

I

OCTOBER TERM, 1949

STATISTICS

	Original	Appellate	Miscellaneous	Total
Number of cases on dockets.....	13	867	568	1, 448
Cases disposed of.....	0	757	551	1, 308
Remaining on dockets.....	13	110	17	140

Cases disposed of—Appellate Docket :

By written opinions.....	108
By per curiam opinions.....	93
By motion to dismiss or per stipulation (merit cases).....	1
By denial or dismissal of petitions for certiorari.....	555

Cases disposed—Miscellaneous Docket :

By written opinions.....	0
By per curiam opinions.....	1
By denial or dismissal of petitions for certiorari.....	436
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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, and Mr. Justice Clark.

Benjamin I. Shulman, of Providence, R. I.; Bentley G. Byrnes, of New Orleans, La.; William F. Norton, Jr., of Hackensack, N. J.; John J. O'Keefe, of Windsor, Conn.; James W. Spurr, of Shawnee, Okla.; Clyde G. Pitman, of Shawnee, Okla.; Frank DeBartolo, of Chicago, Ill.; William Henry McGowen, of Birmingham, Ala.; Earl Boyd Pierce, of Muskogee, Okla.; Cecil Thomas Dees, of Alexandria, Va.; William H. Brown, of College Park, Md.; Herbert M. Wetzels, of Chicago, Ill.; Van Holmgren Tanner, of Wellesley, Mass.; Burton A. Koffler, of New York City; Robert J. Rubacky, of Jersey City, N. J.; Artie P. Stephens, of Sulphur Springs, Tex.; Morris M. Doyle, of San Francisco, Calif.; Glenn V. Walls, of Sacramento, Calif.; J. Roger Wollenberg, of San Francisco, Calif.; Edgar G. Theus, of Oklahoma City, Okla.; William H. Dorsey, Jr., of Arlington, Va.; Paul H. Gantt, of Williamsburg, Va.; Ben K. Lerer, of San Francisco, Calif.; Ernestine Stahlhut, of Los Angeles, Calif.; Lloyd F. Cooper, of Wichita, Kans.; Joseph J. McGovern, of Boston, Mass.; and David Hume, of Eagle Pass, Tex., were admitted to practice.

The Chief Justice said:

"Since last this Court convened we have been saddened by the untimely deaths of Mr. Justice Murphy and Mr. Justice Rutledge. These tragic losses to the Court and the Nation are the more keenly felt because our brothers were stricken in the fullness of their great powers of mind and spirit, which were ever applied with selfless devotion to the work of the Court. In addition, we must contemplate the end of personal associations made precious by the courtesy, warmth, and friendliness that marked their every word and deed.

"Frank Murphy devoted his life to public service. Except for one 3-year period, his career, from the time of his Army service during the first World War until his death 32 years later, was one of service to his city, State, and Nation. During that time he held the positions

of Assistant United States Attorney, Judge of the Recorder's Court of the City of Detroit, Mayor of Detroit, Governor General and then United States High Commissioner of the Philippine Islands, Governor of Michigan, Attorney General of the United States, and Associate Justice of this Court. In each of these positions of high trust and honor, Justice Murphy displayed a tenacity of conviction and devotion to ideals that earned for him the respect and admiration of all. Though gentle and kindly of temperament, in defense of the fundamental rights of the accused and the underprivileged his spirit was that of a warrior. His passionate defense of the rights of minorities whose principles were anathema to him will stand as a monument to his honesty, integrity, and valor.

"Wiley Blount Rutledge was a teacher until he took his seat on the bench. After conquering disease that early threatened his life, he taught successively at the law schools of the University of Colorado, Washington University at St. Louis, and the University of Iowa. At the two Universities last named, he assumed the additional burdens of the Deanship. He was appointed to serve on the United States Court of Appeals for the District of Columbia in 1939. In 1943 he took his seat on this bench. Beloved of his students, he became beloved of us all. His friendship was a source of great joy while he lived; it is a source of great pride now that he is gone. It was said of Mr. Justice Cardozo that he had a 'passion for justice.' No epitaph could be more fitting for Justice Rutledge, nor would he have wanted any other. His search for the right, the just, and the decent was unremitting. His devotion to this task so overtaxed his strength that he was taken from us in the prime of his years. But in our memories he remains—a revered teacher, a wise judge, and a faithful friend.

"Saddened by our losses but inspired by the examples of devotion to duty which Mr. Justice Murphy and Mr. Justice Rutledge have provided for us, we turn to the work before us. At an appropriate time, the Court will receive the resolutions of the Bar in tribute to their memory."

The Chief Justice said:

"Since the adjournment of the Court in June the President has nominated and, with the advice and consent of the Senate, has appointed Attorney General Tom C. Clark, of Texas, to be an Associate Justice of this Court in succession to Associate Justice Frank Murphy, deceased. He has presented his commission and has taken the oaths prescribed by law. It is ordered that his commission be recorded and that his oaths be filed."

The commission of Mr. Justice Clark is in the words and figures following, viz:

"HARRY S. TRUMAN
"PRESIDENT OF THE UNITED STATES OF AMERICA

"To all who shall see these Presents, Greeting:

"Know Ye; That reposing special trust and confidence in the wisdom, uprightiness, and learning of Tom C. Clark of Texas, I have nominated, and, by and with the advice and consent of the Senate, do appoint him an Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and laws of the said United States, and to have and to hold the said office, with all the powers, privileges, and emoluments to the same of right appertaining, unto him, the said Tom C. Clark, during his good behavior.

"In testimony whereof, I have caused these letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

"Done at the city of Washington this nineteenth day of August, in the year of our Lord one thousand nine hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

"HARRY S. TRUMAN.

"By the President:

"PEYTON FORD,

"Acting Attorney General."

Mr. Solicitor General Perlman presented the Honorable J. Howard McGrath of Rhode Island, Attorney General of the United States, and it was ordered that his commission be recorded.

Adjourned until Monday, October 10, next, at 12 o'clock.

The day call for Monday, October 10, will be as follows: Nos. 16, 10, 13, 17, 20, 11 (and 15), 19, 18, 31, and 26.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, and Mr. Justice Clark.

Antha Mulkey, of Atlanta, Ga.; Harold Johnson, of New York City; Louis Marder, of Brooklyn, N. Y.; Atlee Harris, of West Memphis, Ark.; Harry S. Coleman, of Portland, Oreg.; Doyle E. Carlton, of Tampa, Fla.; James A. Murray, of Los Angeles, Calif.; Robert E. Early, of Los Angeles, Calif.; Sam Frank Davis, of Denver, Colo.; Neil Conway, of Madison, Wis.; Rob Roy Rhudy, of Atlanta, Ga.; Robert L. Strong, of Cincinnati, Ohio.; Carl Abruzzese, of Newark, N. J.; Ralph G. Mesce, of Newark, N. J.; Archie E. Groff, of Houston, Tex.; Emanuel Berkowitz, of Washington, D. C.; Ernest S. Hampton, of Salina, Kans.; August Altieri, of Jackson, Miss.; James L. Givan, of Washington, D. C.; Willard Ayres, of Ocala, Fla.; Brooks B. Callaghan, of Richwood, W. Va.; Louis A. D'Agosto, of New York City; Oscar Habas, of Brooklyn, N. Y.; Harry I. Fernandes, of South Carver, Mass.; Leslie M. O'Connor, of Chicago, Ill.; Joseph V. Meigs, of New York City; Leland E. Modesitt, of Denver, Colo.; Harry H. Van Aken, of New York City; and William R. Lonergan, of New York City, were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 89. Eastern Steamship Lines, Inc., petitioner, *v.* Francis J. Mulligan, as Public Administrator of the Goods, Chattels and Credits of John Brodie Hutchinson, Deceased. On petition for writ of certiorari to the Court of Appeals for the Second Circuit. *Per curiam:* The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court for disposition in the light of *Cosmopolitan Co. v. McAllister*, 337 U. S. 783.

No. 103. Estate of Gilliat G. Schroeder, Deceased, Louisa R. Schroeder and Helen S. Croll, Executors, petitioners, *v.* Commissioner of Internal Revenue. On petition for writ of certiorari to the Court of Appeals for the Second Circuit. *Per curiam:* The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court for further considera-

tion in the light of T. D. 5741, 14 Fed. Reg. 5536, and Commissioner *v.* Estate of Church, 335 U. S. 632, and Estate of Spiegel *v.* Commissioner, 335 U. S. 701.

No. 104. Adirondack Transit Lines, Inc., appellant, *v.* Hudson Transit Lines, Inc.; and

No. 105. The United States of America and Interstate Commerce Commission, appellants, *v.* Hudson Transit Lines, Inc. Appeals from the United States District Court for the Southern District of New York. *Per curiam*: The motions to affirm are granted and the judgment is affirmed. Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas dissent.

No. 122. Harry Norman Ball, Trustee, appellant, *v.* The United States of America, Paramount Pictures, Inc., et al. Appeal from the United States District Court for the Southern District of New York. *Per curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 134. G. O. Beeman, George W. Bower, Harding A. Ferguson, appellants, *v.* Michigan Board of Pharmacy et al. Appeal from the Supreme Court of Michigan. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 137. Beard-Laney, Inc., appellant, *v.* The United States of America, Interstate Commerce Commission and Associated Petroleum Carriers. Appeal from the United States District Court for the Eastern District of South Carolina. *Per curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 138. Albert Lee, appellant, *v.* State of Mississippi. Appeal from the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied.

No. 148. Eric Hass, appellant, *v.* The People of the State of New York. Appeal from the Court of Appeals of New York. *Per curiam*: The appeal is dismissed for want of a substantial federal question. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 175. Partmar Corporation, appellant, *v.* The United States of America, Paramount Pictures, Inc., et al. Appeal from the United States District Court for the Southern District of New York. *Per*

curiam: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 196. General Engineering Corp. and General Industrial Supply Corp., appellants, *v.* Texas Employment Commission. Formerly Known as Texas Unemployment Compensation Commission, et al. Appeal from the Supreme Court of Texas. *Per curiam*: The appeal is dismissed for want of a substantial federal question.

No. 198. Isadore M. Krachock, appellant, *v.* Department of Revenue of the State of Illinois. Appeal from the Supreme Court of Illinois. *Per curiam*: The appeal is dismissed for want of a substantial federal question.

No. 199. Elmer Michael Walsh, Sheriff of Cook County, Illinois, petitioner, *v.* The United States of America, *ex rel.* Ralph E. White. On petition for writ of certiorari to the Court of Appeals for the Seventh Circuit. *Per curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the cause is remanded to the District Court with directions to discharge the writ of habeas corpus and remand the respondent to custody.

No. 238. Willie McGee, appellant, *v.* State of Mississippi. Appeal from and on petition for writ of certiorari to the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). The petition for writ of certiorari is denied. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 242. Kenosha Motor Coach Lines, Inc., appellant, *v.* Public Service Commission of Wisconsin et al. Appeal from the Supreme Court of Wisconsin. *Per curiam*: The appeal is dismissed for want of a substantial federal question. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 245. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day-Saints, a Utah Corporation, Sole, appellant, *v.* City of Porterville, a Municipal Corporation, et al. Appeal from the District Court of Appeal, 4th Appellate District, State of California. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 250. Arthur Bingaman, Administrator of the Estate of Alvin A. Bingaman, Deceased, appellant, *v.* Eric H. Rehn and John P. Mainelli, Doing Business Under the Name and Style of John P. Mainelli Construction Company. Appeal from the Supreme Court

of Nebraska. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 277. Elmer Remmer, appellant, *v.* The Municipal Court of the City and County of San Francisco, State of California, et al.; and

No. 278. Menlo Social Club, Inc., appellant, *v.* Edmund Gerald Brown, as District Attorney, Michael Mitchell, as Chief of Police, et al. Appeals from the District Court of Appeal, 1st Appellate District, State of California. *Per curiam*: The appeals are dismissed for want of a substantial federal question.

No. 12, Original. The United States of America, plaintiff, *v.* The State of Louisiana. The demurrer is overruled and the motion to dismiss on jurisdictional grounds, and conditional motions are denied. The motion for judgment is denied and the defendant is allowed thirty days from this date within which to file an answer to the complaint. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of these questions.

No. 13, Original. The United States of America, plaintiff, *v.* The State of Texas. The motion to dismiss the complaint is denied. The motion for more definite statement or bill of particulars is denied. The motion for judgment is denied and the defendant is allowed thirty days from this date within which to file an answer to the complaint. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of these questions.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 12, Original. The United States of America, plaintiff, *v.* The State of Louisiana; and

No. 13, Original. The United States of America, plaintiff, *v.* The State of Texas. The motion of Agnes E. Lewis et al. for leave to intervene is denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application.

No. —. In the Matter of Robert Blount Ralls. The motion to amend the Attorney Roll to show a change of name of Oscar Blount Ralls to Robert Blount Ralls is granted.

No. 2, Misc. William Henry Roberts, petitioner, *v.* The United States District Court for the Northern District of California. It is ordered that Max Radin, Esquire, of Berkeley, California, a member of

the bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 11. Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian, petitioner, *v.* Manufacturers Trust Company;

No. 15. Manufacturers Trust Company, petitioner, *v.* Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian; and

No. 48. Rosette Sorge Savorgnan, petitioner, *v.* The United States of America, Tom C. Clark, the Attorney General of the United States of America, et al. The motions to substitute J. Howard McGrath, present Attorney General, as a party in these cases in the place and stead of Tom C. Clark are granted. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 20. Oscar F. Treichler, Executor of the Estate of Fred A. Miller, appellant, *v.* State of Wisconsin. The motion of J. Gilbert Hardgrove for leave to argue as *amicus curiae* is denied.

No. 27. Secretary of Agriculture, petitioner, *v.* Central Roig Refining Company, Western Sugar Refining Company, et al.;

No. 30. Porto Rican American Sugar Refinery, Inc., petitioner, *v.* Central Roig Refining Company and Western Sugar Refining Company; and

No. 32. The Government of Puerto Rico, petitioner, *v.* The Secretary of Agriculture, Porto Rican American Sugar Refinery, Inc., et al. The motion to withdraw the appearances of Howard C. Westwood and Donald Hiss as counsel for American Sugar Refining Co., et al., is granted.

No. 213. The United States of America, *ex rel.* Lee Wo Shing, petitioner, *v.* W. Frank Watkins, District Director of the Immigration and Naturalization Service in the New York District, etc. The motion to substitute Edward J. Shaughnessy, Acting District Director, as the party respondent is granted. The motion to dispense with printing the petition, brief, and record is also granted. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 2, October Term, 1941. Martin J. Bernards and Lena Bernards, petitioners, *v.* M. R. Johnson, Catherine Collins, the United States National Bank of Portland, et al. The motion to recall the mandate is denied.

No. 113. The United States of America and Interstate Commerce Commission, appellants, *v.* Pacific Coast Wholesaler's Association et al. and

No. 114. Freight Forwarders Institute, appellant, *v.* Pacific Coast Wholesaler's Association et al.;

No. 119. Louise M. Wissner and Leandous H. Wissner, appellants, *v.* Margaret Wissner;

No. 147. New Jersey Realty Title Insurance Company, appellant, *v.* Division of Tax Appeals in the Department of Taxation and Finance of the State of New Jersey and the City of Newark;

No. 171. The United States of America, appellant, *v.* Joe Burnison and Phil C. Katz, Public Administrator of the City and County of San Francisco; and

No. 188. The United States of America, appellant, *v.* Charles F. Gayetty et al. In these cases probable jurisdiction is noted and the cases are transferred to the summary docket.

No. 173. The United States of America and Interstate Commerce Commission, appellants, *v.* United States Smelting, Refining, and Mining Company et al. In this case probable jurisdiction is noted.

No. 60. Julius A. Krug, Department of Interior, petitioner, *v.* Sheridan-Wyoming Coal Company, Inc. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted.

No. 96. R. M. Powell et al., petitioners, *v.* The United States Cartridge Company. The petition for writ of certiorari to the Court of Appeals for the Eighth Circuit is granted and the case is assigned for argument immediately preceding the hearing of Nos. 58 and 79, which cases are transferred to the summary docket.

No. 97. The United States, petitioner, *v.* Jeff W. Moorman and James C. Moorman, Co-Partners, Doing Business as J. W. Moorman and Son. Petition for writ of certiorari to the Court of Claims granted and case transferred to the summary docket.

No. 126. Commissioner of Internal Revenue, petitioner, *v.* Philadelphia Transportation Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit granted and case transferred to the summary docket.

No. 150. Albert G. Dickinson, petitioner, *v.* Petroleum Conversion Corporation. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is granted limited to questions 1 and 2 presented by the petition for the writ and the case is transferred to the summary docket.

No. 154. Wong Yang Sung, petitioner, *v.* Tom C. Clark, Attorney General of the United States, et al. The motion to substitute J. Howard McGrath, present Attorney General, as a party respondent in the

place and stead of Tom C. Clark, is granted. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted and the case is transferred to the summary docket. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 157. Civil Aeronautics Board, petitioner, *v.* State Airlines, Inc.;

No. 158. State Airlines, Inc., petitioner, *v.* Civil Aeronautics Board and Piedmont Aviation, Inc.; and

No. 159. Piedmont Aviation, Inc., petitioner, *v.* State Airlines, Inc. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit granted.

No. 178. J. Baker Bryan, Sr., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 200. Floyd G. Affolder, petitioner, *v.* New York, Chicago and St. Louis Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit granted and case transferred to the summary docket.

No. 217. The United States of America, petitioner, *v.* Alexander Lawrence Alpers. The motion of respondent for leave to file type-written brief in opposition is granted. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit granted and case transferred to the summary docket.

No. 230. Swift and Company Packers et al., petitioners, *v.* Compania Colombiana Del Caribe, S. A. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 271. Alcoa Steamship Company, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 50, Misc. Victor Hubsch, petitioner, *v.* The United States of America; and

No. 51, Misc. Margaret Schweitzer, petitioner, *v.* The United States of America. The motions for leave to proceed in forma pauperis are granted. The petitions for writs of certiorari to the Court of Appeals for the Fifth Circuit are granted and the cases are transferred to the appellate docket. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 52. Constancio R. Alesna, Jose Bagogo Bernal, Daniel Rodriguez Ferreira, et al., petitioners, *v.* Philip L. Rice, as Judge of the Circuit Court for the Fifth Judicial Circuit of the Territory of

Hawaii, et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 64. Breeding Motor Freight Lines, Inc., Debtor, petitioner, *v.* Reconstruction Finance Corporation et al.;

No. 65. Breeding Motor Coaches, Inc., Debtor, petitioner, *v.* Reconstruction Finance Corporation et al.;

No. 66. Glenn E. Breeding et al., Doing Business as Breeding Motor Coaches et al., petitioners, *v.* Reconstruction Finance Corporation; and

No. 67. Glenn E. Breeding et al., Doing Business as Breeding Motor Coaches, et al., petitioners, *v.* Reconstruction Finance Corporation. Petitions for writs of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 68. Lester E. Banning, petitioner, *v.* Detroit, Toledo and Ironton Railroad Company; and

No. 93. Detroit, Toledo and Ironton Railroad Company, petitioner, *v.* Lester E. Banning. Petitions for writs of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 73. Meyer P. Gross, Saul Frankel, Murray M. Salzburg, and Morris H. Snerson, petitioners, *v.* Willie May Kell, Mary Joe Kell Putty, Malcolm D. Putty, et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 74. Anthony Vespole, petitioner, *v.* The United States of America; and

No. 5, Misc. Salvatore Tanuzzo and Nunze Dellaratta, petitioners, *v.* The United States of America. Petitions for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 78. The Good Holding Company, Carolyn G. Good Tucker, and Owen Tucker, petitioners, *v.* Frances B. Boswell. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 80. Thomas Hodge, George Hodge, Nettie Powell, et al., petitioners, *v.* First Presbyterian Church of Sterling, Illinois. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 81. Patrick J. Delahanty and Catherine C. Delahanty, Individually and Trading as P. J. Delahanty Manufacturing Co., petitioners, *v.* John J. Daley. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 84. Aero Services, Inc., a Corporation, Debtor, petitioner, *v.* John R. Quinn, County Assessor, and H. L. Byram, County Tax Collector of Los Angeles County. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 85. O. G. Harp, Doing Business as O. G. Harp Poultry and Egg Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 86. Batten, Barton, Durstine and Osborn, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 87. Homer Hoagland, petitioner, *v.* B. F. Bass. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 88. Edna Pearl Bailey, petitioner, *v.* B. F. Bass. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 90. James Zarichny, petitioner, *v.* State Board of Agriculture, Sarah Van Hoosen Jones, et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 94. Ernest A. Jackson, petitioner, *v.* Commissioner of Internal Revenue; and

No. 95. Harris Trust and Savings Bank, as Executor (Estate of Robert O. Farrell, Deceased), petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 106. Mary E. Doyle, Widow, and Annie E. Doyle, Mother of Bernard C. Doyle, Deceased, petitioners, *v.* The Lord Baltimore Hotel Company, Employer, and Liberty Mutual Insurance Company, Insurer. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 108. Elmer H. Bartlett et al., petitioners, *v.* Denis W. Delaney, Collector, et al. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 110. Local Union No. 807, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al., petitioners, *v.* Motor Haulage Company, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 111. Eola M. Wright, petitioner, *v.* W. E. Reynolds, Commissioner, Public Building Administration, Federal Works Agency, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 112. Anthony Carr, petitioner, *v.* National Discount Corporation. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 115. William Henry Nagel, petitioner, *v.* State of Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 116. Nancy Bradburn, nee Yarhola, petitioner, *v.* Shell Oil Company, Incorporated. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 117. Pierce G. White, petitioner, *v.* Samuel Feinberg. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 120. Commissioner of Internal Revenue, petitioner, *v.* H. R. Smith. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 121. Commissioner of Internal Revenue, petitioner, *v.* L. F. Long. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 123. John L. Fahs, U. S. Collector of Internal Revenue for the District of Florida, petitioner, *v.* Economy Cab Company of Jacksonville, and Thrift Cabs, Inc. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 124. John L. Fahs, U. S. Collector of Internal Revenue for the District of Florida, petitioner, *v.* New Deal Cab Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 125. The United States of America, petitioner, *v.* Party Cab Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 127. George T. Goggin, as Trustee of the Estate of A. Moody and Co., Inc., Bankrupt, petitioner, *v.* H. L. Byram, Tax Collector for the County of Los Angeles, State of California. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 128. Earle C. Anthony, Inc., petitioner, *v.* Kenneth E. Morrison and The Voice of the Orange Empire, Inc., et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 129. Ralph E. Jones, petitioner, *v.* Schick Services, Inc., and Schick, Inc. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 130. Alvie D. Killian, petitioner, *v.* The Pennsylvania Railroad Company and P. R. Mallory and Co., Inc. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 131. Freda Goodman, petitioner, *v.* City of Chicago. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 132. Philadelphia Transportation Company, petitioner, *v.* Florence T. Smith and John M. Smith, Her Husband, et al.; and

No. 133. Philadelphia Transportation Company, petitioner, *v.* Abigail Sterner and Benjamin D. Fenimore. Petition for writs of certiorari to the Court of Appeals for the Third Circuit denied.

