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U. S. 361; *Bacon v. Walker*, 204 U. S. 311; *Cusack Co. v. Chicago*, 242 U. S. 526. *Mr. J. L. London* for appellants. Reported below: 353 Mo. 61, 182 S. W. 2d 57.

No. 769. *HUGHES ET AL. v. CADDO PARISH SCHOOL BOARD ET AL.* Appeal from the District Court of the United States for the Western District of Louisiana. January 29, 1945. *Per Curiam*: The motion to amend the assignment of errors is denied. The motion to affirm is granted and the judgment is affirmed. *Waugh v. Mississippi University*, 237 U. S. 589. *Mr. Otis W. Bullock* for appellants. *Messrs. Edwin L. Blewer and W. C. Perreault* for appellees. Reported below: 57 F. Supp. 508.

No. —. *PEOPLE EX REL. FORTUNE v. BREWSTER ET AL.*;

No. —. *HUTTON v. UNITED STATES*; and

No. —. *EX PARTE PERCY ARTHUR WHISTLER*. January 29, 1945. The motions for leave to file petitions for writs of habeas corpus are denied.

No. —. *EDWARDS v. DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA*. January 29, 1945. The motion for leave to file petition for writ of mandamus is denied.

DECISIONS GRANTING CERTIORARI, FROM OCTOBER 2, 1944, THROUGH JANUARY 29, 1945.

No. 88. *FONDREN ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. E. E. Townes* for petitioners. *Solic-*

itor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and A. F. Prescott for respondent. Reported below: 141 F. 2d 419.

No. 126. MERRILL v. FAHS, COLLECTOR OF INTERNAL REVENUE. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. Messrs. Francis M. Holt, Sam R. Marks, and Harry T. Gray for petitioner. Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Mr. Sewall Key, Miss Helen R. Carloss, and Mrs. Maryhelen Wigle for respondent. Reported below: 142 F. 2d 651.

No. 134. UNITED STATES v. TOWNSLEY. October 9, 1944. Petition for writ of certiorari to the Court of Claims granted. Solicitor General Fahy for the United States. Messrs. Herman J. Galloway and Fred W. Shields for respondent. Reported below: 101 Ct. Cls. 237.

No. 137. PRUDENCE REALIZATION CORP. v. FERRIS ET AL., TRUSTEES, ET AL. October 9, 1944. Petition for writ of certiorari to the Supreme Court of New York granted. Messrs. Irving L. Schanzer and James F. Dealy for petitioner. Mr. Charles H. Kriger and Mrs. Henrietta Kriger for Ferris et al., and Messrs. John Ross Delafield and Robert McC. Marsh for the City Bank Farmers Trust Co. et al., respondents. Reported below: 292 N. Y. 210, 54 N. E. 2d 367.

No. 148. WEBRE STEIB Co., LTD. v. COMMISSIONER OF INTERNAL REVENUE. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth

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Circuit granted. *Mr. C. J. Batter* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, Joseph M. Jones, and Miss Helen R. Carloss* for respondent. Reported below: 140 F. 2d 768.

No. 188. *McKENZIE, TRUSTEE IN BANKRUPTCY, v. IRVING TRUST Co.* October 9, 1944. Petition for writ of certiorari to the Court of Appeals of New York granted. *Messrs. David Morgulas and M. Carl Levine* for petitioner. *Mr. William A. Onderdonk* for respondent. Reported below: 292 N. Y. 347, 55 N. E. 2d 192.

No. 189. *CONNECTICUT LIGHT & POWER Co. v. FEDERAL POWER COMMISSION.* October 9, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Messrs. Claude R. Branch, Edward M. Day, and Gay H. Brown* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Joseph B. Goldman, Charles V. Shannon, Howard E. Wahrenbrock, and Howell Purdue* for respondent. Briefs were filed by *Mr. Francis A. Pallotti*, Attorney General, on behalf of the State of Connecticut, and *Mr. John E. Benton*, on behalf of the Connecticut Public Utilities Commissioners et al., as *amici curiae*, in support of the petition. Reported below: 141 F. 2d 14.

No. 192. *GIESE v. UNITED STATES.* October 9, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Mr. Edmund D. Campbell* 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 633.

