost and Alvin J. Rockwell, and Miss Beatrice Rosenberg* for the United States. Reported below: 137 F. 2d 412.

No. 306. *WATKINS ET AL., EXECUTORS, ET AL. v. FLY, COLLECTOR OF INTERNAL REVENUE.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Garner W. Green* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Newton K. Fox, and Miss Helen R. Carloss* for respondent. Reported below: 136 F. 2d 578.

No. 309. *VON CLEMM v. UNITED STATES.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Harold H. Corbin* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Arnold Raum and Oscar A. Provost* for the United States. Reported below: 136 F. 2d 968.

No. 313. *GREEN ET AL. v. CITY OF STUART.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Thos. B. Adams* for petitioners. *Mr. Hewen A. Lasseter* for respondent. Reported below: 135 F. 2d 33.

No. 314. *SELSER ET AL. v. CITY OF STUART ET AL.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Thomas B. Adams* for petitioners. *Messrs. Robert R.*

Milam and *E. T. McIlvaine* for respondents. Reported below: 135 F. 2d 211.

No. 315. ROGAN, COLLECTOR OF INTERNAL REVENUE, *v. SAMSON TIRE & RUBBER CORP.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Solicitor General Fahy* for petitioner. *Mr. Paul H. Arthur* for respondent. Reported below: 136 F. 2d 345.

No. 319. WILLIAM DAVIES CO., INC. *v. NATIONAL LABOR RELATIONS BOARD.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Lewis F. Jacobson and David Silbert* for petitioner. *Solicitor General Fahy, Mr. Robert B. Watts, and Miss Ruth Weyand* for respondent. Reported below: 135 F. 2d 179.

No. 321. NORSTRAND CORPORATION ET AL. *v. UNITED STATES.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Carl E. Ring* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Oscar A. Provost* for the United States.

Nos. 322, 323, and 324. SEMERIO ET AL. *v. ROSENBERG ET AL.* October 18, 1943. Petition for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Milton D. Sapiro* for petitioners. *Mr. Herbert W. Erskine* for respondents. *Solicitor General Fahy and Mr. Douglas B. Maggs* filed a brief on behalf of the Administrator of the Wage and Hour Division, U. S. Dept. of Labor, as *amicus curiae*, in support of the petition. Reported below: 137 F. 2d 742.

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No. 325. *NEW ENGLAND FISH CO. ET AL. v. MEYER, ADMINISTRATRIX, ET AL.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Lawrence Boyle, Cassius E. Gates, and Edward G. Dobrin* for petitioners. Reported below: 136 F. 2d 315.

No. 327. *REICHMAN v. COMPAGNIE GENERALE TRANS-ATLANTIQUE.* October 18, 1943. Petition for writ of certiorari to the Court of Appeals of New York denied. *Mr. Harold R. Zeamans* for petitioner. *Mr. Edgar R. Kraetzer* for respondent. Reported below: 290 N. Y. 344, 49 N. E. 2d 474.

No. 330. *G. T. FOGLE & Co. v. UNITED STATES.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mrs. Lillian S. Robertson* for petitioner. *Solicitor General Fahy* and *Assistant Attorney General Shea* for the United States. Reported below: 135 F. 2d 117.

No. 331. *PENNINGTON ENGINEERING CO. v. HOUDE ENGINEERING CORP.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Luther Day and Max D. Farmer* for petitioner. *Mr. Charles W. Hills* for respondent. Reported below: 136 F. 2d 210.

No. 333. *MOORE v. ILLINOIS CENTRAL RAILROAD Co.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Garner W. Green* for petitioner. *Messrs. James L. Byrd, Vernon W. Foster, and Chas. A. Helsell* for respondent. Reported below: 136 F. 2d 412.

No. 341. *MARCHUS v. DRUGE ET AL., CO-PARTNERS*. October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Charles E. Townsend* for petitioner. *Mr. A. W. Boyken* for respondents. Reported below: 136 F. 2d 602.

No. 342. *JACKSONVILLE PAPER CO. v. NATIONAL LABOR RELATIONS BOARD*. October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Thos. B. Adams* and *Louis Kurz* for petitioner. *Solicitor General Fahy, Mr. Robert B. Watts*, and *Miss Ruth Weyand* for respondent. Reported below: 137 F. 2d 148.

No. 88. *SLADE ET AL. v. SHELL OIL CO., INC. ET AL.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Marcellus Green, P. Z. Jones*, and *Garner W. Green* for petitioners. *Messrs. William H. Watkins* and *Harry McCall* for respondents. Reported below: 133 F. 2d 518.

No. 214. *GILCREASE OIL CO. v. COSBY ET AL.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. James V. Allred* for petitioner. *Messrs. U. M. Simon* and *C. J. Shaeffer* for respondents. Reported below: 132 F. 2d 790.

No. 222. *SENECA COAL & COKE CO. v. LOFTIN*. October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Hunter L. Johnson* and *Karl H. Mueller* for petitioner. *Mr. Hayes McCoy* for respondent. *Mr. Joseph V. Lane, Jr.* (*Mr. Adrian C. Leiby* of counsel) filed a brief, as

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amicus curiae, in support of the petition. Reported below: 136 F. 2d 359.

No. 250. LELAND STANFORD JUNIOR UNIVERSITY ET AL. *v.* NATIONAL SUPPLY CO. October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John T. Pigott* for petitioners. *Messrs. Allen L. Chickering, Walter C. Fox, Jr., and Vincent I. Compagno* for respondent. Reported below: 134 F. 2d 689.

No. 282. LISS ET AL. *v.* UNITED STATES;

No. 283. LONDONER *v.* UNITED STATES;

No. 284. COHEN ET AL. *v.* UNITED STATES;

No. 285. MAINELLA *v.* UNITED STATES;

No. 286. FOX ET AL. *v.* UNITED STATES; and

No. 287. LOWENSTEIN *v.* UNITED STATES. October 18, 1943. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Charles V. Halley, Jr.* for petitioners in Nos. 282, 284, 285, and 287; *Mr. Abraham S. Robinson* for petitioner in No. 283; and *Mr. Max Schwartz* for petitioners in No. 286. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Oscar A. Provost* for the United States. Reported below: 137 F. 2d 995.

