

No. 781. *HOOVEN & ALLISON CO. v. EVATT, TAX COMMISSIONER*. April 10, 1944. Petition for writ of certiorari to the Supreme Court of Ohio granted. *Messrs. Luther Day and Thomas C. Lavery* for petitioner. *Mr. Thomas J. Herbert*, Attorney General of Ohio, for respondent. Reported below: 142 Ohio St. 235, 51 N. E. 2d 723.

No. 745. *SAGE STORES CO. ET AL. v. KANSAS EX REL. MITCHELL, ATTORNEY GENERAL*. April 10, 1944. Petition for writ of certiorari to the Supreme Court of Kansas granted limited to the first question presented by the petition. *Messrs. Samuel H. Kaufman, George Trosk, Milton Adler, and Thomas M. Lillard* for petitioners. *Messrs. A. B. Mitchell*, Attorney General of Kansas, and *C. Glenn Morris* for respondent. Reported below: 157 Kan. 622, 143 P. 2d 652.

No. 768. *MCDONALD v. COMMISSIONER OF INTERNAL REVENUE*. April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Frederick E. S. Morrison* for petitioner. *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: 139 F. 2d 400.

DECISIONS DENYING CERTIORARI, FROM JANUARY 11, 1944, THROUGH APRIL 10, 1944.

No. 538. *WILLIAMS v. ILLINOIS*. January 12, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied. The application for a stay is also denied. *MR. JUSTICE MURPHY* took no part in the consideration or

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decision of these applications. *Mr. Melvin L. Griffith* for petitioner. *Messrs. George F. Barrett*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent. Reported below: 383 Ill. 348, 50 N. E. 2d 450.

No. 518. *PATRICK CUDAHY FAMILY COMPANY v. BOWLES, PRICE ADMINISTRATOR*. January 17, 1944. Petition for writ of certiorari to the United States Emergency Court of Appeals denied. *Mr. Richard H. Tyrrell* for petitioner. *Solicitor General Fahy* and *Mr. Richard H. Field* for respondent. Reported below: 138 F. 2d 274.

No. 530. *BEAMER, ADMINISTRATRIX, v. VIRGINIAN RAILWAY Co.* January 17, 1944. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. *Mr. Carlton C. Sanders* for petitioner. *Mr. Lewis A. Nuckols* for respondent. Reported below: 181 Va. 650, 26 S. E. 2d 43.

No. 543. *CONSUMERS BREWING Co. v. E. F. PRICHARD Co. ET AL.* January 17, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Sanford A. Headley* for petitioner. *Mr. Rodman W. Keenon* for respondents. Reported below: 136 F. 2d 512.

No. 545. *SCHROEPFER ET AL. v. A. S. ABELL Co., INC.* January 17, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. I. Duke Avnet* and *Wm. Taft Feldman* for petitioners. *Mr. Edwin F. A. Morgan* for respondent. Reported below: 138 F. 2d 111.

No. 539. *BERNARDS ET AL. v. JOHNSON ET AL.* January 17, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied.

No. 457. *VIATOR ET AL. v. EDWINS, SHERIFF, ET AL.* See *ante*, p. 744.

No. 542. *HERMOSA AMUSEMENT CORPORATION, LTD. ET AL. v. CARR, TRUSTEE IN BANKRUPTCY, ET AL.* January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Alfred T. Cluff* for petitioners. *Mr. Ira S. Lillick* for respondents. Reported below: 137 F. 2d 983.

No. 546. *UNION TRUST CO., ADMINISTRATOR, v. DRISCOLL, FORMER COLLECTOR OF INTERNAL REVENUE.* January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. W. A. Seifert and William Wallace Booth* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, and Bernard Chertcoff* for respondent. Reported below: 138 F. 2d 152.

No. 547. *COMMONWEALTH TRUST CO. ET AL., EXECUTORS, v. DRISCOLL, FORMER COLLECTOR OF INTERNAL REVENUE.* January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. W. A. Seifert and William Wallace Booth* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and Bernard Chertcoff* for respondent. Reported below: 137 F. 2d 653.

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No. 548. COLUMBIAN NATIONAL LIFE INSURANCE CO. *v.* KEYES; and

No. 549. COLUMBIAN NATIONAL LIFE INSURANCE CO. *v.* MARGUERITE KEYES, INCORPORATED. January 31, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. John T. Harding, David A. Murphy, and R. C. Tucker* for petitioner. *Messrs. Arthur Miller and Alton Gumbiner* for respondents. Reported below: 138 F. 2d 382.

No. 550. WOOD ET AL. *v.* FIRST NATIONAL BANK ET AL. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. Edward R. Adams* for petitioners. *Messrs. George G. Gilbert, Jr., Jewell I. Dilsaver, and Russell B. James* for respondents. Reported below: 383 Ill. 515, 50 N. E. 2d 830.

No. 551. CURACAO TRADING CO., INC. *v.* FEDERAL INSURANCE CO. January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Theodore E. Wolcott* for petitioner. *Mr. George S. Brengle* for respondent. Reported below: 137 F. 2d 911.

No. 580. COLUMBIAN NATIONAL LIFE INSURANCE CO. *v.* GOLDBERG. January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Frederic H. Nash and Clarence J. Hoyt* for petitioner. *Mr. David C. Haynes* for respondent. Reported below: 138 F. 2d 192.

No. 554. ARONOFF *v.* UNITED STATES. January 31, 1944. Petition for writ of certiorari to the Circuit Court

of Appeals for the Second Circuit denied. *Mr. Charles V. Halley* 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 911.

No. 555. UNITED STATES EX REL. SILVER *v.* O'BRIEN, SHERIFF. January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mrs. Esther Melnick* and *Mr. Abraham Teitelbaum* for petitioner. Reported below: 138 F. 2d 217.

No. 557. EPP *v.* BICKNELL. January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. C. A. Sorensen* for petitioner. Reported below: 138 F. 2d 735.