No. 200. ORDER OF RAILWAY CONDUCTORS OF AMERICA ET AL. *v.* PENNSYLVANIA RAILROAD CO. ET AL. October 9, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Messrs. Rufus G. Poole, William A. Clineburg, and V. C. Shuttleworth* for petitioners. *Messrs. John Dickinson, John B. Prizer, and R. Aubrey Bogley* for the Pennsylvania Railroad Co., and *Mr. Bernard M. Savage* for the Brotherhood of Railroad Trainmen, respondents. Reported below: 141 F. 2d 366.

No. 226. REPUBLIC AVIATION CORP. *v.* NATIONAL LABOR RELATIONS BOARD. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. J. Edward Lumbard, Jr., John J. Ryan, and Frederick W. Davenport, Jr.* for petitioner. *Solicitor General Fahy*, *Messrs. Walter J. Cummings, Jr., Alvin J. Rockwell, and Miss Ruth Weyand* for respondent. Reported below: 142 F. 2d 193.

No. 265. BLAIR *v.* BALTIMORE & OHIO RAILROAD Co. October 9, 1944. Petition for writ of certiorari to the Supreme Court of Pennsylvania granted. *Mr. J. Thomas Hoffman* for petitioner. *Messrs. Charles J. Margiotti and Vincent M. Casey* for respondent. Reported below: 349 Pa. 436, 37 A. 2d 736.

No. 279. CANADIAN AVIATOR, LTD. *v.* UNITED STATES. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. Chauncey I. Clark and Eugene Underwood* for petitioner. *Solicitor General Fahy, Assistant Attorney*

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General Shea, and *Messrs. Joseph B. Goldman* and *Walter J. Cummings, Jr.* for the United States. Reported below: 142 F. 2d 709.

No. 287. *BARR v. UNITED STATES*. October 9, 1944. Petition for writ of certiorari to the United States Court of Customs & Patent Appeals granted. *Mr. Albert MacC. Barnes* 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: 143 F. 2d 132.

No. 294. *CITY BANK FARMERS TRUST CO., ADMINISTRATOR, v. MCGOWAN, COLLECTOR OF INTERNAL REVENUE*. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. James Lloyd Derby, J. Seymour Montgomery, Jr.*, and *John K. Watson* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, and *Messrs. Sewall Key, J. Louis Monarch, Carlton Fox*, and *Walter J. Cummings, Jr.* for respondent. Reported below: 142 F. 2d 599.

No. 335. *TILLER, EXECUTOR, v. ATLANTIC COAST LINE RAILROAD Co.* October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Mr. J. Vaughan Gary* for petitioner. *Messrs. Thomas W. Davis* and *Collins Denny, Jr.* for respondent. Reported below: 142 F. 2d 718.

No. 342. *YOUNG v. HIGBEE COMPANY ET AL.* October 9, 1944. Petition for writ of certiorari to the Circuit

Court of Appeals for the Sixth Circuit granted. *Mr. James A. Butler* for petitioner. *Mr. J. Fred Potts* for respondents. *Solicitor General Fahy* and *Messrs. Roger S. Foster, Milton V. Freeman, and Theodore L. Thau* filed a brief on behalf of the Securities & Exchange Commission, as *amicus curiae*, in support of the petition. Reported below: 142 F. 2d 1004.

No. 118. *INDUSTRIAL ADDITION ASSOCIATION v. COMMISSIONER OF INTERNAL REVENUE*. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. F. A. Berry* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch, and Miss Melva M. Graney* for respondent. Reported below: 141 F. 2d 636.

No. 160. *ELGIN, JOLIET & EASTERN RAILWAY CO. v. BURLEY ET AL.* October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Paul R. Conaghan* for petitioner. *Mr. John H. Gately* for respondents. Reported below: 140 F. 2d 488.

No. 181. *F. W. FITCH CO. v. UNITED STATES*. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Arnold F. Schaetzle and James W. Stewart* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key and J. Louis Monarch* for the United States. Reported below: 141 F. 2d 380.

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No. 207. *ROSENMAN ET AL., EXECUTORS, v. UNITED STATES*. October 9, 1944. Petition for writ of certiorari to the Court of Claims granted. *Mr. Charles Angulo* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, Robert N. Anderson, and Mrs. Elizabeth B. Davis* for the United States. Reported below: 101 Ct. Cls. 437, 53 F. Supp. 722.