No. 135. Sam Macri, Don Macri, and Joe Macri, Individuals and Copartners, petitioners *v.* The United States of America, For the Use of M. C. Schaefer, an Individual Doing Business as Concrete Construction Company et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 136. J. S. Butnam and Stanley M. Burns, Executors of the Estate of Abraham Burtman, petitioners, *v.* State of New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 139. Mario Mercado e Hijos, petitioner, *v.* Charles F. Brannan, Secretary of Agriculture. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 141. Clarence O. Russell and Ruby Russell, petitioners, *v.* The Board of County Commissioners of the County of Oklahoma. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 142. General Box Company, petitioner, *v.* Central Metal Products Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 143. Benjamin J. Weil, petitioner, *v.* Commissioner of Internal Revenue; and

No. 144. L. Victor Weil, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 145. Baxter Creek Irrigation District and W. Coburn Cook, Trustee, petitioners, *v.* State of California, Fish and Game Commission of the State of California. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 146. Alcoa Steamship Company, Incorporated, Cunard White Star Line Limited, et al., petitioners, *v.* Joseph McMahan, as President, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 151. Henry Behrens, petitioner, *v.* J. Scott Skelly, Charles E. Dexter, Jr., Marc J. Sandler, et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 152. John E. Gibbons, petitioner, *v.* The Detroit and Toledo Shore Line Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 153. Saint Lo Construction Company, Inc., petitioner, *v.* Lawrence Koenigsberger, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 160. Walter A. Lavender, Administrator of the Estate of Charles Lee Hunter, Deceased, petitioner, *v.* Illinois Central Railroad Company. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 161. Henry D. Green, Doing Business as Green Harvester and Implement Co., petitioner, *v.* Allis-Chalmers Manufacturing Co. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 164. John R. Gillis, Doing Business as The Gillis Van Service and The Gillis Van Service, a Corporation, petitioners, *v.* Keystone Mutual Casualty Company et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 166. The Village of Highland Falls, New York, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 167. Paul J. Ziegler, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 170. Park-In Theatres, Inc., petitioner, *v.* Loew's Drive-In Theatres. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 176. Gulf, Mobile and Ohio Railroad Company, petitioner, *v.* James B. Maxie. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 179. The United States of America, petitioner, *v.* S. S. Australia Star et al., and Six Other Proceedings. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 180. Main Street Bank et al., petitioners, *v.* Dan M. Nee, Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 181. The Uptown Club of Manhattan, Incorporated, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 183. Holloway Gravel Company, Inc., petitioner, *v.* William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 184. Marcelino Garcia et al., as Executors of the Last Will and Testament of Manuel Diaz, Deceased, et al., petitioners, *v.* Pan American Airways, Inc., and R. O. D. Sullivan. Petition for writ of certiorari to the Supreme Court of New York, Westchester County, denied.

No. 185. Frank W. Blair, Louis H. Charbonneau, and Lucius Teter, Trustees, etc., petitioners, *v.* John C. Finan. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 187. Albert W. Newsom et al., petitioners, *v.* E. I. Du Pont De Nemours and Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 189. Shamrock Towing Co., Inc., petitioner, *v.* F. E. Grauwiller Transportation Co., Inc. et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 190. Glen S. Dille, petitioner, *v.* W. A. Delaney, Jr., Zephyr Drilling Company and The Carter Oil Company. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 191. Joseph B. Cooper and Son, Inc., as Owner of 84.80 Ounces of Platinum, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 192. The Commission of the Department of Public Utilities of the Commonwealth of Massachusetts, petitioner, *v.* Lowell Gas Company. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 193. Palm Beach Trust Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 194. Mrs. Anna L. Graves et al., petitioners, *v.* Springfield Gas and Electric Company. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 201. Atlantic Coast Line Railroad Company, petitioner, *v.* L. C. Haselden. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 202. Dairymen's League Co-Operative Association, Inc., petitioner, *v.* Charles F. Brannan, as Secretary of Agriculture of The

United States. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 204. N. C. Hines, petitioner, *v.* Thomas E. Edwards. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 206. Radcliffe Morris Urquhart and George G. Urquhart, petitioners, *v.* Pyrene Manufacturing Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 208. Gulf Coast Western Oil Co., Inc., petitioner, *v.* M. E. Trapp. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 209. Burman Properties, Inc., et al., petitioners, *v.* Roscoe L. McKinney et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 211. Centaur Construction Company, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 216. State of Ohio, ex rel. Calvin Bevis, petitioner, *v.* George L. Coffinberry et al., as Members of the Industrial Commission of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 219. Kentucky Trust Company, Executor of the Estate of Martin L. Schmidt, petitioner, *v.* Selden R. Glenn, Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 220. Jovita Perez, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Customs and Patent Appeals denied.

No. 225. The Andrew Jergens Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 227. Thomas B. Morgan, petitioner, *v.* C. B. Horrall, Chief of Police of the City of Los Angeles, County of Los Angeles, State of California. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 228. William R. Brown, petitioner, *v.* Vincent O'Brien. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 231. Standard Duplicating Machines Company, Inc., petitioner, *v.* American Business Machines Corporation. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 232. W. Brown Morton, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 233. The Colonial Trust Company of Pittsburgh, Pa., Agent for the Shareholders of the Bank of Pittsburgh National Association, petitioner, *v.* Fidelity Trust Company, Trustee Under the Will of John A. Harper, Deceased.. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 234. Grant J. Cowher, petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 239. Frederick J. Boyce, Zelma L. Boyce, Agnes S. Brodie, et al., petitioners, *v.* Chemical Plastics, Inc., Bankrupt. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 243. Althea I. Cunningham, petitioner, *v.* City of Chicago, a Municipal Corporation. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 251. The Baltimore and Ohio Railroad Company, petitioner, *v.* M. Hampton Magruder, Collector of Internal Revenue, etc. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 253. Eureka Williams Corporation, petitioner, *v.* Syncromatic Corporation. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 254. Wayne F. Woodruff, petitioner, *v.* R. P. Balkcom, Jr., Warden, Georgia State Prison, Reidsville, Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 263. Joseph F. Bent and William Amos Jones, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 264. Aetna Life Insurance Company, petitioner, *v.* Homer M. Preston. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 281. L. C. Campbell et al., petitioners, *v.* Beaver Bayou Drainage District. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 91. Alfonso Battaglino, petitioner, *v.* George C. Marshall, Secretary of State of The United States. The motion to substitute Dean G. Acheson, Secretary of State, as the party respondent is granted.

Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 92. Turner Glass Corporation, petitioner, *v.* Hartford-Empire Company, Owens-Illinois Glass Company, Hazel-Atlas Glass Company, et al. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 100. Andrew J. May, petitioner, *v.* The United States of America;

No. 101. Murray Garsson, petitioner, *v.* The United States of America; and

No. 102. Henry M. Garsson, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit denied. The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 165. Ernst Schwenk, petitioner, *v.* The United States of America. The motion to dispense with printing the petition and record is granted. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 172. Harry W. Schuermann, petitioner, *v.* The United States of America. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 195. Maryland and Virginia Milk Producers Association, Inc., et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 205. D. Lee Andrews, petitioner, *v.* Hamilton County Hospital, et al. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 207. Jack Principale, petitioner, *v.* General Public Utilities Corporation, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 210. Auburn Savings Bank, Eastport Savings Bank, and Skowhegan Savings Bank, petitioners, *v.* Portland Railroad Company et al. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 222. Ralph L. Robinson, petitioner, *v.* The United States of America; and

No. 223. John S. Bleker, Jr., petitioner, *v.* The United States of America. The motion to dispense with printing the record is granted. Petition for writs of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 241. Ben L. Beets, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 247. Arthur W. Gibson, petitioner, *v.* International Freighting Corporation. The motion to proceed on typewritten papers is granted. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 261. Frank M. Cobb, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied. Mr. Justice Black and Mr. Justice Jackson are of the opinion certiorari should be granted.

No. 12, October Term, 1948. Virgil T. Brinegar, petitioner, *v.* The United States of America;

No. 128, October Term, 1948. The Farmers Reservoir and Irrigation Company, petitioner, *v.* William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor;

No. 196, October Term, 1948. William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor, petitioner, *v.* The Farmers Reservoir and Irrigation Company;

No. 287, October Term, 1948. Interstate Oil Pipe Line Company, appellant, *v.* A. H. Stone, Chairman, State Tax Commission;

No. 351, October Term, 1948. Cosmopolitan Shipping Company, Inc., petitioner, *v.* Robert A. McAllister;

No. 509, October Term, 1948. Otto A. Kohl, petitioner, *v.* Commissioner of Internal Revenue;

No. 522, October Term, 1948. Julius Ranny Ragan, petitioner, *v.* Merchants Transfer & Warehouse Company, Inc.;

No. 604, October Term, 1948. Ajax Trucking Company, Inc., appellant, *v.* Rollin Browne, et al., As and Constituting the State Tax Commission of the State of New York;

No. 659, October Term, 1948. Kaname Fujino, petitioner, *v.* Tom C. Clark, Attorney General of the United States;

No. 740, October Term, 1948. Anna M. Tibbals and John J. Spriggs, petitioners, *v.* Mica Mountain Mines, Inc., et al.;

No. 748, October Term, 1948. George F. Zimmermann, petitioner, *v.* The United States of America;

No. 788, October Term, 1948. Estella Latta, Jones M. Griffin, and Alvin Chambers, petitioners, *v.* Western Investment Company, et al.;

No. 791, October Term, 1948. Continental Casualty Company, petitioner, *v.* The United States of America, For the Use of M. C. Schaefer, an Individual Doing Business as Concrete Construction Company, et al.;

No. 826, October Term, 1948. Irene B. Whetstone, petitioner, *v.* The United States of America;

No. 832, October Term, 1948. Julius Hall Lyons, petitioner, *v.* Capital Transit Company; and

No. 877, October Term, 1948. James T. Keating, petitioner, *v.* The United States of America. The petitions for rehearing in these cases are severally denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 31, October Term, 1948. Jess Larson, as War Assets Administrator and Surplus Property Administrator, petitioner, *v.* Domestic and Foreign Commerce Corporation. The petition for rehearing and alternative motion to amend the judgment and mandate is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 84, October Term, 1948. Commissioner of Internal Revenue, petitioner, *v.* Pelham G. Wodehouse. The petition for rehearing is denied. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 253, October Term, 1948. The United States, petitioner, *v.* Penn Foundry and Manufacturing Company, Inc. The petition for rehearing, or for modification of judgment remanding case for additional findings is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 279, October Term, 1948. Standard Oil Company of California and Standard Stations, Inc., appellants, *v.* The United States of America. It is ordered that the first sentence of the first paragraph on page 19 of the slip opinion, which begins "In this connection it is significant

that the qualifying language was * * *” be, and it is hereby amended to read as follows: “In this connection it is significant that the qualifying language was not added until after the House and Senate bills reached Conference.” The petition for rehearing is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 390, October Term, 1948. Henry M. Propper, as Receiver of the Property and Assets Within the State of New York of A. K. M., petitioner, *v.* Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian. The petition for rehearing is denied. The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 525, October Term, 1948. Hyman Moore, petitioner, *v.* Commissioner of Internal Revenue. The motion for leave to file petition for rehearing is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 649, October Term, 1948. Longyear Holding Company, Helen H. Bennett, C. M. Hill Lumber Company, et al., appellants, *v.* State of Minnesota. The motion for leave to file a second petition for rehearing is denied. Mr. Justice Burton and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 671, October Term, 1948. Samuel Titto Williams, appellant, *v.* The People of the State of New York. The petition for rehearing of the order of June 27, 1949, is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 795, October Term, 1948. Irving Fainblatt, petitioner, *v.* Commissioner of Internal Revenue; and

No. 796, October Term, 1948. Leon Fainblatt, petitioner, *v.* Commissioner of Internal Revenue. The motion for leave to file petition for rehearing is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 810, October Term, 1948. The Carter Oil Company, petitioner, *v.* Harlan B. Ramsey and Ruby Ramsey. The motion of petitioner for leave to file certified copy of order of Circuit Court of Fayette County is denied. The petition for rehearing is denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 66, Misc., October Term, 1948. Julius Edward Epple, petitioner, *v.* Clinton T. Duffy, Warden;

No. 417, Misc., October Term, 1948. Frank Whelan, petitioner, *v.* The United States of America;

No. 440, Misc., October Term, 1948. Langburn A. Wilde, petitioner, *v.* State of Louisiana;

No. 581, Misc., October Term, 1948. Inez Horton Gay, petitioner, *v.* Fidelity Union Trust Company, Executor and Trustee, etc.;

No. 598, Misc., October Term, 1948. Bernard M. Shotkin et al., petitioners, *v.* The Denver Publishing Company et al.;

No. 628, Misc., October Term, 1948. Robert Reeves, petitioner, *v.* State of Georgia;

No. 629, Misc., October Term, 1948. Alva Wallace, petitioner, *v.* The United States of America; and

No. 666, Misc., October Term, 1948. Irwin Edelman, petitioner, *v.* People of the State of California. The petitions for rehearing in these cases are severally denied. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 480, Misc., October Term, 1948. R. W. Agnew, petitioner, *v.* People of the State of California. The second petition for rehearing is denied. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 4, Misc. Larry J. Gray, petitioner, *v.* C. J. Burke, Warden. On petition for writ of certiorari to the Supreme Court of Pennsylvania;

No. 8, Misc. William Theodore Lovely, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Fifth Circuit;

No. 11, Misc. Clifford Daugharty, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Ninth Circuit;

No. 12, Misc. Michael Austin, petitioner, *v.* People of the State of Michigan. On petition for writ of certiorari to the Supreme Court of Michigan;

No. 14, Misc. James Kehoe, petitioner, *v.* People of the State of California. On petition for writ of certiorari to the Supreme Court of California;

No. 19, Misc. W. E. Maxwell, petitioner, *v.* Robert H. Hudspeth, Warden. On petition for writ of certiorari to the Court of Appeals for the Tenth Circuit;

No. 20, Misc. Jesse E. Small, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County; Circuit Court of Hancock County; and the Supreme Court of the State of Illinois;

No. 21, Misc. James Darden, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 22, Misc. Frank Lee, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 25, Misc. Ray Abbott, petitioner, *v.* People of the State of Illinois. On petition for writ of certiorari to the Supreme Court of Illinois;

No. 27, Misc. Francis R. McDonald, petitioner, *v.* R. H. Hudspeth, Warden. On petition for writ of certiorari to the Supreme Court of Kansas;

No. 28, Misc. Truman W. Powell, petitioner, *v.* Leonard S. Turner, Sheriff. On petition for writ of certiorari to the Supreme Court of Kansas;

No. 30, Misc. Chester E. McConahay, petitioner, *v.* People of the State of California. On petition for writ of certiorari to the Supreme Court of California;

No. 31, Misc. James Robert Bacom, petitioner, *v.* State of Florida. On petition for writ of certiorari to the Supreme Court of Florida;

No. 35, Misc. William Rebeske, petitioner, *v.* People of the State of Michigan. On petition for writ of certiorari to the Supreme Court of Michigan;

No. 36, Misc. Henry E. Eberle, petitioner, *v.* Edwin T. Swenson, Warden. On petition for writ of certiorari to the Court of Appeals of Maryland;

No. 38, Misc. Reyes Valdez, petitioner, *v.* The People of the State of California, et al. On petition for writ of certiorari to the Supreme Court of California;

No. 40, Misc. Dan Fields, petitioner, *v.* Ben B. Stewart, Warden. On petition for writ of certiorari to the Supreme Court of Missouri;

No. 41, Misc. David H. Johnson, petitioner, *v.* State of Utah. On petition for writ of certiorari to the Supreme Court of Utah;

No. 43, Misc. Robert R. Nicholson, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois;

No. 45, Misc. Wesley Robert Wells, petitioner, *v.* The People of the State of California. On petition for writ of certiorari to the Supreme Court of California;

No. 46, Misc. Walter Wietecha, petitioner, *v.* State of Michigan. On petition for writ of certiorari to the Supreme Court of Michigan;

No. 52, Misc. John Brennan, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 53, Misc. Theodore Booker, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 54, Misc. Frank Hunter et al., petitioners, *v.* Madison Avenue Corporation. On petition for writ of certiorari to the Court of Appeals for the Sixth Circuit;

No. 55, Misc. Helen Maxine Castor, petitioner, *v.* The United States of America et al. On petition for writ of certiorari to the Court of Appeals for the Eighth Circuit;

No. 58, Misc. Earl Randall Freeland, petitioner, *v.* Warden, Maryland Penitentiary. On petition for writ of certiorari to the Court of Appeals of Maryland;

No. 61, Misc. George McKee, petitioner, *v.* People of the State of New York. On petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Department;

No. 62, Misc. Clarence Tucker, petitioner, *v.* R. W. Alvis, Warden. On petition for writ of certiorari to the Second District Court of Appeals, Franklin County, State of Ohio;

No. 63, Misc. Harris Bailey, petitioner, *v.* Browning Robinson, Warden. On petition for writ of certiorari to the Supreme Court of Illinois;

No. 66, Misc. Henry Allen, petitioner, *v.* People of the State of Illinois. On petition for writ of certiorari to the Circuit Court of Massac County, State of Illinois;

No. 69, Misc. O'Neal Massey, petitioner, *v.* H. E. Moore, Warden. On petition for writ of certiorari to the Court of Appeals for the Fifth Circuit;

No. 71, Misc. Marshall Stevens, petitioner, *v.* Robert A. Heinze, Warden. On petition for writ of certiorari to the Supreme Court of California;

No. 72, Misc. Roy C. Blackburn, petitioner, *v.* State of Ohio. On petition for writ of certiorari to the Supreme Court of Ohio;

No. 74, Misc. Kenneth Lester Jenkins, petitioner, *v.* Tom Smith, Supt. On petition for writ of certiorari to the Supreme Court of Washington;

No. 76, Misc. Glenn Nathan Marsh, petitioner, *v.* People of the State of Illinois. On petition for writ of certiorari to the Supreme Court of Illinois;

No. 77, Misc. Commonwealth of Pennsylvania, ex rel. Albert Spader, petitioner, *v.* C. J. Burke, Warden. On petition for writ of certiorari to the Supreme Court of Pennsylvania;

No. 81, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney and Samuel H. Berger. On petition for writ of certiorari to the Court of Appeals of New York;

No. 84, Misc. Morris Leder, petitioner, *v.* The People of the State of California, et al. On petition for writ of certiorari to the Supreme Court of California;

No. 87, Misc. The People of the State of Illinois, ex rel. James H. Anderson, petitioner, *v.* Browning Robinson, Warden. On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois;

No. 93, Misc. William Wilson, Jr., petitioner, *v.* State of Texas. On petition for writ of certiorari to the Court of Criminal Appeals of Texas;

No. 95, Misc. Daniel P. Atwood, petitioner, *v.* Warden, Maryland House of Correction. On petition for writ of certiorari to the Court of Appeals of Maryland;

No. 97, Misc. Bruce Pierce, petitioner, *v.* Tom Smith, Superintendent. On petition for writ of certiorari to the Court of Appeals for the Ninth Circuit;

No. 111, Misc. Paul S. Campbell, petitioner, *v.* Ralph N. Eidson, Warden. On petition for writ of certiorari to the Supreme Court of Missouri;

No. 112, Misc. Morgan A. Israel and Michael Patrick Marvich, petitioners, *v.* People of the State of California. On petition for writ of certiorari to the District Court of Appeal, 4th Appellate District, State of California;

No. 113, Misc. Leroy Johnson, petitioner, *v.* Joseph E. Ragen, Warden, et al. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 114, Misc. Robert Winkenson, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 115, Misc. Basil Baid, petitioner, *v.* W. C. Miller, Warden. On petition for writ of certiorari to the Supreme Court of Wyoming;

No. 117, Misc. Marshall Stevens, petitioner, *v.* People of the State of California, et al. On petition for writ of certiorari to the Supreme Court of California;

No. 120, Misc. Glenn H. Goodman, petitioner, *v.* State of Iowa. On petition for writ of certiorari to the Supreme Court of Iowa; and

No. 124, Misc. Earl Commack, petitioner, *v.* Gerald F. Bush, Warden, State Branch Prison, Marquette, Michigan. On petition for writ of certiorari to the Court of Appeals for the Sixth Circuit. The petitions for writs of certiorari in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 73, Misc. Herman J. D. Carter, petitioner, *v.* James Forrestal, Secretary of National Defense. The motion to extend the time to file petition for writ of certiorari is denied. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 100, Misc. Herman Frederick Weber, petitioner, *v.* Joseph E. Ragen, Warden. The petition for writ of certiorari to the Court of Appeals for the Seventh Circuit is dismissed. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 1, Misc. Joseph Walker, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 26, Misc. Calogero Boscio, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois;

No. 37, Misc. Joseph Villasenor, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 42, Misc. Edmond Arthur Rohde, petitioner, *v.* People of the State of Illinois. On petition for writ of certiorari to the Supreme Court of Illinois;

No. 60, Misc. Wardell Murphy, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 67, Misc. Leroy Cox, petitioner, *v.* People of the State of Illinois. On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois; and

No. 103, Misc. Sterling Ferguson, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois. The petition for writ of certiorari in each of these cases is denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy

for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted." Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 9, Misc. Halder E. Perry, petitioner, *v.* Dr. I. W. Steele, Warden;

No. 13, Misc. Henry Nelson, petitioner, *v.* Joseph E. Ragen, Warden;

No. 17, Misc. Louis Hendren, petitioner, *v.* Percy A. Lainson, Warden;

No. 33, Misc. Francis N. Richardson, petitioner, *v.* State of Pennsylvania;

No. 65, Misc. James Wilson, petitioner, *v.* George Vice, U. S. Marshal, et al.;

No. 83, Misc. Ex parte Sol Newstead, petitioner;

No. 104, Misc. In the Matter of Dennis Holmes, petitioner; and

No. 122, Misc. Charles D. Hatfield, petitioner, *v.* Julian N. Frisbie, Warden. The motions for leave to file petitions for writs of habeas corpus are denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 29, Misc. Manuel Rego Seren, petitioner, *v.* Joseph E. Ragen, Warden. The motion for leave to file petition for writ of certiorari is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 34, Misc. William J. Schuble, petitioner, *v.* Hon. Luther Swygert, District Judge. The motion for leave to file petition for writ of mandamus is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 39, Misc. People of the State of Illinois, ex rel. Edward J. Sterba, Jr., petitioner, *v.* Chief Justice William Fulton, et al. The motion for leave to file petition for writ of mandamus and for other relief is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 56, Misc. Richard O'Neill, petitioner, *v.* Browning Robinson, Warden. The motion for leave to file petition for writ of certiorari is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 109, Misc. In the Matter of James Albert Hence and Mark D. Hannah, petitioners. The application is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 16. Leroy Graham et al., petitioner, *v.* Brotherhood of Locomotive Firemen and Enginemen. Argued by Mr. Joseph L. Rauh, Jr., for the petitioners and by Mr. Milton Kramer for the respondent.