No. 296. MACH *v.* ABBOTT COMPANY. October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Paul R. Stinson* for petitioner. *Mr. Fred A. Wright* for respondent. Reported below: 136 F. 2d 7.

No. 301. RADIANT POINT PEN CORP. *v.* C. HOWARD HUNT PEN CO. October 18, 1943. Petition for writ of

certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Asher Blum* for petitioner. *Mr. Harvey L. Lechner* for respondent. Reported below: 135 F. 2d 870.

No. 103. *REA ET AL. v. DEVANNEY ET AL.* October 18, 1943. Petition for writ of certiorari to the Supreme Court of Ohio denied. *Messrs. Ralph H. Henney, Matthew L. Bigger, and Benj. F. Levinson* for petitioners. *Messrs. Henry L. Scarlett and Marvin Harrison* for respondents. Reported below: 140 Ohio St. 546, 45 N. E. 2d 600.

No. 326. *INLAND OVERSEAS STEAMSHIP CORP. v. POLAR STEAMSHIP CORP.* October 18, 1943. 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. *Mr. Isidor Enselman* for petitioner. *Messrs. Lewis F. Glaser and Aaron Frank* for respondent. Reported below: 136 F. 2d 835.

No. 113. *EMMETT v. GEORGIA.* October 18, 1943. Petition for writ of certiorari to the Supreme Court of Georgia denied. *Messrs. William Schley Howard and Lawrence S. Camp* for petitioner. *Mr. T. Grady Head*, Attorney General of Georgia, for respondent. Reported below: 195 Ga. 517, 25 S. E. 2d 9.

No. 347. *SMITH v. SQUIER, WARDEN.* October 18, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *George Wilbur Smith, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Oscar A. Provost and Alvin J. Rockwell* for respondent. Reported below: 136 F. 2d 536.

No. 348. *REDUS v. WILLIAMS, WARDEN*. October 18, 1943. Petition for writ of certiorari to the Supreme Court of Alabama denied. *Mr. Walter S. Smith* for petitioner. *Messrs. William N. McQueen*, Attorney General of Alabama, and *John O. Harris*, Assistant Attorney General, for respondent. Reported below: 244 Ala. 459, 13 So. 2d 561.

No. 161. *CAMPBELL v. MISSOURI*. October 18, 1943. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Paul S. Campbell, pro se*. *Mr. Roy McKittrick*, Attorney General of Missouri, for respondent.

No. 247. *REID v. UNITED STATES*. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Frank J. Looney* for petitioner. *Solicitor General Fahy*, Assistant Attorney General *Tom C. Clark*, and *Mr. Robert S. Erdahl* for the United States. Reported below: 136 F. 2d 476.

No. 320. *UNITED STATES GYPSUM Co. v. BROWN, PRICE ADMINISTRATOR*. October 25, 1943. Petition for writ of certiorari to the United States Emergency Court of Appeals denied. *Messrs. Leland K. Neeves* and *Charles M. Price* for petitioner. *Solicitor General Fahy* and *Mr. Nathaniel L. Nathanson* for respondent. Reported below: 137 F. 2d 360.

No. 344. *MOODY v. WICKARD, SECRETARY OF AGRICULTURE, ET AL.* October 25, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. G. Lyle Jones* and *John Wattawa* for petitioner. *Solicitor General Fahy*, Assistant Attorney General *Littell*, and *Messrs. Vernon*

L. Wilkinson and Roger P. Marquis for respondents. Reported below: 136 F. 2d 801.

No. 346. WASHINGTON BREWERS INSTITUTE ET AL. *v. UNITED STATES*. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. R. M. J. Armstrong, Stephen F. Chadwick, Cassius E. Gates, Gregory A. Harrison, J. A. Howell, Francis R. Kirkham, Marshall P. Madison, E. L. Skeel, Felix T. Smith, Edwin Snow, and Henry T. Ivers* for petitioners. *Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Robert L. Stern and Robert L. Wright* for the United States. *Mr. Smith Troy*, Attorney General of the State of Washington, filed a brief on behalf of that State, as *amicus curiae*, in support of the petition. Reported below: 137 F. 2d 964.

No. 350. PUBLIC SERVICE COMPANY OF OKLAHOMA *v. PARKINSON, COUNTY TREASURER*. October 25, 1943. Petition for writ of certiorari to the Supreme Court of Oklahoma denied. *Mr. Mastin E. Geschwind* for petitioner. *Mr. Claude H. Rosenstein* for respondent. Reported below: 141 P. 2d 586.

No. 351. RAYNO ET AL. *v. UNITED STATES*. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Robert W. Upton* for petitioners. *Solicitor General Fahy, Assistant Attorney General Littell, and Messrs. Vernon L. Wilkinson and Valentine Brookes* for the United States. Reported below: 136 F. 2d 376.

No. 353. CHRISTOFFEL ET AL. *v. WISCONSIN EMPLOYMENT RELATIONS BOARD ET AL.* October 25, 1943. Peti-

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tion for writ of certiorari to the Supreme Court of Wisconsin denied. *Mr. A. W. Richter* for petitioners. *Mr. James Ward Rector*, Deputy Attorney General of Wisconsin, for the Wisconsin Employment Relations Board; and *Mr. Walter H. Bender* for Nicholas Imp et al.,—respondents. Reported below: 243 Wis. 332, 10 N. W. 2d 197.

No. 357. MARINE ENGINEERS' BENEFICIAL ASSN. LOCAL No. 33 v. NATIONAL LABOR RELATIONS BOARD. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Arthur F. Driscoll* for petitioner. *Solicitor General Fahy*, *Mr. Robert B. Watts*, and *Miss Ruth Weyand* for respondent.

No. 358. COSGROVE-MEEHAN COAL CORP. ET AL. v. ANGLAND ET AL. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Wm. H. Foulk* for petitioners. *Solicitor General Fahy* and *Messrs. Alvin J. Rockwell, John F. Davis*, and *Louis Loss* for the Securities & Exchange Commission; and *Mr. Vincent P. McDevitt* for Maurice P. Angland,—respondents. Reported below: 136 F. 2d 3.

No. 364. RICHARDSON ET AL., EXECUTORS, ET AL. v. KING ET AL. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Lee McCanliss* and *B. S. Womble* for petitioners. *Mr. A. L. Brooks* for respondents. Reported below: 136 F. 2d 849.

