

325 U. S.

Decisions Granting Certiorari.

No. 661, October Term, 1934. *AWOTIN v. ATLAS EXCHANGE NATIONAL BANK OF CHICAGO*. June 18, 1945. Petition to set aside the judgment and for other relief denied.

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No. 377. *PRECISION INSTRUMENT MANUFACTURING CO. ET AL. v. AUTOMOTIVE MAINTENANCE MACHINERY CO.* June 18, 1945. Petition for clarification of the opinion (324 U. S. 806) denied.

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No. 470. *AMERICAN POWER & LIGHT CO. v. SECURITIES & EXCHANGE COMMISSION*; and

No. 815. *SECURITIES & EXCHANGE COMMISSION v. OKIN*. June 18, 1945. Order entered amending opinion. The motion for rehearing in No. 815 is otherwise denied. Opinion reported as amended, *ante*, p. 385.

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#### DECISIONS GRANTING CERTIORARI, FROM APRIL 24, 1945, THROUGH JUNE 18, 1945.

No. 1097. *AUTOMATIC PAPER MACHINERY Co., INC. v. MARCALUS MANUFACTURING Co., INC. ET AL.* April 30, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. George E. Middleton* for petitioner. *Messrs. Samuel E. Darby, Jr.* and *Donald J. Overocker* for respondents. Reported below: 147 F. 2d 608.

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No. 948. *JOHN KELLEY Co. v. COMMISSIONER OF INTERNAL REVENUE*. April 30, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Frank J. Albus* for petitioner. *Solicitor General Fahy*, *Assistant Attorney General Samuel O. Clark, Jr.*, *Messrs. Sewall Key, J. Louis Monarch* and *Mrs. Maryhelen Wigle* for respondent. Reported below: 146 F. 2d 466.

No. 1070. *TALBOT MILLS v. COMMISSIONER OF INTERNAL REVENUE*. April 30, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit granted. *Mr. Melville F. Weston* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch and Harry Baum* for respondent. Reported below: 146 F. 2d 809.

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No. 1089. *BETTER BUSINESS BUREAU OF WASHINGTON, D. C., INC. v. UNITED STATES*. April 30, 1945. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Messrs. Simon Lyon and R. B. H. Lyon* for petitioner. *Solicitor General Fahy, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key and J. Louis Monarch* for the United States. Reported below: 148 F. 2d 14.

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No. 665. *LINE MATERIAL CO. ET AL. v. COE, COMMISSIONER OF PATENTS*. See *ante*, p. 834.

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No. 1082. *GLASS CITY BANK v. UNITED STATES*. May 7, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Fred B. Trescher* for petitioner. *Assistant Solicitor General Cox, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, J. Louis Monarch, Homer R. Miller and Walter J. Cummings, Jr.* for the United States. Reported below: 146 F. 2d 831.

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No. 1085. *LEVERS, ADMINISTRATOR, v. ANDERSON, DISTRICT SUPERVISOR, ALCOHOL TAX UNIT*. May 7, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Messrs. Huston Thompson and Hugh H. Obear* for petitioner. *Assistant Solicitor General Cox and Mr. Robert L. Stern* for respondent. Reported below: 147 F. 2d 547.

325 U. S.

Decisions Granting Certiorari.

No. 1139. *KIRBY PETROLEUM Co. v. COMMISSIONER OF INTERNAL REVENUE*. May 21, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Homer L. Bruce* for petitioner. *Assistant Solicitor General Cox, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, Hilbert P. Zarky and Miss Helen R. Carlross* for respondent. Reported below: 148 F. 2d 80.

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No. 1171. *OKLAHOMA PRESS PUBLISHING Co. v. WALLING, ADMINISTRATOR*. May 21, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Messrs. Elisha Hanson, Joseph C. Stone and Charles A. Moon* for petitioner. *Assistant Solicitor General Cox, Mr. Douglas B. Maggs and Miss Bessie Margolin* for respondent. Reported below: 147 F. 2d 658.

