

preme Court of Missouri is granted. *O. C. Tomkins, pro se. Mr. Roy McKittrick*, Attorney General of Missouri, for respondent.

DECISIONS DENYING CERTIORARI, FROM
APRIL 11, 1944, THROUGH JUNE 12, 1944.

No. 644. VALENTINE-CLARK CORPORATION *v.* COMMISSIONER OF INTERNAL REVENUE. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Hayner N. Larson* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Misses Helen R. Carloss and Louise Foster* for respondent. Reported below: 137 F. 2d 481.

No. 777. NORTHWEST BANCORPORATION *v.* COMMISSIONER OF INTERNAL REVENUE. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. J. B. Faegre and Hayner N. Larson* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Misses Helen R. Carloss and Helen Goodner* for respondent. Reported below: 140 F. 2d 958.

No. 749. GABLE ET AL. *v.* ALABAMA. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Alabama denied. *Mr. G. Ernest Jones* for petitioners. *Messrs. William N. McQueen, Attorney General of Alabama, and John O. Harris, Assistant Attorney General*, for respondent. Reported below: 245 Ala. 53, 15 So. 2d 600.

No. 757. FEINBERG ET AL. *v.* UNITED STATES. April 24, 1944. Petition for writ of certiorari to the Circuit

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Court of Appeals for the Second Circuit denied. *Messrs. George Wolf and Horace M. Barba* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for the United States. Reported below: 140 F. 2d 592.

No. 763. UNITED STATES EX REL. POTTS *v.* RABB, U. S. MARSHAL. April 24, 1944. Petition for writ 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 Tom C. Clark, and Messrs. Robert S. Erdahl and Shelby Fitze* for respondent. Reported below: 141 F. 2d 45.

No. 770. WILLIAMS *v.* UNITED STATES. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. W. F. Semple and George H. Jennings* for petitioner. *Solicitor General Fahy, Assistant Attorney General Littell, and Messrs. Norman MacDonald and Walter J. Cummings, Jr.* for the United States. Reported below: 139 F. 2d 83.

No. 778. MITCHELL IRRIGATION DISTRICT *v.* WHITING, WATER COMMISSIONER. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Wyoming denied. *Mr. James A. Greenwood* for petitioner. *Messrs. Louis J. O'Marr and Ray E. Lee* for respondent. Reported below: 59 Wyo. 52, 136 P. 2d 502.

No. 792. TOWN OF PELHAM *v.* EMPLOYERS' LIABILITY ASSURANCE CORP., LTD. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. William L. Ransom* for petitioner.

Mr. Edward S. Bentley for respondent. Reported below: 139 F. 2d 989.

No. 796. *EELLS v. HALL*. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Kansas denied. Reported below: 157 Kan. 551, 142 P. 2d 703.

No. 797. *STARR PIANO CO. v. ROGAN, EXECUTRIX*. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. John B. Milliken* and *L. A. Luce* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, and *Messrs. Sewall Key, J. Louis Monarch*, and *Homer R. Miller* for respondent. Reported below: 139 F. 2d 671.

No. 807. *SUN PUBLISHING CO. v. WALLING, ADMINISTRATOR*. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Elisha Hanson* and *C. E. Pigford* and *Miss Letitia Armistead* for petitioner. *Solicitor General Fahy*, *Messrs. Robert L. Stern, Douglas B. Maggs, Peter Seitz*, and *Miss Bessie Margolin* for respondent. Reported below: 140 F. 2d 445.

No. 602. *KARP METAL PRODUCTS CO., INC. v. NATIONAL LABOR RELATIONS BOARD*. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Samuel Rubinton* and *Leonard Acker* for petitioner. *Solicitor General Fahy*, *Mr. Alvin J. Rockwell*, and *Miss Ruth Weyand* for respondent. Reported below: 134 F. 2d 954.

No. 673. *THOMPSON v. FARMERS BANK*. April 24, 1944. Petition for writ of certiorari to the Circuit Court

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of Appeals for the Eighth Circuit denied. *Mr. William Lemke* for petitioner. *Mr. Harry G. Waltner, Jr.* for respondent. Reported below: 139 F. 2d 408.

No. 808. *REICHERT v. FEDERAL LAND BANK OF ST. PAUL.* April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Messrs. Elmer McClain* and *William Lemke* for petitioner. *Mr. Robert J. Barry* for respondent. Reported below: 139 F. 2d 627.

No. 775. *GREAT SOUTHERN TRUCKING CO. ET AL. v. NATIONAL LABOR RELATIONS BOARD.* April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. W. S. Blakeney* for petitioners. *Solicitor General Fahy*, *Messrs. Alvin J. Rockwell* and *Winthrop A. Johns*, and *Miss Ruth Weyand* for respondent. Reported below: 139 F. 2d 984.

No. 787. *CALIFORNIA RETAIL GROCERS & MERCHANTS ASSOCIATION, LTD. ET AL. v. UNITED STATES.* April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Maurice E. Harrison* for petitioners. *Solicitor General Fahy*, *Assistant Attorney General Berge*, and *Mr. Charles H. Weston* for the United States. Reported below: 139 F. 2d 978.

No. 795. *O'NEAL v. UNITED STATES.* April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. John J. Hooker* for petitioner. *Solicitor General Fahy* and *Mr. Thomas I. Emerson* for the United States. Reported below: 140 F. 2d 908.

No. 799. METROPOLITAN LIFE INSURANCE CO. *v.* MADDEN FURNITURE, INC. ET AL. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. Peter O. Knight, C. Fred Thompson, and John Bell* for petitioner. *Mr. O. K. Reaves* for respondents. Reported below: 138 F. 2d 708.

No. 810. EGNER ET AL. *v.* E. C. SCHIRMER MUSIC CO. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Joseph Fischer* for petitioners. *Mr. Francis Gilbert* for respondent. Reported below: 139 F. 2d 398.

No. 812. AMERICAN STORES, INC. *v.* BOWLES, PRICE ADMINISTRATOR. April 24, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Walter E. Gallagher and Herbert Levy* for petitioner. *Solicitor General Fahy and Mr. Thomas I. Emerson* for respondent. Reported below: 139 F. 2d 377.