No. 307. *CLINE, TRUSTEE IN BANKRUPTCY, v. KAPLAN ET AL.* October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Edward Rothbart* for petitioner. *Mr. Norman H. Nachman* for respondents. Reported below: 142 F. 2d 301.

No. 322. *HERGET, TRUSTEE IN BANKRUPTCY, v. CENTRAL NATIONAL BANK & TRUST Co.* October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. William D. Donnelly* for petitioner. *Messrs. John M. Elliott and Walter Bachrach* for respondent. Reported below: 141 F. 2d 150.

No. 345. *NORTH SHORE CORP. v. BARNETT ET AL.* October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. W. Gregory Smith* for petitioner. *Mr. Lucien H. Boggs* for respondents. Reported below: 143 F. 2d 172.

No. 346. *NORTH SHORE CORP. v. SCOTT ET AL.* October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. W. Gregory Smith* for petitioner. Reported below: 143 F. 2d 595.

No. 86. *REGAL KNITWEAR CO. v. NATIONAL LABOR RELATIONS BOARD*. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted limited to the sixth question presented by the petition for the writ. *Mr. John P. Chandler* for petitioner. *Solicitor General Fahy, Messrs. Alvin J. Rockwell, Millard Cass, and Miss Ruth Weyand* for respondent. Reported below: 140 F.2d 746.

No. 93. *CHOATE v. COMMISSIONER OF INTERNAL REVENUE*. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted limited to the second question presented by the petition for the writ. *Messrs. Charles I. Francis and James H. Yeatman* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch, Chester T. Lane, and Mrs. Maryhelen Wigle* for respondent. Reported below: 141 F.2d 641.

No. 161. *NATIONAL METROPOLITAN BANK v. UNITED STATES*. October 9, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. MR. JUSTICE MURPHY took no part in the consideration or decision of this application. *Mr. George C. Gertman* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Paul A. Sweeney* for the United States. Reported below: 142 F.2d 474.

No. 180. *GEORGIA HARDWOOD LUMBER CO. v. COMPANIA DE NAVEGACION TRANSMAR, S. A., OWNER OF S. S. KOTOR*. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted limited

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to the first and second questions presented by the petition for the writ. *Mr. John Tilney Carpenter* for petitioner. *Mr. Wilbur E. Dow, Jr.* for respondent. Reported below: 141 F. 2d 652.

No. 220. SCOTTISH AMERICAN INVESTMENT CO., LTD. *v.* COMMISSIONER OF INTERNAL REVENUE;

No. 221. BRITISH ASSETS TRUST, LTD. *v.* COMMISSIONER OF INTERNAL REVENUE; and

No. 222. SECOND BRITISH ASSETS TRUST, LTD. *v.* COMMISSIONER OF INTERNAL REVENUE. October 9, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Marion N. Fisher* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch, and Miss Helen Goodner* for respondent. Reported below: 142 F. 2d 401.

No. 263. FIDELITY-PHILADELPHIA TRUST CO. ET AL., EXECUTORS, *v.* ROTHENSIES, COLLECTOR OF INTERNAL REVENUE. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted limited to the question whether the entire value of the corpus of the trust at the time of decedent's death should be included in the decedent's gross estate. *Mr. C. Russell Phillips* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., and Messrs. Sewall Key, Robert N. Anderson, and Hilbert P. Zarky* for respondent. Reported below: 142 F. 2d 838.

No. 264. GUARANTY TRUST CO. *v.* YORK. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted limited to the

first question presented by the petition for the writ. MR. JUSTICE ROBERTS and MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Messrs. John W. Davis and Ralph M. Carson* for petitioner. *Mr. Meyer Abrams* for respondent. Reported below: 143 F.2d 503.

No. 312. UNITED STATES *v.* WILLOW RIVER POWER CO. October 9, 1944. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Fahy* for the United States. *Messrs. R. M. Rieser and John Wattawa* for respondent. Reported below: 101 Ct. Cls. 222.

No. 340. WEILER *v.* UNITED STATES. October 9, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted limited to the question presented by the petition for the writ which is stated as Question 1 in the respondent's brief. *Mr. Peter P. Zion* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Mr. William Strong* for the United States. Reported below: 143 F. 2d 204.