No. 365. METROPOLITAN LIFE INSURANCE CO. v. ET-TELSON ET AL. October 25, 1943. Petition for writ of

certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Conover English* for petitioner. *Mr. Arthur T. Vanderbilt* for respondents. Reported below: 137 F. 2d 62.

No. 370. *BARBOUR v. COMMISSIONER OF INTERNAL REVENUE*. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John M. Hudson* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, and Joseph M. Jones* for respondent. Reported below: 136 F. 2d 486.

No. 373. *LADOGA CANNING Co. v. UNITED STATES*. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Harold K. Bachelder, William C. Bachelder, and Edwin H. Chaney* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Oscar A. Provost, and Miss Melva M. Graney* for the United States. Reported below: 136 F. 2d 523.

No. 378. *GLEMBY Co., INC. ET AL. v. MONOGRAM MANUFACTURING Co.* October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Asher Blum* for petitioners. *Mr. Henry T. Hornidge* for respondent. Reported below: 136 F. 2d 961.

No. 379. *DEGNAN v. COMMISSIONER OF INTERNAL REVENUE*. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Raymond G. Wright, Clarence R. Innis,*

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and *Arthur E. Simon* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Samuel H. Levy, and Mrs. Mary-helen Wigle* for respondent. Reported below: 136 F. 2d 891.

No. 383. *LETOURNEAU ET AL. v. COMMERCIAL MERCHANTS NATIONAL BANK & TRUST Co.* October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Earl B. Barnes and Alan W. Boyd* for petitioners. Reported below: 137 F. 2d 87.

No. 312. *MCLEOD, COMMISSIONER OF REVENUES, v. BINSWANGER & Co.* October 25, 1943. Petition for writ of certiorari to the Supreme Court of Arkansas denied for want of a final judgment. *Mr. Leffel Gentry* for petitioner. *Mr. W. H. Daggett* for respondent. Reported below: 205 Ark. 787, 171 S. W. 2d 65.

No. 280. *DEJORDAN v. HUNTER, WARDEN.* October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. The motion for leave to file petition for writ of habeas corpus is also denied. *Charles DeJordan, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Oscar A. Provost* for respondent. Reported below: 137 F. 2d 943.

No. 382. *VANOVER v. COX, WARDEN.* October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied on the ground that the cause is moot, it appearing that petitioner is no longer in the respondent's custody. *Andy Vanover, pro se. Solici-*

tor General Fahy for respondent. Reported below: 136 F. 2d 442.

No. 328. *IRWIN v. LAWRENCE, WARDEN*. October 25, 1943. Petition for writ of certiorari to the Supreme Court of Georgia denied. *Mr. Samuel A. Miller* for petitioner. Reported below: 196 Ga. 202, 26 S. E. 2d 251.

No. 335. *LLOYD v. UNITED STATES FIDELITY & GUARANTY CO.* October 25, 1943. Petition for writ of certiorari to the Municipal Court of Appeals for the District of Columbia denied. *Wildon Lloyd, pro se.* Reported below: 31 A. 2d 669.

No. 376. *WIDMER v. JOHNSTON, WARDEN*. October 25, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *James Widmer, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Oscar A. Provost* for respondent. Reported below: 136 F. 2d 416.

No. 302. *ANDREWS v. GEORGIA*. October 25, 1943. Petition for writ of certiorari to the Supreme Court of Georgia denied. *MR. JUSTICE MURPHY* is of the opinion that certiorari should be granted. *Mr. John J. McCreary* for petitioner. *Mr. T. Grady Head*, Attorney General of Georgia, for respondent. Reported below: 196 Ga. 84, 26 S. E. 2d 263.

No. 412. *KRAMER v. OHIO*. See *ante*, p. 711.

No. 387. *PRUDENTIAL INSURANCE CO. ET AL. v. CRITES, INCORPORATED*. November 8, 1943. Petition for writ of

certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Ralph G. Martin* for petitioners. Reported below: 134 F. 2d 925.

No. 340. *MURRAY v. NED ET AL.* November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. W. F. Semple* and *Villard Martin* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Littell*, and *Mr. Norman MacDonald* for the United States, respondent. Reported below: 135 F. 2d 407.

No. 352. *CONSOLIDATED FREIGHTWAYS, INC. v. UNITED STATES.* November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Francis R. Kirkham* and *Donald A. Schafer* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Berge*, and *Messrs. Chester T. Lane*, *Robert L. Pierce*, *Edward Dumbauld*, and *George H. English* for the United States. Reported below: 136 F. 2d 921.

No. 377. *GOLDSMITH ET AL. v. UNITED STATES.* November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. C. L. Dawson* for petitioners. *Solicitor General Fahy*, *Assistant Attorney General Tom C. Clark*, and *Mr. Oscar A. Provost* for the United States. Reported below: 137 F. 2d 393.

No. 390. *NIKLAUS ET AL. v. LINCOLN JOINT STOCK LAND BANK.* November 8, 1943. Petition for writ of certiorari to the Supreme Court of Nebraska denied. *Mr.*

Herbert W. Baird for petitioners. *Mr. C. A. Sorensen* for respondent. Reported below: 143 Neb. 58, 8 N. W. 2d 545.

No. 393. *DURKEE FAMOUS FOODS, INC. v. HARRISON, COLLECTOR OF INTERNAL REVENUE*. November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. H. J. Crawford* and *Roger Hinds* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key* and *Alvin J. Rockwell* for respondent. Reported below: 136 F. 2d 303.

No. 401. *BROWN v. SCHOOL DISTRICT OF THE CITY OF BETHLEHEM*. November 8, 1943. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Mr. David Getz* for petitioner. *Mr. Herbert J. Hartzog* for respondent. Reported below: 347 Pa. 418, 32 A. 2d 565.

No. 405. *SCHENLEY IMPORT CORP. v. UNITED STATES*. November 8, 1943. Petition for writ of certiorari to the Court of Customs & Patent Appeals denied. *Mr. Norman J. Morrison* for petitioner. *Solicitor General Fahy, Assistant Attorney General Rao, and Mr. John R. Benney* for the United States. Reported below: 31 C. C. P. A. (Customs) 74.

No. 359. *ATLANTA FLOORING & INSULATION CO., INC. ET AL. v. OBERDORFER INSURANCE AGENCY ET AL.* November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Oliver C. Hancock* for petitioners. *Mr. H. A. Alexander* for respondents. Reported below: 136 F. 2d 457.