No. 818. CITY OF NEW YORK *v.* NATIONAL CITY BANK. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Leo Brown* for petitioner. *Mr. Bernard L. Bermant* for respondent. Reported below: 139 F. 2d 244.

No. 658. McDONALD *v.* UNITED STATES. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Walter McDonald, 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 939.

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No. 786. WINSTON *v.* COURTNEY, STATE'S ATTORNEY, ET AL. April 24, 1944. The petition for writ of certiorari to the Supreme Court of Illinois is denied for failure to comply with paragraphs 1 and 2 of Rule 38 and paragraph 1 of Rule 12. MR. JUSTICE RUTLEDGE took no part in the consideration or decision of this application. *Messrs. Weightstill Woods and Urban A. Lavery* for petitioner. *Messrs. Thomas J. Courtney and Francis S. Clamitz* for respondents. Reported below: 384 Ill. 287, 51 N. E. 2d 161.

No. 802. INDEPENDENT ASSOCIATION OF MILL WORKERS ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. The CHIEF JUSTICE took no part in the consideration or decision of this application. *Mr. C. C. Parsons* for petitioners. *Solicitor General Fahy, Mr. Alvin J. Rockwell, and Misses Ruth Weyand and Fannie M. Boyls* for respondent. Reported below: 139 F. 2d 788.

No. 751. SPENCER *v.* PESCOR, WARDEN. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Otis Spencer, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for respondent. Reported below: 140 F. 2d 73.

No. 800. SHOTKIN *v.* MUTUAL BENEFIT HEALTH & ACCIDENT ASSOCIATION. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. Reported below: 138 F. 2d 531.

No. 833. ADAMS *v.* RAGEN, WARDEN. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 837. *SMITH v. RAGEN, WARDEN*. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 859. *SHEPPARD v. NIERSTHEIMER, WARDEN*. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 772. *GARDNER v. KAISER, WARDEN*. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 852. *HAINES v. BOWLES, CLERK*. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 872. *HALL v. NIERSTHEIMER, WARDEN*. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 879. *BERNOVICH v. ILLINOIS*. April 24, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 822. *LONG v. BENSON, WARDEN*. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. The motion for leave to file petition for writ of mandamus is also denied. Reported below: 140 F. 2d 195.

No. 875. *HASKINS v. FEDERAL FARM MORTGAGE CORP.* April 24, 1944. The application for a stay is denied. The petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit 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. 801. *HODGE v. HUFF*. April 24, 1944. Petition for writ 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 this application. *Mr. Roger Robb* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Beatrice Rosenberg* for respondent. Reported below: 140 F. 2d 686.

No. 780. *VOORHEES v. COX, WARDEN*. April 24, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Blatchford Downing* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for respondent. Reported below: 140 F. 2d 132.

No. —. *EX PARTE WILLIAM HANLEY*; and

No. —. *EX PARTE JOHN WELCH*. See *ante*, p. 708.

No. 223. *SEVERIN, SURVIVING PARTNER, v. UNITED STATES*. May 1, 1944. Petition for writ of certiorari to the Court of Claims denied. *Mr. Herman J. Galloway* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Paul A. Sweeney and Newell A. Clapp* for the United States. Reported below: 99 Ct. Cls. 435.

No. 758. *GRAND RIVER DAM AUTHORITY v. BOARD OF EDUCATION OF WYANDOTTE*. May 1, 1944. Petition for

writ of certiorari to the Supreme Court of Oklahoma denied. *Mr. Robert L. Davidson* for petitioner. *Mr. A. C. Wallace* for respondent. Reported below: 147 P. 2d 1003.

No. 798. *GARLINGTON ET AL. v. WASSON*. May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Elmer McClain* for petitioners. Reported below: 139 F. 2d 183.

No. 806. *LEDERER v. UNITED STATES EX REL. BROWN, PRICE ADMINISTRATOR*. May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. John Elliott Byrne* for petitioner. *Solicitor General Fahy* and *Messrs. Ralph F. Fuchs* and *Thomas I. Emerson* for respondent. Reported below: 140 F. 2d 136.

No. 809. *KLEPINGER ET AL. v. RHODES*. May 1, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Patrick H. Loughran* for petitioners. *Mr. Jacob N. Halper* for respondent. *Messrs. Lawrence Koenigsberger, Hugh H. Obear, Paul B. Cromelin,* and *John J. Carmody*, constituting a committee of the Bar Association of the District of Columbia, filed a brief, as *amici curiae*, in support of the petition. Reported below: 140 F. 2d 697.

No. 813. *GOUMAS v. K. KARRAS & SON ET AL.* May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. David P. Siegel* for petitioner. Reported below: 140 F. 2d 157.

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No. 816. CITY OF MILWAUKEE ET AL. *v.* UNITED STATES ET AL. May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Walter J. Mattison, Omar T. McMahon, Oliver L. O'Boyle, and C. Stanley Perry* for petitioners. *Solicitor General Fahy, Assistant Attorney General Littell, and Messrs. Valentine Brookes, Vernon L. Wilkinson, and Thomas L. McKevitt* for respondents. Reported below: 140 F. 2d 286.

No. 823. AMERICAN WEST AFRICAN LINE, INC. ET AL. *v.* "HUILEVER" S. A. DIVISION HUILERIES DU CONGO BELGE ET AL. May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. John W. Crandall and Geo. Whitefield Betts, Jr.* for petitioners. *Messrs. Thomas H. Middleton and Gregory S. Rivkins* for "Huilever" S. A. Division Huileries du Congo Belge et al., and *Messrs. J. M. Richardson Lyeth and Mark W. Maclay* for J. H. Rossbach & Bros. et al., respondents. Reported below: 139 F. 2d 748.

No. 824. HOWELL *v.* COMMISSIONER OF INTERNAL REVENUE; and

No. 825. ESTATE OF HOWELL *v.* COMMISSIONER OF INTERNAL REVENUE. May 1, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Robert Ash* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Harry Baum, and Miss Helen R. Carlross* for respondent. Reported below: 140 F. 2d 765, 768.