No. 10. American Communications Association, C. I. O., et al., appellants, *v.* Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board, Second Region. Argument commenced by Mr. Victor Rabinowitz for the appellants and continued by Mr. Solicitor General Perlman for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 11, will be as follows: Nos. 10, 13, 17, 20, 11 (and 15), 19, 18, 31, 26, and 23.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, and Mr. Justice Clark.

Clark C. Bowers, of Washington, N. J.; Edwin G. Fiedler, Jr., of Lancaster, Pa.; Albert Franz, of New York City; Martin Bry-Nildsen, Jr., of Washington, N. J.; and Wilbur M. Rush, of Washington, N. J., were admitted to practice.

No. 10. American Communications Association, C. I. O., et al., appellants, *v.* Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board, Second Region. Argument continued by Mr. Solicitor General Perlman for the appellee and concluded by Mr. Victor Rabinowitz for the appellants.

No. 13. United Steelworkers of America et al., petitioners, *v.* National Labor Relations Board. Argued by Mr. Thomas E. Harris for the petitioners and by Mr. Solicitor General Perlman for the respondent.

No. 17. Alexander Boyd, petitioner, *v.* Grand Trunk Western Railroad Company. Argued by Mr. Melvin L. Griffith for the petitioner and by Mr. George F. Gronewold and Mr. H. Victor Spike for the respondent.

No. 20. Oscar F. Treichler, Executor of the Estate of Fred A. Miller, appellant, *v.* State of Wisconsin. Argument commenced by Mr. Alexander W. Schutz for the appellant and continued by Mr. Harold H. Persons for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 12, will be as follows: Nos. 20, 11 (and 15), 19, 18, 31, 26, 23, 24, 27 (and 30), and 32.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

V. Géigel Polanco, of San Juan, P. R.; José Trías Monge, of San Juan, P. R.; Homer D. Smith, of Jeffersonville, Ind.; Edward N. Bolly, of Jeffersonville, Ind.; Warren W. Martin, Jr., of Jeffersonville, Ind.; Owen Voigt, of Jeffersonville, Ind.; Wallace L. Schubert, of Wilmar, Minn.; Milton P. Kupfer, of New York City; Thomas S. Pointer, of Jeffersonville, Ind.; David Elmer Ward, of Tampa, Fla.; John W. Donahoo, of Jacksonville, Fla.; William T. Rogers, of Jacksonville, Fla.; Charles M. Munnecke, of Lindstrom, Minn.; Jacob Kossman, of Philadelphia, Pa.; Dixon W. Prentice, of Jeffersonville, Ind.; and Albert Meranda, of Jeffersonville, Ind., were admitted to practice.

The Chief Justice said:

“The President has nominated and, with the advice and consent of the Senate, has appointed Circuit Judge Sherman Minton, of Indiana, to be an Associate Justice of this Court in succession to Associate Justice Wiley Rutledge, deceased. He has presented his commission and has taken the oaths prescribed by law. It is ordered that his commission be recorded and that his oaths be filed.”

The commission of Mr. Justice Minton is in the words and figures following, viz:

“HARRY S. TRUMAN

“PRESIDENT OF THE UNITED STATES OF AMERICA

“To all who shall see these Presents, Greeting:

“Know ye: That reposing special trust and confidence in the wisdom, uprightness, and learning of Sherman Minton, of Indiana, I have nominated and, by and with the advice and consent of the Senate, do appoint him an Associate Justice of the Supreme Court of the United States and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and laws of the said United States, and to have and to hold the said office, with all the powers, privileges, and emoluments to the same of right appertaining, unto him, the said Sherman Minton, during his good behavior.

"In testimony whereof, I have caused these letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

"Done at the city of Washington this fifth day of October, in the year of our Lord one thousand nine hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

"HARRY S. TRUMAN.

"By the President:

"J. HOWARD McGRATH,
"Attorney General."

No. 100. Andrew J. May, petitioner, *v.* The United States of America;

No. 101. Murray Garsson, petitioner, *v.* The United States of America; and

No. 102. Henry M. Garsson, petitioner, *v.* The United States of America. Orders denying certiorari withheld on motion of counsel for petitioners. The Chief Justice, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of these applications.

No. 20. Oscar F. Treichler, Executor of the Estate of Fred A. Miller, appellant, *v.* State of Wisconsin. Argument continued by Mr. Harold H. Persons for the appellee and concluded by Mr. Alexander W. Schutz for the appellant.

No. 11. J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian, petitioner, *v.* Manufacturers Trust Company; and

No. 15. Manufacturers Trust Company, petitioner, *v.* J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian. Argued by Mr. Joseph W. Bishop, Jr., for J. Howard McGrath, Attorney General, etc., and by Mr. Leonard G. Bisco for Manufacturers Trust Company.

No. 19. Todd C. Faulkner, petitioner, *v.* John T. Gibbs. Argument commenced by Mr. Robert W. Fulwider for the petitioner, continued by Mr. Herbert A. Heubner for the respondent, and concluded by Mr. James P. Burns for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 13, will be as follows: Nos. 18, 31, 26, 23, 24, 27 (and 30), 32, 28 (and 29), 42, and 25.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

R. E. Lawson, of Alma, Ga.; Gorden F. DeFosset, of Cincinnati, Ohio; Eugene M. Klein, of Cleveland, Ohio; George A. Furness, of Boston, Mass.; Palmer K. Ward, of Indianapolis, Ind.; Frank H. Walker, of Mount Vernon, Ill.; Herman L. Fast, of Newark, N. J.; Carroll Hutchinson Smith, of La Mesa, Calif.; Roger Arnebergh, of Los Angeles, Calif.; and Robert Miller Ward, of Rock Hill, S. C., were admitted to practice.

No. 18. Standard-Vacuum Oil Company, petitioner, *v.* The United States. Argued by Mr. Albert R. Connelly for the petitioner and by Mr. Newell A. Clapp for the respondent.

No. 31. Louis A. Reilly, as Postmaster of the City of Newark, in the County of Essex and State of New Jersey, petitioner, *v.* Joseph J. Pinkus, Trading as American Health Aids Company, Also Known as Energy Food Center. Argued by Mr. Robert L. Stern for the petitioner and by Mr. Bernard G. Segal for the respondent.

No. 26. The United States of America, petitioner, *v.* Westinghouse Electric and Manufacturing Co. Argument commenced by Mr. Roger P. Marquis for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, October 14, will be as follows: Nos. 26, 23, 24, 27 (and 30), 32, 28 (and 29), 42, 25, 35, and 36.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Ralph Herbert Cross, Sr., of San Francisco, Calif.; Donald L. Case, of Dallas, Tex.; Abraham Lebenkoff, of New York City; Edward Stover, of Hoboken, N. J.; Vincent P. Clohisy, of Arlington, Va.; Archie C. Fraser, of Detroit, Mich.; Willard S. Curtin, of Morrisville, Pa.; and Margaret Frances McGovern, of Boston, Mass., were admitted to practice.

ORDER

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the circuits, pursuant to Title 28, United States Code, section 42, and that such allotment be entered of record, viz:

For the District of Columbia Circuit, Fred M. Vinson, Chief Justice.

For the First Circuit, Felix Frankfurter, Associate Justice.

For the Second Circuit, Robert H. Jackson, Associate Justice.

For the Third Circuit, Harold H. Burton, Associate Justice.

For the Fourth Circuit, Fred M. Vinson, Chief Justice.

For the Fifth Circuit, Hugo L. Black, Associate Justice.

For the Sixth Circuit, Stanley Reed, Associate Justice.

For the Seventh Circuit, Sherman Minton, Associate Justice.

For the Eighth Circuit, Tom C. Clark, Associate Justice.

For the Ninth Circuit, William O. Douglas, Associate Justice.

For the Tenth Circuit, Tom C. Clark, Associate Justice.

No. 374. Andrew J. Moloney, petitioner, *v.* Marjorie H. Moloney (Ailworth). Time for making service of petition for certiorari, brief, and record extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

No. 26. The United States of America, petitioner, *v.* Westinghouse Electric and Manufacturing Co. Argument continued by Mr. Milton

J. Donovan for the respondent and concluded by Mr. Roger P. Marquis for the petitioner.

No. 23. Neroy Carter, petitioner, *v.* Atlanta and Saint Andrews Bay Railway Company, a Body Corporate. Argued by Mr. J. Kirkman Jackson for the petitioner and by Mr. B. D. Murphy for the respondent.

No. 24. Stephen J. Roth, Attorney General of the State of Michigan, appellant, *v.* Preston Delano, Comptroller of the Currency of the United States of America, et al. Argument commenced by Mr. Julius H. Amberg for the appellant; continued by Mr. Stanley M. Silverberg for the appellee, and concluded by Mr. Archie C. Fraser for the appellant.

Adjourned until Monday, October 17, next, at 12 o'clock.

The day call for Monday, October 17, will be as follows: Nos. 27 (and 30), 32, 28 (and 29), 42, 25, 35, 36, 37 (and 38), 43, and 40 (and 41).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Albert E. Saunders, of Boston, Mass.; Herbert S. Shapiro, of Miami Beach, Fla.; Walter E. Rogers, of Richmond, Va.; Albert L. May, of San Francisco, Calif.; John I. Pittman, of Richmond, Va.; Irving Kane, of Cleveland, Ohio; Justin W. Seymour, of Orange, N. J.; Lillian M. Wollitz, of Oakland, Calif.; Richard Randall Lyman, of Toledo, Ohio; Arthur J. Dixon, of Alexandria, Va.; Earl E. Eisenhart, Jr., of Chevy Chase, Md.; William P. Clecak, of San Francisco, Calif.; H. T. Lively, of Louisville, Ky.; Vernon Seigler, of Forest Hills, N. Y.; Raymond A. Walsh, of Washington, D. C.; Latimer Murfee, of Houston, Tex.; and George Warren Wakefield, of Los Angeles, Calif., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 174. Laura Dickinson, appellant, *v.* C. Fred Porter, State Comptroller of the State of Iowa, et al. Appeal from the Supreme Court of Iowa. *Per curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 244. Securities and Exchange Commission, Edmund M. Hanrahan, et al., petitioners, *v.* Otis and Co. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit. *Per curiam:* The petition for writ of certiorari is granted and the judgment is reversed. *Myers v. Bethlehem Shipbuilding Corp.*, 303 U. S. 41; *Macauley v. Waterman Steamship Corp.*, 327 U. S. 540; *Federal Power Commission v. Arkansas Power & Light Co.*, 330 U. S. 802. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 265. The United States of America and Interstate Commerce Commission, appellants, *v.* Interstate Common Carrier Council of Maryland, Inc., et al.; and

No. 266. Schreiber Trucking Co., Inc., appellant, *v.* Interstate Common Carrier Council of Maryland, Inc., et al. Appeals from

the United States District Court for the District of Maryland. *Per curiam*: The judgment is affirmed. *Florida v. United States*, 282 U. S. 194; *United States v. Carolina Carriers Corp.*, 315 U. S. 475. Mr. Justice Black and Mr. Justice Reed are of the opinion that probable jurisdiction should be noted and the cases set down for argument. Mr. Justice Douglas took no part in the consideration or decision of these cases.

No. 319. William W. Price, appellant, *v. State of Mississippi*. Appeal from the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 320. Leroy Miller, appellant, *v. Marvin Wiggins*, Superintendent State Penitentiary, Parchman, Mississippi. Appeal from and on petition for writ of certiorari to the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). The petition for writ of certiorari is denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 323. Arthur Moore, appellant, *v. State of Mississippi*. Appeal from the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. —. In the Matter of Will Maslow. The motion to amend the Attorney Roll to show a change of name of William Maslow to Will Maslow is granted.

No. 61. John Hughes and Louis Richardson, petitioners, *v. Superior Court of the State of California In and For the County of*

Contra Costa. The motion for leave to withdraw the appearance of W. H. Orrick as counsel for the respondent is granted.

No. 118. Capitol Greyhound Lines, Pennsylvania Greyhound Lines, Inc. and Red Star Motor Coaches, Inc., appellants, *v.* Arthur H. Brice, Commissioner of Motor Vehicles, State of Maryland, Baltimore, Maryland. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 334. The United States of America, appellant, *v.* Shoreline Cooperative Apartments, Inc., a Corporation, et al. In this case probable jurisdiction is noted. Mr. Justice Douglas took no part in the consideration or decision of this question.

No. 83. Regents of the University System of Georgia, petitioner, *v.* W. E. Carroll, Clarence H. Calhoun, Mrs. Hattie J. Pickard, et al. Petition for writ of certiorari to the Court of Appeals of Georgia granted and case transferred to the summary docket.

No. 98. The United States of America, petitioner, *v.* Ernestina G. Fleischman; and

No. 99. The United States of America, petitioner, *v.* Helen R. Bryan. Petition for writs of certiorari to the Court of Appeals for the District of Columbia Circuit granted.

No. 214. The United States, petitioner, *v.* Cumberland Public Service Company, a Corporation. Petition for writ of certiorari to the Court of Claims granted and case transferred to the summary docket.

No. 221. Skelly Oil Company et al., petitioners, *v.* Phillips Petroleum Company. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit granted and case transferred to the summary docket and assigned for argument immediately following No. 83.

No. 109. Henry Wallace Winchester et al., petitioners, *v.* J. D. Gregg. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 149. The United States of America, petitioner, *v.* The Colorado and Southern Railway Company. Petition for writ of certiorari to the United States District Court for the District of Colorado denied.

No. 155. Thomas H. Brodhead, Doing Business as T. H. Brodhead Co., petitioner, *v.* William Borthwick, Tax Commissioner and Tax Collector of the Territory of Hawaii. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 215. Campbell Soup Company and Carnation Company, petitioners, *v.* Armour and Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 226. Roman Montoya, petitioner, *v.* Tide Water Associated Oil Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 237. Benjamin Richman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 246. A. L. Willis et al., petitioners, *v.* Barnsdall Oil Company et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 252. Lafayette M. Gray (Also Known as L. M. Gray), petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 63. Steele's Mills, a Corporation, and Wachovia Bank and Trust Company, as Trustee, petitioners, *v.* Charles H. Robertson, Collector of Internal Revenue for the Collection District of North Carolina. On petition for writ of certiorari to the Court of Appeals for the Fourth Circuit;

No. 203. Reginald Crane, petitioner, *v.* The People of the State of Michigan. On petition for writ of certiorari to the Supreme Court of Michigan;

No. 212. The United States, petitioner, *v.* Seaboard Airline Railroad Company. On petition for writ of certiorari to the Court of Claims;

No. 240. John Barclay, Jr., Executor of the Estate of Rebecca Coulter Barclay, Deceased, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Third Circuit;

No. 260. James Sheppard Potts and Adam Empie Potts, petitioners, *v.* J. K. Rader, as Administrator, et al. On petition for writ of certiorari to the Supreme Court of Arkansas;

No. 262. William J. B. Myres, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Eighth Circuit;

No. 269. Harry F. Russell, Judge of the Circuit Court of the City of St. Louis, Missouri, petitioner, *v.* The State of Missouri at the Relation of St. Louis-San Francisco Railway Company. On petition for writ of certiorari to the Supreme Court of Missouri;

No. 270. Julius Hall Lyons, petitioner, *v.* Dr. Silas W. Weltmer, et al. On petition for writ of certiorari to the Court of Appeals for the Fourth Circuit;

No. 272. Glen S. Dille, petitioner, *v.* The Carter Oil Company, a Corporation; W. A. Delaney, Jr., et al. On petition for writ of certiorari to the Court of Appeals for the Tenth Circuit;

No. 336. Perce Henderson, Herbert L. Hall, Jr., et al., petitioners, *v.* The Delaware Joint Toll Bridge Commission, and the City of Easton, Pennsylvania. On petition for writ of certiorari to the Supreme Court of Pennsylvania;

No. 339. People of the State of Illinois, petitioner, *v.* John E. Sullivan, Liquidating Trustee, etc., et al. On petition for writ of certiorari to the Court of Appeals for the Seventh Circuit; and

No. 341. Bridge Auto Renting Corporation, Bridge Leasing Corporation, et al., petitioners, *v.* William J. Pedrick, Collector of Internal Revenue, et al. On petition for writ of certiorari to the Court of Appeals for the Second Circuit. The petitions for writs of certiorari in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 140. The United States of America, petitioner, *v.* William Rosen. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 255. Gus Hall, petitioner, *v.* The United States of America;

No. 256. Henry Winston, petitioner, *v.* The United States of America;

No. 257. The United States of America, ex rel. Gus Hall, petitioner, *v.* James Mulcahy, United States Marshal;

No. 258. The United States of America, ex rel. Henry Winston, petitioner, *v.* James Mulcahy, United States Marshal; and

No. 259. Gilbert Green, petitioner, *v.* The United States of America. The motions to proceed on mimeographed copies of the record are granted. The petitions for writs of certiorari to the Court of Appeals for the Second Circuit are denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 268. Horace Turner, petitioner, *v.* The United States of America and State of Alabama. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 32, Misc. Edmond C. Fletcher, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Fourth Circuit;

No. 86, Misc. Andrew Leonard Johnson, a Minor, by Moses Johnson, etc., petitioner, *v.* Atlantic Coast Line Railroad Co. On petition for writ of certiorari to the Supreme Court of Florida;

No. 99, Misc. Edward E. De Pofi, petitioner, *v.* Commonwealth of Pennsylvania. On petition for writ of certiorari to the Supreme Court of Pennsylvania;

No. 123, Misc. Albert W. Manning, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 127, Misc. Edward Poppe, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 132, Misc. John J. Rollo and John J. Lannahan, petitioners, *v.* Julian N. Frisbie, Warden. On petition for writ of certiorari to the Supreme Court of Michigan;

No. 136, Misc. Herman Lee Watkins, petitioner, *v.* People of the State of California. On petition for writ of certiorari to the District Court of Appeal, 2nd Appellate District, State of California;

No. 142, Misc. Regis Williams, petitioner, *v.* People of the State of New York. On petition for writ of certiorari to the Supreme Court of New York;

No. 144, Misc. Luther L. Anderson, petitioner, *v.* State of Missouri. On petition for writ of certiorari to the Supreme Court of Missouri;

No. 145, Misc. Paul Reeder, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 147, Misc. Edward Bautz, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois;

No. 148, Misc. John Eldon Wells, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Madison County, State of Illinois;

No. 149, Misc. Charles R. Kellogg, petitioner, *v.* W. C. Miller, Warden. On petition for writ of certiorari to the Supreme Court of Wyoming;

No. 154, Misc. David Banks, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Supreme Court of Illinois; and

No. 158, Misc. Harry Lee Baldrige, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Supreme Court of Illinois. The petitions for writs of certiorari in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 128, Misc. Richard Gilmore, petitioner, *v.* Joseph E. Ragen, Warden. The petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, is denied without consideration of

the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted." Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 130, Misc. Thomas H. Bradshaw, petitioner, *v.* Henry Raymond, Supt. Maryland State Reformatory for Males, et al.;

No. 133, Misc. Bufford McDowell, petitioner, *v.* Alfred F. Dowd, Warden; and

No. 135, Misc. Aldine T. Carroll, petitioner, *v.* Edwin T. Swenson, Warden, Maryland Penitentiary. The motions for leave to file petitions for writs of habeas corpus are denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 134, Misc. Leroy Switzer, petitioner, *v.* Bert Rednour, Supt. of Illinois Security Hospital. Petition denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 137, Misc. Ex parte F. M. Eugene Blass and E. Am. Association for Oxygen-Therapy, Inc., petitioner; and

No. 146, Misc. Farrell E. Lehigh, petitioner, *v.* Honorable G. Mennen Williams, Governor of the State of Michigan, et al. The motions for leave to file petitions for writs of mandamus are denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 141, Misc. In the Matter of Robert H. Best. Application denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 377, Misc., October Term, 1948. Alex M. Ferguson, Temporary Administrator, etc., et al., petitioners, *v.* James E. Ferguson. The petition for rehearing is denied. Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this application.

The Court will take a recess from Monday, October 24, until Monday, November 7, next.

No. 27. Secretary of Agriculture, petitioner, *v.* Central Roig Refining Company, Western Sugar Refining Company, et al.; and

No. 30. Porto Rican American Sugar Refinery, Inc., petitioner, *v.* Central Roig Refining Company and Western Sugar Refining Company. Argued by Mr. Neil Brooks for the petitioner in No. 27; by Mr. Orlando J. Antonsanti for the petitioner in No. 30, and by Mr. Frederic P. Lee for the respondents.

No. 32. The Government of Puerto Rico, petitioner, *v.* The Secretary of Agriculture, Porto Rican American Sugar Refinery, Inc., et al. Argument commenced by Mr. José Trías Monge for the petitioner; continued by Mr. Walton Hamilton for the petitioner; by Mr. Donald R. Richberg for respondents, American Sugar Refining Co., et al.; by Mr. Neil Brooks for respondent, Secretary of Agriculture, and concluded by Mr. Walton Hamilton for the petitioner.

No. 28. John Walter Oakley, Jr., petitioner, *v.* Louisville and Nashville Railroad Co. et al.; and

No. 29. John S. Haynes, petitioner, *v.* Cincinnati, New Orleans and Texas Pacific Railway Company et al. Argument commenced by Mr. Morton Liftin for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 18, will be as follows: Nos. 28 (and 29), 42, 53, 43, 35, 36, 37 (and 38), 55, 40 (and 41), and 48.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Wilber Henderson, of Portland, Oreg.; Thos. M. Johnston, of Norfolk, Va.; Arthur M. Lang, of Detroit, Mich.; Otis J. Gibson, of Denver, Colo.; Harold W. Hayman, of New York City; Melville Harris, of New York City; Anthony N. Zock, of New York City; John R. Sheneman, of New York City; William David Brumbaugh, Jr., of Greenville, Ohio; Richard M. Maxwell, of Atlanta, Ga.; and John Reid Beacham, of West Palm Beach, Fla., were admitted to practice.

