

DECISIONS GRANTING CERTIORARI, FROM  
JANUARY 30, 1945, THROUGH APRIL 23, 1945.

No. 921. *HOUSE v. MAYO, STATE PRISON CUSTODIAN.*  
See *ante*, p. 42.

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No. 589. *COMMISSIONER OF INTERNAL REVENUE v. DISSTON.* February 5, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Solicitor General Fahy* for petitioner. *Mr. Harold Evans* for respondent. Reported below: 144 F. 2d 115.

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No. 806. *ALMA MOTOR CO. v. TIMKEN-DETROIT AXLE CO. ET AL.* February 5, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. I. Joseph Farley* for petitioner. *Solicitor General Fahy* for the United States, respondent. Reported below: 144 F. 2d 714.

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No. 855. *CONGRESS OF INDUSTRIAL ORGANIZATIONS ET AL. v. McADORY, SOLICITOR OF JEFFERSON COUNTY, ET AL.* February 5, 1945. Petition for writ of certiorari to the Supreme Court of Alabama granted. *Mr. Lee Pressman* for petitioners. Reported below: 246 Ala. 198, 20 So. 2d 40.

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No. 811. *HILL ET AL. v. FLORIDA EX REL. WATSON, ATTORNEY GENERAL.* February 5, 1945. Petition for writ of certiorari to the Supreme Court of Florida granted. *Messrs. Joseph A. Padway* and *Herbert S. Thatcher* for petitioners. *J. Tom Watson*, Attorney General, for respondent. Reported below: 155 Fla. 254, 19 So. 2d 857.

No. 791. *DUNCAN v. KAHANAMOKU, SHERIFF*. February 12, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. J. Garner Anthony* for petitioner. *Solicitor General Fahy, Assistant Attorney General Wechsler* and *Mr. Edward J. Ennis* for respondent. Reported below: 146 F. 2d 576.

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No. 792. *WHITE v. STEER, COLONEL*. February 12, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Fred Patterson* for petitioner. *Solicitor General Fahy, Assistant Attorney General Wechsler* and *Mr. Edward J. Ennis* for respondent. Reported below: 146 F. 2d 576.

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No. 456. *UNITED STATES v. TWO ACRES OF LAND ET AL.* February 12, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Fahy* for the United States. *Mr. George A. Barr* for respondents. Reported below: 144 F. 2d 207.

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No. 699. *GOLDSTONE ET AL., EXECUTORS, v. UNITED STATES*. February 12, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Eugene L. Bondy* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch, George J. Laikin* and *Walter J. Cummings, Jr.* for the United States. Reported below: 144 F. 2d 373.

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No. 820. *10 EAST 40TH STREET BUILDING, INC. v. CALLUS ET AL.* February 12, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second

Circuit granted. *Messrs. Joseph M. Proskauer and Harold H. Levin* for petitioner. *Messrs. Aaron Benenson and Sydney R. Snitkin* for respondents. Reported below: 146 F. 2d 438.

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No. 400. CHARLESTON FEDERAL SAVINGS & LOAN ASSOCIATION ET AL. *v.* ALDERSON, STATE TAX COMMISSIONER. See *ante*, pp. 182, 187.

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No. 727. ORIOLO *v.* UNITED STATES. See *ante*, p. 824.

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No. 953. FINN, TRUSTEE, *v.* MEIGHAN, SUBSTITUTED TRUSTEE. March 5, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Joseph Lorenz* for petitioner. *Mr. Burton C. Meighan, Jr.* for respondent. Reported below: 146 F. 2d 594.

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No. 1016. UNITED STATES ALKALI EXPORT ASSOCIATION, INC. ET AL. *v.* UNITED STATES; and

No. 1017. CALIFORNIA ALKALI EXPORT ASSOCIATION, INC. ET AL. *v.* UNITED STATES. March 5, 1945. The motions for leave to file petitions for writs of certiorari under § 262 of the Judicial Code are granted. The petitions for writs of certiorari to the District Court of the United States for the Southern District of New York are granted. *Messrs. Wm. Dwight Whitney, Leland Hazard, David A. Reed, Robert T. McCracken, Ralph S. Harris, H. G. Hitchcock, H. W. Stull, J. E. F. Wood and Bruce Bromley* for petitioners in No. 1016. *Messrs. Fred N. Oliver and Edward D. Lyman* for petitioners in No. 1017. *Solicitor General Fahy, Assistant Attorney General Berge and Mr. Charles H. Weston* for the United States. Reported below: 58 F. Supp. 785.