No. 827. MURPHY *v.* CITY OF ASBURY PARK. May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Theodore*

D. Parsons for petitioner. *Mr. Ward Kremer* for respondent. Reported below: 139 F. 2d 888.

No. 832. *INNIS v. UNITED MERCANTILE AGENCIES, INC.* May 1, 1944. 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 petitioner. *Mr. Henry I. Green* for respondent. Reported below: 140 F. 2d 479.

No. 843. *SAFEWAY TRAILS, INC. v. GREENLEAF.* May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Louis B. Arnold* for petitioner. *Mr. Louis H. Sheriff* for respondent. Reported below: 140 F. 2d 889.

No. 748. *JOGGER MANUFACTURING CORP. v. ROQUEMORE, DOING BUSINESS AS MULTIGRAPH SALES AGENCY.* May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Howard D. Moses* for petitioner. *Mr. Philip M. Aitken* for respondent.

No. 754. *MESHBERGER ET AL. v. FEDERAL LAND BANK OF LOUISVILLE.* May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. The application for appeal is also denied. *Messrs. Elmer McClain* and *Samuel E. Cook* for petitioners. *Mr. William C. Goodwyn* for respondent. Reported below: 138 F. 2d 954.

No. 789. *BLUE ET AL. v. UNITED STATES;*

No. 790. *CLARK ET AL. v. UNITED STATES;* and

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No. 791. *PARDEE ET AL. v. UNITED STATES*. May 1, 1944. The petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit is denied. MR. JUSTICE MURPHY is of opinion that the petition should be granted. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Messrs. Matthew L. Bigger, Frank Wiedemann, and Carrington T. Marshall* for petitioners. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Messrs. Robert S. Erdahl and Robert L. Stern, and Miss Beatrice Rosenberg* for the United States. Reported below: 138 F. 2d 351.

No. 771. *TELFIAN v. UNITED STATES*. May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Charles Telfian, 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: 142 F. 2d 556.

No. 891. *WATSON v. DOWD, WARDEN*; and
No. 898. *TAYLOR v. DOWD, WARDEN*. May 1, 1944. Petitions for writs of certiorari to the Supreme Court of Indiana denied. Reported below: No. 898, 222 Ind. 289, 53 N. E. 2d 543.

- No. 899. *DUGAN ET AL. v. RAGEN ET AL.*;
No. 900. *SMITH v. RAGEN, WARDEN*;
No. 901. *BONHAM v. RAGEN, WARDEN*;
No. 902. *STOCKEY v. RAGEN, WARDEN*;
No. 903. *SHELLING v. RAGEN, WARDEN*;
No. 904. *GUNTHER v. RAGEN, WARDEN*;
No. 917. *ANDERSON v. RAGEN, WARDEN*;
No. 918. *LULLO v. RAGEN, WARDEN*;

No. 919. HOGMIRE *v.* RAGEN, WARDEN; and

No. 920. LASHBROOK *v.* SULLIVAN, DIRECTOR OF PUBLIC SAFETY. May 1, 1944. The petitions for writs of certiorari to the Supreme Court of Illinois are denied.

No. 762. BUTSCH *v.* O'HARROW, SPECIAL JUDGE. May 1, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied.

No. 936. HOUSE *v.* MAYO, STATE PRISON CUSTODIAN. See *ante*, p. 710.

No. 815. ZALKIND *v.* SCHEINMAN ET AL. May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Samuel Ostrolenk* for petitioner. *Messrs. Armand E. Lackenbach* and *Newton A. Burgess* for respondents. Reported below: 139 F. 2d 895.

No. 819. ILLINOIS CENTRAL RAILROAD CO. *v.* KELLEY. May 8, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied. *Messrs. William R. Gentry, Vernon W. Foster, Charles A. Helsell, and John W. Freels* for petitioner. *Messrs. Mark D. Eagleton and Roberts P. Elam* for respondent. Reported below: 352 Mo. 301, 177 S. W. 2d 435.

No. 820. LAUGHLIN *v.* GARNETT ET AL. May 8, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. James J. Laughlin* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Messrs. Chester T. Lane and Edward G. Jennings, and Miss Beatrice*

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Rosenberg for respondents. Reported below: 138 F. 2d 931.

No. 830. HYMAN, TRUSTEE IN BANKRUPTCY, ET AL. *v.* McLENDON ET AL. May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Marion W. Seabrook* for petitioners. *Messrs. Henry E. Davis* and *Samuel Want* for respondents. Reported below: 140 F. 2d 76.

No. 831. THOMAS *v.* KANSAS. May 8, 1944. Petition for writ of certiorari to the Supreme Court of Kansas denied. *Mr. Elisha Scott* for petitioner. Reported below: 157 Kan. 526, 142 P. 2d 692.

No. 836. McCULLOUGH *v.* KAMMERER CORPORATION ET AL. May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. R. Welton Whann, A. W. Boyken, and Robert M. McManigal* for petitioner. *Messrs. Frederick S. Lyon and Leonard S. Lyon* for respondents. Reported below: 138 F. 2d 482.

No. 840. PEKRAS *v.* COMMISSIONER OF INTERNAL REVENUE; and

No. 841. PEKRAS *v.* COMMISSIONER OF INTERNAL REVENUE. May 8, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Robert H. Rice* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, Newton K. Fox, Robert L. Stern, and Miss Helen R. Carloss* for respondent. Reported below: 139 F. 2d 699.

No. 842. *DOVEL ET AL. v. SLOSS-SHEFFIELD STEEL & IRON Co.* May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Hugh A. Locke* for petitioners. *Mr. E. L. All* for respondent. Reported below: 139 F. 2d 36.

No. 850. *ORANGE THEATRE CORP. v. BRANDT ET AL.* May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Israel B. Greene* for petitioner. *Mr. Milton C. Weisman* for respondents. Reported below: 139 F. 2d 871.

No. 851. *ROWAN COTTON MILLS Co. v. COMMISSIONER OF INTERNAL REVENUE.* May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. J. Gilmer Korner, Jr.* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Joseph M. Jones, and Miss Helen R. Carlross* for respondent. Reported below: 140 F. 2d 277.

No. 858. *SANTLY BROTHERS, INC. v. WILKIE.* May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Sidney Kocin* for petitioner. *Mr. Louis Nizer* for respondent. Reported below: 139 F. 2d 264.

No. 728. *TINKOFF ET AL. v. WEST PUBLISHING Co. ET AL.* May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. Reported below: 138 F. 2d 607.