No. 101. Murray Garsson, petitioner, *v.* The United States of America; and

No. 102. Henry M. Garsson, petitioner, *v.* The United States of America. Motions for extension of time to file petitions for rehearing denied. The Chief Justice, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of these applications.

No. 28. John Walter Oakley, Jr., petitioner, *v.* Louisville and Nashville Railroad Co. et al.; and

No. 29. John S. Haynes, petitioner, *v.* Cincinnati, New Orleans and Texas Pacific Railway Company et al. Argument continued by Mr. Morton Liftin for the petitioners; by Mr. C. S. Landrum for the respondent, Louisville and Nashville Railroad Co.; by Mr. Cornelius J. Petzhold for the respondent, Cincinnati, New Orleans and Texas Pacific Railway Company; by Mr. Richard R. Lyman for respondents, System Federation No. 21 et al.; and concluded by Mr. Morton Liftin for the petitioners.

No. 42. The United States of America, petitioner, *v.* Lillian Spelar, as Administratrix of the Estate of Mark Spelar, Deceased. Argued by Mr. Samuel D. Slade for the petitioner and by Mr. Arnold B. Elkind for the respondent.

No. 53. Lawrence C. Kingsland, Commissioner of Patents, petitioner, *v.* Vernon M. Dorsey. Argument commenced by Mr. Robert L. Stern for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 19, will be as follows: Nos. 53, 43, 35, 36, 37 (and 38), 55, 40 (and 41), 56, and 57.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Philip William Caporale, of Springfield, Mass.; Angel Manuel Diaz Diaz, of Cayey, P. R.; Kenneth J. Mullane, of New York City; Raymond W. Karst, of St. Louis, Mo.; Frank M. Karsten, of St. Louis, Mo.; Edward Nathan Jackson, of San Francisco, Calif.; Herman Heyman, of Atlanta, Ga.; and Felix Ochoteco, Jr., of San Juan, P. R., were admitted to practice.

No. 53. Lawrence C. Kingsland, Commissioner of Patents, petitioner, *v.* Vernon M. Dorsey. Argument continued by Mr. William E. Leahy for the respondent and concluded by Mr. Robert L. Stern for the petitioner.

No. 43. Richard J. Brown, petitioner, *v.* Western Railway of Alabama. Argued by Mr. Richard M. Maxwell for the petitioner and by Mr. Herman Heyman for the respondent.

No. 35. The United States of America, petitioner, *v.* Aetna Casualty and Surety Company. Argued by Mr. Leavenworth Colby for the petitioner and by Mr. William A. Hyman for the respondent.

No. 36. The United States of America, petitioner, *v.* World Fire and Marine Insurance Company. Leave granted Mr. Jackson G. Akin to appear and present oral argument for the respondent, *pro hac vice*, on motion of Mr. William A. Hyman. Argument commenced by Mr. Leavenworth Colby for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 20, will be as follows: Nos. 36, 37 (and 38), 55, 40 (and 41), 56, and 57.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Elmer A. Rogers, of New York City; David A. Canel, of Chicago, Ill.; Thomas Dodd Healy, of Chicago, Ill.; Anthony A. Di Grazia, of Argo, Ill.; T. Vincent Martin, of Columbus, Ohio; Garrett W. Olds, of Indianapolis, Ind.; Walter R. McDonald, of Atlanta, Ga.; and Robert H. McRoberts, of St. Louis, Mo., were admitted to practice.

No. 36. The United States of America, petitioner, *v.* World Fire and Marine Insurance Company. Argument continued by Mr. Jackson G. Akin for the respondent, *pro hac vice*, by special leave of Court, and concluded by Mr. Leavenworth Colby for the petitioner.

No. 37. The United States of America, petitioner, *v.* Yorkshire Insurance Company; and

No. 38. The United States of America, petitioner, *v.* The Home Insurance Company. Argued by Mr. Leavenworth Colby for the petitioner and by Mr. Abraham Frankel for the respondents.

No. 55. Manufacturers Trust Company, as Trustee Under an Indenture Made by the Debtor Under Date of September 27, 1933, and Individually, petitioner, *v.* Regine Becker et al. Argued by Mr. Edward K. Hanlon for the petitioner and by Mr. David W. Kahn for the respondents.

No. 40. The United States of America and Interstate Commerce Commission, appellants, *v.* The Capital Transit Company et al.; and

No. 41. Washington, Virginia, and Maryland Coach Company, Inc., et al., appellants, *v.* The Capital Transit Company et al. Argument commenced by Mr. Philip Elman for the appellants, The United States and Interstate Commerce Commission.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, October 21, will be as follows: Nos. 40 (and 41), 56, and 57.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Michael A. Foley, of Philadelphia, Pa.; Myron D. Mills, of St. Louis, Mo.; Wm. Q. Boyce, of Amarillo, Tex.; Charles Abrams, of New York City; George B. Hartzog, Jr., of Walterboro, S. C.; Lura Owens Kent, of Richardson, Tex.; and Charles Gordon, of Washington, D. C., were admitted to practice.

No. 170. Park-In Theatres, Inc., petitioner, *v.* Loew's Drive-In Theatres, Inc. Time within which to file petition for rehearing extended to and including November 9, next, on motion of counsel for the petitioner.

No. 40. The United States of America and Interstate Commerce Commission, appellants, *v.* The Capital Transit Company et al.; and

No. 41. Washington, Virginia and Maryland Coach Company, Inc., et al., appellants, *v.* The Capital Transit Company et al. Argument continued by Mr. Manuel J. Davis for the appellant, Washington, Virginia and Maryland Coach Co., Inc.; by Mr. S. Harrison Kahn for the appellant, Alexandria, Barcroft and Washington Transit Co.; by Mr. Samuel O. Clark, Jr., for the appellee, Capital Transit Co.; by Mr. Lloyd B. Harrison for the appellee, Public Utilities Commission of the District of Columbia; by Mr. Henry E. Ketner for the State Corporation Commission of the State of Virginia, as *amicus curiae*, by special leave of Court, and concluded by Mr. Philip Elman for the appellants, The United States and Interstate Commerce Commission.

No. 56. Sarah O'Donnell, Administratrix of the Estate of William O'Donnell, Deceased, petitioner, *v.* Elgin, Joliet and Eastern Railway Company. Argued by Mr. Joseph D. Ryan for the petitioner and by Mr. Harlan L. Hackbert for the respondent.

No. 57. Commissioner of Internal Revenue, petitioner, *v.* William I. Connelly and Bertha Connelly. Argued by Mr. Ellis N. Slack for the petitioner and by Mr. Caesar L. Aiello for the respondents.

Adjourned until Monday, October 24, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Jonas G. Schwartz, of Minneapolis, Minn.; Robert N. Hislop, of Belmont, N. H.; Andrew F. Schoeppel, of Wichita, Kans.; Hubert A. Schneider, of Washington, D. C.; William Robert Bloom, of Los Angeles, Calif.; Patrick S. Filter, of Chicago, Ill.; Wm. G. H. Acheson, of New York City; Alfred W. Mitchem, of Los Angeles, Calif.; Frank Pomeranz, of San Diego, Calif.; and Roger H. Weed, of Boston, Mass., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 224. Reuben Franklin Baskin, By His Guardian *ad litem* and Trustee, Catherine Dunn, petitioner, *v.* Industrial Accident Commission of the State of California, Kaiser Company, Inc., et al. On petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, State of California. *Per curiam*: The petition for writ of certiorari is granted. It appears that the decision of this Court in *Bethlehem Steel Co. v. Moore*, 335 U. S. 874, affirming the decision of the Supreme Judicial Court of Massachusetts, 323 Mass. 462, was not available to the District Court of Appeal at the time of its consideration of this cause. The judgment is vacated and the cause remanded to the District Court of Appeal for reconsideration in the light of *Bethlehem Steel Co. v. Moore*, *supra*, and *Davis v. Department of Labor*, 317 U. S. 249. See *Minnesota v. National Tea Co.*, 309 U. S. 551; *State Tax Commission v. Van Cott*, 306 U. S. 511.

No. 324. Eddie (Buster) Patton, appellant, *v.* State of Mississippi. Appeal from and on petition for writ of certiorari to the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). The petition for writ of certiorari is denied.

No. 326. Jerry M. Gray et al., appellants, *v.* The State of West Virginia. Appeal from the Supreme Court of Appeals of West Virginia. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 338. Acme Fast Freight, Inc., Merchant Shippers Association, Inc., et al., appellants, *v.* The United States of America, Interstate Commerce Commission and Lifschultz Fast Freight. Appeal from the United States District Court for the Northern District of Illinois. *Per curiam*: The motion to affirm is granted and the judgment is affirmed.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 3. The United States of America, ex rel. Richard Eichenlaub, petitioner, *v.* W. Frank Watkins, as District Director of Immigration and Naturalization of the United States for the District of New York, etc.; and

No. 82. The United States of America, ex rel. Otto A. Willumeit, petitioner, *v.* W. F. Watkins, District Director, Immigration and Naturalization Service. The motions to substitute Edward J. Shaughnessy, Acting District Director, as the party respondent are granted.

No. 9, Original. The State of Illinois, complainant, *v.* The State of Indiana et al. The Fourth Special Report of the Special Master is approved. The amended bill of complaint is dismissed as to (1) Cities Service Oil Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Cities Service Oil Company; (2) Cudahy Packing Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Cudahy Packing Company; (3) Inland Steel Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Inland Steel Company; (4) National Tube Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of Gary, Indiana, and National Tube Company; (5) Sinclair Refining Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Sinclair Refining Company; (6) and Socony-Vacuum Oil Company, Incorporated, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Socony-Vacuum Oil Company. Costs against these defendants are to be taxed in accordance with the recommendations of the Special Master.

The Fourth Interim Report of the Special Master dated September 7, 1949, is approved. The Court orders and directs the Special Master to continue the proceedings in accordance with the order of this Court

dated February 17, 1947. The Court further orders that the recommendation of the Special Master as to the apportionment of costs be adopted and costs for the period from September 8, 1948, to September 7, 1949, inclusive, shall be taxed as recommended in the Fourth Interim Report.

An order is entered fixing the compensation and allowing the expenses of the Special Master as of September 7, 1949.

No. 337. Railway Labor Executives' Association, appellant, *v.* The United States of America, Interstate Commerce Commission, City of New Orleans, Louisiana, et al. In this case probable jurisdiction is noted.

No. 156. The United States, petitioner, *v.* Commodities Trading Corporation et al. Petition for writ of certiorari to the Court of Claims granted and case transferred to the summary docket.

No. 163. Commodities Trading Corporation et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted and case transferred to the summary docket.

No. 273. The United States of America, petitioner, *v.* Morton Salt Company; and

No. 274. The United States of America, petitioner, *v.* International Salt Company. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit granted. Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

No. 186. City of Dallas, petitioner, *v.* D. W. Rentzel, Civil Aeronautics Administrator, Department of Commerce. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 218. The P. Dougherty Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 267. Joseph Sachs, petitioner, *v.* The Government of the Canal Zone. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 275. News Syndicate Co., Inc., petitioner, *v.* Janyce Mattox. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 276. Houston Oil Company of Texas, petitioner, *v.* American Republics Corporation. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 279. Celia Wong, petitioner, *v.* Maurice Finkelstein, Chairman, et al., Individually and as Members of, and Constituting the Temporary City Housing Rent Commission of the City of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 282. John L. Flynn, Trustee of Lithalloys Corporation and Lithalloys Corporation, Debtor, petitioners, *v.* Reconstruction Finance Corporation. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 283. Rosemary Cross, petitioner, *v.* Ilse Kiliani. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 285. E. Clifford Heald, petitioner, *v.* The United States of America;

No. 286. Louise B. Heald, petitioner, *v.* The United States of America; and

No. 287. Bradley Heald, petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 288. Lykes Bros. Steamship Co., Inc., petitioner, *v.* Frank Cannella. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 289. Remington Rand, Inc., petitioner, *v.* Royal Typewriter Company, Inc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 291. Sam Coleman, petitioner, *v.* The State of Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 294. S. C. Johnson and Son, Inc., petitioner, *v.* John W. Johnson, Rupert H. Johnson, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 295. Phillip Himmelfarb, petitioner, *v.* The United States of America; and

No. 296. Sam Ormont, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 280. Willapoint Oysters, Inc., petitioner, *v.* Oscar R. Ewing, Administrator, et al., Acting Administrator, Federal Security Agency, Food and Drug Administration. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 284. Louis Bernard Lapidés, petitioner, *v.* Tom C. Clark, Attorney General, and Watson B. Miller, Commissioner of Immigration and Naturalization Service. The motion to substitute J. Howard McGrath as a party respondent in place and stead of Tom C. Clark is granted. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 292. Peter Duryee, Trustee of the Property of the New Jersey and New York Railroad Company, petitioner, *v.* Erie Railroad Company. Petition for writ of certiorari to the Court of Appeals for the

Sixth Circuit denied. Mr. Justice Douglas and Mr. Justice Burton took no part in the consideration or decision of this application.

No. 290. Fred Payne, petitioner, *v.* The United States of America; and

No. 318. Eddie J. Briggs, petitioner, *v.* The United States of America. The motion to dispense with printing the petition in No. 290 is granted. The motions to dispense with printing the record are granted. The petitions for writs of certiorari to the Court of Appeals for the Tenth Circuit are denied.

No. 298. Hans Geisler, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

No. 299. Chester A. Bowles, Onetime Administrator, Office of Price Administration, For and In Behalf of the United States, and the United States of America, petitioners, *v.* George F. Wilkie et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

No. 157, October Term, 1939. John Weber, petitioner, *v.* The United States of America. The petition for rehearing is denied.

No. 788, October Term, 1948. Estella Latta, Jones M. Griffin, and Alvin Chambers, petitioners, *v.* Western Investment Company et al. The motion for leave to file a second petition for rehearing is denied.

No. 57, Misc. Ray H. Simmons, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 96, Misc. David Darcy, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 102, Misc. Commonwealth of Pennsylvania, ex rel, David Darcy, petitioner, *v.* Earl D. Handy, Warden, Bucks County Prison. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 107, Misc. Paul J. Schneider, petitioner, *v.* State of Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 151, Misc. Arthur Bruce Perkins, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 156, Misc. Herman Barmore, petitioner, *v.* John F. Foster, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 164, Misc. John Homer Britt, petitioner, *v.* Tom Smith, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 173, Misc. John Cordts, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 174, Misc. Robert G. Schuman, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the District Court of Appeals, 3rd Appellate District, State of California, denied.

No. 152, Misc. James J. Plaine, petitioner, *v.* C. P. Burford, Warden;

No. 161, Misc. Joseph Hobbs, petitioner, *v.* Col. Edwin T. Swenson, Warden;

No. 163, Misc. Clifford Pullins, petitioner, *v.* R. W. Alvis, Warden; and

No. 168, Misc. Mary A. Ruthven, petitioner, *v.* Dr. Winfred Overholser. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 155, Misc. Everett Rheim, petitioner, *v.* John F. Foster, Warden. The motion for leave to file petition for writ of certiorari is denied.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments and orders are this day announced.

Adjourned until Monday, November 7, next, at 12 o'clock.

The day call for Monday, November 7, will be as follows: Nos. 14, 45, 48, 49 (and 50), 51, 61, 39, 59, 62, and 46.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Charles Constant Rankin, of Lawrence, Kans.; Matthew Vaughan Carson, Jr., of Hearne, Tex.; Francis A. Burns, of Pawtucket, R. I.; Norman Kaufmann, of Baltimore, Md.; Frank S. Richards, of Oakland, Calif.; Gerald Gregory Kelly, of Los Angeles, Calif.; Jacob L. Sachs, of Chicago, Ill.; Carl A. Flom, of Madison, Wis.; Norman J. Gatzert, of San Francisco, Calif.; M. Gabriel Nahas, Jr., of Houston, Tex.; L. M. Ascough, of Topeka, Kans.; Geo. H. Boldt, of Tacoma, Wash.; Thomas J. Todarelli, of New York City; Peter L. F. Sabatino, of New York City; Joe R. Greenhill, of Austin, Tex.; John T. McTernan, of Los Angeles, Calif.; Meyer S. Ryder, of Washington, D. C.; Theodore Pearson, of New York City; and Harry Holliday George, of Portland, Oreg., were admitted to practice.

No. 57. Commissioner of Internal Revenue, petitioner, *v.* William I. Connelly and Bertha Connelly. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton. Mr. Justice Frankfurter and Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 20. Oscar F. Treichler, Executor of the Estate of Fred A. Miller, appellant, *v.* State of Wisconsin. Appeal from the Supreme Court of the State of Wisconsin. Judgment reversed with costs and case remanded to said Supreme Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting: Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 11. J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian, petitioner, *v.* Manufacturers Trust Company; and

No. 15. Manufacturers Trust Company, petitioner, *v.* J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian. On writs of certiorari to the United States Court of

Appeals for the Second Circuit. Judgment in No. 11 affirmed and case remanded to the United States District Court for the Southern District of New York. Judgment in No. 15 vacated and case remanded to the United States District Court for the Southern District of New York to permit such amendments of the pleadings or further proceedings as shall be consistent with the opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of these cases.

No. 24. Stephen J. Roth, Attorney General of the State of Michigan, appellant, *v.* Preston Delano, Comptroller of the Currency of the United States of America, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. Judgment vacated and case remanded to the Court of Appeals for such action as it may consider appropriate in the light of the opinion of this Court. Opinion by Mr. Justice Jackson. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 16. Leroy Graham et al., petitioners, *v.* Brotherhood of Locomotive Firemen and Enginemen. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the Court of Appeals reversed with costs, the order of the District Court granting a preliminary injunction is reinstated, and cause remanded to the United States District Court for the District of Columbia for further proceedings in conformity with the opinion of this Court. The mandate is ordered to issue forthwith. Opinion by Mr. Justice Jackson. Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this case.

No. 42. The United States of America, petitioner, *v.* Lillian Spelar, as Administratrix of the Estate of Mark Spelar, Deceased. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Concurring opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Jackson. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 17. Alexander Boyd, petitioner, *v.* Grand Trunk Western Railroad Company. On writ of certiorari to the Supreme Court of the State of Michigan. Judgment reversed with costs and case remanded to the Supreme Court for proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Frankfurter and Mr. Justice Jackson concur in the result. Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this case.

No. 19. Todd C. Faulkner, petitioner, *v.* John T. Gibbs. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Southern District of California. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Black is of the opinion that the language of the claims was too broad at the precise point where there was novelty, if there was novelty anywhere. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 332. Charles L. Dye, Warden of the Allegheny County Jail, petitioner, *v.* Leon Johnson, alias Robert McMillan. On petition for writ of certiorari to the Court of Appeals for the Third Circuit. *Per curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Ex parte Hawk*, 321 U. S. 114. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 342. Sheldon C. Vinsonhaler et al., a Partnership, d/b/a KGHI Broadcasting Service, et al., appellants, *v.* Roy Beard, Collector for the City of Little Rock, Arkansas. Appeal from the Supreme Court of Arkansas. *Per curiam*: The appeal is dismissed for want of a substantial federal question. *Crutcher v. Kentucky*, 141 U. S. 47. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 344. Avery Dexter, appellant, *v.* The State of Washington. Appeal from the Supreme Court of Washington. *Per curiam*: The judgment is affirmed. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 363. Lynchburg Traffic Bureau, appellant, *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Western District of Virginia. *Per curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 375. Western Union Division, The Commercial Telegraphers' Union, American Federation of Labor, appellants, *v.* The United States of America, Federal Communications Commission, and the Western Union Telegraph Company. Appeal from the United States District Court for the District of Columbia. *Per curiam*: The motion to affirm is granted and the judgment is affirmed. *McLean Trucking Co. v. United States*, 321 U. S. 67. Mr. Justice Black and Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 25. Elmer W. Henderson, appellant, *v.* The United States of America, Interstate Commerce Commission, and Southern Railway Company. The motion of Sam Hobbs for leave to file a brief as *amicus curiae* is granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 34. G. W. McLaurin, appellant, *v.* Oklahoma State Regents for Higher Education, Board of Regents of University of Oklahoma, et al. In this case probable jurisdiction is noted.

No. 378. Kenneth J. Mullane, as Special Guardian and Attorney, etc., appellants, *v.* Central Hanover Bank and Trust Company, as Trustee, etc., et al. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits. Mr. Justice Douglas took no part in the consideration or decision of this question.

No. 44. Heman Marion Sweatt, petitioner, *v.* Theophilis Shickel Painter et al. Petition for writ of certiorari to the Supreme Court of Texas granted.