No. 356. *BYNUM ET AL. v. FIRESTONE TIRE & RUBBER CO.* November 8, 1943. Petition for writ of certiorari to the Court of Appeals of Tennessee denied. *Mr. William M. Hall* for petitioners. *Messrs. Earl King and Luther Day* for respondent. See 177 S. W. 2d 20.

No. 361. *SIKICH ET AL. v. SPRINGMANN, TRUSTEE.* November 8, 1943. Petition for writ of certiorari to the Supreme Court of Indiana denied. *Mr. Oscar B. Thiel* for petitioners. *Messrs. George W. Hulbert and Oscar C. Strom* for respondent. Reported below: 48 N. E. 2d 808.

No. 386. *ROWE v. COLPOYS, U. S. MARSHAL, ET AL.* November 8, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Rossa F. Downing and Walter E. McNamara* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Alvin J. Rockwell and Hubert H. Margolies* for John B. Colpoys, U. S. Marshal, respondent. Reported below: 137 F. 2d 249.

No. 389. *NEAL ET AL. v. FLORIDA ET AL.* November 8, 1943. Petition for writ of certiorari to the Supreme Court of Florida denied. *Mr. Hugh Akerman* for petitioners. *Messrs. J. Tom Watson, Attorney General of Florida, and Lewis W. Petteway, Assistant Attorney General*, for respondents. Reported below: 152 Fla. 582, 12 So. 2d 590.

No. 397. *NEW YORK GREAT ATLANTIC & PACIFIC TEA CO. ET AL. v. UNITED STATES.* November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Caruthers Ewing and Geo. S. Wright* for petitioners. *Solicitor General*

Fahy, Assistant Attorney General Berge, and Mr. Charles H. Weston for the United States. Reported below: 137 F. 2d 459.

No. 399. *TRIANGLE CONDUIT & CABLE CO., INC. v. NATIONAL ELECTRIC PRODUCTS CORP.* November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Samuel E. Darby, Jr. and Floyd H. Crews* for petitioner. *Mr. William H. Davis* for respondent. Reported below: 138 F. 2d 46.

No. 407. *LASH v. ALABAMA.* November 8, 1943. Petition for writ of certiorari to the Supreme Court of Alabama denied. *Messrs. Joseph A. Padway and Herbert S. Thatcher* for petitioner. *Messrs. William N. McQueen, Attorney General of Alabama, and John O. Harris, Assistant Attorney General*, for respondent. Reported below: 244 Ala. 568, 14 So. 2d 242.

No. 413. *JERGENS v. COMMISSIONER OF INTERNAL REVENUE.* November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Carl M. Jacobs, Jr. and Murray Marion Flack* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and J. Louis Monarch* for respondent. Reported below: 136 F. 2d 497.

No. 416. *ALWORTH ET AL., TRUSTEES, v. COMMISSIONER OF INTERNAL REVENUE.* November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. E. W. MacPherran* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Warren*

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F. Wattles, and *Miss Helen R. Carloss* for respondent.
Reported below: 136 F. 2d 812.

No. 85. MISSOURI PACIFIC RAILROAD CO. ET AL. v. THOMPSON, TRUSTEE, ET AL. See *post*, p. 806.

No. 363. YOSHINUMA v. OBERDORFER REALTY AGENCY ET AL. November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Young H. Fraser* for petitioner. Reported below: 136 F. 2d 460.

No. 426. ETTMAN v. FEDERAL LIFE INSURANCE CO. November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. MR. JUSTICE BLACK is of the opinion that the petition for writ of certiorari should be granted. *Mr. J. L. London* for petitioner. *Mr. Wayne Ely* for respondent. Reported below: 137 F. 2d 121.

No. 295. DEMARCOS v. OVERHOLSER, SUPERINTENDENT. November 8, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *J. Ralph DeMarcos, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Oscar A. Provost* for respondent. Reported below: 137 F. 2d 698.

No. 367. LONAS v. NATIONAL LINEN SERVICE CORP. November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. W. O. Lowe* for petitioner. *Mr. Sol I. Golden* for respondent. *Messrs. Stanley I. Posner and Henry J. Fox*

filed a brief on behalf of the Linen Supply Assn., Inc., as *amicus curiae*, in opposition to the petition. Reported below: 136 F. 2d 433.

No. 394. *FLAVIN v. FRANKLIN SOCIETY FOR HOME BUILDING AND SAVINGS*. November 8, 1943. Petition for writ of certiorari to the Court of Appeals of New York denied. *Martin Kane Flavin, pro se. Messrs. James A. Davis and Leon Quat* for respondent. Reported below: 291 N. Y. 530, 50 N. E. 2d 653.

No. 408. *KELLY v. DOWD, WARDEN*. November 8, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Garfield J. Kelly, pro se.*

No. 369. *BAKER ET AL. v. BELLOWS, EXECUTRIX*. November 8, 1943. Petition for writ of certiorari to the Supreme Court of Arkansas denied. *Norman Baker, pro se.* Reported below: 205 Ark. 448, 170 S. W. 2d 75.

No. 395. *UNITED STATES v. CUSHMAN, EXECUTRIX*. November 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Solicitor General Fahy* for the United States. *Mr. Fred A. Steiner* for respondent. Reported below: 136 F. 2d 815.

No. 419. *STALEY, EXECUTOR, v. COMMISSIONER OF INTERNAL REVENUE*. November 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Charles C. LeForge* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Misses Helen R.*

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Carloss and Louise Foster for respondent. Reported below: 136 F. 2d 368.

No. 424. *HARTFORD-EMPIRE Co. v. COMMISSIONER OF INTERNAL REVENUE*. November 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Edgar J. Goodrich and Walter J. Brobyn* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Miss Helen R. Carloss* for respondent. Reported below: 137 F. 2d 540.

Nos. 427 and 428. *INLAND STEEL Co. v. LEBOLD ET AL*; and

Nos. 429 and 430. *LEBOLD ET AL. v. INLAND STEEL Co.* November 15, 1943. Petitions for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Carl Meyer, Paul M. Godehn, and J. F. Dammann* for the Inland Steel Co. *Messrs. Silas H. Strawn, Franklin M. Warden, and Arthur D. Welton, Jr.* for Lebold et al. Reported below: 136 F. 2d 876.