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No. 740. *BARBER v. UNITED STATES*. May 8, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *William Barber, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. W. Marvin Smith, and Miss Beatrice Rosenberg* for the United States. Reported below: 142 F. 2d 805.

No. 834. *SEGAL v. NEW JERSEY*. May 8, 1944. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 860. *BERTRAND v. ILLINOIS*. May 8, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied. Reported below: 385 Ill. 289, 52 N. E. 2d 706.

No. 835. *CHALFONTE v. SMITH, WARDEN*. May 8, 1944. The petition for writ of certiorari to the Supreme Court of Pennsylvania 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. 838. *RHODES v. FEDERAL LAND BANK OF ST. PAUL ET AL.* May 15, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. William Lemke* for petitioner. *Mr. Robert J. Barry* for respondents. Reported below: 140 F. 2d 612.

No. 839. *WALLING, ADMINISTRATOR, v. PLYMOUTH MANUFACTURING CORP. ET AL.* May 15, 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. Albert B. Chipman* for respondents. Reported below: 139 F. 2d 178.

No. 848. *LYNBROOK GARDENS, INC. v. ULLMAN*. May 15, 1944. Petition for writ of certiorari to the Supreme Court of New York denied. *Mr. Cornelius O. Donahue* for petitioner. *Mr. Thayer Burgess* for respondent. *Messrs. Ignatius M. Wilkinson, Ray L. Chesebro, Ganson Taggart, Leo Brown, and Charles S. Rhyne* on behalf of the National Institute of Municipal Law Officers; *Mr. Mortimer M. Kassell* on behalf of the State Tax Commission of New York; and *Mr. L. Arnold Frye* on behalf of Chautauqua County et al., filed briefs, as *amici curiae*, in support of the petition. *Mr. Milton Pinkus* filed a brief on behalf of Anne M. Leach, as *amicus curiae*, in opposition to the petition. Reported below: 265 App. Div. 859, 37 N. Y. S. 2d 671.

No. 849. *BOWMAN ET AL. v. BOWLES, PRICE ADMINISTRATOR*. May 15, 1944. Petition for writ of certiorari to the United States Emergency Court of Appeals denied. *Mr. Paul W. Steer* for petitioners. *Solicitor General Fahy* and *Mr. Richard H. Field* for respondent. Reported below: 140 F. 2d 974.

No. 853. *BELLAVANCE v. FRANK MORROW Co., INC.* May 15, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Harold E. Cole* for petitioner. *Mr. Nathaniel Frucht* for respondent. Reported below: 141 F. 2d 378.

No. 877. *HIGHFILL ET AL. v. DILATUSH*. May 15, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Archer Wheat-*

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ley for petitioners. *Mr. E. L. Westbrooke* for respondent. Reported below: 140 F. 2d 741.

No. 888. SULLIVAN *v.* MEYER. May 15, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Wm. J. Neale and George E. Sullivan* for petitioner. *Mr. Spencer Gordon* for respondent. Reported below: 141 F. 2d 21.

No. 893. ANTHONY ET AL. *v.* UNITED STATES TRUST CO. May 15, 1944. Petition for writ of certiorari to the Court of Appeals of New York denied. *Mr. Eli J. Blair* for petitioners. *Messrs. George L. Shearer and M'Cready Sykes* for respondent. Reported below: 292 N. Y. 514, 53 N. E. 2d 849.

No. 924. DENTAL PRODUCTS CO., INC. *v.* SMITH. May 15, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Max W. Zabel* for petitioner. *Mr. James R. McKnight* for respondent. Reported below: 140 F. 2d 140.

No. 817. BEEGLE *v.* THOMPSON, TRUSTEE, ET AL. May 15, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Max W. Zabel* for petitioner. *Messrs. Harry Frease and Joseph Frease* for respondents. Reported below: 138 F. 2d 875.

No. 946. RUZON *v.* BARTLEY, JUDGE, ET AL. May 15, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 968. PAPPAS *v.* RAGEN, WARDEN. May 15, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 734. SANDERS *v.* SANFORD, WARDEN. May 15, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Hilliard Sanders, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and W. Marvin Smith* for respondent. Reported below: 138 F. 2d 415.

No. 856. COLLINS *v.* WAYLAND ET AL. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Thomas A. Flynn* for petitioner. *Messrs. Charles L. Strouss and Frank L. Snell* for respondents. Reported below: 139 F. 2d 677.

No. 876. NEW ENGLAND MUTUAL LIFE INSURANCE CO. *v.* COHEN ET AL. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. J. Robert Cohler* for petitioner. *Mr. Ray E. Lane* for respondents. Reported below: 140 F. 2d 1.

No. 883. GRIEME *v.* UNITED STATES. May 22, 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 Mr. Robert S. Erdahl* for the United States. Reported below: 141 F. 2d 495.

No. 884. UNITED STATES EX REL. LOHRBERG *v.* NICHOLSON, WARDEN, ET AL. May 22, 1944. Petition for writ of

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certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Hayden C. Covington* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for respondents. Reported below: 141 F. 2d 689.

No. 885. UNITED STATES EX REL. FALBO *v.* KENNEDY, SUPERINTENDENT, ET AL. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Hayden C. Covington* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for respondents. Reported below: 141 F. 2d 689.

No. 886. CLAYTON *v.* UNITED STATES. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Hayden C. Covington* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for the United States. Reported below: 141 F. 2d 494.

No. 887. STULL *v.* UNITED STATES. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Hayden C. Covington* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for the United States. Reported below: 141 F. 2d 494.

No. 889. ROBINETTE *v.* COMMISSIONER OF INTERNAL REVENUE. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. T. G. Thompson* 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: 139 F. 2d 285.

No. 894. LUNDGREN *v.* UNITED STATES. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Thomas O. Marlar* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for the United States. Reported below: 141 F. 2d 497.

No. 897. WARDEN *v.* CITY OF ST. LOUIS. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Harold Olsen* for petitioner. *Mr. Lawrence C. Kingsland* for respondent. Reported below: 140 F. 2d 615.