No. 563. EMPIRE TRUST CO., TRUSTEE, *v.* DRISCOLL ET AL., TRUSTEES. January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Joseph Glass* for petitioner. *Mr. Allen E. Throop* for respondents. Reported below: 137 F. 2d 603.

No. 564. FIDELITY & DEPOSIT CO. *v.* PINKERTON'S NATIONAL DETECTIVE AGENCY, INC. January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Louis L. Dent* for petitioner. *Mr. Guy A. Gladson* for respondent. Reported below: 138 F. 2d 469.

No. 570. BLACK DIAMOND LINES, INC. *v.* PIONEER IMPORT CORP. ET AL. January 31, 1944. Petition for writ

of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. John W. Crandall* for petitioner. *Mr. George C. Sprague* for the Pioneer Import Corp., and *Mr. Arthur M. Boal* for the Tampa Inter-Ocean Steamship Co., respondents. Reported below: 138 F. 2d 907.

No. 499. O'BRIEN *v.* O'BRIEN ET AL. January 31, 1944. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. MR. JUSTICE MURPHY took no part in the consideration or decision of this application. *Messrs. Rodman W. Keenon* and *Allen Prewitt* for petitioner. *Messrs. Louis Seelbach* and *William W. Crawford* for respondents. Reported below: 294 Ky. 793, 172 S. W. 2d 595.

No. 600. KELLY *v.* VIRGINIA; and

No. 601. KELLY *v.* SMYTH, SUPERINTENDENT. January 31, 1944. Petition for writs of certiorari to the Supreme Court of Appeals of Virginia denied. *Mr. Thomas H. Stone* for petitioner. Reported below: 181 Va. 576, 26 S. E. 2d 63.

No. 505. LINN *v.* ILLINOIS. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 507. ILLINOIS EX REL. BACHALDER *v.* RAGEN, WARDEN. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 508. MEYERS *v.* RAGEN, WARDEN. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 524. ILLINOIS EX REL. DI CHIARA *v.* RAGEN, WARDEN. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 527. HAINES *v.* ILLINOIS ET AL. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 528. DAVIDSON *v.* BENNETT, WARDEN, ET AL. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 532. PROVOST *v.* RAGEN, WARDEN. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 533. AVONTS *v.* RAGEN, WARDEN. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 536. ILLINOIS EX REL. DOYLE *v.* RAGEN, WARDEN, ET AL. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 540. SCHEIB *v.* RAGEN, WARDEN. January 31, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 529. NEW YORK EX REL. RICHARDS *v.* KIRBY, WARDEN. January 31, 1944. Petition for writ of certiorari to the Court of Appeals of New York denied. Reported below: 291 N. Y. 705, 52 N. E. 2d 594.

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No. 544. *WHITTINGTON v. UNITED STATES*. January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Hall Etter* 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 573.

No. 562. *EDWARDS v. UNITED STATES*. January 31, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Hugh H. Obear* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Tom C. Clark*, *Mr. Robert S. Erdahl*, and *Miss Beatrice Rosenberg* for the United States. Reported below: 139 F. 2d 365.

No. 571. *RUCKER ET AL. v. FIRST NATIONAL BANK*. January 31, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Harold E. Rorschach* and *Jack L. Rorschach* for petitioners. Reported below: 138 F. 2d 699.

No. 603. *BEILFUSS v. CALIFORNIA*. See *ante*, p. 746.

No. 552. *CROWN CAN CO. v. NATIONAL LABOR RELATIONS BOARD*. February 7, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. R. Mayne* for petitioner. *Solicitor General Fahy*, *Mr. Alvin J. Rockwell*, and *Miss Ruth Weyand* for respondent. Reported below: 138 F. 2d 263.

No. 566. *SCYPHERS v. ST. PAUL NATIONAL BANK*. February 7, 1944. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. *Mr. S. H. Sutherland* for petitioner. *Mr. Ralph T. Catterall* for respondent. Reported below: 181 Va. lx.

No. 567. *WHOLESALE DRY GOODS INSTITUTE, INC. ET AL. v. FEDERAL TRADE COMMISSION*. February 7, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Karl Michalet and Charles H. Tuttle* for petitioners. *Solicitor General Fahy, Assistant Attorney General Berge, and Mr. Charles H. Weston* for respondent. Reported below: 139 F. 2d 230.

No. 572. *LEVY ET AL. v. UNITED STATES*. February 7, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Eben Lesh and Walter Bachrach* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Edward G. Jennings and W. Marvin Smith* for the United States. Reported below: 138 F. 2d 429.

No. 574. *COOMBS, TRUSTEE, v. UNITED STATES*. February 7, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Max L. Rosenstein* for petitioner. *Solicitor General Fahy and Assistant Attorney General Shea* for the United States. Reported below: 137 F. 2d 736.

No. 575. *ABRAMS ET AL. v. SCANDRETT ET AL., TRUSTEES*. February 7, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit de-

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nied. *Mr. Meyer Abrams* for petitioners. *Mr. A. N. Whitlock* for respondents. Reported below: 138 F. 2d 433.

No. 583. *GRAND RAPIDS FURNITURE Co. v. GRAND RAPIDS FURNITURE Co ET AL.* February 7, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Pearl M. Hart* for petitioner. *Mr. John J. Yowell* for respondents. Reported below: 138 F. 2d 212.

No. 584. *WERNECKE v. UNITED STATES.* February 7, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Leo L. Donahoe and Laurence B. Jacobs* for petitioner. *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 561.

No. 616. *MURRAY ET AL. v. LAGUARDIA, MAYOR, ET AL.* February 7, 1944. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. Menahem Stim* for petitioners. *Mr. Jeremiah M. Evarts* for the Board of Estimate of New York City et al., and *Messrs. Churchill Rodgers and Samuel Seabury* for the Metropolitan Life Insurance Co., respondents. Reported below: 266 App. Div. 912, 42 N. Y. S. 2d 612; 291 N. Y. 320, 43 N. Y. S. 2d 408.