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Nos. 895, 896 and 897. *CLEVELAND v. UNITED STATES*;  
No. 898. *DARGER v. UNITED STATES*;  
No. 899. *JESSOP v. UNITED STATES*;  
No. 900. *DOCKSTADER v. UNITED STATES*;  
No. 901. *STUBBS v. UNITED STATES*;  
No. 902. *PETTY v. UNITED STATES*;  
No. 903. *CHATWIN v. UNITED STATES*;  
No. 904. *ZITTING v. UNITED STATES*; and  
No. 905. *CHRISTENSEN v. UNITED STATES*. March 12,  
1945. Petition for writs of certiorari to the Circuit Court  
of Appeals for the Tenth Circuit granted. *Mr. O. A.  
Tangren* for petitioners. *Solicitor General Fahy, Assistant  
Attorney General Tom C. Clark, Messrs. W. Marvin  
Smith, Robert S. Erdahl and Miss Beatrice Rosenberg* for  
the United States. Reported below: 146 F. 2d 730.

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No. 815. *SECURITIES & EXCHANGE COMMISSION v.  
OKIN*. March 12, 1945. Petition for writ of certiorari  
to the Circuit Court of Appeals for the Second Circuit  
granted. *Solicitor General Fahy* and *Mr. Roger S.  
Foster* for petitioner. *Mr. Samuel Okin* for respondent.  
Reported below: 143 F. 2d 945.

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No. 914. *BOWLES, PRICE ADMINISTRATOR, v. SEMINOLE  
ROCK & SAND Co.* March 12, 1945. Petition for writ of  
certiorari to the Circuit Court of Appeals for the Fifth  
Circuit granted. *Solicitor General Fahy* and *Mr. Thomas  
I. Emerson* for petitioner. *Messrs. Robert Ruark, Ben-  
nett H. Perry, Robert H. Anderson and J. M. Hemphill*  
for respondent. Reported below: 145 F. 2d 482.

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No. 932. *TRUST UNDER THE WILL OF BINGHAM ET AL.  
v. COMMISSIONER OF INTERNAL REVENUE*. March 12,

1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. George E. Cleary* for petitioners. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch and L. W. Post* for respondent. Reported below: 145 F. 2d 568.

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No. 853. *AKINS v. TEXAS*. March 26, 1945. Petition for writ of certiorari to the Court of Criminal Appeals of Texas granted. *Messrs. A. S. Baskett and W. J. Durham* for petitioner. *Grover Sellers, Attorney General, Benjamin T. Woodall, Assistant Attorney General, and Mr. Ernest S. Goens* for respondent. Reported below: 182 S. W. 2d 723.

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No. 837. *AMERICAN TOBACCO CO. ET AL. v. UNITED STATES*;

No. 838. *LIGGETT & MYERS TOBACCO CO. ET AL. v. UNITED STATES*; and

No. 840. *R. J. REYNOLDS TOBACCO CO. ET AL. v. UNITED STATES*. March 26, 1945. Petitions for writs of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted limited to the question whether actual exclusion of competitors is necessary to the crime of monopolization under § 2 of the Sherman Act. The CHIEF JUSTICE, MR. JUSTICE REED, and MR. JUSTICE JACKSON took no part in the consideration or decision of these applications. *Messrs. George W. Whiteside and Milton Handler* for petitioners in No. 837. *Messrs. Bethuel M. Webster and Francis H. Horan* for petitioners in No. 838. *Messrs. Harold F. McGuire, B. S. Womble, Thomas Turner Cooke and Richard C. Stoll* for petitioners in No. 840. *Solicitor General Fahy, Assistant Attorney General Berge and Mr. Robert L. Stern* for the United States. Reported below: 147 F. 2d 93.

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No. 1059. SECURITIES & EXCHANGE COMMISSION *v.* LONG ISLAND LIGHTING Co. March 26, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. The application for a stay is also granted. *Solicitor General Fahy* and *Mr. Roger S. Foster* for petitioner. *Mr. Harold R. Medina* for respondent. Reported below: 148 F. 2d 252.