No. 906. WATSON *v.* MASSACHUSETTS MUTUAL LIFE INSURANCE Co.; and

No. 907. WATSON *v.* MASSACHUSETTS MUTUAL LIFE INSURANCE Co. May 22, 1944. Petition for writs of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Seth W. Richardson, Alfons B. Landa, Raymond C. Cushwa, and Warren E. Magee* for petitioners. *Mr. Leopold V. Freudberg* for respondent. Reported below: 140 F. 2d 673.

No. 908. GEORGE LAWLEY & SON CORP. *v.* SOUTH. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit denied. *Mr. Paul B. Sargent* for petitioner. *Mr. Thomas H. Mahony* for respondent. *Solicitor General Fahy, Mr. Douglas B. Maggs, and Miss Bessie Margolin* filed a memorandum on

behalf of the Administrator of the Wage and Hour Division, U. S. Dept. of Labor, as *amicus curiae*, opposing the petition. Reported below: 140 F. 2d 439.

No. 909. PHOENIX-EL PASO EXPRESS, INC. *v.* NATIONAL CARLOADING CORP. May 22, 1944. Petition for writ of certiorari to the Supreme Court of Texas denied. *Mr. Robert L. Holliday* for petitioner. *Messrs. Robert E. Quirk* and *Thornton Hardie* for respondent. Reported below: 142 Tex. 141, 178 S. W. 2d 133.

Nos. 911, 912, and 913. CHICAGO & EASTERN ILLINOIS RAILROAD CO. ET AL. *v.* GRAND TRUNK WESTERN RAILROAD CO. ET AL. May 22, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Messrs. Arthur M. Cox, Frederic H. Stafford, Andrew J. Dallstream, Carleton S. Hadley, and Elmer W. Freytag* for petitioners. *Messrs. John C. Slade, Frank H. Towner, Bryce L. Hamilton, H. V. Spike, Clyde E. Shorey, and Fred Barth* for respondents. Reported below: 140 F. 2d 120, 130.

No. 916. BERKSHIRE KNITTING MILLS *v.* NATIONAL LABOR RELATIONS BOARD. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Joseph W. Henderson, Wellington M. Bertolet, and George M. Brodhead, Jr.* for petitioner. *Solicitor General Fahy, Mr. Alvin J. Rockwell, and Miss Ruth Weyand* for respondent. Reported below: 139 F. 2d 134.

No. 921. CITY OF NEW YORK *v.* BROOKLYN EASTERN DISTRICT TERMINAL. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second

Circuit denied. *Mr. Leo Brown* for petitioner. *Mr. William M. Sperry, 2nd*, for respondent. Reported below: 139 F. 2d 1007.

No. 938. *W. E. VALLIANT CO., INC. v. RAYONIER, INC.* May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. John H. Skeen* for petitioner. *Mr. George W. P. Whip* for respondent. Reported below: 140 F. 2d 589.

No. 854. *WILEMON ET AL., DOING BUSINESS AS GOOD LUCK OIL CO., v. BOWLES, PRICE ADMINISTRATOR, ET AL.* May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Eustis Myres* for petitioners. *Solicitor General Fahy* and *Mr. Thomas I. Emerson* for respondents. Reported below: 139 F. 2d 730.

No. 654. *FLYNN v. UNITED STATES.* May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Arthur Lee Flynn, 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: 139 F. 2d 669.

No. 828. *PHILLIPS v. NEW YORK.* May 22, 1944. Petition for writ of certiorari to the Court of Appeals of New York denied. *George Phillips, pro se. Messrs. Frank S. Hogan and Stanley H. Fuld* for respondent. Reported below: 292 N. Y. 506, 53 N. E. 2d 846.

No. 910. *BAYLESS v. UNITED STATES.* May 22, 1944. Petition for writ of certiorari to the Circuit Court of Ap-

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peals for the Ninth Circuit denied. *John Richard Bayless, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Edward G. Jennings* for the United States. Reported below: 141 F. 2d 578.

No. 978. *TEKSON v. MICHIGAN*. May 22, 1944. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 979. *PAGE v. RAGEN, WARDEN*. May 22, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 980. *LYONS v. RAGEN, WARDEN*. May 22, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 981. *VINCI v. ILLINOIS*. May 22, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 984. *WATERMAN v. McMILLAN ET AL.* May 22, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. Reported below: 135 F. 2d 807.

No. 994. *HAINES v. MISSOURI*. May 22, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 861. *FLETCHER v. WOOL ET AL.*;

No. 862. *FLETCHER v. WILLARD R. COOK & Co., INC. ET AL.*;

No. 863. FLETCHER *v.* D. H. GOODMAN, INC.;
No. 864. FLETCHER *v.* KRISE, RECEIVER, ET AL.;
No. 865. FLETCHER *v.* BARRON ET AL.;
No. 866. FLETCHER *v.* NATIONAL BANK OF COMMERCE;
No. 867. FLETCHER *v.* NATIONAL BANK OF COMMERCE
ET AL.; and

No. 868. FLETCHER *v.* MAUPIN. May 22, 1944. Petitions for writs of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. MR. JUSTICE JACKSON and MR. JUSTICE RUTLEDGE took no part in the consideration or decision of these applications. Reported below: 138 F. 2d 740, 742.

No. 931. UNITED STATES EX REL. McCANN *v.* THOMPSON, WARDEN, ET AL. May 22, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. Petitioner's applications for other relief are also denied. *Gene McCann, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. Robert S. Erdahl* for respondents.

No. 982. KARLOFTIS ET AL. *v.* HELTON ET AL. See *ante*, p. 713.

No. 892. DENNIS ET AL. *v.* MABEE ET AL. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Thomas B. Greenwood* for petitioners. Reported below: 139 F. 2d 941.

No. 914. PENNZOIL COMPANY ET AL. *v.* CROWN CENTRAL PETROLEUM CORP. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Edward S. Rogers and John S. Powers* for petitioners. *Messrs. Karl F. Steinmann and*

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Edwin H. Brownley for respondent. Reported below: 140 F. 2d 387.

No. 923. WELSBACH ENGINEERING & MANAGEMENT CORP. *v.* COMMISSIONER OF INTERNAL REVENUE. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Messrs. Hugh Satterlee* and *Francis H. Scheetz* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, *Mr. Sewall Key*, and *Mrs. Maryhelen Wigle* for respondent. Reported below: 140 F. 2d 584.