No. 107. Standard Oil Company, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted. Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

No. 302. District of Columbia, petitioner, *v.* Geraldine Little, alias Mildred Parker. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 177. The Pennsylvania Railroad Company, petitioner, *v.* Clyde W. Krenger. On petition for writ of certiorari to the Court of Appeals for the Second Circuit;

No. 235. Louis Soble, petitioner, *v.* The State of Texas. On petition for writ of certiorari to the Court of Criminal Appeals of Texas;

No. 297. James T. Ritter, petitioner, *v.* Commonwealth of Kentucky. On petition for writ of certiorari to the Court of Appeals of Kentucky;

No. 301. S/A Industrias Reunidas F. Matarazzo, petitioner, *v.* Arthur Lewis Latimer. On petition for writ of certiorari to the Court of Appeals for the Second Circuit;

No. 303. C. H. Sellers and Clara H. Sellers et al., petitioners, *v.* Stanolind Oil and Gas Company. On petition for writ of certiorari to the Court of Appeals for the Tenth Circuit;

No. 304. Paper Container Mfg. Company, petitioner, *v.* Dixie Cup Company. On petition for writ of certiorari to the Court of Appeals for the Seventh Circuit;

No. 305. Thomas W. Smith, Jr., petitioner, *v.* John T. McLane et al. On petition for writ of certiorari to the Court of Appeals for the Third Circuit;

No. 310. Central Electric and Gas Company, petitioner, *v.* C. Russell Mattson, Administrator of the Estate of William Brehm, Deceased, et al. On petition for writ of certiorari to the Court of Appeals for the Eighth Circuit;

No. 311. Vincent Anthony Sorrentino, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Third Circuit;

No. 312. Joseph Zanzonico, petitioner, *v.* Michael Zanzonico, Individually and as Executor of Antonio Zanzonico et al. On petition for writ of certiorari to the Supreme Court of New Jersey;

No. 314. Pacific-Atlantic Steamship Co. and E. J. Lavino and Company, petitioners, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Fourth Circuit;

No. 315. American Eastern Corporation, petitioner, *v.* Jeremiah McCarthy. On petition for writ of certiorari to the Court of Appeals for the Third Circuit;

No. 321. Norman F. Schmitt, In His Own Right and as Agent and Representative of R. W. Baird, Jr., et al., petitioners, *v.* War Emergency Pipelines, Inc., and Reconstruction Finance Corporation. On petition for writ of certiorari to the Court of Appeals for the Eighth Circuit;

No. 322. Fawcett Publications, Inc., petitioner, *v.* Bronze Publications, Inc., and Sam B. Solomon. On petition for writ of certiorari to the Court of Appeals for the Fifth Circuit;

No. 325. Forrest H. Smith and Smith's Heating, Incorporated, petitioners, *v.* General Foundry Machine Company, Incorporated, et al. On petition for writ of certiorari to the Court of Appeals for the Fourth Circuit;

No. 327. Anthony Gussie, petitioner, *v.* Pennsylvania Railroad Company. On petition for writ of certiorari to the Appellate Division of the Superior Court of New Jersey;

No. 328. Roland J. Christy, petitioner, *v.* Samuel D. Conner et al., Constituting the County Board of Law Examiners of Montgomery County. On petition for writ of certiorari to the Supreme Court of Pennsylvania;

No. 329. Morris Klein, petitioner, *v.* The United States of America; and

No. 330. Harry Burke, petitioner, *v.* The United States of America. On petition for writs of certiorari to the Court of Appeals for the Eighth Circuit;

No. 331. Bernard Edward Co., petitioner, *v.* Douglass R. Falkenberg. On petition for writ of certiorari to the Court of Appeals for the Seventh Circuit;

No. 333. The United States of America, petitioner, *v.* Continental-American Bank and Trust Co. and Mercantile National Bank at Dallas. On petition for writ of certiorari to the Court of Appeals for the Fifth Circuit;

No. 343. Brister and Keester Lumber Corporation, petitioner, *v.* Edgar C. Turney, Director, Division of Liquidation, Department of Commerce. On petition for writ of certiorari to the United States Emergency Court of Appeals;

No. 345. Sylvester D. Joy et al., petitioners, *v.* Wesley McLaren Hague et al. On petition for writ of certiorari to the Court of Appeals for the First Circuit;

No. 351. American Dredging Company, Claimant and Owner of Tugs "James N. Knipe" and "Arthur N. Herron," petitioner, *v.* The United States of America, as Owner of Steamship "Norwich Victory"; and

No. 352. American Dredging Company, Individually and as Owner of the Dump Scows "No. 116," "No. 120," and "No. 122," petitioner, *v.* The United States of America et al. On petitions for writs of certiorari to the Court of Appeals for the Third Circuit;

No. 356. Mae Taylor, petitioner, *v.* Municipal Court of the City of Los Angeles and the Honorable Byron J. Walters, Judge thereof. On petition for writ of certiorari to the Supreme Court of California; and

No. 386. National Lead Company, petitioner, *v.* Max Schuft and William G. Schuft (Plaintiffs) and Millers National Insurance Company, et al. On petition for writ of certiorari to the Court of Appeals for the Eighth Circuit. The petitions for writs of certiorari in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 168. International Union, United Mine Workers of America, et al., petitioners, *v.* The United States of America; and

No. 169. International Union, United Mine Workers of America, et al., petitioners, *v.* The United States of America. The petition for writs of certiorari to the Court of Appeals for the District of Columbia Circuit is denied. Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas are of the opinion certiorari should be granted.

Mr. Justice Clark took no part in the consideration or decision of this application.

No. 182. Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 307. Eitel-McCullough, Inc., petitioner, *v.* Commissioner of Internal Revenue. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 308. The United States of America, ex rel. Hermann Hoehn, petitioner, *v.* Edward J. Shaughnessy, as District Director of Immigration and Naturalization of the United States for the District of New York. The motion to dispense with printing the petition and record is granted. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 313. Elmer Lee Wright, petitioner, *v.* The United States of America. The motion of Billie Leonard Moore to join in the petition for the writ is denied. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 316. Isidore B. Bernstein, petitioner, *v.* Ems Corporation. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 346. Leon Kaminer, petitioner, *v.* Tom C. Clark, Attorney General of the United States, et al. The motion to substitute J. Howard McGrath as a party respondent in the place and stead of Tom C. Clark is granted. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 3, Misc. Finis Grayson, petitioner, *v.* H. E. Moore, Warden. On petition for writ of certiorari to the Court of Criminal Appeals of Texas;

No. 7, Misc. L. D. Hughes, petitioner, *v.* William H. Hiatt, Warden. On petition for writ of certiorari to the Court of Appeals for the Fifth Circuit;

No. 15, Misc. Johnnie F. Slaughter, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit;

No. 16, Misc. Primitivo Caban Montalvo, petitioner, *v.* William H. Hiatt, Warden. On petition for writ of certiorari to the Court of Appeals for the Fifth Circuit;

No. 18, Misc. George T. Jordan, petitioner, *v.* Winfred Overholser, Supt. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit;

No. 24, Misc. Charles T. Carroll, petitioner *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Sixth Circuit;

No. 59, Misc. Carl Edelson, petitioner, *v.* E. E. Thompson, Warden. On petition for writ of certiorari to the Court of Appeals for the Second Circuit;

No. 64, Misc. Carl A. Doll, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Tenth Circuit;

No. 70, Misc. Bernard Hubert Tabor, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Fourth Circuit;

No. 75, Misc. Floyd Haywood Delaney, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Sixth Circuit;

No. 80, Misc. Gene McCann, petitioner, *v.* The United States. On petition for writ of certiorari to the Court of Appeals for the Second Circuit;

No. 116, Misc. Gene McCann et al., petitioners, *v.* Tom C. Clark, Attorney General. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit;

No. 121, Misc. Gene McCann, etc., et al., petitioners, *v.* Tom C. Clark, Individually, etc. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit;

No. 126, Misc. Gene McCann, petitioner, *v.* Tom C. Clark, Attorney General of the United States. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit;

No. 131, Misc. Gene McCann, petitioner, *v.* Tom C. Clark, Attorney General, etc. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit;

No. 157, Misc. Gene McCann, etc., petitioner, *v.* Tom C. Clark, etc. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit;

No. 82, Misc. Charles Lee McIntosh, petitioner, *v.* United States. On petition for writ of certiorari to the Court of Appeals for the Eighth Circuit;

No. 85, Misc. Ray Berg, petitioner, *v.* United States. On petition for writ of certiorari to the Court of Appeals for the Ninth Circuit;

No. 129, Misc. Allen T. Reid, petitioner, *v.* State of North Carolina. On petition for writ of certiorari to the Supreme Court of North Carolina;

No. 162, Misc. Harry Mayo, petitioner, *v.* C. J. Burke, Warden. On petition for writ of certiorari to the Supreme Court of Pennsylvania;

No. 167, Misc. Paul Reeder, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Supreme Court of Illinois; and

No. 172, Misc. Joseph Scarpinato, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois. The petitions for writs of certiorari in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 91, Misc. Gene McCann, petitioner, *v.* United States. Petition denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 14. Eugene Dennis, petitioner, *v.* The United States of America. Argued by Mr. George W. Crockett, Jr., for the petitioner and by Mr. Solicitor General Perlman for the respondent.

No. 48. Rosette Sorge Savorgnan, petitioner, *v.* The United States of America, J. Howard McGrath, the Attorney General of the United States of America, et al. Argument commenced by Mr. Carl A. Flom and Mr. Suel O. Arnold for the petitioner and continued by Mr. Oscar H. Davis for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 8, will be as follows: Nos. 48, 45, 49 (and 50), 61, 39, 62, 69, 71, 59, and 46.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Jeff D. Duty, of Little Rock, Ark., J. Connor Austin, of Detroit, Mich.; and Frank Dale Morgan, of Los Angeles, Calif., were admitted to practice.

No. 48. Rosette Sorge Savorgnan, petitioner, *v.* The United States of America, J. Howard McGrath, the Attorney General of the United States of America, et al. Argument continued by Mr. Oscar H. Davis for the respondents and concluded by Mr. Suel O. Arnold for the petitioner.

No. 45. The United States, petitioner, *v.* Helen W. Benedict and Frank B. Smith, as Trustees, et al. Argued by Mr. Arnold Raum for the petitioner and by Mr. Theodore Pearson for the respondents.

No. 49. Helen Parker, Ione Lane Wheeler, Katherine Gates, et al., petitioners, *v.* County of Los Angeles et al.; and

No. 50. Julia Learner Steiner, petitioner, *v.* County of Los Angeles et al. Argued by Mr. A. L. Wirin for the petitioner in No. 50, by Mr. John T. McTernan for the petitioners in No. 49, and by Mr. Gerald G. Kelly for the respondents.

No. 61. John Hughes and Louis Richardson, petitioners, *v.* Superior Court of the State of California In and For the County of Contra Costa. Argument commenced by Mr. Bertram Edises for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 9, will be as follows: Nos. 61, 39, 62, 69, 71, 46, 59, 22, 77, and 76.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Chris J. Dixie, of Houston, Tex.; Kenneth B. Johnston, of Columbus, Ohio; Philip S. Kouri, of Wichita Falls, Tex.; Elmer H. Parish, of Wichita Falls, Tex.; Harry M. Miller, of Columbus, Ohio; William H. Heidenberg, of Louisville, Ky.; Charles William Cooper, of New York City; and Robert L. Heald, of Washington, D. C., were admitted to practice.

No. 313. Elmer Lee Wright, petitioner, *v.* The United States of America. Motion to stay order denying writ of certiorari denied.

No. 61. John Hughes and Louis Richardson, petitioners, *v.* Superior Court of the State of California In and For the County of Contra Costa. Argument continued by Mr. Bertram Edises for the petitioners, by Mr. Frank S. Richards for the respondent, and concluded by Mr. Bertram Edises for the petitioners.

No. 39. The United States, petitioner, *v.* The Toronto, Hamilton and Buffalo Navigation Company. Argued by Mr. Paul A. Sweeney for the petitioner and by Mr. Gerald E. Dwyer for the respondent.

No. 62. Roy Cole and Louis Jones, petitioners, *v.* State of Arkansas. Argued by Mr. Thomas E. Harris for the petitioners and by Mr. Jeff Duty for the respondent.

No. 69. Jesse Miller Sinclair, petitioner, *v.* The United States of America. Argued by Mr. Jacob Kossman for the petitioner and by Mr. John R. Benney for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, November 10, will be as follows: Nos. 71, 46, 59, 22, 77, 76, 75, 271, 82, and 3.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Frank Ikard, of Wichita Falls, Tex.; Barron F. Black, of Norfolk, Va.; Hugh Stockdell Meredith, of Norfolk, Va.; William A. Disque, of Washington, D. C.; R. Edwin Hough, of Fort Smith, Ark.; Gilbert H. Hennessey, Jr., of Chicago, Ill.; Harriet Bouslog, of Honolulu, T. H.; Francis J. Smrcina, of Wausau, Wis.; Allan R. Redrow, of New Holland, Pa.; Stuart H. Steinbrink, of Brooklyn, N. Y.; and Joseph R. Stewart, of Kansas City, Mo., were admitted to practice.

No. 71. Federal Power Commission, petitioner, *v.* East Ohio Gas Company et al. Argued by Mr. Bradford Ross for the petitioner; by Mr. William B. Cockley for the respondent, East Ohio Gas Co.; by Mr. Harry M. Miller for the respondents, State of Ohio and Public Utilities Commission of Ohio; and by Mr. Walter R. McDonald for Indiana Public Service Commission et al., as *amici curiae*, by special leave of Court.

No. 46. Lee Cassell, petitioner, *v.* The State of Texas. Argued by Mr. Chris Dixie for the petitioner and by Mr. Joe R. Greenhill for the respondent.

No. 59. Reo Motors, Inc., petitioner, *v.* Commissioner of Internal Revenue. Argument commenced by Mr. James O. Wynn for the petitioner.

Adjourned until Monday, November 14, next, at 12 o'clock.

The day call for Monday, November 14, will be as follows: Nos. 59, 22, 77, 76, 75, 271, 82, 3, 47, and 70.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Henry J. Brandt, of Chicago, Ill.; Abraham I. Horn, of New York City; Robert M. Benjamin, of New York City; Alexander Kahan, of New York City; Harold M. Leeds, of New York City; Howard E. Sutherland, of Indianapolis, Ind; Moses G. Hubbard, of Utica, N. Y.; Elizabeth Lee Shriner, of South Bend, Ind.; Benjamin Eugene Pierce, Jr., of Augusta, Ga.; and Franklin H. Pierce, of Augusta, Ga., were admitted to practice.

No. 28. John Walter Oakley, Jr., petitioner, *v.* Louisville and Nashville Railroad Co., et al.; and

No. 29. John S. Haynes, petitioner, *v.* Cincinnati, New Orleans and Texas Pacific Railway Company et al. On writs of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgments reversed with costs and cases remanded to the United States District Court for the Eastern District of Kentucky for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Jackson concurs in the result. Mr. Justice Douglas took no part in the consideration or decision of these cases.

No. 40. The United States of America and Interstate Commerce Commission, appellants, *v.* The Capital Transit Company et al.; and

No. 41. Washington, Virginia and Maryland Coach Company, Inc., et al., appellants, *v.* The Capital Transit Company et al. Appeals from the United States District Court for the District of Columbia. Decree reversed and cases remanded with directions to dismiss the actions. Opinion *per curiam* announced by Mr. Justice Black. Dissenting opinion of the Chief Justice, Mr. Justice Reed, and Mr. Justice Jackson announced by Mr. Justice Reed. Mr. Justice Douglas took no part in the consideration or decision of these cases.

No. 31. Louis A. Reilly, as Postmaster of the City of Newark, in the County of Essex and State of New Jersey, petitioner, *v.* Joseph J. Pinkus, Trading as American Health Aids Company, Also Known as Energy Food Center. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of the Court

of Appeals affirmed, without prejudice to a reopening of the proceedings against respondent to permit additional hearings should the Postmaster General choose to do so, and case remanded to the United States District Court for the District of New Jersey. Opinion by Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following order of the Court :

No. 421. I. Harry Goodley, appellant, *v.* The People of the State of California. Appeal from the Appellate Department of the Superior Court in and for the County of Los Angeles, State of California. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of a substantial federal question.

The Chief Justice said :

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 306. Louis A. Johnson, Secretary of Defense of the United States, et al., petitioners, *v.* Lothar Eisentrager, Alias Ludwig Ehrhardt, On His Own Behalf and as Next Friend of Franz Siebert, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted.

No. 21. Stephen J. Roth, Attorney General, Successor to Eugene F. Black, Attorney General, etc., petitioner, *v.* Preston Delano, Comptroller of the Currency of the United States of America, et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 162. Wiley Branton, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 347. School District of the Borough of Centerville, petitioner, *v.* Jones and Laughlin Steel Corporation ;

No. 348. School District of the Borough of Centerville, petitioner, *v.* Jones and Laughlin Steel Corporation ; and

No. 349. School District of the Borough of Centerville, petitioner, *v.* Jones and Laughlin Steel Corporation. Petition for writs of certiorari to the Supreme Court of Pennsylvania denied.

No. 357. Ammiel F. Decker and Mabel P. Decker, Individuals Trading and Doing Business as Decker Products Company, petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 360. Rice Growers Association of California (a Corporation), petitioner, *v.* Rederiaktiebolaget Frode (a Corporation), Owner of the Steamship "Frej." Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 317. Friedrich Flick, petitioner, *v.* Louis A. Johnson, Secretary of Defense, Gordon Gray, Secretary of the Army, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 340. Thomas L. Oldfield, petitioner, *v.* SS Arthur P. Fairfield, Her Engines, Boilers, Tackle, Apparel, Furniture, et al. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 366. Irving Potash, petitioner, *v.* Tom C. Clark, Attorney General of the United States, and Watson B. Miller, Commissioner of Immigration and Naturalization. The motion to substitute J. Howard McGrath as a party respondent in the place and stead of Tom C. Clark is granted. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 10. American Communications Association, C. I. O., et al., appellants, *v.* Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board, Second Region; and

No. 13. United Steelworkers of America et al., petitioners, *v.* National Labor Relations Board. The motion of United Electrical Radio and Machine Workers of America for leave to file a brief as *amicus curiae* is granted.

No. 25. Elmer W. Henderson, appellant, *v.* The United States of America, Interstate Commerce Commission and Southern Railway Company. The motions of National Lawyers Guild; American Veterans Committee; Congress of Industrial Organizations; American Jewish Congress; and National Association for the Advancement of Colored People, for leave to file briefs as *amici curiae* are granted.

No. 44. Heman Marion Sweatt, petitioner, *v.* Theophilis Shickel Painter et al. The motion of The Federal Council of the Churches of Christ in America for leave to file a brief as *amicus curiae* is granted.

No. 49. Helen Parker, Ione Lane Wheeler, Katherine Gates, et al., petitioners, *v.* County of Los Angeles, et al.; and

No. 50. Julia Learner Steiner, petitioner, *v.* County of Los Angeles et al. The motions of Civil Rights Congress; Council on African

Affairs, Inc.; National Lawyers Guild; Congress of American Women; Progressive Party of America; and Los Angeles Area Council of American Veterans Committee, for leave to file briefs as *amici curiae* are granted.

No. 69. Jesse Miller Sinclair, petitioner, *v.* The United States of America. The motion of American Civil Liberties Union for leave to file a brief as *amicus curiae* is granted.

No. 107. Standard Oil Company, petitioner, *v.* Federal Trade Commission. The motion of Retail Gasoline Dealers Association of Michigan, Inc., for leave to file a brief as *amicus curiae* is granted.

No. 271. Alcoa Steamship Company, Inc., petitioner, *v.* The United States of America. The motions of Stockard Steamship Corporation and Waterman Steamship Corporation for leave to file briefs as *amici curiae* are granted.

ORDER

IT IS ORDERED that Paragraph 9 of Rule 27 of the Rules of this Court be, and it hereby is, amended to read as follows:

"9. (a) *Brief of an amicus curiae in cases before the Court on the merits.*—A brief of an *amicus curiae* may be filed only after order of the Court or when accompanied by written consent of all parties to the case and presented promptly after announcement postponing or noting probable jurisdiction on appeal, granting certiorari, or pertinent action in a case upon the original docket.

"(b) *Brief of an amicus curiae prior to consideration of jurisdictional statement or a petition for writ of certiorari.*—A brief of an *amicus curiae* filed with consent of the parties, or motion, independent of the brief, for leave to file when consent is refused may be filed only if submitted a reasonable time prior to the consideration of a jurisdictional statement or a petition for writ of certiorari. Such motions are not favored. Distribution to the Court under the applicable rules of a jurisdictional statement or a petition for writ of certiorari and its consideration thereof will not be delayed pending the receipt of such brief or the filing of such motion.

"(c) *Motion for leave to file.*—When consent to the filing of a brief of an *amicus curiae* is refused by a party to the case, a motion, independent of the brief, for leave to file may timely be presented to the Court. It shall concisely state the nature of the applicant's interest, set forth facts or questions of law that have not been, or reasons for believing that they will not adequately be, presented by the parties, and their relevancy to the disposition of the case. A party served with such motion may seasonably file in this Court an objection concisely stating the reasons for withholding consent.

“(d) *Consent not required.*—Consent to the filing of a brief of an *amicus curiae* need not be had when the brief is presented for the United States sponsored by the Solicitor General; for any agency of the United States authorized by law to appear in its own behalf, sponsored by its appropriate legal representative; for a State sponsored by its Attorney General; or for a political subdivision of a State sponsored by the authorized law officer thereof.

“(e) *Signature of a member of the bar of this Court and proof of service required.*—All briefs and/or motions filed under this Rule shall bear the signature of a member of the Bar of this Court, and shall be accompanied by proof of service on all parties to the case.”

No. 80. Thomas Hodge, George Hodge, Nettie Powell, et al., petitioners, *v.* First Presbyterian Church of Sterling, Illinois;

No. 92. Turner Glass Corporation, petitioner, *v.* Hartford-Empire Company, Owens-Illinois Glass Company, Hazel-Atlas Glass Company, et al.;

No. 148. Eric Hass, appellant, *v.* The People of the State of New York;

No. 160. Walter A. Lavender, Administrator of the Estate of Charles Lee Hunter, Deceased, petitioner, *v.* Illinois Central Railroad Company;

No. 172. Harry W. Schuermann, petitioner, *v.* The United States of America;

No. 199. Elmer Michael Walsh, Sheriff of Cook County, Illinois, petitioner, *v.* The United States of America, ex rel. Ralph E. White;

No. 210. Auburn Savings Bank, Eastport Savings Bank, and Skowhegan Savings Bank, petitioners, *v.* Portland Railroad Company et al.;

No. 222. Ralph L. Robinson, petitioner, *v.* The United States of America and

No. 223. John S. Bleker, Jr., petitioner, *v.* The United States of America;

No. 225. The Andrew Jergens Company, petitioner, *v.* National Labor Relations Board;

No. 247. Arthur W. Gibson, petitioner, *v.* International Freightage Corporation;

No. 250. Arthur Bingaman, Administrator of the Estate of Alvin A. Bingaman, Deceased, appellant, *v.* Eric H. Rehn and John P. Mainelli, Doing Business Under the Name and Style of John P. Mainelli Construction Company;

No. 260. James Sheppard Potts and Adam Empie Potts, petitioners, *v.* J. K. Rader, as Administrator, et al.;

No. 261. Frank M. Cobb, petitioner, *v.* Commissioner of Internal Revenue;

No. 290. Fred Payne, petitioner, *v.* The United States of America;

No. 83, Misc. Ex parte Sol Newstead, petitioner;

No. 112, Misc. Morgan A. Israel and Michael Patrick Marvich, petitioners, *v.* People of the State of California; and

No. 120, Misc. Glenn H. Goodman, petitioner, *v.* State of Iowa. The petitions for rehearing in these cases are severally denied.

No. 598, Misc., October Term, 1948. Bernard M. Shotkin et al., petitioners, *v.* The Denver Publishing Company et al. The second petition for rehearing is denied.