No. 593. *TOFFENETTI RESTAURANT Co., INC. v. NEW YORK STATE LABOR RELATIONS BOARD.* February 7, 1944. The application for a stay is denied. Petition for writ of certiorari to the Court of Appeals of New York denied. *Mr. Abraham Teitelbaum* for petitioner. Reported below: 291 N. Y. 750, 52 N. E. 2d 961.

No. 622. *BERNATOWICZ v. RAGEN, WARDEN*. February 7, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 506. *HEATH v. RAGEN, WARDEN*. February 7, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 556. *MACCRETH v. ALABAMA*. February 7, 1944. 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. 649, 15 So. 2d 114.

No. 541. *FITZJERRELL v. BECKER, WARDEN*. February 7, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied. The motion for leave to file petition for writ of habeas corpus is also denied.

No. 577. *TRIMBLE ET AL. v. JUSTICE ET AL., EXECUTORS. ET AL.* See *ante*, p. 747.

No. 568. *HARPER v. UNITED STATES*. February 14, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. H. F. Rawls* for petitioner. *Solicitor General Fahy* for the United States. Reported below: 138 F. 2d 538.

No. 573. *SCHUCHARDT v. MICHIGAN*. February 14, 1944. Petition for writ of certiorari to the Circuit Court

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of Midland County, Michigan, denied. *Mr. A. W. Richter* for petitioner. *Messrs. Herbert J. Rushton*, Attorney General of Michigan, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent.

No. 576. *MEEKS v. TAYLOR, TRUSTEE, ET AL.* February 14, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. L. E. Heath* and *Benjamin E. Pierce* for petitioner. Reported below: 138 F. 2d 458.

No. 582. *UNITED STATES EX REL. TENNESSEE VALLEY AUTHORITY v. POWELSON, ASSIGNEE, ET AL.* February 14, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Solicitor General Fahy* and *Mr. William C. Fitts, Jr.* for petitioner. *Messrs. George Lyle Jones* and *George H. Wright* for respondents. Reported below: 138 F. 2d 343.

No. 585. *NOEL ET AL. v. OLDS ET AL.* February 14, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Frank J. Hogan* and *James C. Rogers* for petitioners. *Messrs. John E. Larson, Homer Cummings, O. Max Gardner, William Stanley, J. Edward Burroughs, Jr., Cushman Radebaugh*, and *Harry McMullan* for respondents. Reported below: 138 F. 2d 581.

No. 591. *COOPERATIVE TRANSIT CO. ET AL. v. STATE ROAD COMMISSION.* February 14, 1944. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied. *Messrs. Jay T. McCamic* and *Gordon D. Kinder* for petitioners.

No. 581. *WOOD v. DOWD, WARDEN*. February 14, 1944. Petition for writ of certiorari to the Supreme Court of Indiana denied. Reported below: 51 N. E. 2d 356.

No. 596. *REAVES v. MISSOURI*. February 14, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 599. *LUMLEY v. MISSOURI*. February 14, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 645. *LOCKE v. RAGEN, WARDEN*. February 14, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 653. *SHELLENBERG v. BECKER, WARDEN*. February 14, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 586. *SPRAGUE v. ILLINOIS*. February 14, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 612. *EVENOW v. ILLINOIS*. February 14, 1944. The petition for writ of certiorari to the Supreme Court of Illinois is denied for the reason that application therefor was not made within the time provided by law. § 8 (a), Act of February 13, 1925 (43 Stat. 936, 940), 28 U. S. C., § 350.

No. 558. *SEA GULL LUBRICANTS, INC. v. UNITED STATES*. February 28, 1944. Petition for writ of certiorari to the Court of Claims denied. *Mr. Ashley M. Van Duzer* for

petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, Miss Helen R. Carloss, and Mrs. Elizabeth B. Davis* for the United States. Reported below: 100 Ct. Cls. 576, 50 F. Supp. 230.

No. 579. UNITED STATES LINES OPERATIONS, INC. v. UNITED STATES. February 28, 1944. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Wm. I. Denning, John W. Cross, and Earl C. Walck* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Walter J. Cummings, Jr.* for the United States. Reported below: 99 Ct. Cls. 744.

No. 590. DAVIS v. UNITED STATES ET AL. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. D. H. Redfearn and R. H. Ferrell* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for respondents. Reported below: 138 F. 2d 406.

No. 594. PEARSON ET AL., DOING BUSINESS AS BEN PEARSON Co., v. WALLING, ADMINISTRATOR. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. J. W. Dickey and A. F. House* for petitioners. *Solicitor General Fahy, Messrs. Douglas B. Maggs and Archibald Cox, and Miss Bessie Margolin* for respondent. Reported below: 138 F. 2d 655.

No. 595. COOPERATIVE TRANSIT Co. v. HYPHA DAYOUB. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied.

Mr. Gordon D. Kinder for petitioner. Reported below: 138 F. 2d 534.

No. 604. INTERNATIONAL LADIES' GARMENT WORKERS UNION ET AL. *v.* SUPERIOR COURT OF CALIFORNIA ET AL. February 28, 1944. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, of California denied. *Messrs. Emil Schlesinger, S. Hasket Derby, Joseph C. Sharp, and Mathew O. Tobriner* for petitioners. *Mr. Milton Marks* for respondents.

No. 608. VAN DUSEN *v.* COMMISSIONER OF INTERNAL REVENUE. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Joseph E. Davies and Raymond N. Beebe* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Miss Helen R. Carloss* for respondent. Reported below: 138 F. 2d 510.

No. 609. VAN DUSEN *v.* COMMISSIONER OF INTERNAL REVENUE. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Joseph E. Davies and Raymond N. Beebe* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Miss Helen R. Carloss* for respondent. Reported below: 138 F. 2d 510.

No. 610. INTERNATIONAL TYPOGRAPHICAL UNION *v.* COUNTY OF MACOMB ET AL. February 28, 1944. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. Irvin Long* for petitioner. *Mr. Alex. J. Groesbeck* for respondents. Reported below: 306 Mich. 562, 11 N. W. 2d 242.