No. 926. UNITED STATES EX REL. JACOBS *v.* BARC, U. S. MARSHAL. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Paul B. Mayrand* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Tom C. Clark*, and *Mr. Robert S. Erdahl* for respondent. Reported below: 141 F. 2d 480.

No. 933. WESTERN UNION TELEGRAPH Co. *v.* COMMISSIONER OF INTERNAL REVENUE. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Francis R. Stark* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, and *Messrs. Sewall Key*, *J. Louis Monarch*, and *Paul R. Russell* for respondent. Reported below: 141 F. 2d 774.

No. 975. HARTFORD FIRE INSURANCE Co. *v.* COMMISSIONER OF INTERNAL REVENUE. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Francis W. Cole* for petitioner. *Solicitor General Fahy*, *Assistant Attorney*

General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, and Paul R. Russell for respondent. Reported below: 141 F. 2d 774.

No. 934. *EMPORIUM CAPWELL Co. v. ANGLIM, COLLECTOR OF INTERNAL REVENUE.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Messrs. M. C. Sloss and E. D. Turner, Jr.* 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: 140 F. 2d 224.

No. 935. *MILES LABORATORIES, INC. v. FEDERAL TRADE COMMISSION ET AL.* May 29, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. James F. Hoge and Preston B. Kavanagh* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Beatrice Rosenberg* for respondents. Reported below: 140 F. 2d 683.

No. 937. *ESTATE OF HERBERT ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Raymond F. Garrity* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, and Misses Helen R. Carlross and Melva M. Graney* for respondent. Reported below: 139 F. 2d 756.

No. 945. *COUNTRY GARDEN MARKET, INC. v. BOWLES, PRICE ADMINISTRATOR, ET AL.* May 29, 1944. Petition

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for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Albert Brick* for petitioner. *Solicitor General Fahy* and *Mr. Thomas I. Emerson* for respondents. Reported below: 141 F. 2d 540.

No. 947. *DAVIS v. SHELL UNION OIL CORP. ET AL.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Messrs. Samuel B. Stewart, Jr.* and *George C. Dix* for petitioner. *Mr. Wm. Dwight Whitney* for respondents.

No. 951. *SCHWARZ v. WITWER GROCER Co.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. John D. Randall* for petitioner. *Mr. Stewart Holmes* for respondent. Reported below: 141 F. 2d 341.

No. 954. *RONEY ET AL. v. FEDERAL LAND BANK OF LOUISVILLE.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Samuel E. Cook* for petitioners. *Mr. William C. Goodwyn* for respondent. Reported below: 139 F. 2d 175.

No. 960. *STANDARD KNITTING MILLS, INC. v. COMMISSIONER OF INTERNAL REVENUE.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. J. Gilmer Korner, Jr.* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, and *Messrs. Sewall Key, J. Louis Monarch*, and *F. E. Youngman* for respondent. Reported below: 141 F. 2d 195.

No. 964. *FIRST NATIONAL BANK v. AMERICAN SURETY Co.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Louis A. Johnson and James M. Guiher* for petitioner. *Mr. George Foster, Jr.* for respondent. Reported below: 141 F. 2d 411.

No. 966. *WARNER'S RENOWNED REMEDIES Co. v. FEDERAL TRADE COMMISSION.* May 29, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Horace J. Donnelly, Jr.* 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: 140 F. 2d 18.

No. 970. *RICHTER'S BAKERY v. NATIONAL LABOR RELATIONS BOARD.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. J. C. Hall and Karl H. Mueller* for petitioner. *Solicitor General Fahy, Messrs. Walter J. Cummings, Jr. and Alvin J. Rockwell,* and *Misses Ruth Weyand and Fannie M. Boyls* for respondent. Reported below: 140 F. 2d 870.

No. 971. *NATIONAL BANK OF MIDDLEBORO ET AL. v. UNITED STATES.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Geo. E. H. Goodner* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch, Robert L. Stern,* and *Miss Louise Foster* for the United States. Reported below: 140 F. 2d 547.

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No. 972. LOUISVILLE PROPERTY CO., H. C. WILLIAMS, ASSIGNEE, *v.* COMMISSIONER OF INTERNAL REVENUE. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Geo. E. H. Goodner and Scott P. Crampton* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch, Robert L. Stern, and Miss Louise Foster* for respondent. Reported below: 140 F. 2d 547.

No. 974. GOULANDRIS ET AL. *v.* AMERICAN TOBACCO CO. ET AL. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. I. Maurice Wormser* for petitioners. *Messrs. Henry N. Longley and John W. R. Zisgen* for respondents. Reported below: 140 F. 2d 780.

No. 997. NAGAYAMA *v.* SHIMABUKURO. May 29, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Messrs. Richard E. Wellford and Stuart H. Robeson* for petitioner. *Messrs. John Wattawa and Vivion O. Hill* for respondent. Reported below: 140 F. 2d 13.

No. 953. CRUME *v.* PACIFIC MUTUAL LIFE INSURANCE CO. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Harry C. Alberts* for petitioner. *Mr. Orville J. Taylor* for respondent. Reported below: 140 F. 2d 182.

No. 956. LUMPKIN *v.* BOWERS, COLLECTOR OF INTERNAL REVENUE. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Cir-

cuit denied. *Messrs. Pinckney L. Cain and R. Beverley Herbert* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and Newton K. Fox, and Miss Helen R. Carlross* for respondent. Reported below: 140 F. 2d 927.

No. 963. *BATTERMAN v. COMMISSIONER OF INTERNAL REVENUE*. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Sydney A. Davies* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, J. Louis Monarch, Ray A. Brown, and Robert L. Stern* for respondent. Reported below: 142 F. 2d 448.

No. 969. *LOCAL No. 6167, UNITED MINE WORKERS OF AMERICA, ET AL. v. JEWELL RIDGE COAL CORP.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Messrs. Crampton Harris, Frank W. Rogers, and Leonard G. Muse* for petitioners. *Mr. Wm. A. Stuart* for respondent.

No. 989. *GELDZAHLER v. UNITED STATES*. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Brien McMahon* 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: 141 F. 2d 496.