No. 367. MALINSKI ET AL. *v.* NEW YORK. October 9, 1944. Petition for writ of certiorari to the Court of Appeals of New York granted. *Messrs. John J. Fitzgerald, David F. Price, and Joseph A. Solovei* for petitioners. *Messrs. Thomas Cradock Hughes and Henry J. Walsh* for respondent. Reported below: 293 N. Y. 695, 56 N. E. 2d 303.

No. 354. COMMISSIONER OF INTERNAL REVENUE *v.* WHEELER ET AL., EXECUTORS, ET AL. October 16, 1944. Petition for writ of certiorari to the Circuit Court of Ap-

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peals for the Ninth Circuit granted. *Solicitor General Fahy* for petitioner. *Messrs. Wm. Dwight Whitney, Roswell Magill, and George G. Tyler* for respondents. Reported below: 143 F. 2d 162.

No. 377. PRECISION INSTRUMENT MANUFACTURING CO. ET AL. *v.* AUTOMOTIVE MAINTENANCE MACHINERY CO. October 16, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. Will Freeman and Casper W. Ooms* for petitioners. *Messrs. Frank Parker Davis and Albert J. Smith* for respondent. Reported below: 143 F. 2d 332.

No. 337. INTERNATIONAL UNION OF MINE, MILL & SMELTER WORKERS ET AL. *v.* EAGLE-PICHER MINING & SMELTING CO. ET AL. October 16, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Louis N. Wolf* for petitioners. *Messrs. A. C. Wallace, H. W. Blair, John G. Madden, James E. Burke, and Ralph M. Russell* for the Eagle-Picher Mining & Smelting Co. et al., respondents. *Solicitor General Fahy, Mr. Alvin J. Rockwell, and Miss Ruth Weyand* filed a memorandum on behalf of the National Labor Relations Board, respondent, and *Mr. Lee Pressman* filed a brief on behalf of the Congress of Industrial Organizations, as *amicus curiae*, urging issuance of the writ. Reported below: 141 F. 2d 843.

No. 368. GEMSCO, INC. ET AL. *v.* WALLING, ADMINISTRATOR;

No. 369. MARETZO ET AL. *v.* WALLING, ADMINISTRATOR; and

No. 370. GUISEPPI ET AL. *v.* WALLING, ADMINISTRATOR. October 16, 1944. Petition for writs of certiorari to the

Circuit Court of Appeals for the Second Circuit granted limited to the first question presented by the petition for the writs. *Messrs. Milton C. Weisman, Walter Brower, Samuel J. Cohen, Samuel S. Allan, Seymour D. Altmark, and Coleman Gangel* for petitioners. *Solicitor General Fahy* and *Mr. Douglas B. Maggs* for respondent. Reported below: 144 F. 2d 608.

No. 371. COMMISSIONER OF INTERNAL REVENUE *v.* SMITH. October 16, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Solicitor General Fahy* for petitioner. *Messrs. Franklin T. Griffith and Earl S. Nelson* for respondent. Reported below: 142 F. 2d 818.

No. 391. RICE *v.* OLSON, WARDEN. October 16, 1944. Petition for writ of certiorari to the Supreme Court of Nebraska granted. Reported below: 144 Neb. 547, 14 N. W. 2d 850.

No. 410. PRICE, TRUSTEE, ET AL. *v.* GURNEY ET AL. October 23, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Messrs. Wm. W. Keifer and George W. Tehan* for petitioners. *Mr. Isaac E. Ferguson* for respondents. Reported below: 142 F. 2d 404.

No. 419. CATLIN ET AL., TRUSTEES, *v.* UNITED STATES. October 23, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. Thomas S. McPheeters, Henry Davis, and George D. Burroughs* for petitioners. *Solicitor General Fahy*,

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Assistant Attorney General Littell, and Messrs. W. Marvin Smith and Vernon L. Wilkinson for the United States. Reported below: 142 F. 2d 781.

No. 92. *BATES v. UNITED STATES.* See *ante*, p. 15.

No. 455. *REPUBLIC OF MEXICO ET AL. v. HOFFMAN.* November 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Morris Lavine* for petitioners. *Mr. Farnham P. Griffiths* for respondent. Reported below: 143 F. 2d 854.