No. 100. Andrew J. May, petitioner, *v.* The United States of America;

No. 101. Murray Garsson, petitioner, *v.* The United States of America; and

No. 102. Henry M. Garsson, petitioner, *v.* The United States of America. The petitions for rehearing in these cases are denied. The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 23, Misc. Charles Colton et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 89, Misc. Leon Jones, petitioner, *v.* United States. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 92, Misc. Elmer Bentley Pickins, petitioner, *v.* United States. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 98, Misc. John H. Allen, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 101, Misc. Anna Kwasizur, Admx., etc., petitioner, *v.* Frank A. Cardillo, Deputy Commr., etc. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 118, Misc. Hubert H. Council, petitioner, *v.* Donald Clemmer, Director. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 119, Misc. Julia B. Minton, petitioner, *v.* Theodore Britton, Deputy Commr. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 165, Misc. James Kelly, petitioner, *v.* People of the State of Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 169, Misc. Robert G. Gibbs, petitioner, *v.* Stanley P. Ashe, Warden. Petition for writ of certiorari to the Superior Court of Pennsylvania denied.

No. 175, Misc. Edward Perkins, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 177, Misc. Robert L. Cavanaugh, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 182, Misc. Paul Reeder, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 187, Misc. Earl F. Hall, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Macon County, State of Illinois, denied.

No. 189, Misc. Michael F. Coggins, Jr., petitioner, *v.* The Commonwealth of Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 88, Misc. Sam Wedgle, petitioner, *v.* United States. The motion for leave to file petition for writ of certiorari is denied.

No. 178, Misc. George J. Furman, petitioner, *v.* Joseph E. Ragen, Warden. The motion for leave to file petition for writ of habeas corpus is denied.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

The Court will take a recess from Monday, November 21, until Monday, December 5, next.

No. 59. Reo Motors, Inc., petitioner, *v.* Commissioner of Internal Revenue. Argument continued by Mr. James O. Wynn for the petitioner and concluded by Mr. Oscar H. Davis for the respondent.

No. 22. The United States of America, appellant, *v.* Yellow Cab Company, Chicago Yellow Cab Company, Inc., et al. Argument commenced by Mr. Charles H. Weston for the appellant and continued by Mr. Jesse Climenko for the appellees.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, November 15, will be as follows: Nos. 22, 77, 76, 75, 271, 82, 3, 47, 70, and 200.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Frederick G. Umhau, of Washington, D. C.; Thomas J. Wood, of Louisville, Ky.; Samuel F. Grandon, of Detroit, Mich.; Henry P. Molloy, Jr., of Brooklyn, N. Y.; and Ricardo J. Hecht, of San Francisco, Calif., were admitted to practice.

No. 22. The United States of America, appellant, *v.* Yellow Cab Company, Chicago Yellow Cab Company, Inc., et al. Argument concluded by Mr. Jesse Climenko for the appellees.

No. 77. George W. Solesbee, appellant, *v.* R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia. Argued by Mr. Benjamin E. Pierce for the appellant and case submitted by Mr. Eugene Cook for the appellee.

No. 76. Travelers Health Association and R. E. Pratt, as Treasurer Thereof, and In His Personal Capacity, appellants, *v.* Commonwealth of Virginia, at the Relation of State Corporation Commission. Argued by Mr. Moses G. Hubbard, Jr., for the appellants and by Mr. Walter E. Rogers for the appellee.

No. 75. Wilmette Park District, petitioner, *v.* Nigel D. Campbell, Collector of Internal Revenue. Argument commenced by Mr. Henry J. Brandt for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 16, will be as follows: Nos. 75, 271, 82, 3, 47, 70, 200, and 126.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Eugene H. Nickerson, of New York City; Robert A. Brooks, of Washington, D. C.; and George G. Shiya, of New York City, were admitted to practice.

No. 75. Wilmette Park District, petitioner, *v.* Nigel D. Campbell, Collector of Internal Revenue. Argument continued by Mr. Lee A. Jackson for the respondent and concluded by Mr. Henry J. Brandt for the petitioner.

No. 271. Alcoa Steamship Company, Inc., petitioner, *v.* The United States of America. Argued by Mr. Melville J. France for the petitioner and by Mr. Samuel D. Slade for the respondent.

No. 82. The United States of America, *ex rel.* Otto A. Willumeit, petitioner, *v.* Edward J. Shaughnessy, Acting District Director, Immigration and Naturalization Service. Argued by Mr. Eugene H. Nickerson for the petitioner and by Mr. Harold D. Cohen for the respondent.

No. 3. The United States of America, *ex rel.* Richard Eichenlaub, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization of the United States for the District of New York, etc. Argument commenced by Mr. George G. Shiya for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, November 17, will be as follows: Nos. 3, 47, 70, 200, and 126.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Fred E. Hewitt, of Cleveland, Ohio; William J. Nolan, Jr., of New York City; Allan R. Browne, of Kansas City, Mo.; Roger J. Whiteford, of Washington, D. C.; and John J. Cooke, of Brooklyn, N. Y., were admitted to practice.

No. 3. The United States of America, ex rel. Richard Eichenlaub, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization of the United States for the District of New York, etc. Argument continued by Mr. George G. Shiya for the petitioner; by Mr. Harold D. Cohen for the respondent, and concluded by Mr. George G. Shiya for the petitioner.

No. 47. Colgate-Palmolive-Peet Company, petitioner, *v.* The National Labor Relations Board et al. Argued by Mr. Ricardo J. Hecht for the petitioner and by Miss Ruth Weyand for the respondents.

No. 70. John E. Manning, as Collector of Internal Revenue for the Fifth District of New York, petitioner, *v.* Seeley Tube and Box Company, a Corporation of the State of New Jersey. Argument commenced by Mr. Solicitor General Perlman for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, November 18, will be as follows: Nos. 70, 200, and 126.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Edgar M. Church, Jr., of New York City; Homer Glenn Angelo, of San Francisco, Calif.; Charles Lewis, of New York City; Howard Newcomb Morse, of Augusta, Ga.; and Mandell Bernstein, of Detroit, Mich., were admitted to practice.

No. 452. Jeremiah McCarthy, petitioner, *v.* American Eastern Corporation. Time within which to file respondent's brief extended to and including December 15, next, on motion of counsel for the respondent.

No. 70. John E. Manning, as Collector of Internal Revenue for the Fifth District of New York, petitioner, *v.* Seeley Tube and Box Company, a Corporation of the State of New Jersey. Argument continued by Mr. George G. Taylor and Mr. Walter J. Bilder for the respondent and concluded by Mr. Solicitor General Perlman for the petitioner.

No. 200. Floyd G. Affolder, petitioner, *v.* New York, Chicago and St. Louis Railroad Company. Argued by Mr. William H. Allen for the petitioner and by Mr. Lon Hocker for the respondent.

No. 126. Commissioner of Internal Revenue, petitioner, *v.* Philadelphia Transportation Company. Argued by Mr. Arnold Raum for the petitioner and by Mr. William R. Spofford for the respondent.

Adjourned until Monday, November 21, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Aída Martínez, of San Juan, P. R.; Bertram Robert Beers, of Chicago, Ill.; Joseph L. Sharon, of Summit, N. J.; Edward Turner, of West Orange, N. J.; J. Reginald C. Miller, of Omaha, Nebr.; James N. Ravlin, of New York City; Alvin L. Newmyer, Jr., of Washington, D. C.; Jack R. Miller, of Sioux City, Iowa; Conrad T. Bjornlie, of Great Falls, Mont.; and Samuel M. Blinksen, of New York City, were admitted to practice.

No. 55. Manufacturers Trust Company, as Trustee Under an Indenture Made By The Debtor Under Date of September 27, 1933, and Individually, petitioner, *v.* Regine Becker et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Black joins. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 43. Richard J. Brown, petitioner, *v.* Western Railway of Alabama. On writ of certiorari to the Court of Appeals of the State of Georgia. Judgment reversed with costs and case remanded to said Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 53. Lawrence C. Kingsland, Commissioner of Patents, petitioner, *v.* Vernon M. Dorsey. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals reversed and that of the District Court affirmed and case remanded to the United States District Court for the District of Columbia. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 255, October Term, 1948. Gerhart Eisler, petitioner, *v.* The United States of America. On writ of certiorari to the Court of Appeals for the District of Columbia Circuit. *Per curiam*: The motion to dismiss is granted and the writ of certiorari is dismissed. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 126. Commissioner of Internal Revenue, petitioner, *v.* Philadelphia Transportation Company. On writ of certiorari to the Court of Appeals for the Third Circuit. *Per curiam*: The judgment is affirmed. Mr. Justice Burton dissents. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. —. In the Matter of Abraham Albert Minton. The motion to amend the attorney roll to show a change of name of Abraham Mitnovetz to Abraham Albert Minton is granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. —. In the Matter of Frank Ronald Picone. The motion to amend the attorney roll to show a change of name of Falco R. Picone to Frank Ronald Picone is granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 11, Original. The United States of America, plaintiff, *v.* The State of California. Each of the parties is directed to advance to the Special Master the sum of \$3,134.82, being one-half the sum of \$1,269.64, his approved expenses, plus one-half of \$5,000, allowed him on account of services. Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of this question.

No. 3. The United States of America, *ex rel.* Richard Eichenlaub, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization of the United States for the District of New York, *etc.* The motion to withdraw the appearance of Charles Edwin Wallington as counsel for the petitioner is granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 40. The United States of America and Interstate Commerce Commission, appellants, *v.* The Capital Transit Company *et al.* The motion for the issuance of the mandate forthwith is denied. Mr. Jus-

tice Douglas took no part in the consideration or decision of this application.

No. 103. Estate of Gilliat G. Schroeder, Deceased, Louisa R. Schroeder and Helen S. Croll, Executors, petitioners, *v.* Commissioner of Internal Revenue. On consideration of the motion of the petitioners for a clarification of the order of October 10, the order is amended to read as follows: "*Per curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court for further consideration in the light of T. D. 5741, 14 Fed. Reg. 5536; the Technical Changes Act of October 25, 1949; and, Commissioner *v.* Estate of Church, 335 U. S. 632, and Estate of Spiegel *v.* Commissioner, 335 U. S. 701." Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 428. The United States of America, appellant, *v.* National Association of Real Estate Boards, Washington Real Estate Board, et al. In this case probable jurisdiction is noted. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this question.

No. 293. The United States of America, petitioner, *v.* Albert J. Rabinowitz. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 229. Capital Airlines, Inc., petitioner, *v.* Richard I. Edwards and James A. Young; and

No. 371. Richard I. Edwards and James A. Young, petitioners, *v.* Capital Airlines, Inc. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 361. Thomas Wilson, Millie A. Sowell and W. C. Caneer, petitioners, *v.* State ex rel. W. D. McGee, Treasurer and Ex-Officio Collector of Dunklin County, Missouri, et al. On petition for writ of certiorari to the Supreme Court of Missouri;

No. 367. Claude Porter, petitioner, *v.* Dick Jones. On petition for writ of certiorari to the Court of Appeals for the Tenth Circuit;

No. 372. The United States of America, petitioner, *v.* The City of New York. On petition for writ of certiorari to the Court of Appeals for the Second Circuit;

No. 387. Dorothy Casey, as Administratrix of the Estate of James J. Casey, Deceased, petitioner, *v.* American Export Lines, Inc. On petition for writ of certiorari to the Court of Appeals for the Second Circuit; and

No. 411. Cauldwell-Wingate Company, Inc., Poirier and McLane Corporation, et al., petitioners, *v.* Mary E. Person, as Administratrix of the Goods, Chattels, and Credits of William S. Person, Deceased.

On petition for writ of certiorari to the Court of Appeals for the Second Circuit. The petitions for writs of certiorari in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 354. Ben Sugerman, petitioner, *v.* People of the State of California. The motion to dispense with the printing of the record is granted. Petition for writ of certiorari to the District Court of Appeals, 3rd Appellate District, State of California, denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 355. Ben Sugerman, petitioner, *v.* People of the State of California. The motion to dispense with the printing of the record is granted. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 362. Albert J. Rabinowitz, petitioner, *v.* The United States of America. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is denied for the reason that application therefor was not made within the time provided by law. Rule 37 (b) (2) of the Rules of Criminal Procedure. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 244. Securities and Exchange Commission, Edmond M. Hanrahan, et al., petitioners, *v.* Otis and Co.;

No. 284. Louis Bernard Lapidès, petitioner, *v.* J. Howard McGrath, Attorney General, and Watson B. Miller, Commissioner of Immigration and Naturalization Service;

No. 319. William W. Price, appellant, *v.* State of Mississippi;

No. 57, Misc. Ray H. Simmons, petitioner, *v.* Commonwealth of Pennsylvania;

No. 155, Misc. Everett Rheim, petitioner, *v.* John F. Foster, Warden; and

No. 156, Misc. Herman Barmore, petitioner, *v.* John F. Foster, Warden. The petitions for rehearing in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 788, October Term, 1948. Estella Latta, Jones M. Griffin and Alvin Chambers, petitioners, *v.* Western Investment Company et al. The motion for leave to file petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 105, Misc. William Lester Keith, petitioner, *v.* W. C. Miller, Warden. On petition for writ of certiorari to the Supreme Court of Wyoming;

No. 181, Misc. James Caldwell, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 184, Misc. Joseph W. Paugh, petitioner, *v.* Julian N. Frisbie, Warden. On petition for writ of certiorari to the Supreme Court of Michigan;

No. 198, Misc. Scott W. Lantz, petitioner, *v.* W. C. Miller, Warden. On petition for writ of certiorari to the District Court of Rawlins County, State of Wyoming;

No. 199, Misc. Lionel J. Donovan, petitioner, *v.* State of New Hampshire. On petition for writ of certiorari to the Supreme Court of New Hampshire;

No. 200, Misc. John Edwin Byers, petitioner, *v.* Cities Service Gas Company. On petition for writ of certiorari to the Court of Appeals for the Tenth Circuit;

No. 203, Misc. Everett C. Lyle, petitioner, *v.* Ralph N. Eidson, Warden. On petition for writ of certiorari to the Supreme Court of Missouri;

No. 205, Misc. Dexter C. Dayton, petitioner, *v.* Walter A. Hunter, Warden. On petition for writ of certiorari to the Court of Appeals for the Tenth Circuit;

No. 206, Misc. Berlin Spence, petitioner, *v.* State of Indiana, et al. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 208, Misc. Francis Monaghan, petitioner, *v.* C. J. Burke, Warden. On petition for writ of certiorari to the Supreme Court of Pennsylvania; and

No. 211, Misc. E. R. Jackson, petitioner, *v.* C. P. Burford, Warden. On petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma. The petitions for writs of certiorari in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 201, Misc. Cleio Hull, petitioner, *v.* Julian N. Frisbie, Warden;

No. 212, Misc. Edward Morgan MacKenna, petitioner, *v.* William E. Snyder, Warden;

No. 213, Misc. Wellington Lancour, petitioner, *v.* State of Michigan;

No. 214, Misc. Norman T. Heicht, petitioner, *v.* State of Maryland; and

No. 215, Misc. Wallace James Cruse, petitioner, *v.* Joseph E. Ragen, Warden. The motions for leave to file petitions for writs of habeas corpus in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 188, Misc. In the Matter of Ernst Buerger, petitioner. The application is denied. Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Adjourned until Monday, December 5, next, at 12 o'clock.

The day call for Monday, December 5, will be as follows: Nos. 51, 118, 54, 97, 150, 154, 119, 334, 96 (58 and 79), and 83.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Emmet A. Blaes, of Wichita, Kans.; Marmaduke Hardeman Blackshear, of Atlanta, Ga.; Mayer Goldberg, of Chicago, Ill.; George S. Stansell, of Chicago, Ill.; Joseph Avis, of Kingston, N. Y.; Harrison L. Winter, of Baltimore, Md.; Ward B. Coe, Jr., of Baltimore, Md.; W. Harold Flowers, of Pine Bluff, Ark.; Samuel Y. Rossiter, of Erie, Pa.; William Zeff, of Modesto, Calif.; John T. Wiley, Jr., of St. Louis, Mo.; Harry H. Craig, of St. Louis, Mo.; Carlos J. Badger, of Modesto, Calif.; Thomas A. Farrell, of Washington, D. C.; Eugene Gerald Lamboley, of Washington, D. C.; Harold Jordan, of St. Paul, Minn.; David Wuntch, of Austin, Tex.; Volley J. Bodovitz, of Oklahoma City, Okla.; Howard Merrill Packard, of Racine, Wis.; Frank A. Bartimo, of Washington, D. C.; and Clarence M. Beck, of Salt Lake City, Utah, were admitted to practice.

No. 47. Colgate-Palmolive-Peet Company, petitioner, *v.* The National Labor Relations Board et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals with directions to remand to the National Labor Relations Board with directions to dismiss the complaint. Opinion by Mr. Justice Minton. Dissenting: Mr. Justice Reed and Mr. Justice Burton. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 22. The United States of America, appellant, *v.* Yellow Cab Company, Chicago Yellow Cab Company, Inc., et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment affirmed. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Black in which Mr. Justice Reed concurs. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 62. Roy Cole and Louis Jones, petitioners, *v.* State of Arkansas. On writ of certiorari to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Jackson. Mr.

Justice Douglas took no part in the consideration or decision of this case.

No. 49. Helen Parker, Ione Lane Wheeler, Katherine Gates, et al., petitioners, *v.* County of Los Angeles, et al.; and

No. 50. Julia Learner Steiner, petitioner, *v.* County of Los Angeles, et al. On writs of certiorari to the District Court of Appeal, Second Appellate District, State of California. Writs of certiorari dismissed with costs. Opinion by Mr. Justice Frankfurter. Mr. Justice Douglas took no part in the consideration or decision of these cases.

The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 12, Original. The United States of America, plaintiff, *v.* The State of Louisiana; and

No. 13, Original. The United States of America, plaintiff, *v.* The State of Texas. These cases are set for hearing on the Motions for Judgment and are assigned for argument on Monday, February 6, next. Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of this question.

No. 98. The United States of America, petitioner, *v.* Ernestina G. Fleischman; and

No. 99. The United States of America, petitioner, *v.* Helen R. Bryan. The application for adjournment of oral argument is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 217. The United States of America, petitioner, *v.* Alexander Lawrence Alpers. The motion of respondent for leave to proceed in forma pauperis is granted.

No. 402. Joseph Dorsey, Monroe Dowling, and Calvin Harper, petitioners, *v.* Stuyvesant Town Corporation and Metropolitan Life Insurance Company. The motions for leave to file briefs of American Veterans Committee, Inc.; Board of Home Missions of the Congregational and Christian Churches et al.; Community Service Organization of Greater Los Angeles; and New York Chapter of National Lawyers Guild as amici curiae are denied. Rule 27, par. 9, as amended November 14, 1949.

No. 454. Georgia Railroad and Banking Company, appellant, *v.* Charles D. Redwine, State Revenue Commissioner. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 359. William H. Hiatt, Warden, United States Penitentiary, Atlanta, Georgia, petitioner, *v.* Eugene Preston Brown. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted and case transferred to the summary docket.

No. 384. Commissioner of Internal Revenue, petitioner, *v.* Christian W. Korell. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted and case transferred to the summary docket.

No. 403. Rudolf Reider, petitioner, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted and case transferred to the summary docket.

No. 373. Martin Ludwig Cohnstaedt, petitioner, *v.* Immigration and Naturalization Service of the United States Department of Justice. Petition for writ of certiorari to the Supreme Court of Kansas granted. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 391. Marion J. Slocum, as General Chairman, Lackawanna Division No. 30 of the Order of Railroad Telegraphers, petitioner, *v.* The Delaware, Lackawanna and Western Railroad Company. Petition for writ of certiorari to the Court of Appeals of New York granted.

No. 335. Edgar B. Whitcomb, Anna S. Whitcomb, and Henry J. Helmers, Jr., petitioners, *v.* Earl L. Clark, Drain Commissioner of Oakland County, State Land Office Board, et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 350. The United States of America, petitioner, *v.* John Donald Walker. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 383. Gilson Brothers, a Corporation, petitioner, *v.* Wisconsin Employment Relations Board. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 385. District of Columbia, petitioner, *v.* Hamilton National Bank of Washington. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 401. District of Columbia, petitioner, *v.* Bank of Commerce and Savings, the Security Savings and Commercial Bank et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 390. Wade Kitchens, petitioner, *v.* Mrs. Mary Bird et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 404. Endicott Johnson Corporation, petitioner, *v.* Lionel Lane, as President of Endicott Leather Workers' Union, Local 285, etc. Petition for writ of certiorari to the Supreme Court of New York, Broome County, denied.

No. 405. Emil Placek and Bank of Prague, Nebraska, a Corporation, petitioner, *v.* M. D. Edstrom, as County Attorney of Saunders County, Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 409. The Midland Steel Products Company, petitioner, *v.* Clark Equipment Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 414. Linwood L. Bradshaw, Owner and Master of the Motor Vessel "Nettie B. Greenwell," etc., petitioner, *v.* Steamer "Virginia," Its Engines, Boilers, Tackle, etc., et al. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 420. Frank N. Steigleder, petitioner, *v.* Eberhard Faber Pencil Company et al. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 368. Louis H. Rosenblum, petitioner, *v.* The United States of America;

No. 369. Max Stryk, petitioner, *v.* The United States of America; and

No. 370. Jacob Weiss, petitioner, *v.* The United States of America. The petition for writs of certiorari to the Court of Appeals for the Seventh Circuit is denied. Mr. Justice Minton took no part in the consideration or decision of this application.

No. 382. Irvine F. Belser, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 392. Charles L. Harney Construction Company (Formerly Palm Springs Holding Corporation), petitioner, *v.* Major General Philip B. Fleming, Individually and as Administrator, Federal Works Agency, et al. The motion to substitute Jess Larson, Administrator of General Services, as the party respondent is granted. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 400. Fifth and Walnut, Incorporated, and Albert J. Hoffman, petitioners, *v.* Loew's Incorporated, Marcus Loew Booking Agency, Inc., RKO Radio Pictures, Inc., et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 415. Cesare Pietro Buzzi, petitioner, *v.* Jane Grasselli Buzzi. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 365. Eleptheoris Kofouros et al., petitioners, *v.* Theodor Giannoutsos, as Master, et al. The motion to dispense with printing the petition and record is granted. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 388. Nicholas Korthinos et al., petitioners, *v.* S. S. Niarchos, as Owner, Michael Piliaros, his Agent, etc.; and

No. 407. S. S. Niarchos, as Owner, Michael Piliaros, his Agent, etc., et al., petitioners, *v.* Nicholas Korthinos et al. The motion in No. 388 to dispense with printing the petition and record is granted. Petitions for writs of certiorari to the Court of Appeals for the Fourth Circuit are denied.