No. 941. *UNITED STATES EX REL. LYNN v. DOWNER, COMMANDING OFFICER*. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sec-

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ond Circuit denied on the ground that the case is moot, it appearing that petitioner no longer is in respondent's custody, *United States ex rel. Innes v. Crystal*, 319 U. S. 755, and cases cited. *Messrs. Arthur Garfield Hays and Gerald Weatherly* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Chester T. Lane and Edward G. Jennings* for respondent. *Messrs. William H. Hastie, Thurgood Marshall, and Leon A. Ransom* filed a brief on behalf of the National Association for the Advancement of Colored People, as *amicus curiae*, in support of petitioner. Reported below: 140 F. 2d 397.

No. 950. *GRESHAM v. INDIANA BAR ASSOCIATION*. May 29, 1944. The petition for writ of certiorari to the District Court of the United States for the Southern District of Indiana or for other relief is denied. *Mr. Otto Gresham* for petitioner.

No. 949. *UNITED STATES v. LOS ANGELES & SALT LAKE RAILROAD Co.* May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. MR. JUSTICE JACKSON took no part in the consideration or decision of this application. *Solicitor General Fahy* for the United States. *Messrs. Louis W. Myers, William W. Clary, Joseph F. Mann, T. W. Bockes, and Henry M. Isaacs* for respondent. Reported below: 140 F. 2d 436.

No. 844. *KITZMILLER v. PESCOR, WARDEN*. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Albert Kitzmiller, pro se. Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Messrs. Robert S. Erdahl and W.*

Marvin Smith, and Miss Beatrice Rosenberg for respondent. Reported below: 142 F. 2d 455.

No. 985. *SHARPE v. KENTUCKY*. May 29, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. Reported below: 135 F. 2d 974.

No. 1001. *BRIGGS v. ILLINOIS*. May 29, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1006. *THOMPSON v. NIERSTHEIMER, WARDEN*. May 29, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1007. *MOSS v. RAGEN, WARDEN*. May 29, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1014. *KELLY v. ILLINOIS*. May 29, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1015. *RAGGIO v. RAGEN, WARDEN*. May 29, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1016. *SAMPSON v. RAGEN, WARDEN*. May 29, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 922. *TOMKINS v. MISSOURI*. May 29, 1944. Petition for writ of certiorari to the Supreme Court of Mis-

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souri denied. *O. C. Tomkins, pro se. Mr. Roy McKittrick*, Attorney General of Missouri, for respondent.

No. 1021. *RICO ET AL. v. CALIFORNIA*. May 29, 1944. Petition for writ of certiorari to the District Court of Appeal, 4th Appellate District, of California, denied.

No. 742. *KESLING v. HUMPHREY, WARDEN*. May 29, 1944. 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 no longer is in respondent's custody. *Floyd J. Kesling, pro se. Solicitor General Fahy* for respondent. Reported below: 141 F. 2d 497.

No. 1017. *MILLER v. DOWD, WARDEN*. May 29, 1944. Petition for writ of certiorari to the Supreme Court of Indiana denied without prejudice to the presentation of a petition for writ of habeas corpus and to a hearing thereon in the appropriate United States District Court.

No. 948. *FITZPATRICK v. NIERSTHEIMER, WARDEN*. May 29, 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. *Wm. H. Fitzpatrick, pro se. Messrs. George F. Barrett*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

No. 835. *CHALFONTE v. SMITH, WARDEN*. See *post*, p. 766.

No. —. *EX PARTE THOMAS KING*. See *ante*, p. 716.

No. 952. *EMPIRE STATE CHAIR CO., INC. v. BELDOCK, TRUSTEE IN BANKRUPTCY.* June 5, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Harold Forstenzer* for petitioner. *Mr. Gustave B. Garfield* for respondent. Reported below: 140 F. 2d 587.

No. 959. *VAN CAMP SEA FOOD CO., INC. ET AL. v. NOR-DYKE.* June 5, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Lasher B. Gallagher* for petitioners. *Mr. Herbert Resner* for respondent. Reported below: 140 F. 2d 902.

No. 961. *WHITE, ADMINISTRATOR, ET AL. v. SINCLAIR PRAIRIE OIL Co. ET AL.* June 5, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit denied. *Messrs. Neil Burkinshaw, Frank M. Goodwin,* and *Hiram P. White* for petitioners. *Messrs. Edward H. Chandler* and *Summers Hardy* for respondents. Reported below: 139 F. 2d 103.

No. 965. *SKELLY OIL Co. v. AMACKER ET AL.* June 5, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Messrs. W. P. Z. German* and *Alvin F. Molony* for petitioner. Reported below: 140 F. 2d 21.

No. 990. *CROMER v. UNITED STATES.* June 5, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. Levi H. David* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark,* and *Mr. Robert S. Erdahl* for the United States. Reported below: 142 F. 2d 697.

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No. 983. *BLANC v. CAYO*. June 5, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Gordon F. Hook* for petitioner. *Mr. Wm. S. Hodges* for respondent. Reported below: 139 F. 2d 695.

No. 1008. *HOFHEIMER v. GOLD ET AL.*; and

No. 1009. *HOFHEIMER v. MCINTEE ET AL.* June 5, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Myron Frantz* for petitioner. *Solicitor General Fahy* and *Mr. Roger S. Foster* for the Securities & Exchange Commission, respondent in No. 1008. *Messrs. Claude A. Roth, I. E. Ferguson, and Lewis E. Pennish* for Ben Gold et al., respondents in Nos. 1008 and 1009. Reported below: 140 F. 2d 363.

No. 986. *STERLING ALUMINUM PRODUCTS, INC. v. SHELL OIL Co.* June 5, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Morris J. Levin* for petitioner. *Mr. John S. Marsalek* for respondent. Reported below: 140 F. 2d 801.

No. 1040. *LUKSICH v. MISETICH ET AL.* June 5, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Philbrick McCoy* for petitioner. *Mr. Lasher B. Gallagher* for respondents. Reported below: 140 F. 2d 812.

No. 750. *SCHITA v. PESCOR, WARDEN.* June 5, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Valdo B. Schita, pro se.* *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Mr. Robert S. Erdahl, and Miss Bea-*

trice Rosenberg for respondent. Reported below: 139 F. 2d 971.