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No. 614. COLUMBIA CHEESE CO. ET AL. *v.* McNUTT, FEDERAL SECURITY ADMINISTRATOR. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Martin A. Frommer* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for respondent. Reported below: 137 F. 2d 576.

No. 615. JASPER CHAIR CO. *v.* NATIONAL LABOR RELATIONS BOARD. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Isidor Kahn and Douglas L. Hatch* for petitioner. *Solicitor General Fahy, Messrs. Walter J. Cummings, Jr. and Alvin J. Rockwell, and Miss Ruth Weyand* for respondent. Reported below: 138 F. 2d 756.

No. 618. NEW SOUTHERN OHIO GAS CO. ET AL. *v.* ROUSH ET AL. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Chalmers M. Parker* for petitioners. *Mr. Arthur L. Rowe* for respondents. Reported below: 138 F. 2d 411.

No. 626. DERRICK ET AL. *v.* CITY COUNCIL OF AUGUSTA ET AL. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Lansing B. Lee* for petitioners. Reported below: 138 F. 2d 507.

No. 627. CHARLESTON TRANSIT CO. ET AL. *v.* STERLING NATIONAL BANK & TRUST CO., TRUSTEE. February 28, 1944. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied. *Mr. Robert S. Spilman* for petitioners. Reported below: 27 S. E. 2d 256.

No. 605. *FLYNN v. BOWLES, PRICE ADMINISTRATOR*. February 28, 1944. Petition for writ of certiorari to the United States Emergency Court of Appeals denied. *Evelyn Flynn, pro se. Solicitor General Fahy and Mr. Richard H. Field* for respondent.

No. 623. *BODELL, EXECUTOR, v. COMMISSIONER OF INTERNAL REVENUE*. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Ira Lloyd Letts* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Joseph M. Jones, and Miss Helen R. Carloss* for respondent. Reported below: 138 F. 2d 553.

No. 629. *BRYAN ET AL. v. CREAVES*. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Leon M. Despras* for petitioners. *Mr. Jacob Levy* for respondent. Reported below: 138 F. 2d 377.

No. 630. *EDWARD G. BUDD MANUFACTURING CO. v. NATIONAL LABOR RELATIONS BOARD*. February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Henry S. Drinker* for petitioner. *Solicitor General Fahy, Messrs. Walter J. Cummings, Jr. and Alvin J. Rockwell, and Miss Ruth Weyand* for respondent. Reported below: 138 F. 2d 86.

No. 631. *COHEN ET AL. v. YOUNG ET AL.* February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Meyer*

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Abrams for petitioners. *Mr. Thomas G. Long* for respondents. Reported below: 135 F. 2d 625.

No. 651. *DUKE, DOING BUSINESS AS ROOSEVELT CHAIR & SUPPLY Co., v. EVEREST ET AL.* February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Charles B. Cannon and Geo. H. Wallace* for petitioner. *Mr. Fred H. Miller* for respondents. Reported below: 139 F. 2d 22.

No. 607. *WALEY v. JOHNSTON, WARDEN.* February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Harmon Metz Waley, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Beatrice Rosenberg* for respondent. Reported below: 139 F. 2d 117.

No. 611. *DUNCAN v. IOWA.* February 28, 1944. Petition for writ of certiorari to the Supreme Court of Iowa denied. Reported below: 11 N. W. 2d 484.

No. 672. *TAYLOR v. RAGEN, WARDEN.* February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied.

No. 677. *FRAME v. AMRINE, WARDEN.* February 28, 1944. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 509. *LANG v. SWOPE, WARDEN.* February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied.

No. 666. *JOHNSON ET AL. v. MASONIC BUILDING CO.* February 28, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Lucien H. Boggs* for petitioners. *Mr. W. Inman Curry* for respondent. Reported below: 138 F. 2d 817.

No. 760. *BUCHALTER v. WARDEN OF SING SING PRISON.* March 4, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *MR. JUSTICE MURPHY* and *MR. JUSTICE JACKSON* took no part in the consideration or decision of this application. *Mr. J. Bertram Wegman* for petitioner. Reported below: 141 F. 2d 259.

No. 636. *BUTLER ET AL. v. McKEY.* March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Theodore J. Roche, James Farragher, and Theodore H. Roche* for petitioners. *Mr. John W. Dinkelspiel* for respondent. Reported below: 138 F. 2d 373.

No. 637. *STEADMAN v. ATLANTIC COAST LINE RAILROAD Co.* March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Julian S. Wolfe* for petitioner. *Messrs. Douglas McKay and Thos. W. Davis* for respondent. Reported below: 138 F. 2d 691.

Nos. 638, 639 and 640. *WEST LAUREL HILL CEMETERY Co. v. ROTHENSIES, COLLECTOR OF INTERNAL REVENUE.* March 6, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Paul Reilly* for petitioner. *Solicitor General Fahy, As-*

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Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and A. F. Prescott for respondent. Reported below: 139 F.2d 50.

No. 641. AETNA LIFE INSURANCE CO. *v.* BARNETT ET AL.;

No. 642. AETNA LIFE INSURANCE CO. *v.* SAVINGS INVESTMENT & TRUST CO.; and

No. 643. EQUITABLE LIFE ASSURANCE SOCIETY *v.* BARNETT. March 6, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Edward A. Markley* for petitioners. *Mr. Josiah Stryker* for respondents in Nos. 641 and 643. *Mr. Arthur T. Vanderbilt* for respondent in No. 642. Reported below: 139 F.2d 483.

No. 646. BIRMINGHAM CORPORATION *v.* COMMISSIONER OF INTERNAL REVENUE. March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Russell D. Morrill and Francis L. Casey* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, Newton K. Fox, and Robert L. Stern, and Miss Helen R. Carloss* for respondent. Reported below: 138 F.2d 455.

No. 650. CONVEY *v.* OMAHA NATIONAL BANK. March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Richard C. Meissner* for petitioner. Reported below: 140 F.2d 640.