No. 389. Petros Maleuris et al., petitioners, *v.* Anthony G. Papadakis, as Owner, Michael Piliaros, his Agent, etc.; and

No. 408. Anthony G. Papadakis, as Owner, Michael Piliaros, his Agent, et al., etc., petitioners, *v.* Petros Maleuris et al. The motion in No. 389 to dispense with printing the petition and record is granted. Petitions for writs of certiorari to the Court of Appeals for the Fourth Circuit are denied.

No. 19. Todd C. Faulkner, petitioner, *v.* John T. Gibbs;

No. 139. Mario Mercado E Hijos, petitioner, *v.* Charles F. Branman, Secretary of Agriculture;

No. 170. Park-In Theatres, Inc., petitioner, *v.* Loew's Drive-In Theatres, Inc.;

No. 263. Joseph F. Bent and William Amos Jones, petitioners, *v.* The United States of America;

No. 310. Central Electric and Gas Company, petitioner, *v.* C. Russell Mattson, Administrator of the Estate of William Brehm, Deceased, et al.;

No. 311. Vincent Anthony Sorrentino, petitioner, *v.* The United States of America;

No. 332. Charles L. Dye, Warden of the Allegheny County Jail, petitioner, *v.* Leon Johnson, Alias Robert McMillan;

No. 342. Sheldon C. Vinsonhaler et al., a Partnership, d/b/a KGHI Broadcasting Service et al., appellants, *v.* Roy Beard, Collector for the City of Little Rock, Arkansas;

No. 5, Misc. Salvatore Tanuzzo and Nunze Dellaratta, petitioners, *v.* The United States of America;

No. 59, Misc. Carl Edelson, petitioner, *v.* E. E. Thompson, Warden;

No. 81, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney and Samuel H. Berger; and

No. 174, Misc. Robert G. Schuman, petitioner, *v.* Robert A. Heinze, Warden. The petitions for rehearing in these cases are severally denied.

No. 79, Misc. Carroll J. Chambers, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Appeals for the Fifth and Eighth Circuit denied.

No. 108, Misc. Grace W. Adkins, petitioner, *v.* E. I. Du Pont De Nemours and Co., Inc., and the United States. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 110, Misc. John Dunlap, petitioner, *v.* Allen B. Hanney, United States District Judge. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 150, Misc. George Rodinciuc, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 171, Misc. John B. Barker, petitioner, *v.* Paul C. Sharp et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 210, Misc. Jesse Murphey and Albert Nixon, petitioners, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 218, Misc. Michael Juliane, petitioner, *v.* State of New York. Petition for writ of certiorari to the Supreme Court of New York denied.

No. 220, Misc. Joseph Beyers, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 229, Misc. Anna M. Phyle, on Behalf of William Jerome Phyle, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 185, Misc. Erville Brewer, petitioner, *v.* J. N. Frisbie, Warden; and

No. 216, Misc. Mary A. Ruthven, petitioner, *v.* Dr. Winfred Overholser. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 209, Misc. New Jersey State Society of Naturopaths et al., petitioners, *v.* Hon. Phillip Forman, Judge. The motion for leave to file petition for writ of mandamus is denied.

No. 225, Misc. The United States of America, petitioner, *v.* United States District Court for the Western District of Texas, etc., et al. The motion for leave to file petition for writ of mandamus is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which orders are this day announced.

No. 51. Pete Darr, petitioner, *v.* C. P. Burford, Warden, Oklahoma State Penitentiary. Submitted by Mr. John B. Ogden for the petitioner and by Mr. Mac Q. Williamson and Mr. Sam H. Lattimore for the respondent.

No. 118. Capitol Greyhound Lines, Pennsylvania Greyhound Lines, Inc., and Red Star Motor Coaches, Inc., appellants, *v.* Arthur H. Brice, Commissioner of Motor Vehicles, State of Maryland, Baltimore, Maryland. Argued by Mr. Clarence W. Miles for the appellants and by Mr. Hall Hammond for the appellee.

No. 150. Albert G. Dickinson, petitioner, *v.* Petroleum Conversion Corporation. Argued by Mr. Alexander Kahan for the respondent and submitted by Mr. Solomon Kaufman and Mr. Samuel Hershenstein for the petitioner.

No. 54. The United States of America, ex rel. Ellen Knauff, petitioner, *v.* Edward J. Shaughnessey, Acting District Director of Immigration and Naturalization. Argument commenced by Mr. Gunther Jacobson for the petitioner and continued by Mr. Philip R. Monohan for the respondent.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, December 6, will be as follows: Nos. 54, 97, 154, 119, 334, 96 (58 and 79), 83, 221, 214, and 157 (158 and 159).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Vernon F. Gant, of Modesto, Calif.; Wayne W. Owen, of Little Rock, Ark.; and Gerland P. Patten, of Little Rock, Ark., were admitted to practice.

No. 54. The United States of America, ex rel. Ellen Knauff, petitioner, *v.* Edward J. Shaughnessey, Acting District Director of Immigration and Naturalization. Argument continued by Mr. Philip R. Monohan for the respondent and concluded by Mr. Gunther Jacobson for the petitioner.

No. 97. The United States, petitioner, *v.* Jeff W. Moorman and James C. Moorman, Co-Partners, Doing Business as J. W. Moorman and Son. Argued by Mr. Morton Liftin for the petitioner and by Mr. V. J. Bodovitz for the respondents.

No. 154. Wong Yang Sung, petitioner, *v.* J. Howard McGrath, Attorney General of the United States, et al. Argued by Mr. Irving Jaffe for the petitioner and by Mr. Robert W. Ginnane for the respondents.

No. 119. Louise M. Wissner and Leondous H. Wissner, appellants, *v.* Margaret Wissner. Argument commenced by Mr. Carlos J. Badger for the appellants.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 7, will be as follows: Nos. 119, 334, 96 (58 and 79), 83, 221, 214, 157 (158 and 159), 147, 178, and 171 (and 188).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Herbert N. Maletz, of Washington, D. C.; Cornelius W. Grafton, of Louisville, Ky.; George F. Hetfield, of Plainfield, N. J.; Robert Roe Canfield, of Rockford, Ill.; Morton S. Jaffe, of Philadelphia, Pa.; Thomas E. Delahunt, of Buffalo, N. Y.; and Thomas Broughton Branch, Jr., of Atlanta, Ga., were admitted to practice.

No. 119. Louise M. Wissner and Leondous H. Wissner, appellants, *v.* Margaret Wissner. Argument continued by Mr. Carlos J. Badger for the appellants; by Mr. Morton Hollander for The United States, as *amicus curiae*, by special leave of Court; by Mr. Leslie A. Cleary for the appellee; and concluded by Mr. Carlos J. Badger for the appellants.

No. 334. The United States of America, appellant, *v.* Shoreline Cooperative Apartments, Inc., a Corporation, et al. Argued by Mr. Solicitor General Perlman for the appellant and by Mr. Mayer Goldberg and Mr. George S. Stansell for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 8, will be as follows: Nos. 96 (58 and 79), 83, 221, 214, 157 (158 and 159), 147, 178, 171 (and 188), 217, and 273 (and 274).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

William J. Millard, Jr., of Olympia, Wash.; John C. Bryan, of Washington, D. C.; J. W. Brown, of Cincinnati, Ohio; George L. Sneed, of Bartlesville, Okla.; John E. Bergener, of Washington, D. C.; Sigfrid E. Floren, of Oklahoma City, Okla.; and Aida Casanas Marengo, of Rio Piedras, P. R., were admitted to practice.

No. 263, Misc. In the matter of Admiral Dewey Adamson, petitioner. Application for a stay of execution of the sentence of death denied. Mr. Justice Black is of the opinion the application should be granted.

No. 96. R. M. Powell et al., petitioners, *v.* The United States Cartridge Company;

No. 58. Roy Creel et al., petitioners, *v.* Lone Star Defense Corporation; and

No. 79. Julia Rhoda Aaron, etc., et al., petitioners, *v.* Ford, Bacon and Davis, Incorporated. Argument commenced by Mr. Thomas Bond for the petitioners in No. 96; continued by Miss Bessie Margolin for The United States, as amicus curiae, by special leave of Court; by Mr. June P. Wooten for the petitioners in No. 79; by Mr. William L. Marbury for the respondents; by Mr. Robert H. McRoberts for the respondent in No. 96; and by Mr. Otto Atchley for the respondent in No. 58.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, December 9, will be as follows: Nos. 96 (58 and 79), 83, 221, 214, 157 (158 and 159), 147, 178, 171 (and 188), 217, and 273 (and 274).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Hawley C. Kerr, of Tulsa, Okla.; J. Howard Decker, of Los Angeles, Calif.; Gerald F. Krassa, of New York City; and Everett H. Roan, of San Francisco, Calif., were admitted to practice.

No. 96. R. M. Powell et al., petitioners, *v.* The United States Cartridge Company;

No. 58. Roy Creel et al., petitioners, *v.* Lone Star Defense Corporation; and

No. 79. Julia Rhoda Aaron, etc., et al., petitioners, *v.* Ford, Bacon and Davis, Incorporated. Argument continued by Mr. E. L. McHaney, Jr., for the respondent in No. 79 and concluded by Miss Bessie Margolin for The United States, as *amicus curiae*, by special leave of Court, and case submitted by Mr. C. M. Kenney and Mr. Pat Coon for the petitioners in No. 58.

No. 83. Regents of the University System of Georgia, petitioner, *v.* W. E. Carroll, Clarence H. Calhoun, Mrs. Hattie J. Pickard, et al. Argued by Mr. Hamilton Lokey for the petitioner; by Mr. Max Goldman for the Federal Communications Commission, as *amicus curiae*, by special leave of Court, and by Mr. James A. Branch for the respondents.

No. 221. Skelly Oil Company et al., petitioners, *v.* Phillips Petroleum Company. Argued by Mr. Charles L. Black for the petitioners and by Mr. Harry D. Turner for the respondent.

Adjourned until Monday, December 12, next, at 12 o'clock.

The day call for Monday, December 12, will be as follows: Nos. 214, 157 (158 and 159), 147, 171 (and 188), 178, 217, 273 (and 274), 230, and 98 (and 99).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Stewart Cureton, of Santa Cruz, Calif.; Allen G. West, of Oklahoma City, Okla.; Charles B. Niebling, of Newark, N. J.; Lester E. Wills, of Meridian, Miss.; Manuel Carranza Gamboa, of Washington, D. C.; Hugh Roberts Hoval Smith, of Washington, D. C.; Thomas Jackson Barnett, of Chicago, Ill.; Edward H. Baker, Jr., of Chicago, Ill.; Stuart Nash Scott, of New York City; Roy M. D. Richardson, of New York City; Floyd J. Stuppi, of Chicago, Ill.; Harry Farrar Stiles, Jr., of New Orleans, La.; Clarence G. Miles, of Lincoln, Nebr.; John Roger Montgomery, of Portland, Oreg.; John E. Jacobson, of Lincoln, Nebr.; Albert M. Kuhfeld, of Beach, N. Dak.; Nathan H. Sirota, of New York City; Clifford Charles Comisky, of Portland, Oreg.; William Henry Markus, of Pittsburgh, Pa.; and John Lester Miller, of Pittsburgh, Pa., were admitted to practice.

No. 39. The United States, petitioner, *v.* The Toronto, Hamilton and Buffalo Navigation Company. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded for further proceedings in the light of the opinion of this Court. Opinion by Mr. Justice Clark. Concurring opinion by Mr. Justice Frankfurter. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 75. Wilmette Park District, petitioner, *v.* Nigel D. Campbell, Collector of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Northern District of Illinois. Opinion by Mr. Justice Clark. Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this case.

No. 56. Sarah O'Donnell, Administratrix of the Estate of William O'Donnell, Deceased, petitioner, *v.* Elgin, Joliet and Eastern Railway Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment of Court of Appeals reversed

with costs and case remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Reed concurs. Mr. Justice Frankfurter, Mr. Justice Douglas, and Mr. Justice Minton took no part in the consideration or decision of this case.

No. 35. The United States of America, petitioner, *v.* Aetna Casualty and Surety Company. On writ of certiorari to the United States Court of Appeals for the Second Circuit;

No. 36. The United States of America, petitioner, *v.* World Fire and Marine Insurance Company. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit;

No. 37. The United States of America, petitioner, *v.* Yorkshire Insurance Company; and

No. 38. The United States of America, petitioner, *v.* The Home Insurance Company. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment in each case affirmed. Case 35 is remanded to the United States District Court for the Eastern District of New York. Case 36 is remanded to the United States District Court for the District of New Mexico. Cases 37 and 38 are remanded to the United States District Court for the District of New Jersey. Opinion by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of these cases.

The Chief Justice announced the following orders of the Court:

No. 334. The United States of America, appellant, *v.* Shoreline Cooperative Apartments, Inc., a Corporation, et al. Appeal from the United States District Court for the Northern District of Illinois. *Per curiam*: The judgment is reversed. *Woods v. Miller Co.*, 333 U. S. 138.

No. 447. Land O'Lakes Dairy Company, appellant, *v.* County of Wadena and State of Minnesota. Appeal from the Supreme Court of Minnesota. *Per curiam*: The motion to affirm is granted and the judgment is affirmed. *S. R. A., Inc. v. Minnesota*, 327 U. S. 558; *Oklahoma Tax Comm'n v. Texas Co.*, 336 U. S. 342.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 60. Julius A. Krug, Department of Interior, petitioner, *v.* Sheridan-Wyoming Coal Company, Inc. On consideration of the suggestion of a diminution of the record and a motion for a writ of certiorari in that relation, the motion for certiorari is denied.

No. 60. Julius A. Krug, Department of Interior, petitioner, *v.* Sheridan-Wyoming Coal Company, Inc. The motion to substitute Oscar L. Chapman as the party petitioner in the place and stead of Julius A. Krug is granted.

No. 456. The International Union of United Automobile, Aircraft and Agricultural Implement Workers of America, C. I. O., et al., appellants, *v.* Gerald K. O'Brien, Wayne County Prosecuting Attorney, et al. In this case probable jurisdiction is noted.

No. 419. Plankinton Packing Company, petitioner, *v.* Wisconsin Employment Relations Board et al. Petition for writ of certiorari to the Supreme Court of Wisconsin granted.

No. 438. Order of Railway Conductors of America, an Unincorporated Association, petitioner, *v.* Southern Railway Company, a Corporation Organized and Existing Under the Laws of the State of Virginia. The petition for writ of certiorari to the Supreme Court of South Carolina is granted and the case is transferred to the summary docket and assigned for argument immediately following No. 391.

No. 410. Ryan Stevedoring Company, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 412. Margaret Shields and Henry K. Shields, By His Mother and Next Friend Margaret Shields, petitioners, *v.* The United States of America and War Shipping Administration. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 413. National Labor Relations Board, petitioner, *v.* The Ohio Power Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No 423. Interstate Equipment Corporation, petitioner, *v.* Hartford Accident and Indemnity Company, To the Use of Esther F. Silva et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 424. Interstate Equipment Corporation, petitioner, *v.* United States District Court for the District of New Jersey et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 425. The Homeworkers' Handicraft Cooperative and Millhiser Bag Company, petitioners, *v.* William R. McComb, Administrator of

the Wage and Hour Division, United States Department of Labor. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 437. Belle W. Baruch, petitioner, *v.* Beech Aircraft Corporation. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 358. J. S. Casselman, James D. Towne, J. E. Abel, and George Hill, petitioners, *v.* State of Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied. Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Burton are of the opinion certiorari should be granted.

No. 406. Independence Lead Mines Company, petitioner, *v.* Alma R. Kingsbury and Olga Marquardt; and

No. 179, Misc. Independence Lead Mines Co., petitioner, *v.* Alma R. Kingsbury et al. In No. 406 the petition for writ of certiorari to the Court of Appeals for the Ninth Circuit is denied. In No. 179, Misc. the motion for leave to file petition for writ of certiorari is denied.

No. 422. Bolitha J. Laws, Chief Judge, et al., Comprising the United States District Court for the District of Columbia, petitioners, *v.* John W. Carter. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 40. The United States of America and Interstate Commerce Commission, appellants, *v.* The Capital Transit Company et al.;

No. 41. Washington, Virginia, and Maryland Coach Company, Inc., et al., appellants *v.* The Capital Transit Company et al.;

No. 363. Lynchburg Traffic Bureau, appellant, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 15, Misc. Johnnie F. Slaughter, petitioner, *v.* The United States of America; and

No. 55, Misc. Helen Maxine Castor, petitioner, *v.* The United States of America et al. The petitions for rehearing in these cases are severally denied.

No. 138, Misc. John Luther Lama, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 139, Misc. Ike Kostrow and Bernard J. Wollis, petitioners, *v.* Commonwealth of Virginia, ex rel. Virginia Oak Tannery, Inc. Petition for writ of certiorari to the Circuit Court of Page County and the Supreme Court of Appeals of Virginia denied.

No. 232, Misc. Hilbert Murray, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Williamson County, State of Illinois, denied.

No. 186, Misc. Cecil Lee Edgeman, petitioner, *v.* R. W. Alvis, Warden;

No. 231, Misc. Sam Wedgle, petitioner, *v.* The United States of America;

No. 234, Misc. In the Matter of Percy W. Whistler, petitioner; and

No. 248, Misc. Albert Van Pelt, petitioner, *v.* Joseph E. Ragen, Warden. The motions for leave to file petitions for writs of habeas corpus are severally denied.

No. 226, Misc. Sol Newstead, petitioner, *v.* Dr. Winfred Overholser. The motion for leave to file petition for writ of mandamus is denied.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which orders or judgments are this day announced.

The Court will take a recess from Monday, December 19, until Monday, January 9, 1950.

No. 214. The United States, petitioner, *v.* Cumberland Public Service Company, a Corporation. Argued by Mr. Hilbert P. Zarky for the petitioner and by Mr. Cornelius W. Grafton for the respondent.

No. 157. Civil Aeronautics Board, petitioner, *v.* State Airlines, Inc.;

No. 158. State Airlines, Inc., petitioner, *v.* Civil Aeronautics Board and Piedmont Aviation, Inc.; and

No. 159. Piedmont Aviation, Inc., petitioner, *v.* State Airlines, Inc. Argued by Mr. Frederick W. P. Lorenzen for State Airlines, Inc.; by Mr. Emory T. Nunneley, Jr., for the Civil Aeronautics Board; and by Mr Charles H. Murchison for Piedmont Aviation, Inc.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 13, will be as follows: Nos. 147, 171 (and 188), 178, 217, 273 (and 274), 230, and 98 (and 99).

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Nicholas Joseph Healy 3d, of New York City, was admitted to practice.

No. 147. New Jersey Realty Title Insurance Company, appellant, *v.* Division of Tax Appeals in the Department of Taxation and Finance of the State of New Jersey and the City of Newark. Argued by Mr. Walter Gordon Merritt for the appellant and by Mr. Vincent J. Casale for the appellee.

No. 171. The United States of America, appellant, *v.* Joe Burnison and Phil C. Katz, Public Administrator of the City and County of San Francisco; and

No. 188. The United States of America, appellant, *v.* Charles F. Gayetty et al. Argued by Mr. Melvin Richter for the appellant and by Mr. J. Harold Decker for the appellees.

No. 178. J. Baker Bryan, Sr., petitioner, *v.* The United States of America. Argument commenced by Mr. Carl J. Batter for the petitioner and continued by Miss Melva M. Graney for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 14, will be as follows: Nos. 178, 217, 273 (and 274), 230, and 98 (and 99).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Francis F. Carmichael, of Boston, Mass.; John C. Marchant, of Boston, Mass.; and Wilburn C. West, of Salt Lake City, Utah, were admitted to practice.

No. 178. J. Baker Bryan, Sr., petitioner, *v.* The United States of America. Argument continued by Miss Melva M. Graney for the respondent and concluded by Mr. Carl J. Batter for the petitioner.

No. 217. The United States of America, petitioner, *v.* Alexander Lawrence Alpers. Argued by Mr. Joseph W. Bishop for the petitioner and case submitted by Mr. A. J. Zirpoli for the respondent.

No. 273. The United States of America, petitioner, *v.* Morton Salt Company; and

No. 274. The United States of America, petitioner, *v.* International Salt Company. Argued by Mr. Philip Elman for the petitioner; by Mr. L. M. McBride for the respondent in No. 273 and by Mr. Frederic R. Sanborn for the respondent in No. 274.

No. 230. Swift and Company Packers et al., petitioners, *v.* Compania Colombiana Del Caribe, S. A. Argument commenced by Mr. Eberhard P. Deutsch for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 15, will be as follows: Nos. 230 and 98 (and 99).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Roy P. Swanson, of Kansas City, Mo., was admitted to practice.

No. 230. Swift and Company Packers et al., petitioners, *v.* Compania Colombiana Del Caribe, S. A. Argument continued by Mr. Eberhard P. Deutsch for the petitioners; by Mr. Nicholas J. Healy, Jr., for the respondent, and concluded by Mr. Eberhard P. Deutsch for the petitioners.

No. 98. The United States of America, petitioner, *v.* Ernestina G. Fleischman; and

No. 99. The United States of America, petitioner, *v.* Helen R. Bryan. Argued by Mr. Solicitor General Perlman for the petitioner and by Mr. O. John Rogge and Mr. Benedict Wolf for the respondents.

Adjourned until Monday, December 19, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Leonard R. Posner, of Hartford, Conn.; C. E. Ram Morrison, of Oklahoma City, Okla.; Donald H. Dalton, of Washington, D. C.; Cyrus Austin, of New York City; Abraham Lillienthal, of New York City; Albert B. Maginnes, of New York City; J. Quincy Hunsicker 3d, of New York City; E. E. Naylor, of Washington, D. C.; J. Neil Morton, of St. Paul, Minn.; Arnold Forster, of New York City; Seneca B. Anderson, of Dedham, Mass.; and Waldo Noyes, of Weston, Mass., were admitted to practice.

No. 23. Neroy Carter, petitioner, *v.* Atlanta and Saint Andrews Bay Railway Company, a Body Corporate. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Middle District of Alabama for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting: Mr. Justice Reed. Separate opinion by Mr. Justice Frankfurter stating writ of certiorari should be dismissed as improvidently granted. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 271. Alcoa Steamship Company, Inc., petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Reed. Dissenting: Mr. Justice Frankfurter and Mr. Justice Burton. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 464. O. C. Wiley and Sons, Incorporated, appellant, *v.* The United States of America and Interstate Commerce Commission. Appeal from the United States District Court for the Western District of Virginia. *Per curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 473. The United States of America, appellant, *v.* Dan Stefan. Appeal from the United States District Court for the Northern District of Illinois. *Per curiam*: The judgment is reversed. United States *v.* Shoreline Cooperative Apartments, No. 334, October Term, 1949, decided December 12, 1949.