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No. 1179. *NEWS PRINTING Co., INC. v. WALLING, ADMINISTRATOR*. May 21, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Mr. Elisha Hanson and Miss Letitia Armistead* for petitioner. *Assistant Solicitor General Cox, Mr. Douglas B. Maggs and Miss Bessie Margolin* for respondent. Reported below: 148 F. 2d 57.

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No. 1152. *MABEE ET AL. v. WHITE PLAINS PUBLISHING Co., INC.* May 21, 1945. Petition for writ of certiorari to the Court of Appeals of New York granted. *Mr. Morton Lexow* for petitioners. *Mr. Elisha Hanson and Miss Letitia Armistead* for respondent. Reported below: 294 N. Y. 701, 60 N. E. 2d 848.

No. 166. AMERICAN POWER & LIGHT CO. *v.* SECURITIES & EXCHANGE COMMISSION; and

No. 167. ELECTRIC POWER & LIGHT CORP. *v.* SECURITIES & EXCHANGE COMMISSION. May 28, 1945. The petitions for writs of certiorari to the Circuit Court of Appeals for the First Circuit are granted. *Messrs. Arthur A. Ballantine, John F. MacLane and Frank A. Reid* for petitioner in No. 166. *Messrs. Daniel James, James F. MacLane and Frank A. Reid* for petitioner in No. 167. *Solicitor General Fahy and Mr. Roger S. Foster* for respondent. Reported below: 141 F. 2d 606.

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No. 295. ATKINS *v.* ATKINS. May 28, 1945. Petition for writ of certiorari to the Supreme Court of Illinois granted. *Messrs. Harry F. Gillis and A. Rea Williams* for petitioner. *Mr. Harold F. Trapp* for respondent. Reported below: 386 Ill. 345, 54 N. E. 2d 488.

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No. 1167. MARKHAM, ALIEN PROPERTY CUSTODIAN, *v.* ALLEN ET AL. May 28, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Solicitor General Fahy* for petitioner. *Mr. Joseph Wahrhaftig* for respondents. Reported below: 147 F. 2d 136.

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No. 1196. ASHBACKER RADIO CORP. *v.* FEDERAL COMMUNICATIONS COMMISSION. May 28, 1945. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted. *Messrs. Paul M. Segal and Philip J. Hennessey, Jr.* for petitioner. *Assistant Solicitor General Cox, Messrs. Walter J. Cummings, Jr., Harry M. Plotkin and Joseph M. Kittner* for respondent.

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No. 1201. SMITH *v.* UNITED STATES. May 28, 1945. Petition for writ of certiorari to the Circuit Court of Ap-

325 U.S.

Decisions Granting Certiorari.

peals for the Fourth Circuit granted. *Mr. Hayden C. Covington* for petitioner. *Assistant Solicitor General Cox, Assistant Attorney General Tom C. Clark, Messrs. Robert S. Erdahl and Irving S. Shapiro* for the United States. Reported below: 148 F. 2d 288.

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No. 1236. NATIONAL LABOR RELATIONS BOARD *v.* FEDERAL MOTOR TRUCK CO.;

No. 1237. NATIONAL LABOR RELATIONS BOARD *v.* JONES & LAUGHLIN STEEL CORP.; and

No. 1238. NATIONAL LABOR RELATIONS BOARD *v.* E. C. ATKINS & Co. See *ante*, p. 838.

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No. 1206. THOMAS PAPER STOCK CO. ET AL. *v.* BOWLES, PRICE ADMINISTRATOR. June 4, 1945. Petition for writ of certiorari to the United States Emergency Court of Appeals granted. *Mr. Claude A. Roth* for petitioners. *Assistant Solicitor General Cox* and *Mr. Richard H. Field* for respondent. Reported below: 148 F. 2d 831.