No. 652. CLEO SYRUP CORP. *v.* COCA-COLA COMPANY. March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr.*

Ralph Kalish for petitioner. *Messrs. Samuel W. Fordyce, John A. Sibley, and Edwin W. Canada* for respondent. Reported below: 139 F.2d 416.

Nos. 655 and 656. *RADCLIFF GRAVEL CO., INC. ET AL. v. HENDERSON, DEPUTY COMMISSIONER, U. S. EMPLOYEES' COMPENSATION COMMISSION, ET AL.* March 6, 1944. Petitions for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Palmer Pillans* for petitioners. *Solicitor General Fahy, Assistant Attorney General Shca, and Messrs. Robert L. Stern and Melvin Richter* for Henderson. Reported below: 138 F.2d 549.

No. 659. *DE FREMERY & CO. v. UNITED STATES.* March 6, 1944. 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 Messrs. John R. Benney and Walter J. Cummings, Jr.* for the United States. Reported below: 138 F.2d 161.

No. 665. *MATTSON v. AMUSEMENT CORPORATION OF AMERICA.* March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Burton G. Henson* for petitioner. *Mr. Albert G. McCaleb* for respondent. Reported below: 138 F.2d 693.

No. 668. *ESENWEIN v. COMMONWEALTH EX REL. ESENWEIN.* March 6, 1944. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. *Mr. Sidney J. Watts* for petitioner. *Mr. J. Thomas Hoffman*

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for respondent. Reported below: 348 Pa. 455, 35 A. 2d 335.

No. 633. *NORTH v. UNITED STATES*. March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. Mr. *Howard A. Newman* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Tom C. Clark*, and Mr. *Robert S. Erdahl* for the United States. Reported below: 139 F. 2d 598.

No. 597. *McMURTRY v. UNITED STATES*. March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Dewey Wallace McMurry, pro se*. *Solicitor General Fahy*, *Assistant Attorney General Tom C. Clark*, and Messrs. *Robert S. Erdahl* and *W. Marvin Smith* for the United States. Reported below: 139 F. 2d 482.

No. 647. *BOOTH v. STATE FARM MUTUAL AUTOMOBILE INSURANCE Co.* March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. Messrs. *Morton L. Wallerstein* and *Philip Rosenfeld* for petitioner. Reported below: 138 F. 2d 844.

No. 667. *KELLY v. DOWD, WARDEN*. March 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. Reported below: 140 F. 2d 81.

No. 676. *KELLY v. DOWD, WARDEN*. March 6, 1944. Petition for writ of certiorari to the Circuit Court of Ap-

peals for the Seventh Circuit denied. Reported below: 140 F. 2d 81.

No. 625. *LYNCH v. UNITED STATES*. March 6, 1944. The petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit is denied for the reason that application therefor was not made within the time provided by law. Rule XI of the Criminal Appeals Rules, 292 U. S. 665-6. *William Lynch, pro se. Solicitor General Fahy* for the United States. Reported below: 139 F. 2d 699.

No. 714. *FERGUSON v. MASSACHUSETTS*. March 6, 1944. The petition for writ of certiorari to the Superior Court of Massachusetts is denied for the reason that application therefor was not made within the time provided by law. § 8 (a), Act of February 13, 1925 (43 Stat. 936, 940), 28 U. S. C., § 350.

No. 669. *FRATERNAL ORDER OF POLICE ET AL. v. HARRIS ET AL.* March 13, 1944. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. Edward N. Barnard* for petitioners. *Mr. Paul G. Eger* for respondents. *Messrs. Paul E. Krause and John H. Witherpoon* filed a brief on behalf of the City of Detroit, as *amicus curiae*, opposing the petition. Reported below: 306 Mich. 68, 10 N. W. 2d 310.

No. 670. *MILLER ET AL., PARTNERS, ET AL. v. WALLING, ADMINISTRATOR*. March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. George P. Lamb and Pierce Butler* for petitioners. *Solicitor General Fahy* and *Messrs. Robert L. Stern, Douglas B. Maggs, Archibald*

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Cox, and *Joseph I. Nachman* for respondent. Reported below: 138 F. 2d 629.

No. 675. *DEMPSEY, ADMINISTRATOR, v. GUARANTY TRUST Co.* March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Lewis E. Pennish* for petitioner. *Messrs. James P. Dillie and Otis T. Bradley* for respondent. Reported below: 138 F. 2d 663.

No. 686. *MILES NATIONAL FARM LOAN ASSOCIATION v. FEDERAL LAND BANK OF HOUSTON.* March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Scott Snodgrass* for petitioner. *Mr. Dan Moody* for respondent. Reported below: 139 F. 2d 422.

No. 689. *TAYLOR INSTRUMENT COMPANIES v. FAWLEY-BROST COMPANY.* March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Edward S. Rogers, William T. Woodson, Karl D. Loos, and Preston B. Kavanagh* for petitioner. *Mr. Albert I. Kegan and Mrs. Esther O. Kegan* for respondent. *Messrs. Will Freeman and C. B. Spangenberg* on behalf of the Brown Instrument Co., and *Messrs. Casper W. Ooms and E. S. Booth* on behalf of the Republic Flow Meters Co., filed briefs, as *amici curiae*, in support of the petition. Reported below: 139 F. 2d 98.

No. 693. *WALLING, ADMINISTRATOR, v. L. WIEMANN Co.* March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Solicitor General Fahy* and *Mr. Douglas B. Maggs*

for petitioner. *Mr. Morris Karon* for respondent. Reported below: 138 F. 2d 602.

No. 657. *WESTERN CARTRIDGE CO. v. NATIONAL LABOR RELATIONS BOARD.* March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Allan Seserman* for petitioner. *Solicitor General Fahy, Mr. Alvin J. Rockwell, and Miss Ruth Weyand* for respondent. Reported below: 138 F. 2d 551.

No. 660. *VANCOUVER BOOK & STATIONERY CO., INC. v. L. C. SMITH & CORONA TYPEWRITERS, INC. ET AL.* March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Frank C. Hanley* for petitioner. Reported below: 138 F. 2d 635.

