

G. S. Willard Co. Vs. Palmer

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Court : US Supreme Court

Decided On : Feb-28-1921

Appeal No. : 255 U.S. 106

Appellant : G. S. Willard Co.

Respondent : Palmer

Judgement :

G. S. Willard Co. v. Palmer - 255 U.S. 106 (1921)

U.S. Supreme Court G. S. Willard Co. v. Palmer, 255 U.S. 106 (1921)

G. S. Willard Company v. Palmer

No. 418

Argued October 19, 20, 1920

Decided February 28, 1921

255 U.S. 106

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OHIO

SYLLABUS

Decided upon the authority of *United States v. Cohen Grocery Co.*, ante [255 U. S. 81](#) .

Reversed.

This was a suit by a corporation, a dealer in sugar, and officers and stockholders, to enjoin criminal proceedings under the Food Control Act. Plaintiffs appealed directly from a decree dismissing the bill.

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MR. CHIEF JUSTICE WHITE delivered the opinion of the Court.

In this case, the complainants filed their bill to enjoin the Attorney General and the United States attorney from taking steps to enforce against them provisions of the fourth section of the Lever Act on the grounds, among others, of their repugnancy to the Constitution of the United States because of their vagueness and want of constitutional standard. On motion, the court dismissed the bill for want of equity, and the case is here by direct appeal.

It presents the question under the Constitution which was this day decided in the *Cohen Grocery Co.* case, ante, [255 U. S. 81](#) -- that is, the repugnancy of the provisions relied upon to the Constitution, and therefore, as a result of the ruling in that case, the decree below must be reversed, and the case remanded for further proceedings in conformity with this opinion; and it is so ordered.

Reversed.

MR. JUSTICE PITNEY and MR. JUSTICE BRANDEIS concur in the result.

MR. JUSTICE DAY took no part in the consideration or decision of this case.