No. 1022. *DZAN v. RAGEN, WARDEN*. June 5, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1023. *GREEN v. MISSOURI*. June 5, 1944. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 1035. *DIEHL v. NIERSTHEIMER, WARDEN*. June 5, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1042. *PEARSON v. HEINZE, WARDEN, ET AL.* June 5, 1944. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1049. *LAZAR v. RAGEN, WARDEN*. June 5, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1002. *BRACEY v. UNITED STATES*. June 5, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. James J. Laughlin* for petitioner. Reported below: 142 F. 2d 85.

- No. 1053. *BARLAND v. RAGEN, WARDEN*;
No. 1054. *BLANKENSHIP v. RAGEN, WARDEN*;
No. 1055. *WITT v. RAGEN, WARDEN*;
No. 1056. *MCCAULEY v. RAGEN, WARDEN*;
No. 1057. *BRIDGES v. RAGEN, WARDEN*;
No. 1058. *RASMUSSEN v. RAGEN, WARDEN*; and

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No. 1059. *CONKLIN v. RAGEN, WARDEN*. June 5, 1944. Petitions for writs of certiorari to the Supreme Court of Illinois denied.

No. 1060. *BASS ET AL. v. NEW HAMPSHIRE*. June 5, 1944. Petition for writ of certiorari to the Supreme Court of New Hampshire denied. *Mr. William G. McCarthy* for petitioners. Reported below: 93 N. H. 172, 37 A. 2d 7.

No. 1050. *PATTON v. RAGEN, WARDEN*. June 5, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied for want of a final judgment.

No. 1033. *JONES v. FREEMAN ET AL.* See *ante*, p. 717.

No. —. *EX PARTE EARL F. HALL*. See *ante*, p. 717.

No. 940. *YLAGAN v. UNITED STATES*. June 12, 1944. Petition for writ of certiorari to the Court of Claims denied. *Anastasio A. Ylagan, pro se*. *Solicitor General Fahy* and *Assistant Attorney General Shea* for the United States. Reported below: 101 Ct. Cls. 872.

No. 991. *CAPITOL GREYHOUND LINES ET AL. v. NATIONAL LABOR RELATIONS BOARD*. June 12, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Messrs. Thomas L. Tallentire* and *Leonard Garver, Jr.* for petitioners. *Solicitor General Fahy*, *Messrs. Robert L. Stern, Alvin J. Rockwell, Frank J. Donner*, and *Miss Ruth Weyand* for respondent. Reported below: 140 F. 2d 754.

No. 998. *GASTON v. UNITED STATES*. June 12, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. P. Bateman Ennis* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Tom C. Clark*, and *Mr. Robert S. Erdahl* for the United States. Reported below: 143 F. 2d 10.

No. 1010. *NELSON ET AL. v. UNITED STATES*. June 12, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *George Nelson*, *Agnes Nelson*, and *Ollie Halpin, pro se*. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, *Mr. Sewall Key*, and *Miss Helen R. Carlross* for the United States. Reported below: 139 F. 2d 162.

No. 1043. *GALLAGHER'S STEAK HOUSE, INC. v. BOWLES, PRICE ADMINISTRATOR, ET AL.* June 12, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Mark Eisner* for petitioner. *Solicitor General Fahy* and *Mr. Thomas I. Emerson* for respondents. Reported below: 142 F. 2d 530.

No. 1061. *PRESQUE-ISLE TRANSPORTATION Co., INC. v. KOEHLER*. June 12, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Edward W. Hamilton* for petitioner. *Mr. Thomas C. Burke* for respondent. Reported below: 141 F. 2d 490.

No. 1019. *SHEEHAN v. HUFF, SUPERINTENDENT*. June 12, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. *Mr. John J. Carmody* for petitioner. *Solicitor*

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General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Robert S. Erdahl and W. Marvin Smith for respondent. Reported below: 142 F. 2d 81.

No. 1069. *HUFFMAN v. RAGEN, WARDEN*; and
No. 1074. *WILLIS v. NIERSTHEIMER, WARDEN*. June 12, 1944. Petitions for writs of certiorari to the Supreme Court of Illinois denied.

No. 1085. *KNIGHT v. CALIFORNIA ET AL.* June 12, 1944. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1088. *MILLWOOD v. RAGEN, WARDEN*. June 12, 1944. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1098. *EX PARTE THOMPSON, EXECUTRIX*. June 12, 1944. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 1100. *POTERACKI v. RAGEN, WARDEN*;
No. 1101. *GALL v. RAGEN, WARDEN*;
No. 1102. *MOORE v. RAGEN, WARDEN*; and
No. 1103. *NORVAL v. RAGEN, WARDEN*. June 12, 1944. Petitions for writs of certiorari to the Supreme Court of Illinois denied.

No. 1099. *SOGAN v. RAGEN, WARDEN*. June 12, 1944. 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.

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No. 1107. *GRAND v. MAYO, STATE PRISON CUSTODIAN*. June 12, 1944. 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. Reported below: 153 Fla. 917, 14 So. 2d 906.

CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, FROM APRIL 11, 1944, THROUGH JUNE 12, 1944.

No. 896. *HUBER ET AL. v. MORAN*. May 22, 1944. On petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit. Dismissed on motion of petitioners. Reported below: 140 F. 2d 823.

No. 967. *BACHRACH, TRUSTEE IN BANKRUPTCY, v. CENTRAL HANOVER BANK & TRUST CO., TRUSTEE*. May 22, 1944. On petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit. Dismissed on motion of counsel for the petitioner. *Mr. Walter Bachrach* for petitioner. Reported below: 141 F. 2d 734.

DECISIONS GRANTING REHEARING, FROM APRIL 11, 1944, THROUGH JUNE 12, 1944.

No. 835. *CHALFONTE v. SMITH, WARDEN*. May 29, 1944. The petition for rehearing is granted. The order of May 8th, 322 U. S. 741, denying certiorari on the ground that application therefor was not made within the time provided by law, is vacated. The petition for writ of certiorari to the Supreme Court of Pennsylvania is denied.

No. 836. *McCULLOUGH v. KAMMERER CORPORATION ET AL.* June 5, 1944. The petition for rehearing is granted.