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No. 996. BOLLENBACH *v.* UNITED STATES. April 2, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Bernard Hershkopf* 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: 147 F. 2d 199.

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No. 955. WALLING, ADMINISTRATOR, *v.* YOUNGERMAN-REYNOLDS HARDWOOD Co., INC. April 2, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Solicitor General Fahy* for petitioner. *Mr. Fred S. Ball, Jr.* for respondent. Reported below: 145 F. 2d 349.

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No. 956. WALLING, ADMINISTRATOR, *v.* HARNISCHFEGGER CORPORATION. April 2, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Solicitor General Fahy* for petitioner. *Messrs. Louis Quarles* and *Leo Mann* for respondent. Reported below: 145 F. 2d 589.

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No. 964. IN THE MATTER OF ROBERT D. MICHAEL. April 2, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs.*

*Robert T. McCracken and Stanley F. Coar* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Messrs. Robert S. Erdahl, William Strong and Miss Beatrice Rosenberg* for the United States. Reported below: 146 F. 2d 627.

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No. 971. *MAY DEPARTMENT STORES Co. v. NATIONAL LABOR RELATIONS BOARD.* April 9, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Messrs. Lyle M. Allen and R. Walston Chubb* for petitioner. *Solicitor General Fahy, Mr. Alvin J. Rockwell and Miss Ruth Weyand* for respondent. Reported below: 146 F. 2d 66.

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No. 1066. *GENERAL ELECTRIC Co. v. JEWEL INCANDESCENT LAMP Co. ET AL.* April 9, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Alexander C. Neave* for petitioner. Reported below: 146 F. 2d 414.

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No. 980. *WOMBLE v. UNITED STATES.* See *ante*, p. 830.

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No. 1000. *THOMPSON, TRUSTEE, ET AL. v. TEXAS MEXICAN RAILWAY Co.* April 23, 1945. Petition for writ of certiorari to the Court of Civil Appeals, 4th Supreme Judicial District, of Texas, granted. *Mr. Robert H. Kelley* for petitioners. *Messrs. M. G. Eckhardt and B. D. Tarlton* for respondent. Reported below: 181 S. W. 2d 895.

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No. 1006. *KEETON, ADMINISTRATRIX, v. THOMPSON, TRUSTEE IN BANKRUPTCY.* April 23, 1945. Petition for

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writ of certiorari to the Supreme Court of Arkansas granted. *Messrs. Theron W. Agee and David Sidney Partain* for petitioner. *Mr. Thomas B. Pryor* for respondent. Reported below: 207 Ark. 793, 183 S. W. 2d 505.

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No. 1189. DE BEERS CONSOLIDATED MINES, LTD. ET AL. v. UNITED STATES; and

No. 1190. SOCIETE INTERNATIONALE FORESTIERE ET MINIERE DU CONGO ET AL. v. UNITED STATES. April 23, 1945. Petitions for writs of certiorari to the District Court of the United States for the Southern District of New York granted. *Messrs. Robert T. Swaine and Wm. Dwight Whitney* for petitioners in No. 1189. *Mr. John M. Harlan* for petitioners in No. 1190. *Solicitor General Fahy, Assistant Attorney General Berge, Messrs. Charles H. Weston, Herbert A. Berman and Edward S. Stimson* for the United States.

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Nos. 1080 and 1191. UNIVERSAL OIL PRODUCTS Co. v. ROOT REFINING Co. April 23, 1945. Petitions for writs of certiorari to the Circuit Court of Appeals for the Third Circuit granted. MR. JUSTICE ROBERTS took no part in the consideration or decision of these applications. *Messrs. Robert T. McCracken and Ralph S. Harris* for petitioner. *Messrs. J. Bernhard Thiess, Thorley von Holst, Sidney Neuman and Robert W. Poore* for respondent. Reported below: 147 F. 2d 259.

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No. 825. HAWK v. OLSON, WARDEN. April 23, 1945. Petition for writ of certiorari to the Supreme Court of Nebraska granted. *Henry Hawk, pro se. Walter R. Johnson, Attorney General, and H. Emerson Kokjer, Deputy Attorney General,* for respondent.