No. 305. *TAYLOR v. BROWN, PRICE ADMINISTRATOR*. November 15, 1943. Petition for writ of certiorari to the United States Emergency Court of Appeals denied. *Messrs. C. M. Walter and John C. Stirrat* for petitioner. *Solicitor General Fahy* for respondent. Reported below: 137 F. 2d 654.

No. 400. *WILKEY ET AL. v. ALABAMA EX REL. SMITH ET AL.* November 15, 1943. Petition for writ of certiorari to the Supreme Court of Alabama denied. *Mr. Justice Black* took no part in the consideration or decision of this application. *Mr. James A. Simpson* for petitioners.

Mr. Francis H. Hare for respondents. Reported below: 244 Ala. 568, 14 So. 2d 536.

No. 410. *EGAN v. UNITED STATES*; and
No. 414. *UNION ELECTRIC CO. v. UNITED STATES*. November 15, 1943. Petitions for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. The CHIEF JUSTICE, MR. JUSTICE DOUGLAS, and MR. JUSTICE JACKSON took no part in the consideration or decision of these applications. *Mr. Thomas Bond* for petitioner in No. 410; and *Mr. William L. Igoe* for petitioner in No. 414. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Messrs. Oscar A. Provost and Homer Kripke, and Miss Beatrice Rosenberg* for the United States. Reported below: 137 F. 2d 369.

No. 415. *ABRAMS ET AL. v. CLEVELAND TERMINALS BUILDING CO.* November 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Mr. Meyer Abrams* for petitioners. *Mr. J. Hall Kellogg* for respondent. Reported below: 136 F. 2d 537.

No. 251. *Coy v. JOHNSTON, WARDEN*. November 15, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Bernard Paul Coy, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Melva M. Graney* for respondent. Reported below: 136 F. 2d 818.

No. 411. *ILLINOIS EX REL. VIEAUX v. RAGEN, WARDEN, ET AL.* November 15, 1943. Petition for writ of certiorari

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to the Supreme Court of Illinois denied. *William Vieaux, pro se.*

No. 418. *WADE v. NEW YORK*. November 15, 1943. Petition for writ of certiorari to the County Court, Westchester County, New York, denied. *William Wade, pro se.* *Mr. Frank H. Myers* for respondent.

No. 442. *MURPHY v. MISSOURI*. November 15, 1943. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Mark C. Murphy, pro se.* Reported below: 341 Mo. 1229, 111 S. W. 2d 132.

No. 450. *MAYNARD v. MICHIGAN*. November 15, 1943. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Lawrence Maynard, pro se.*

No. 274. *BUTLER BROTHERS v. NATIONAL LABOR RELATIONS BOARD*. November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Leland K. Neeves* for petitioner. *Solicitor General Fahy, Messrs. Valentine Brookes and Robert B. Watts, and Miss Ruth Weyand* for respondent. Reported below: 134 F. 2d 981.

No. 380. *WASLEFF, DOING BUSINESS AS ALEX WASLEFF BUILDING MAINTENANCE Co., v. NATIONAL LABOR RELATIONS BOARD*. November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Morris A. Haft and Ira L. Shapiro* for petitioner. *Solicitor General Fahy,*

Messrs. Alvin J. Rockwell, Robert B. Watts, and Frank Donner, and Miss Ruth Weyand for respondent. Reported below: 134 F. 2d 981.

No. 420. *AMERICAN DISTILLING Co. v. LOS ANGELES WAREHOUSE Co.* November 22, 1943. Petition for writ of certiorari to the Supreme Court of California denied. *Mr. Theodore H. Roche* for petitioner. *Mr. Allen W. Ashburn* for respondent. Reported below: 22 Cal. 2d 402, 139 P. 2d 641.

No. 425. *JACOBS v. HOEY, EXECUTRIX.* November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. David L. Sprung* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and J. Louis Monarch* for respondent. Reported below: 136 F. 2d 954.

No. 431. *DUNNE ET AL. v. UNITED STATES.* November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Osmond K. Fraenkel* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for the United States. *Mr. Arthur Garfield Hays* filed a brief on behalf of the American Civil Liberties Union, as *amicus curiae*, in support of the petition. Reported below: 138 F. 2d 137.

No. 434. *SCHAPPES v. NEW YORK.* November 22, 1943. Petition for writ of certiorari to the Court of General Sessions of County of New York, New York, denied. *Mr. Joseph R. Brodsky* for petitioner. *Mr. Stanley H. Fuld* for respondent.

No. 443. *HARDEN MORTGAGE LOAN Co. v. COMMISSIONER OF INTERNAL REVENUE*. November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Geo. E. H. Goodner and Scott P. Crampton* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, Alvin J. Rockwell, and Warren F. Wattles* for respondent. Reported below: 137 F. 2d 282.

No. 446. *BENSON ET AL., DOING BUSINESS AS PERKINS & Co., v. WALLING, ADMINISTRATOR*. November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Henry H. Oberschelp* for petitioners. *Solicitor General Fahy, Messrs. Douglas B. Maggs, Irving J. Levy, and Peter Seitz, and Miss Bessie Margolin* for respondent. Reported below: 137 F. 2d 501.

No. 465. *WAYNE APARTMENTS, INC. ET AL. v. MICHIGAN UNEMPLOYMENT COMPENSATION COMMISSION*. November 22, 1943. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. Alan J. Stone* for petitioners. *Messrs. Herbert J. Rushton, Attorney General of Michigan, and Daniel J. O'Hara, Assistant Attorney General*, for respondent. Reported below: 305 Mich. 714, 9 N. W. 2d 879.

No. 473. *KRAUSS, TRADING AS AMERICAN CORD & WEBBING Co., v. GREENBARG ET AL., TRADING AS KING KARD OVERALL Co.* November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. B. D. Oliensis* for petitioner. Reported below: 137 F. 2d 569.

No. 402. ICKES, SECRETARY OF THE INTERIOR, *v. Fox et al.*;

No. 403. ICKES, SECRETARY OF THE INTERIOR, *v. Parks et al.*; and

No. 404. ICKES, SECRETARY OF THE INTERIOR, *v. Eder, Executrix*. November 22, 1943. Petition for writs of certiorari to the United States Court of Appeals for the District of Columbia denied. MR. JUSTICE REED took no part in the consideration or decision of this application. *Solicitor General Fahy and Mr. J. Kennard Cheadle* for petitioner. *Messrs. Stephen E. Chaffee and Wm. G. Feely* for respondents. Reported below: 137 F. 2d 30.