No. 469. *SPECIAL EQUIPMENT Co. v. COE, COMMISSIONER OF PATENTS.* November 6, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Messrs. James Ballard Moore and James M. Graves* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Abraham J. Harris and Walter J. Cummings, Jr.* for respondent. Reported below: 144 F. 2d 497.

No. 486. *HOOVER COMPANY v. COE, COMMISSIONER OF PATENTS.* November 6, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Messrs. William D. Sellers, Richard R. Fitzsimmons, and William S. Hodges* for petitioner. *Solicitor General Fahy, Assistant Attorney General Shea, and Mr. Joseph B. Goldman* for respondent. *Messrs. J. Bernhard Thiess and Sidney Neuman* filed a brief on behalf of *Paul A. Sturtevant*, as *amicus curiae*, in support of the petition. Reported below: 144 F. 2d 514.

No. 495. UNITED STATES *v.* COMMODORE PARK, INC. November 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Solicitor General Fahy* for the United States. *Mr. W. R. Ashburn* for respondent. Reported below: 143 F. 2d 720.

No. 445. BROOKLYN SAVINGS BANK *v.* O'NEIL. November 6, 1944. Petition for writ of certiorari to the Court of Appeals of New York granted limited to the second question presented by the petition for the writ. *Messrs. Homer Cummings, Joseph V. Lane, Jr., and Carl McFarland* for petitioner. *Messrs. Max R. Simon and Nathan W. Math* for respondent. Reported below: 293 N. Y. 666, 56 N. E. 2d 259.

No. 452. NATIONAL LABOR RELATIONS BOARD *v.* LE TOURNEAU COMPANY. November 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Solicitor General Fahy* and *Mr. Alvin J. Rockwell* for petitioner. *Messrs. Clifton W. Brannon and A. C. Wheeler* for respondent. Reported below: 143 F. 2d 67.

No. 421. ARSENAL BUILDING CORP. ET AL. *v.* GREENBERG. November 6, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted limited to question (h) presented by the petition for the writ. *Messrs. Robert R. Bruce and Kenneth C. Newman* for petitioners. *Messrs. George Trosk and Aaron Benenson* for respondent. Reported below: 144 F. 2d 292.

No. 462. J. F. FITZGERALD CONSTRUCTION CO. *v.* PEDERSEN. November 6, 1944. Petition for writ of certiorari

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to the Supreme Court of New York granted limited to the second question presented by the petition for the writ. *Mr. Henry E. Foley* for petitioner. *Mr. William E. J. Connor* for respondent. Reported below: 288 N. Y. 687, 43 N. E. 2d 83.

No. 520. *DRUMMOND v. UNITED STATES*. November 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Mr. Roy St. Lewis* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Littell*, and *Mr. Norman MacDonald* for the United States. Reported below: 144 F. 2d 375.

No. 523. *UNITED STATES v. FRANKFORT DISTILLERIES, INC.*;

No. 524. *UNITED STATES v. NATIONAL DISTILLERS PRODUCTS CORP.*;

No. 525. *UNITED STATES v. BROWN FORMAN DISTILLERS CORP.*;

No. 526. *UNITED STATES v. HIRAM WALKER, INC.*;

No. 527. *UNITED STATES v. SCHENLEY DISTILLERS CORP.*;

No. 528. *UNITED STATES v. SEAGRAM-DISTILLERS CORP.*;

No. 529. *UNITED STATES v. MCKESSON & ROBBINS, INC.*; and

No. 530. *UNITED STATES v. SPEEGLE*. November 13, 1944. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Solicitor General Fahy* for the United States. *Messrs. Thomas Kiernan*, *Newell W. Ellison*, *Charles Rosenbaum*, and *C. Frank Reavis* for Frankfort Distilleries, Inc. et al., and *Messrs. George R. Beneman* and *Robert S. Marx* for Schenley Distillers Corporation, respondents. *Messrs. Gail L. Ireland*, *Attorney General*, and *George K. Thomas*, *Assistant At-*

torney General, filed a brief on behalf of the State of Colorado, as *amicus curiae*, in opposition. Reported below: 144 F. 2d 824.