No. 683. *CHARLES HUGHES & Co., INC. v. SECURITIES & EXCHANGE COMMISSION.* March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *MR. JUSTICE DOUGLAS* took no part in the consideration or decision of this application. *Mr. David V. Cahill* for petitioner. *Solicitor General Fahy and Messrs. Chester T. Lane and Milton V. Freeman* for respondent. Reported below: 139 F. 2d 434.

No. 588. *SPALEK ET AL. v. UNITED STATES.* March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *MR. JUSTICE MURPHY* took no part in the consideration or decision of this application. *Mr. John J. Sloan* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for the United States.

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No. 606. *NIVENS v. UNITED STATES*. March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Claud Nivens, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for the United States. Reported below: 139 F. 2d 226.

No. 703. *NICHOLS v. UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SEVENTH CIRCUIT*. March 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied.

No. 739. *RANSIN v. NIERSTHEIMER, WARDEN*. March 13, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 713. *MOORE v. MICHIGAN*. March 13, 1944. Petition for writ of certiorari to the Supreme Court of Michigan denied for the reason that it does not appear from the record that application therefor was made within the time provided by law. § 8 (a), Act of February 13, 1925 (43 Stat. 936, 940), 28 U. S. C., § 350. Reported below: 306 Mich. 29, 10 N. W. 2d 296.

No. 310. *WELLS FARGO BANK & UNION TRUST CO., EXECUTOR, ET AL. v. IMPERIAL IRRIGATION DISTRICT ET AL.* March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Sidney M. Ehrman, Robert B. Murphey, and W. Coburn Cook* for petitioners. *Messrs. Harry W. Horton and George Herrington* for respondents. Reported below: 136 F. 2d 539.

No. 525. *GODBERSEN v. UNITED STATES*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Gilbert Lorenz Godbersen, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and W. Marvin Smith* for the United States. Reported below: 139 F. 2d 491.

No. 661. *PERLEY v. ROBERTS ET AL.* March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. Reported below: 138 F. 2d 518.

No. 685. *WALLING, ADMINISTRATOR, v. BLOCK*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Solicitor General Fahy and Mr. Douglas B. Maggs* for petitioner. *Messrs. Cassius E. Gates and Edward G. Dobrin* for respondent. Reported below: 139 F. 2d 268.

No. 690. *KAPLAN ET AL., CO-PARTNERS, v. NATIONAL LABOR RELATIONS BOARD*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Herbert L. Wasserman* for petitioners. *Solicitor General Fahy, Mr. Alvin J. Rockwell, and Miss Ruth Weyand* for respondent. Reported below: 138 F. 2d 884.

Nos. 691 and 692. *PENNSYLVANIA COMPANY FOR INSURANCE ON LIVES AND GRANTING ANNUITIES, TRUSTEE, v. UNITED STATES*. March 27, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Walter Biddle Saul* for petitioner. *Solicitor General Fahy, Assistant Attorney General Sam-*

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uel O. Clark, Jr., Messrs. Sewall Key, Carlton Fox, and Valentine Brookes, and Miss Helen R. Carloss for the United States. Reported below: 138 F. 2d 869.

No. 696. *DOSS v. ILLINOIS*. March 27, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Mr. A. M. Fitzgerald* for petitioner. Reported below: 384 Ill. 400, 51 N. E. 2d 517.

No. 697. *ROTH, TRUSTEE, v. CARLSON, ADMINISTRATOR*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. W. T. Faricy and Nelson J. Wilcox* for petitioner. *Mr. Roy F. Hall* for respondent. Reported below: 138 F. 2d 753.

No. 700. *BAKER v. HUNTER, WARDEN*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. A. G. Bush* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Beatrice Rosenberg* for respondent.

No. 705. *PIEDMONT FIRE INSURANCE CO. v. AARON ET AL.* March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Alexander H. Sands* for petitioner. *Messrs. Allan D. Jones and Tazewell Taylor* for respondents. Reported below: 138 F. 2d 732.

No. 707. *GAINES, GUARDIAN, v. SUN LIFE ASSURANCE Co.* March 27, 1944. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Mr. Lucas S. Miel*

for petitioner. *Messrs. Henry C. Walters and Cashan P. Head* for respondent. Reported below: 306 Mich. 192, 10 N. E. 2d 823.

No. 718. NATIONAL SURETY CORP. *v.* PROVIDENT TRUST Co. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. George E. Beechwood* for petitioner. *Mr. Harvey A. Miller* for respondent. Reported below: 138 F. 2d 252.

No. 720. HARTMAN *v.* ROSS. March 27, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Frank J. Hogan, Edmund L. Jones, and Howard Boyd* for petitioner. *Mr. Charles H. Houston* for respondent. Reported below: 139 F. 2d 14.

No. 738. ISELIN ET AL. *v.* LACOSTE. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. L. Bryan Dabney* for petitioners. Reported below: 139 F. 2d 887.

No. 624. CAPE ANN GRANITE CO., INC. *v.* UNITED STATES. March 27, 1944. Petition for writ of certiorari to the Court of Claims denied. *Mr. Horace M. Gray* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Paul A. Sweeney* for the United States. Reported below: 100 Ct. Cls. 53.

No. 671. McMULLEN *v.* UNITED STATES. March 27, 1944. Petition for writ of certiorari to the Court of Claims denied. *Messrs. Leo R. Friedman, William E. Leahy, and*

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Nicholas J. Chase for petitioner. *Solicitor General Fahy* and *Assistant Attorney General Shea* for the United States. Reported below: 100 Ct. Cls. 323.

No. 708. *SINGER ET AL. v. UNITED STATES*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. John W. Cragun* and *William Stanley* 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: 141 F. 2d 262.

No. 712. *KELLEY v. AMERICAN SUGAR REFINING CO.* March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Messrs. Patrick Henry Kelley* and *Daniel J. Lyne* for petitioner. *Messrs. John L. Hall* and *Richard Wait* for respondent. Reported below: 139 F. 2d 76.