No. 432. SABIN ET AL. *v. LevorseN ET AL.* November 22, 1943. Petition for writ of certiorari to the Supreme Court of Oklahoma 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. *Kathryn Van Leuven* for petitioners. Reported below: 192 Okla. 660.

No. 444. OSMENT *v. Pitcairn ET AL., RECEIVERS.* November 22, 1943. Petition for writ of certiorari to the Supreme Court of Missouri denied for want of a reviewable judgment of the highest court of the State. *Mr. Joseph A. Padway* for petitioner. *Messrs. Carleton S. Hadley, Sam B. Sebree, and John S. Marley* for respondents. Reported below: 349 Mo. 137, 159 S. W. 2d 666.

No. 448. NIAGARA FALLS POWER CO. *v. FEDERAL POWER COMMISSION.* November 22, 1943. 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 or decision of this application. *Messrs. Joseph M. Proskauer and Randall J. LeBoeuf, Jr.* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea*, and *Messrs. Chester T. Lane, K. Norman Diamond, Charles V. Shannon, and Louis W. McKernan* for respondent. Reported below: 137 F. 2d 787.

No. 292. *CARROLL v. SQUIER, WARDEN, ET AL.* November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Jack L. Carroll, pro se. Solicitor General Fahy* for respondents. Reported below: 136 F. 2d 571.

No. 459. *PYLE v. JOHNSTON, WARDEN.* November 22, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Raymond Pyle, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for respondent. Reported below: 137 F. 2d 869.

No. 487. *KELLEY v. CALIFORNIA.* See *ante*, p. 715.

No. 213. *TWISP MINING & SMELTING CO. v. CHELAN MINING CO. ET AL.* See *ante*, p. 716.

No. 439. *FRYBERGER v. CONSOLIDATED ELECTRIC & GAS CO. ET AL.* December 6, 1943. Petition for writ of certiorari to the Supreme Court of New York, County of New York, denied. *Mr. Harrison E. Fryberger* for petitioner. *Mr. Arthur M. Boal* for respondents. Reported below: 291 N. Y. 551, 50 N. E. 2d 657.

No. 445. *BONWIT TELLER, INC. v. COMMISSIONER OF INTERNAL REVENUE*. December 6, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Arthur B. Hyman* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and J. Louis Monarch* for respondent. Reported below: 136 F. 2d 978.

No. 449. *MERGER MINES CORP. ET AL. v. GRISMER ET AL.* December 6, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. R. W. Nuzum* for petitioners. Reported below: 137 F. 2d 335.

No. 455. *LEISHMAN v. ASSOCIATED WHOLESALE ELECTRIC CO.* December 6, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John Flam* for petitioner. *Messrs. Marston Allen and Leonard S. Lyon* for respondent. Reported below: 137 F. 2d 722.

No. 458. *NATIONAL SECURITIES CORP. v. COMMISSIONER OF INTERNAL REVENUE*. December 6, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. H. Cecil Kilpatrick* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, and Newton K. Fox* for respondent. *Mr. Irving M. Engel* filed a brief, as *amicus curiae*, in support of the petition. Reported below: 137 F. 2d 600.

No. 461. *SALOMON v. CITY OF NEW YORK*. December 6, 1943. Petition for writ of certiorari to the Circuit

Court of Appeals for the Second Circuit denied. *George F. Salomon, pro se.* *Mr. Leo Brown* for respondent. Reported below: 136 F. 2d 681.

No. 466. *GILLMOR v. INDIANAPOLIS GAS CO. ET AL.*; No. 467. *ABRAMS v. INDIANAPOLIS GAS CO. ET AL.*; and No. 468. *PYRAMID COMMERCIAL CORP. v. INDIANAPOLIS GAS CO. ET AL.* December 6, 1943. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Frank E. Karelson, Jr.* for petitioners. *Mr. Louis B. Ewbank* for the Indianapolis Gas Co.; and Messrs. *William H. Thompson, Perry E. O'Neal*, and *Patrick J. Smith* for the City of Indianapolis,—respondents. Reported below: 136 F. 2d 925.

No. 485. *WHITEFORD v. HECHT COMPANY*. December 6, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. Messrs. *James C. Wilkes* and *James E. Artis* for petitioner. Messrs. *Lawrence Koenigsberger* and *Austin F. Canfield* for respondent. Reported below: 137 F. 2d 929.

No. 460. *ROBINSON, ADMINISTRATOR, v. LINFIELD COLLEGE ET AL.* December 6, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. Messrs. *O. C. Moore* and *John H. Peltier* for petitioner. Messrs. *Jas. A. Williams* and *Ben H. Kizer* for respondents. Reported below: 136 F. 2d 805.

No. 440. *O'HARA v. MURPHY, SPECIAL ADMINISTRATOR, ET AL.* December 6, 1943. Motion for leave to proceed on the typewritten record granted. Petition for writ

of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Walter I. Sundlin and William C. Crossley* for petitioner. *Maurice J. Murphy, pro se.* Reported below: 137 F. 2d 154.

No. 454. *BILLINGSLEY v. HORRALL, CHIEF OF POLICE.* December 6, 1943. Petition for writ of certiorari to the Supreme Court of California denied. The motion for leave to file a petition for writ of habeas corpus is also denied. *Mr. Morris Lavine* for petitioner. *Messrs. Ray L. Chesebro and John L. Bland* for respondent.

No. 451. *BESS v. MAYO, CUSTODIAN OF THE FLORIDA STATE PRISON.* December 6, 1943. Petition for writ of certiorari to the Supreme Court of Florida denied. Motion for leave to file petition for writ of habeas corpus also denied. *Roy Bess, pro se.*

No. 475. *SPRUILL v. BALLARD ET AL.* December 6, 1943. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied, *Georgia M. Spruill, pro se.* *Mr. Ross H. Snyder* for respondents.

No. 480. *COHEN v. RANDALL, EXECUTOR.* December 6, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Maurice P. Davidson and Gustave B. Garfield* for petitioner. *Mr. Robert D. Steefel* for respondent. Reported below: 137 F. 2d 441.