No. 296. *PANHANDLE EASTERN PIPE LINE CO. ET AL. v. FEDERAL POWER COMMISSION ET AL.* November 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted, limited to the third question presented by the petition for the writ. *Messrs. Ira Lloyd Letts, John S. L. Yost, D. H. Culton, and Samuel H. Riggs* for petitioners. *Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Charles V. Shannon, James H. Lee, William E. Dowling, Harold Goodman, Herbert J. Rushton, Attorney General of Michigan, and James W. Williams, Assistant Attorney General of Michigan*, for respondents. *Mr. Spencer W. Reeder* filed a brief on behalf of the City of Cleveland, Ohio, as *amicus curiae*, suggesting that the court below was without jurisdiction over the subject matter. Reported below: 143 F. 2d 488.

No. 379. *COLORADO INTERSTATE GAS CO. v. FEDERAL POWER COMMISSION ET AL.*; and

No. 380. *CANADIAN RIVER GAS CO. v. FEDERAL POWER COMMISSION ET AL.* November 13, 1944. In No. 379 the petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit is granted limited to the fifth and sixth questions presented by the petition for the writ. In No. 380 the petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit is granted limited to the eighth question presented by the petition for the writ. *Messrs. Wm. A. Dougherty, Elmer L. Brock, and E. R. Campbell* for petitioner in No. 379, and *Messrs. Charles H. Keffer and John P. Akolt* for petitioner in No. 380. *Solicitor General Fahy, Assistant Attorney General*

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Shea, and Messrs. Paul A. Sweeney, Charles V. Shannon, Malcolm Lindsey, Thomas H. Gibson, and Louis J. O'Marr, Attorney General of Wyoming, for the Federal Power Commission et al., respondents. Reported below: 142 F. 2d 943.

No. 575. COLORADO-WYOMING GAS CO. *v.* FEDERAL POWER COMMISSION ET AL. November 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted limited to the seventh question presented by the petition for the writ. *Messrs. Donald C. McCreery, Paul W. Lee, George H. Shaw, and Wm. A. Bryans, III, for petitioner. Solicitor General Fahy, Assistant Attorney General Shea, and Messrs. Paul A. Sweeney, Charles V. Shannon, and Louis J. O'Marr, Attorney General of Wyoming, for the Federal Power Commission et al., respondents. Reported below: 142 F. 2d 943.*

No. 518. GARBER *v.* CREWS ET AL. November 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted limited to the first question presented by the petition for the writ. *Mr. P. C. Simons for petitioner. Mr. L. G. Owen for respondents. Reported below: 144 F. 2d 665.*

No. 470. AMERICAN POWER & LIGHT CO. *v.* SECURITIES & EXCHANGE COMMISSION. November 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Mr. A. J. G. Priest for petitioner. Solicitor General Fahy and Messrs. Roger S. Foster and Milton V. Freeman for respondent. Reported below: 143 F. 2d 250.*

No. 534. *ESTATE OF PUTNAM ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. November 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. Wm. Dwight Whitney, Robert T. Swaine, and George G. Tyler* for petitioners. *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: 144 F. 2d 756.

No. 554. *DIZE v. MADDRIX*. November 13, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted limited to question 2 (d) presented by the petition for the writ. *Messrs. Harry Leeward Katz and Hyman Ginsberg* for petitioner. *Mr. Paul Berman* for respondent. Reported below: 144 F. 2d 584.

No. 431. *UNITED STATES v. BEUTTAS ET AL., TRADING AS B-W CONSTRUCTION Co.* November 20, 1944. Petition for writ of certiorari to the Court of Claims granted. *Solicitor General Fahy* for the United States. *Messrs. William F. Kelly and P. J. J. Nicolaides* for respondents. Reported below: 101 Ct. Cls. 748.

No. 559. *FEDERAL TRADE COMMISSION v. A. E. STALEY MANUFACTURING Co. ET AL.* November 20, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Fahy* for petitioner. *Messrs. Charles C. Le Forgee and Carl R. Miller* for respondents. Reported below: 144 F. 2d 221.

No. 581. *COMMISSIONER OF INTERNAL REVENUE v. COURT HOLDING Co.* November 20, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the

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Fifth Circuit granted. *Solicitor General Fahy* for petitioner. *Mr. Maurice Kay* for respondent. Reported below: 143 F. 2d 823.