No. 715. *DIXIE MARGARINE CO. v. SHAEFER, FORMERLY DEPUTY COLLECTOR OF INTERNAL REVENUE*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. George N. Murdock* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, and *Messrs. Sewall Key, J. Louis Monarch*, and *Robert L. Stern* for respondent. Reported below: 139 F. 2d 221.

No. 719. *JAFFE v. FEDERAL TRADE COMMISSION*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Benjamin F. Morrison* for petitioner. *Solicitor General*

Fahy, Assistant Attorney General Berge, and Messrs. Charles H. Weston, Matthias N. Orfield, and W. T. Kelley for respondent. Reported below: 139 F. 2d 112.

No. 724. *WALKER v. SQUIER, WARDEN.* March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. S. Wallace Dempsey* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Beatrice Rosenberg* for respondent. Reported below: 139 F. 2d 28.

No. 725. *NORTHWESTERN OIL CO. v. SOCONY-VACUUM OIL CO., INC. ET AL.* March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. William P. Crawford* for petitioner. *Messrs. David T. Searls, H. H. Thomas, and William H. Dougherty* for respondents. Reported below: 138 F. 2d 967.

No. 727. *VESCELIUS, TRUSTEE IN BANKRUPTCY, v. WEDEEN.* March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. William N. Gurtman* for petitioner. *Mr. Leo Guzik* for respondent. Reported below: 139 F. 2d 840.

No. 729. *DECKER v. UNITED STATES.* March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. William D. Donnelly* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and Shelby Fitze* for the United States. Reported below: 140 F. 2d 375, 378.

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No. 752. ARKY, FORMERLY DOING BUSINESS AS LAWRENCE ELECTRIC CONSTRUCTION Co., v. ROSENBERG, TRUSTEE. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Michael Halpern* for petitioner. *Mr. Charles E. Bernstein* for respondent. Reported below: 138 F. 2d 669.

No. 723. CITY OF LOS ANGELES ET AL. v. NATURAL SODA PRODUCTS Co. March 27, 1944. Petition for writ of certiorari to the Supreme Court of California denied. *Messrs. Ray L. Chesebro, S. B. Robinson, Samuel Poorman, Jr., and A. E. Chandler* for petitioners. *Messrs. Francis R. Kirkham and Jess G. Sutliff* for respondent. Reported below: 23 Cal. 2d 193, 143 P. 2d 12.

No. 632. MISSOURI EX REL. MCKITTRICK, ATTORNEY GENERAL, v. MISSOURI PUBLIC SERVICE CORP. March 27, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied. MR. JUSTICE ROBERTS took no part in the consideration or decision of this application. *Messrs. Roy McKittrick, Attorney General of Missouri, Russell N. Pickett, Harry G. Waltner, Jr., and Pross T. Cross* for petitioner. *Messrs. A. Z. Patterson and DeWitt C. Chastain* for respondent. Reported below: 174 S. W. 2d 871.

No. 709. IN THE MATTER OF CATANZARO. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Hayden C. Covington* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and Valentine Brookes* for the United States, respondent. Reported below: 138 F. 2d 100.

No. 695. *VIERECK v. UNITED STATES*. March 27, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Leo A. Rover and John J. Wilson* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. George A. McNulty and Albert E. Arent* for the United States. Reported below: 139 F. 2d 847.

No. 706. *MCGEE v. KAISER, WARDEN*. March 27, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 761. *WHITED v. WARDEN, ILLINOIS STATE PENITENTIARY, MENARD BRANCH*. March 27, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 561. *MITCHELL v. UNITED STATES*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *William Mitchell, pro se. 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 831.

No. 617. *TERRELL v. PESCOR, WARDEN*. March 27, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Henry E. Terrell, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and Valentine Brookes* for respondent. Reported below: 139 F. 2d 32.

No. 782. *CULLOTTA v. RAGEN, WARDEN*. March 27, 1944. Petition for writ of certiorari to the Supreme Court

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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.

Nos. 721 and 722. BOARD OF COUNTY COMMISSIONERS OF PAWNEE COUNTY ET AL. *v.* UNITED STATES. April 3, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Mr. Randell S. Cobb*, Attorney General of Oklahoma, for petitioners. *Solicitor General Fahy*, Assistant Attorney General *Littell*, and *Messrs. Vernon L. Wilkinson* and *Fred W. Smith* for the United States. Reported below: 139 F. 2d 248.

Nos. 730, 731, 732 and 733. KERTESS *v.* UNITED STATES. April 3, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Edward V. Broderick* for petitioner. *Solicitor General Fahy*, Assistant Attorney General *Tom C. Clark*, and *Mr. Edward G. Jennings* for the United States. Reported below: 139 F. 2d 923.

No. 735. BALTIMORE TRANSIT CO. ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. April 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Philip B. Perlman*, *Chas. A. Trageser*, *Harry Troth Gross*, and *Luther Day* for petitioners. *Solicitor General Fahy*, *Messrs. Alvin J. Rockwell*, *David Findling*, and *Millard Cass*, and *Miss Ruth Weyand* for respondent. Reported below: 140 F. 2d 51.

No. 737. ATLANTIC COAST LINE RAILROAD CO. *v.* SIDNEY BLUMENTHAL & Co., INC. April 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for

the Second Circuit denied. *Messrs. Chauncey I. Clark and Eugene Underwood* for petitioner. *Mr. Theodore L. Bailey* for respondent. Reported below: 139 F. 2d 288.

No. 743. *DEPAOLI ET UX. v. UNITED STATES*. April 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. William M. Kearney* for petitioners. *Solicitor General Fahy, Assistant Attorney General Littell*, and *Messrs. Chester T. Lane, Norman MacDonald, and John C. Harrington* for the United States. Reported below: 139 F. 2d 225.

No. 746. *SPITZER ET AL. v. STANDARD GAS & ELECTRIC Co.* April 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Julius Hallheimer* for petitioners. *Mr. William H. Button* for respondent. Reported below: 139 F. 2d 149.