No. 456. *LEYDECKER v. UNITED STATES.* December 13, 1943. Petition for writ of certiorari to the Court of

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Claims denied. *Mr. Fred W. Shields* for petitioner. *Solicitor General Fahy* and *Assistant Attorney General Shea* for the United States. Reported below: 97 Ct. Cls. 711.

No. 471. *RATHJEN BROTHERS v. UNITED STATES*. December 13, 1943. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied. *Mr. George R. Tuttle* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Rao*, and *Mr. John R. Benney* for the United States. Reported below: 137 F. 2d 103.

No. 478. *FIDES, A. G., v. COMMISSIONER OF INTERNAL REVENUE*. December 13, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Lawrence R. Condon* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, and *Messrs. Sewall Key, J. Louis Monarch*, and *Carlton Fox* for respondent. Reported below: 137 F. 2d 731.

No. 481. *SAFEWAY STORES, INC. v. BOWLES, PRICE ADMINISTRATOR*. December 13, 1943. Petition for writ of certiorari to the United States Emergency Court of Appeals denied. *Messrs. Elisha Hanson* and *Eliot C. Lovett* for petitioner. *Solicitor General Fahy* for respondent. Reported below: 138 F. 2d 278.

No. 484. *STANZIALE v. PAULLIN, COMMANDING OFFICER*. December 13, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. George R. Sommer* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Tom C. Clark*, *Mr. Robert S. Erdahl*, and *Miss Beatrice Rosenberg* for respondent. Reported below: 138 F. 2d 312.

No. 462. *KNIGHT v. BAR ASSOCIATION OF THE CITY OF NEW YORK*. December 13, 1943. Petition for writ of certiorari to the Court of Appeals of New York denied. *Mr. Justice Murphy* is of opinion that certiorari should be granted. *Richard A. Knight, pro se. Mr. John T. Cahill* for respondent. Reported below: 290 N. Y. 871, 50 N. E. 2d 250.

No. 479. *GORDON ET AL. v. UNITED STATES*. December 13, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Eugene Vincent Clarke* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl*, and *Miss Beatrice Rosenberg* for the United States. Reported below: 138 F. 2d 174.

No. 299. *MARS, INCORPORATED, v. BOWLES, PRICE ADMINISTRATOR*. December 20, 1943. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Claude R. Miller and Robert B. Holland* for petitioner. *Solicitor General Fahy* and *Messrs. Paul A. Freund and Thomas I. Emerson* for respondent. Reported below: 135 F. 2d 843.

No. 469. *OIL CITY REFINERS, INC. v. SOCONY-VACUUM OIL CO., INC.; and*

No. 503. *SOCONY-VACUUM OIL CO., INC. v. OIL CITY REFINERS, INC.* December 20, 1943. Petitions for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Albert R. Teare* for Oil City Refiners, Inc. *Mr. John J. Manning* for Socony-Vacuum Oil Co., Inc. Reported below: No. 469, 136 F. 2d 470; No. 503, 137 F. 2d 569.

No. 474. *ROBINSON v. MICHIGAN*. December 20, 1943. Petition for writ of certiorari to the Supreme Court of Michigan denied. MR. JUSTICE RUTLEDGE took no part in the consideration or decision of this application. *Mr. Edmund D. Campbell* for petitioner. *Messrs. Herbert J. Rushton*, Attorney General of Michigan, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent. Reported below: 306 Mich. 167, 10 N. W. 2d 817.

No. 490. *TRICO PRODUCTS CORP. v. COMMISSIONER OF INTERNAL REVENUE*. December 20, 1943. 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 or decision of this application. *Messrs. Arthur A. Ballantine* and *George E. Cleary* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, and *Messrs. Sewall Key, J. Louis Monarch, Morton K. Rothschild*, and *Alvin J. Rockwell* for respondent. Reported below: 137 F. 2d 424.

No. 476. *UNITED STATES GYPSUM Co. v. BOWLES, PRICE ADMINISTRATOR*. January 3, 1944. Petition for writ of certiorari to the United States Emergency Court of Appeals denied. *Mr. Charles M. Price* for petitioner. *Solicitor General Fahy* and *Mr. Nathaniel L. Nathanson* for respondent. Reported below: 137 F. 2d 803.

No. 500. *BAKER v. UNITED STATES*. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. David Getz* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, *Messrs. Sewall Key* and *Homer R. Miller*, and *Miss Helen R. Carloss* for the United States. Reported below: 138 F. 2d 22.

No. 510. *WILSON MILLING CO. v. COMMISSIONER OF INTERNAL REVENUE*. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Geo. E. H. Goodner and Scott P. Crampton* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and Bernard Chertcoff* for respondent. Reported below: 138 F. 2d 249.

No. 517. *PEN-KEN GAS & OIL CORP. v. WARFIELD NATURAL GAS CO.* January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. James A. Cosgrove and George F. Callaghan* for petitioner. *Mr. Harold A. Ritz* for respondent. Reported below: 137 F. 2d 871.

No. 494. *WAYNE v. UNITED STATES*. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Francis Murphy* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and W. Marvin Smith* for the United States. Reported below: 138 F. 2d 1.

No. 495. *LYMAN ET AL., EXECUTORS, v. UNITED STATES*. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Amos L. Taylor* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Miss Melva M. Graney* for the United States. Reported below: 138 F. 2d 509.

No. 501. *ZERNIT v. UNITED STATES*. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Ernest Angell* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark*, and *Mr. Robert S. Erdahl* for the United States. Reported below: 138 F. 2d 743.

No. 512. *KAISER v. UNITED STATES*. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Fred A. Gariepy* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark*, and *Mr. Robert S. Erdahl* for the United States. Reported below: 138 F. 2d 219.

No. 513. *GRANT LUNCH CORP. v. DRISCOLL, COMMISSIONER OF THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL*. January 3, 1944. Petition for writ of certiorari to the Court of Errors and Appeals of New Jersey denied. *Mr. Morris M. Schnitzer* for petitioner. Reported below: 130 N. J. L. 554, 33 A. 2d 900.

No. 516. *RAFERT v. EQUITABLE LIFE ASSURANCE SOCIETY*. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. S. L. Winters* for petitioner. Reported below: 138 F. 2d 185.