No. 588. ALABAMA STATE FEDERATION OF LABOR, LOCAL UNION No. 103, ET AL. *v.* McADORY, SOLICITOR OF JEFFERSON COUNTY, ET AL. November 20, 1944. Petition for writ of certiorari to the Supreme Court of Alabama granted. *Messrs. Horace C. Wilkinson, Joseph A. Padway, and Herbert S. Thatcher* for petitioners. *Mr. William N. McQueen*, Attorney General of Alabama, for respondents. Reported below: 18 So. 2d 810.

No. 610. ANGELUS MILLING Co. *v.* COMMISSIONER OF INTERNAL REVENUE. December 4, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Prew Savoy* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, Newton K. Fox, and Miss Helen R. Carloss* for respondent. Reported below: 144 F. 2d 469.

No. 613. INLAND EMPIRE DISTRICT COUNCIL, LUMBER & SAWMILL WORKERS UNION, ET AL. *v.* MILLIS, CHAIRMAN, ET AL. December 4, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Messrs. George E. Flood, Joseph A. Padway, and James A. Glenn* for petitioners. *Solicitor General Fahy, Messrs. Alvin J. Rockwell, Owsley Vose, and Miss Ruth Weyand* for the National Labor Relations Board, respondent. Reported below: 144 F. 2d 539.

No. 629. COMMISSIONER OF INTERNAL REVENUE *v.* WEMYSS. December 4, 1944. Petition for writ of certio-

rari to the Circuit Court of Appeals for the Sixth Circuit granted. *Solicitor General Fahy* for petitioner. *Mr. Cecil Sims* for respondent. Reported below: 144 F. 2d 78.

No. 578. COMMISSIONER OF INTERNAL REVENUE *v.* ESTATE OF FIELD ET AL. December 4, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Fahy* for petitioner. *Messrs. Edgar J. Bernheimer* and *Harry T. Zucker* for respondents. Reported below: 144 F. 2d 62.

No. 608. A. H. PHILLIPS, INC. *v.* WALLING, ADMINISTRATOR. December 4, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Messrs. James F. Egan, Joseph B. Ely, and Frederick M. Kingsbury* for petitioner. *Solicitor General Fahy* and *Mr. Douglas B. Maggs* for respondent. Reported below: 144 F. 2d 102.

No. 212. WHITE *v.* RAGEN, WARDEN; and

No. 259. LUTZ *v.* RAGEN, WARDEN. December 4, 1944. Petitions for writs of certiorari to the Supreme Court of Illinois granted. *Dewey White* and *Louis Lutz, pro se.* *Messrs. George F. Barrett*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

No. 570. HUNT ET AL. *v.* CRUMBOCH, PRESIDENT, ET AL. December 4, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Peter P. Zion* for petitioners. *Mr. William A. Gray* for respondents. Reported below: 143 F. 2d 902.

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No. 656. *SINCLAIR & CARROLL CO., INC. v. INTERCHEMICAL CORPORATION*. December 11, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. William D. Mitchell* for petitioner. *Mr. Robert W. Byerly* for respondent. Reported below: 144 F. 2d 842.

No. 205. *IN RE CLYDE WILSON SUMMERS*. December 11, 1944. The return to the rule to show cause is received and ordered filed. The petition for writ of certiorari to the Supreme Court of Illinois is granted and the writ is ordered to issue. *Mr. Julien Cornell* for petitioner. *Messrs. George F. Barrett*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for the Chief Justice and Associate Justices of the Supreme Court of Illinois, respondents.

No. 593. *RADIO STATION WOW, INC. ET AL. v. JOHNSON*. December 11, 1944. Petition for writ of certiorari to the Supreme Court of Nebraska granted. *Messrs. Francis P. Matthews, Rainey T. Wells, Monroe Oppenheimer, Robert E. Sher, C. Petrus Peterson*, and *Paul P. Massey* for petitioners. *Mr. Don W. Stewart* for respondent. Reported below: 144 Neb. 432, 14 N. W. 2d 666.

No. 620. *UNITED STATES v. BEACH*. December 11, 1944. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Solicitor General Fahy* for the United States. *Messrs. James R. Kirkland* and *Nathan M. Lubar* for respondent. Reported below: 144 F. 2d 533.

No. 680. CORN PRODUCTS REFINING CO. ET AL. *v.* FEDERAL TRADE COMMISSION. December 18, 1944. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Messrs. George deForest Lord and Frank H. Hall* for petitioners. *Solicitor General Fahy, Assistant Attorney General Berge, and Messrs. Charles H. Weston and W. T. Kelley* for respondent. Reported below: 144 F. 2d 211.