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No. 1271. MARKHAM, ALIEN PROPERTY CUSTODIAN, ET AL. *v.* CABELL. June 4, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Assistant Solicitor General Cox* for petitioners. *Messrs. Charlton Ogburn and Hartwell Cabell* for respondent. Reported below: 148 F. 2d 737.

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No. 1254. BOEHM *v.* COMMISSIONER OF INTERNAL REVENUE. June 11, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Louis Boehm* for petitioner. *Assistant Solicitor General Cox, Assistant Attorney General Samuel O. Clark, Jr., Messrs. Sewall Key, Robert N. Anderson and William Robert Koerner* for respondent. Reported below: 146 F. 2d 553.

No. 1324. RAILROAD RETIREMENT BOARD ET AL. *v.* DUQUESNE WAREHOUSE Co.; and

No. 1338. DUQUESNE WAREHOUSE Co. *v.* RAILROAD RETIREMENT BOARD ET AL. June 11, 1945. Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit and to the United States Court of Appeals for the District of Columbia, respectively, granted. *Assistant Solicitor General Cox, Messrs. Myles F. Gibbons, Frank L. Mulholland, Clarence M. Mulholland and Willard H. McEwen* for petitioners in No. 1324. *Messrs. George R. Allen, John S. Flannery and R. Aubrey Bogley* for petitioner in No. 1338. Reported below: 148 F. 2d 473.

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No. 1245. OKIN *v.* SECURITIES & EXCHANGE COMMISSION. See *ante*, p. 840.

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No. 1383. COY *v.* UNITED STATES. See *ante*, p. 841.

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No. 1272. UNITED STATES *v.* PETTY MOTOR Co.;

No. 1273. UNITED STATES *v.* BROCKBANK;

No. 1274. UNITED STATES *v.* GRIMSDELL, DOING BUSINESS AS GROCER PRINTING Co.;

No. 1275. UNITED STATES *v.* WIGGS, DOING BUSINESS AS CHICAGO FLEXIBLE SHAFT Co.;

No. 1276. UNITED STATES *v.* INDEPENDENT PNEUMATIC TOOL Co.;

No. 1277. UNITED STATES *v.* GALIGHER COMPANY; and

No. 1278. UNITED STATES *v.* GRAY-CANNON LUMBER Co. June 18, 1945. Petition for writs of certiorari to the Circuit Court of Appeals for the Tenth Circuit granted. *Assistant Solicitor General Cox* for the United States. *Mr. Charles D. Moore* for respondents. Reported below: 147 F. 2d 912.

325 U. S.

Decisions Granting Certiorari.

No. 952. ORDER OF RAILWAY CONDUCTORS OF AMERICA ET AL. *v.* PITNEY ET AL., TRUSTEES, ET AL. June 18, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit granted. *Messrs. V. C. Shuttleworth, Rufus G. Poole and James D. Carpenter, Jr.* for petitioners. *Messrs. Harry Lane and Robert Carey* for respondents. Reported below: 145 F. 2d 351.

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No. 1033. ROLAND ELECTRICAL CO. *v.* WALLING, ADMINISTRATOR. June 18, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit granted. *Mr. O. R. McGuire* for petitioner. *Solicitor General Fahy, Messrs. Robert L. Stern, Douglas B. Maggs, George M. Szabad and Miss Bessie Margolin* for respondent. Reported below: 146 F. 2d 745.

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No. 849. MARTINO *v.* MICHIGAN WINDOW CLEANING Co. June 18, 1945. The order denying certiorari, 324 U. S. 849, is vacated and the petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit is granted. *Mr. Daniel D. Carmell* for petitioner. *Mr. Larry S. Davidow* for respondent. Reported below: 145 F. 2d 163.

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No. 1266. BOUTELL ET AL. *v.* WALLING, ADMINISTRATOR. June 18, 1945. Petition for writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Harry G. Gault* for petitioners. *Assistant Solicitor General Cox, Mr. Douglas B. Maggs and Miss Bessie Margolin* for respondent. Reported below: 148 F. 2d 329.