No. 519. *UNITED STATES EX REL. JORDAN v. ICKES, SECRETARY OF THE INTERIOR*. January 3, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. James E. Watson* and *Orin de Motte Walker* for petitioner. So-

Licitor General Fahy, Assistant Attorney General Littell, and Mr. Norman MacDonald for respondent.

No. 523. MIDDLETON & CO. (CANADA), LTD., ET AL. v. OCEAN DOMINION STEAMSHIP CORP. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Henry N. Longley and Ezra G. Benedict Fox* for petitioners. *Messrs. John W. Griffin and Wharton Poor* for respondent. Reported below: 137 F. 2d 619.

No. 537. KERSH LAKE DRAINAGE DISTRICT v. STATE BANK & TRUST CO. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Charles T. Coleman, Burk Mann, Richard B. McCulloch, and Shields M. Goodwin* for petitioner. *Messrs. J. W. Dickey, A. H. Rowell, and A. F. House* for respondent. Reported below: 138 F. 2d 486.

No. 488. NEBLETT ET AL. v. CAMINETTI, INSURANCE COMMISSIONER, ET AL.; and

No. 489. NEBLETT ET AL. v. PACIFIC MUTUAL LIFE INSURANCE CO. ET AL. January 3, 1944. Petition for writs of certiorari to the Supreme Court of California denied. MR. JUSTICE REED took no part in the consideration or decision of this application. *Mr. William Stanley* for petitioners. *Mr. Robert W. Kenny*, Attorney General of California, for the Insurance Commissioner; and *Messrs. T. B. Cosgrove, John N. Cramer, Allan P. Matthew, Eugene Overton, and Byron C. Hanna* for the Pacific Mutual Life Insurance Co. et al.,—respondents. Reported below: 22 Cal. 2d 344, 393, 139 P. 2d 908, 934.

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No. 491. *BENGUET CONSOLIDATED MINING Co. v. PERKINS ET AL.* January 3, 1944. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, of California denied. MR. JUSTICE MURPHY took no part in the consideration or decision of this application. *Messrs. W. H. Lawrence, Alfred Sutro, and Francis R. Kirkham* for petitioner. *Messrs. Theodore J. Roche, Hiram W. Johnson, James Farraher, and Theodore H. Roche* for respondents. Reported below: 60 Cal. App. 2d 845, 141 P. 2d 19.

No. 511. *BECKHAM, CLERK, U. S. DISTRICT COURT, v. BROWN, PRICE ADMINISTRATOR.* January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Oldham Clarke* for petitioner. *Solicitor General Fahy* for respondent. Reported below: 137 F. 2d 644.

No. 470. *BYERS ET UX. v. WARD ET AL.* January 3, 1944. Petition for writ of certiorari to the Supreme Court of Tennessee denied. *Mr. Robert Burrow* for petitioners.

No. 496. *MILLER v. UNITED STATES.* January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Jessie William Miller, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Beatrice Rosenberg* for the United States. Reported below: 138 F. 2d 258.

No. 498. *DOBRY v. OLSON, WARDEN.* January 3, 1944. Petition for writ of certiorari to the Supreme Court of Nebraska denied. *James Dobry, pro se.*

No. 477. *McDONALD v. UNITED STATES*. January 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. **MR. JUSTICE MURPHY** took no part in the consideration or decision of this application. *Cassius McDonald, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for the United States. Reported below: 138 F. 2d 571.

No. 553. *BRAZEL v. JACKSON, WARDEN*. January 3, 1944. Petition for writ of certiorari to the Supreme Court of Michigan denied. The motion for leave to file petition for writ of habeas corpus is also denied. *Clyde Brazel, pro se.*

No. 520. *UNGER v. OHIO STATE DENTAL BOARD*. January 10, 1944. Petition for writ of certiorari to the Supreme Court of Ohio denied. *Mr. William J. Corrigan* for petitioner. *Mr. Thomas J. Herbert*, Attorney General of Ohio, for respondent. Reported below: 142 Ohio St. 67, 49 N. E. 2d 932.

No. 522. *BALFOUR, GUTHRIE & CO., LTD. ET AL. v. THE ZAREMBO ET AL.* January 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. D. Roger Englar, Martin Detels, and Ezra G. Benedict Fox* for petitioners. *Mr. Geo. Whitefield Betts, Jr.* for respondents. Reported below: 136 F. 2d 320.

No. 526. *CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO. ET AL. v. CHICAGO, ROCK ISLAND & PACIFIC RAILWAY CO. ET AL.* January 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. M. L. Bluhm, John N. Hughes,*

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and *A. N. Whitlock* for petitioners. *Messrs. Marcus L. Bell, W. F. Peter, J. G. Gamble*, and *A. B. Howland* for respondents. Reported below: 138 F. 2d 268.

No. 534. *PITNEY ET AL., TRUSTEES, v. NEW JERSEY;*
and

No. 535. *PITNEY ET AL., TRUSTEES, v. NEW JERSEY ET AL.*
January 10, 1944. Petition for writs of certiorari to the
Circuit Court of Appeals for the Third Circuit denied.
Messrs. John W. Davis, Montgomery B. Angell, and *Mar-
vin Lyons* for petitioners. *Messrs. Joseph Lanigan, Charles A. Rooney*, and *Charles Hershenstein* for respondents.
Reported below: 136 F. 2d 633.

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TION BY THE COURT, THROUGH JANUARY
10, 1944.

No. 69. *GIBSON v. COMMISSIONER OF INTERNAL REVE-
NUE.* On petition for writ of certiorari to the Circuit
Court of Appeals for the Second Circuit. August 30,
1943. Dismissed pursuant to Rule 35. *Mr. Daniel Gor-
don James Judge* for petitioner. Reported below: 133 F.
2d 308.

No. 239. *MROZ v. UNITED STATES.* On petition for
writ of certiorari to the Circuit Court of Appeals for the
Seventh Circuit. September 30, 1943. Dismissed pur-
suant to Rule 35. *Mr. Perry J. Stearns* for petitioner.
Reported below: 136 F. 2d 221.

No. 150. *PETERSIME INCUBATOR Co. v. BUNDY INCU-
BATOR Co.* On petition for writ of certiorari to the Circuit
Court of Appeals for the Sixth Circuit. October 4, 1943.