No. 747. *WILSON ET AL. v. FUHRHOP ET AL.* April 3, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Messrs. Guy A. Thompson and Samuel A. Mitchell* for petitioners. *Messrs. Jacob M. Lashly and J. Fred Gilster* for respondents. Reported below: 385 Ill. 149, 52 N. E. 2d 267.

No. 678. *STROUD v. JOHNSTON, WARDEN*. April 3, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Robert Stroud, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark*, and *Mr. Robert S. Erdahl* for respondent. Reported below: 139 F. 2d 171.

No. 744. *NELSON v. WEBB, SUPERINTENDENT OF WASHINGTON STATE PENITENTIARY*. April 3, 1944. Pe-

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tition for writ of certiorari to the Supreme Court of Washington denied.

No. 736. *HARGROVE v. UNITED STATES*. April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Leo Brewer and Warren O. Coleman* for petitioner. *Solicitor General Fahy* and *Mr. Robert S. Erdahl* for the United States. Reported below: 139 F. 2d 1014.

No. 753. *JOHN A. JOHNSON CONTRACTING CORP., FORMERLY J. A. J. CONSTRUCTION CO., ET AL. v. UNITED STATES FOR THE USE AND BENEFIT OF WORTHINGTON PUMP & MACHINERY CORP.* April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Emanuel Harris* for petitioners. *Mr. Andrew B. Crummy* for respondent. Reported below: 139 F. 2d 274.

No. 755. *MOTTAZ ET AL. v. SCHEUFLE, SUPERINTENDENT OF INSURANCE, ET AL.* April 10, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Messrs. Sam B. Sebree and Edgar Shook* for petitioners. *Messrs. Stanley Bassett and Preston Estep* for respondents. Reported below: 351 Mo. 1139, 175 S. W. 2d 836.

No. 756. *AMERICAN CREOSOTING CO. v. NATIONAL LABOR RELATIONS BOARD*. April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Kenneth Gardner* for petitioner. *Solicitor General Fahy, Mr. Alvin J. Rockwell, and Miss Ruth Weyand* for respondent. Reported below: 139 F. 2d 193.

No. 764. *FENTON v. WALLING, ADMINISTRATOR*; and

No. 765. *SMITH v. WALLING, ADMINISTRATOR*. April 10, 1944. Petitions for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. Louis Ferrari, G. D. Schilling, and Philip S. Ehrlich* for petitioners. *Solicitor General Fahy, Messrs. Douglas B. Maggs and Joseph I. Nachman, and Miss Bessie Margolin* for respondent. Reported below: 139 F. 2d 608.

No. 769. *PENNSYLVANIA POWER & LIGHT CO. v. FEDERAL POWER COMMISSION*. April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. John F. MacLane* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Paul A. Sweeney, Charles V. Shannon, and Howard E. Wahrenbrock* for respondent. Reported below: 139 F. 2d 445.

No. 774. *BARG v. ILLINOIS*. April 10, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied. *Messrs. Richard E. Westbrooks, Brien McMahon, and Walter E. Gallagher* for petitioner. *Messrs. George F. Barrett, Attorney General of Illinois, and William C. Wines, Assistant Attorney General, for respondent*. Reported below: 384 Ill. 172, 51 N. E. 2d 168.

No. 776. *DEALER'S TRANSPORT CO. v. REESE, ADMINISTRATRIX, ET AL.* April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. D. M. Powell* for petitioner. *Messrs. Richard T. Rives and A. F. Whiting* for respondents. Reported below: 138 F. 2d 638.

No. 783. *CONNECTICUT MUTUAL LIFE INSURANCE CO. v. SPERBER*; and

No. 784. *NEW YORK LIFE INSURANCE CO. v. SPERBER*.

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Decisions Denying Certiorari.

April 10, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. James C. Jones, Jr.* for petitioners. *Mr. Bert E. Strubinger* for respondent. Reported below: 140 F. 2d 2.

No. 805. *CAPETOLA ET AL. v. BARCLAY WHITE CO.* April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. John J. McDevitt, Jr.* for petitioners. Reported below: 139 F. 2d 556.

No. 829. *BAILEY v. ANDERSON, STATE HIGHWAY COMMISSIONER, ET AL.* April 10, 1944. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. The application for a stay is also denied. Reported below: 182 Va. 70, 27 S. E. 2d 914.

No. 687. *GILLELAND v. UNITED STATES.* April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. James F. Kemp* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for the United States. Reported below: 139 F. 2d 73.

No. 688. *BURT ET AL. v. UNITED STATES.* April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. James F. Kemp* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Edward G. Jennings and Shelby Fitze* for the United States. Reported below: 139 F. 2d 73.

Rehearing Denied.

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No. 694. *BOZEL v. UNITED STATES*. April 10, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Emmet H. Bozel, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for the United States. Reported below: 139 F. 2d 153.

No. 773. *MARBRY v. CAIN ET AL.* April 10, 1944. Petition for writ of certiorari to the Supreme Court of Tennessee denied. *Mr. William G. Cavett* for petitioner. *Mr. Leo E. Bearman* for respondents. Reported below: 176 S. W. 2d 813.

CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, FROM JANUARY 11, 1944, THROUGH APRIL 10, 1944.

No. 91. *BAIN PEANUT CO. v. COMMISSIONER OF INTERNAL REVENUE*. March 6, 1944. Certiorari, 320 U. S. 721, to the Circuit Court of Appeals for the Fifth Circuit. Dismissed on motion of counsel for the petitioner. *Mr. B. L. Agerton* for petitioner. Reported below: 134 F. 2d 853.

DECISIONS DENYING REHEARING, FROM JANUARY 11, 1944, THROUGH APRIL 10, 1944.*

No. —. *Ex PARTE ARTHUR S. HUMES*. January 17, 1944. MR. JUSTICE MURPHY took no part in the consideration or decision of this application. 320 U. S. 716.

*See Table of Cases Reported in this volume for earlier decisions in these cases, unless otherwise indicated.