No. 462. J. F. FITZGERALD CONSTRUCTION CO. *v.* PEDERSEN. See *post*, p. 807.

No. 688. BORDEN COMPANY *v.* BORELLA ET AL. January 2, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Messrs. John A. Kelly and Henry Kirk Greer* for petitioner. *Messrs. A. H. Frisch and George W. Newgass* for respondents. Reported below: 145 F. 2d 63.

No. 666. UNITED BROTHERHOOD OF CARPENTERS & JOINERS *v.* UNITED STATES;

No. 667. BAY COUNTIES DISTRICT COUNCIL OF CARPENTERS ET AL. *v.* UNITED STATES;

No. 668. LUMBER PRODUCTS ASSOCIATION, INC. ET AL. *v.* UNITED STATES;

No. 674. ALAMEDA COUNTY BUILDING & CONSTRUCTION TRADES COUNCIL *v.* UNITED STATES; and

No. 675. BOORMAN LUMBER CO. ET AL. *v.* UNITED STATES. January 2, 1945. Petitions for writs of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Messrs. Joseph O. Carson and Charles H. Tuttle* for petitioner in No. 666. *Messrs. Joseph O. Carson, II, and Harry N. Routzohn* for petitioners in No. 667. *Mr.*

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Maurice E. Harrison for petitioners in No. 668. *Messrs. Guy C. Calden and Clarence E. Todd* for petitioner in No. 674. *Mr. Morgan J. Doyle* for petitioners in No. 675. *Solicitor General Fahy* for the United States. Reported below: 144 F. 2d 546.

No. 702. *ALLEN BRADLEY CO. ET AL. v. LOCAL UNION NO. 3, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, ET AL.* January 2, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Walter Gordon Merritt* for petitioners. *Mr. Harold Stern* for respondents. Reported below: 145 F. 2d 215.

No. 721. *JEWELL RIDGE COAL CORP. v. LOCAL NO. 6167, UNITED MINE WORKERS OF AMERICA, ET AL.* January 2, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Messrs. William A. Stuart and George Richardson, Jr.* for petitioner. *Messrs. Crampton Harris, Welly K. Hopkins, Frank W. Rogers, and Leonard Muse* for respondents. Reported below: 145 F. 2d 10.

No. 379. *COLORADO INTERSTATE GAS CO. v. FEDERAL POWER COMMISSION ET AL.*; and

No. 380. *CANADIAN RIVER GAS CO. v. FEDERAL POWER COMMISSION ET AL.* See *post*, p. 807.

No. 296. *PANHANDLE EASTERN PIPE LINE CO. ET AL. v. FEDERAL POWER COMMISSION ET AL.* See *post*, p. 808.

No. 710. *COMMISSIONER OF INTERNAL REVENUE v. ESTATE OF BEDFORD ET AL.* January 8, 1945. Petition for

writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Solicitor General Fahy* for petitioner. *Messrs. Erwin N. Griswold* and *Holt S. McKinney* for respondents. Reported below: 144 F. 2d 272.

No. 514. *ROBINSON v. UNITED STATES*. See *post*, p. 808.

No. 482. *MACKEY v. KAISER, WARDEN*. See *ante*, p. 683.

No. 788. *BRIDGES v. WIXON, DISTRICT DIRECTOR, IMMIGRATION & NATURALIZATION SERVICE*. January 29, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. The motion of the Communist Political Association for leave to intervene is denied. MR. JUSTICE JACKSON took no part in the consideration or decision of these applications. *Messrs. Lee Pressman, Richard Gladstein, Henry Cohen, and Mrs. Carol King* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, and Messrs. Chester T. Lane, Robert S. Erdahl, and Leon Ulman* for respondent. Reported below: 144 F. 2d 927.

DECISIONS DENYING CERTIORARI, FROM OCTOBER 2, 1944, THROUGH JANUARY 29, 1945.

No. 121. *JONES v. CALIFORNIA*. See *ante*, p. 665.

No. 378. *COMMERCIAL CREDIT CO. v. O'BRIEN, COUNTY TREASURER, ET AL.* See *ante*, p. 665.

No. 401. *THORNTON v. MISSISSIPPI*. See *ante*, p. 668.