No. 379. Victor Hubsch, petitioner, *v.* The United States of America; and

No. 380. Margaret Schweitzer, petitioner, *v.* The United States of America. On application of petitioners and the Solicitor General for approval of settlement. *Per curiam*: We granted writs of certiorari in these cases, —U. S.—, to review a decision of the Court of Appeals for the Fifth Circuit affirming judgments of the District Court for the Southern District of Florida in favor of the United States on claims arising under the Federal Tort Claims Act. Before argument, petitioners and the Solicitor General submitted a joint application for approval of proposed settlements of the claims, citing 28 U. S. C. § 2677, which reads as follows:

“The Attorney General, with the approval of the court, may arbitrate, compromise, or settle any claim cognizable under section 1346 (b) of this Title (suits under the Tort Claims Act), after commencement of an action thereon.”

We construe § 2677 as imposing on the District Court the authority and responsibility for passing on proposed compromises, notwithstanding the judgments of the Court of Appeals affirming the judgments of the District Court heretofore entered herein. The application and stipulations are therefore referred to the United States District Court for the Southern District of Florida with authority to consider and dispose of the same.

The Chief Justice said:

“The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

No. 12, Original. The United States of America, plaintiff, *v.* The State of Louisiana; and

No. 13, Original. The United States of America, plaintiff, *v.* The State of Texas. The supplemental motion of Annie C. Lewis et al., for leave to file bill of complaint is denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 456. The International Union of United Automobile, Aircraft and Agricultural Implement Workers of America, C.I.O., et al., appellants, *v.* Gerald K. O'Brien, Wayne County Prosecuting At-

torney, et al. The motion of the National Labor Relations Board for leave to appear and present oral argument as *amicus curiae* is granted.

No. 460. Jiffy Lubricator Company, Inc., petitioner, *v.* Stewart-Warner Corporation. The motion of petitioner for leave to file brief in support of petition for writ of certiorari on or before December 24, next, is granted.

No. 449. Building Service Employees International Union, Local 262, et al., petitioners, *v.* W. L. Gazzam. Petition for writ of certiorari to the Supreme Court of Washington granted.

No. 309. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers Union, Local 309, et al., petitioners, *v.* A. E. Hanke et al., Co-Partners, D. B. A. Atlas Auto Rebuild. Petition for writ of certiorari to the Supreme Court of Washington granted and case transferred to the summary docket and assigned for argument immediately following No. 449.

No. 364. Automobile Drivers and Demonstrators Local Union No. 882 et al., petitioners, *v.* George E. Cline. Petition for writ of certiorari to the Supreme Court of Washington granted and case transferred to the summary docket and assigned for argument immediately following No. 309.

No. 374. Andrew J. Moloney, petitioner, *v.* Marjorie H. Moloney (Ailworth). Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 377. The United States, petitioner, *v.* William Winters and John T. Payne, Co-Partners Doing Business Under the Firm Name and style of William Winters and Co. Petition for writ of certiorari to the Court of Claims denied.

No. 381. Gauley-Eagle Coal and Coke Company, petitioner, *v.* T. J. Blair, Jr., et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 429. Annie Mary Timmons, petitioner, *v.* J. D. Fagan. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 430. The United States of America, On Relation of James W. Mobley, Relator, petitioner, *v.* General Thomas T. Handy, Commanding Officer, Fort Sam Houston. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 436. Mario Morano, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 439. William Heyman and Lydia Vogel Heyman, petitioners, *v.* Commissioner of Internal Revenue; and

No. 440. Lydia Vogel Heyman, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 441. Arrow Stevedoring Company, petitioner, *v.* The United States of America; and

No. 442. Arrow Stevedoring Company, petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 443. Titusville Dairy Products Company, petitioner, *v.* Charles F. Brannan, Secretary of Agriculture of the United States. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 444. California State Automobile Association, petitioner, *v.* James G. Smyth, Collector of Internal Revenue of the First Internal Revenue Collection District of California. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 446. Earl Guy, petitioner, *v.* L. F. Utecht, Warden of State Prison, Stillwater, Minnesota. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 6, Misc. Eugene Barrigar, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Adams County, State of Illinois, denied.

No. 10, Misc. Oliver Snell, petitioner, *v.* Nathan Mayo, as Prison Custodian. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 44, Misc. Dell Texas Dalton, petitioner, *v.* Walter A. Hunter, Warden. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 49, Misc. R. V. Prince, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 78, Misc. Carl Edmond Owens, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 94, Misc. Edward S. Wetherbee, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 140, Misc. Simon Adams, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 183, Misc. Howard D. Gibson, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 196, Misc. Clifford A. Reanier, petitioner, *v.* Tom Smith, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 204, Misc. Matthew Miller, petitioner, *v.* Steamer "Sultana." Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 227, Misc. James I. Caviness, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 228, Misc. Bernard M. Shotkin, petitioner, *v.* W. F. Perkins et al. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 230, Misc. Don Westenhaver, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Shelby County, State of Illinois, denied.

No. 238, Misc. James Johnson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 239, Misc. Steve G. Reeves, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 240, Misc. Bernard M. Shotkin, etc., petitioner, *v.* W. F. Perkins. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 245, Misc. Emanuel Perrozzi, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 249, Misc. Carlton Joseph Sherlock, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Stark County, State of Illinois, denied.

No. 250, Misc. Gilbert Joseph Stinchcomb, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 235, Misc. George Foley, petitioner, *v.* J. Earl Major, Chief Judge and Circuit Judges of the United States Court of Appeals for the Seventh Circuit. The motion for leave to file petition for writ of mandamus is denied.

No. **242**, Misc. Charles Montgomery, petitioner, *v.* People of the State of North Carolina. The motion for leave to file petition for writ of habeas corpus is denied.

No. **372**, Misc., October Term, 1948. Julius Bernard Sherman, petitioner, *v.* Joseph E. Ragen, Warden et al. The motion to transfer this case to the United States District Court is denied.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

Adjourned until Monday, January 9, next, at 12 o'clock.

The day call for Monday, January 9, 1950, will be as follows: Nos. **60, 107, 113** (and **114**), **156** (and **163**), **293, 302, 337**, and **378**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

William H. Van Oosterhout, of Chicago, Ill.; Joe Hatfield, of West Palm Beach, Fla.; Clarence A. Bernhard, of Rockville, Md.; Samuel A. Cohen, of New York City; John Yonco, of Chicago, Ill.; Pierre W. Evans, of Elmira, N. Y.; John Van Brunt, Jr., of Wilmington, Del.; Clair John Killoran, of Wilmington, Del.; Abraham J. Walcoff, of Atlanta, Ga.; David Wright, Jr., of Baltimore, Md.; William D. Gunn, of Minneapolis, Minn.; Harry Pollock, of Pittsburgh, Pa.; Leonard Marshall, of Washington, D. C.; and Edward A. Goggin, of Oakland, Calif., were admitted to practice.

No. 48. Rosette Sorge Savorgnan, petitioner, *v.* The United States of America, J. Howard McGrath, The Attorney General of the United States of America, et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Wisconsin. Opinion by Mr. Justice Burton. Dissenting: Mr. Justice Frankfurter and Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 214. The United States, petitioner, *v.* Cumberland Public Service Company, a Corporation. On writ of certiorari to the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 97. The United States, petitioner, *v.* Jeff W. Moorman and James C. Moorman, Co-partners, Doing Business As J. W. Moorman & Son. On writ of certiorari to the Court of Claims. Judgment reversed and case remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 71. Federal Power Commission, petitioner, *v.* East Ohio Gas Company et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the United States Court of Appeals for the District of Columbia Circuit for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting

opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins. Mr. Justice Douglas and Mr. Justice Burton took no part in the consideration or decision of this case.

No. 59. *Reo Motors, Inc., petitioner, v. Commissioner of Internal Revenue.* On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed and case remanded to the United States Court of Appeals for the Sixth Circuit. Opinion by Mr. Chief Justice Vinson. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following order of the Court:

No. 69. *Jesse Miller Sinclair, petitioner, v. The United States of America.* On writ of certiorari to the Court of Appeals for the Third Circuit. *Per curiam:* The judgment is reversed. *United States v. Limehouse*, 285 U. S. 424; *Swearingen v. United States*, 161 U. S. 446.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 25. *Elmer W. Henderson, appellant, v. The United States et al.* The motion for leave to file brief of Anti-Defamation League of B'Nai B'Rith and American Jewish Committee as amici curiae is denied.

No. 25. *Elmer W. Henderson, appellant, v. The United States et al.* The motion of Sam Hobbs for leave to appear and present oral argument as amicus curiae is granted.

No. 107. *Standard Oil Company, petitioner, v. Federal Trade Commission.* The motions for leave to appear and present oral argument on behalf of Retail Gasoline Dealers Association et al., and Empire State Petroleum Association et al., as amici curiae are granted.

No. 302. *District of Columbia, petitioner, v. Geraldine Little, alias Mildred Parker.* The motion for leave to appear and present oral argument on behalf of National Institute of Municipal Law Officers as amicus curiae is granted.

No. 373. *Martin Ludwig Cohnstaedt, petitioner, v. Immigration and Naturalization Service, etc.* This case is ordered transferred to the summary docket.

No. 490. *The United States, appellant, v. Cotton Valley Operators Committee et al.* In this case probable jurisdiction is noted. Mr. Justice Clark took no part in the consideration or decision of this question.

No. 434. National Labor Relations Board, petitioner, *v. Mexia Textile Mills, Inc.* Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted and case transferred to the summary docket.

No. 435. National Labor Relations Board, petitioner, *v. Pool Manufacturing Company.* Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted and case transferred to the summary docket.

No. 445. Brown Shoe Company, Inc., petitioner, *v. Commissioner of Internal Revenue.* Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit granted.

No. 376. Keyes C. Gaynor, petitioner, *v. Metals Reserve Company.* Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 416. William T. Burton, petitioner, *v. The United States;*

No. 417. Joe T. Cawthorn, petitioner, *v. The United States;* and

No. 418. Marcel F. LaBranche, petitioner, *v. The United States.* Petitions for writs of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 431. National Labor Relations Board, petitioner, *v. Atlanta Metallic Casket Company.* Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 432. National Labor Relations Board, petitioner, *v. Wilson and Company, Inc.* Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 433. National Labor Relations Board, petitioner, *v. Massey Gin and Machine Works, Inc.* Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 450. Morris Eisenberg, petitioner, *v. Commissioner of Internal Revenue;* and

No. 451. Herman Schaeffer, petitioner, *v. Commissioner of Internal Revenue.* Petition for writs of certiorari to the Court of Appeals for the Third Circuit denied.

No. 452. Jeremiah McCarthy, petitioner, *v. American Eastern Corporation.* Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 457. Chester Walker Colgrove et al., petitioners, *v. The United States.* Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 458. Colusa Remedy Company, Intervenor, petitioner, *v. The United States.* Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 459. Margaret I. Riley, petitioner, *v.* Union Pacific Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 461. The Apex Smelting Company, petitioner, *v.* William S. Burns et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 462. Simpson Bros., Inc., petitioner, *v.* District of Columbia. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 465. Bernard Newyahr, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 469. William Turpin, Jr., petitioner, *v.* State of Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 474. Walter N. Smith et al., petitioners, *v.* Hon. William O'Dwyer, Mayor of the City of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 493. Granat Bros. et al., petitioners, *v.* Ralph D. Gomez et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit.

No. 300. State of Maryland, petitioner, *v.* Baltimore Radio Show, Inc., et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Mr. Justice Frankfurter has filed an opinion respecting the denial of the petition for writ of certiorari.

No. 393. J. D. Pedigo et al., petitioners, *v.* Celanese Corporation of America;

No. 394. A. C. Carroll et al., petitioners, *v.* Celanese Corporation of America;

No. 395. S. T. Alred et al., petitioners, *v.* Celanese Corporation of America;

No. 396. Lowell E. Womack, petitioner, *v.* Celanese Corporation of America;

No. 397. S. T. Alred et al., petitioners, *v.* Celanese Corporation of America;

No. 398. J. D. Pedigo et al., petitioners, *v.* Celanese Corporation of America; and

No. 399. Lowell E. Womack, petitioner, *v.* Celanese Corporation of America. Petition for writs of certiorari to the Supreme Court of Georgia denied. Mr. Justice Black thinks petitioners were denied due process of law and that the petition should be granted.

No. 1210, October Term, 1945. Paul Ginsburg, petitioner, *v.* Charles H. Sachs et al. The second petition for rehearing is denied.

No. 53. Lawrence C. Kingsland, Commissioner of Patents, petitioner, *v.* Vernon M. Dorsey;

No. 245. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation, appellant *v.* City of Porterville et al.;

No. 315. American Eastern Corporation, petitioner, *v.* Jeremiah McCarthy;

No. 329. Morris Klein, petitioner, *v.* The United States; and

No. 330. Harry Burke, petitioner, *v.* The United States;

No. 334. The United States, appellant, *v.* Shoreline Co-operative Apartments, Inc., et al.;

No. 365. Eleptheoris Kofouros et al., petitioners, *v.* Theodor Giannoutsos et al.;

No. 388. Nicholas Korthinos et al., petitioners, *v.* S. S. Niarchos, as owner, etc., and

No. 389. Petros Maleuris et al., petitioners, *v.* Anthony G. Papadakis, as owner, etc. The petitions for rehearing in these cases are severally denied.

No. 317. Friedrich Flick, petitioner, *v.* Louis A. Johnson, Secretary of Defense, et al. The petition for rehearing is denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 368. Louis H. Rosenblum, petitioner, *v.* The United States;

No. 369. Max Stryk, petitioner, *v.* The United States; and

No. 370. Jacob Weiss, petitioner, *v.* The United States. The petition for rehearing is denied. Mr. Justice Minton took no part in the consideration or decision of this application.

No. 400. Fifth and Walnut, Inc., et al., petitioners, *v.* Loew's Incorporated, et al. The petition for rehearing is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 42, Misc. Edmond Arthur Rohde, petitioner, *v.* People of the State of Illinois. The petition for rehearing is denied.

No. 81, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney et al. The second petition for rehearing is denied.

No. 215, Misc. Wallace James Cruse, petitioner, *v.* Joseph E. Ragen, Warden. The petition for rehearing is denied.

No. 68, Misc. Bruce Allen Gresham, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 159, Misc. John Robert Atherton et al., petitioners, *v.* The United States, and

No. 160, Misc. George Calvin Edwards et al., petitioners, *v.* The United States. Petitions for writs of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 197, Misc. Edwin C. M. Dickey, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 251, Misc. Leon H. Pyeatte, petitioner, *v.* C. J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 253, Misc. Ernest George Bland, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Forty-sixth Judicial District Court of Hardeman County, Texas, denied.

No. 256, Misc. John McCann, petitioner, *v.* New York State Board of Parole. Petition for writ of certiorari to the New York State Board of Parole denied.

No. 258, Misc. Edwin Hilt, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 259, Misc. Robert Farmer, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 260, Misc. Wallace Phillips, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Edgar County, Illinois, denied.

No. 268, Misc. W. H. Nicholas, petitioner, *v.* John R. Cranor, Superintendent. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 254, Misc. Henry Schectman, petitioner, *v.* John F. Foster, Warden. The motion for leave to file petition for writ of certiorari is denied.

No. 257, Misc. Jack O'Lee Young, petitioner, *v.* Browning Robinson, Warden;

No. 273, Misc. Sylvester Brown, petitioner, *v.* State of Minnesota; and

No. 274, Misc. William D. Bridge, petitioner, *v.* Dr. J. Leroy Wright, Warden. The motions for leave to file petitions for writs of habeas corpus are severally denied.

No. 262, Misc. Frank Hynes, Regional Director, etc., petitioner, *v.* The Hon. Harry E. Pratt, Judge, etc. The motion for leave to file petition for writ of mandamus is denied. *Ex parte* Fahey, 332 U. S. 258.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

The Court will take a recess from Monday, January 16, until Monday, February 6, next.

No. 60. Oscar L. Chapman, Department of Interior, petitioner, *v.* Sheridan-Wyoming Coal Company, Inc. Argued by Mr. Roger P. Marquis for the petitioner and by Mr. T. Peter Ansberry for the respondent.

No. 107. Standard Oil Company, petitioner, *v.* Federal Trade Commission. Argument commenced by Mr. Howard Ellis for the petitioner and continued by Mr. William Simon for Empire State Petroleum Association, Inc., et al., as amici curiae, by special leave of Court.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 10, will be as follows: Nos. 107, 113 (and 114), 156 (and 163), 293, 302, and 337.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

William L. Weiss, of Saint Louis, Mo.; Irwin N. Wilpon, of Brooklyn, N. Y.; Giles Morrow, of Washington, D. C.; and Roger Paul Peters, of Notre Dame, Ind., were admitted to practice.

No. 107. Standard Oil Company, petitioner, *v.* Federal Trade Commission. Argument continued by Mr. James W. Cassedy for the respondent; by Mr. Cyrus Austin for Retail Gasoline Dealers Association of Michigan, Inc., et al., as amici curiae, by special leave of Court, and concluded by Mr. Howard Ellis for petitioner.

No. 113. The United States of America and Interstate Commerce Commission, appellants, *v.* Pacific Coast Wholesalers' Association et al.; and

No. 114. Freight Forwarders Institute, appellant, *v.* Pacific Coast Wholesalers' Association et al. Argued by Mr. J. Roger Wollenberg for appellants in No. 113 and by Mr. Harry C. Ames for appellant in No. 114. The Court declined to hear further argument.

No. 156. The United States, petitioner, *v.* Commodities Trading Corporation et al.; and

No. 163. Commodities Trading Corporation et al., petitioners, *v.* The United States. Argument commenced by Mr. Edward L. Blackman for the Commodities Trading Corporation et al., and continued by Mr. Oscar H. Davis for the United States.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 11, will be as follows: Nos. 156 (and 163), 293, 302, and 337.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Herman Lazarus, of Bethesda, Md.; Carl M. Gould, of Los Angeles, Calif.; Frank C. Lyons, of Cleveland, Ohio; Hercules V. Galie, of Alexandria, Va.; Arthur J. Goldsmith, of New York City; Jerold B. Sindler, of Bishopville, S. C.; and James J. Waters, of Kansas City, Mo., were admitted to practice.

No. 156. The United States, petitioner, *v.* Commodities Trading Corporation et al.; and

No. 163. Commodities Trading Corporation et al., petitioners, *v.* The United States. Argument continued by Mr. Oscar H. Davis for the United States and concluded by Mr. Edward L. Blackman for the Commodities Trading Corporation et al.

No. 293. The United States of America, petitioner, *v.* Albert J. Rabinowitz. Argued by Mr. Solicitor General Perlman for the petitioner and by Mr. Abraham Lillienthal for the respondent.

No. 302. District of Columbia, petitioner, *v.* Geraldine Little, alias Mildred Parker. Argument commenced by Mr. Chester H. Gray for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 12, will be as follows: Nos. 302 and 337.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Homer Thornberry, of Austin, Tex.; Dailey S. Stafford, of Los Angeles, Calif.; and Leo A. Diamond, of New York City, were admitted to practice.

No. 302. District of Columbia, petitioner, *v.* Geraldine Little, alias Mildred Parker. Argument continued by Mr. Chester H. Gray for the petitioner; by Miss Anne X. Alpern for the National Institute of Municipal Law Officers, as *amicus curiae*, by special leave of Court; and concluded by Mr. Jeff Busby for the respondent.

Adjourned until Monday, January 16, next.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Louis P. Miller, of Chicago, Ill.; James E. Hale, of Columbus, Ohio; John I. Pierce, of Richmond, Calif.; Albert B. Monaco, of Pittsburgh, Pa.; Fentress Bracewell, of Houston, Tex.; Francis X. Ward, of Indianapolis, Ind.; Paul Cooper Akin, of Los Angeles, Calif.; William E. Torkelson, of Madison, Wis.; Wayt B. Timberlake, Jr., of Staunton, Va.; Israel Packel, of Philadelphia, Pa.; S. L. Wright, of Dallas, Tex.; and Moses M. Falk, of New York City, were admitted to practice.

No. 54. The United States of America, ex rel. Ellen Knauff, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Black and Mr. Justice Frankfurter join. Dissenting opinion by Mr. Justice Frankfurter. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 178. J. Baker Bryan, Sr., petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of the Court of Appeals affirmed and case remanded to the United States District Court for the Southern District of Florida. Opinion by Mr. Justice Minton. Mr. Justice Black and Mr. Justice Reed would affirm with a modification of the judgment to remand to the District Court to decide whether a judgment of acquittal should be entered or a new trial ordered. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 3. The United States of America, ex rel. Richard Eichenlaub, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization, etc.; and

No. 82. The United States of America, ex rel. Otto A. Willumeit, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization Service. On writs of certiorari to

the United States Court of Appeals for the Second Circuit. Judgment of the Court of Appeals in each case affirmed and cases remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Black and Mr. Justice Jackson join. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of these cases.

No. 150. Albert G. Dickinson, petitioner, *v.* Petroleum Conversion Corporation. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment denying motion to dismiss appeal of Petroleum Conversion Corporation reversed with costs and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court :

No. 472. Betty Stoddard Horn et al., etc., appellants, *v.* City of Chicago. Appeal from the Supreme Court of Illinois. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied.

No. 176, Misc. Emory C. Burke, petitioner, *v.* State of Georgia. On petition for writ of certiorari to the Supreme Court of Georgia. *Per curiam*: This is a petition for certiorari to review a decision of the Supreme Court of Georgia affirming denial of a motion to set aside a conviction made on the ground that into the conviction entered perjured testimony knowingly used by the prosecution. 54 S. E. 2d 348. Assuming that this decision denies to petitioner any relief whatever in the State courts unless the requirements of § 110-706 of the Georgia Code are satisfied, the petition for writ of certiorari is herewith denied, without prejudice to petitioner to seek in the appropriate United States District Court in Georgia whatever relief, if any, may be required by *Mooney v. Holohan*, 294 U. S. 103.

The Chief Justice said :

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 13, Original. The United States of America, plaintiff, *v.* State of Texas. The motion for leave to file defendant's first amended

answer is granted. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application. This case and No. 12, Original, The United States of America, plaintiff, *v.* State of Louisiana, are reassigned for argument on Monday, March 13, next.

No. 419. Plankinton Packing Company, petitioner, *v.* Wisconsin Employment Relations Board, et al. The motion of the Solicitor General on behalf of the National Labor Relations Board for leave to appear and present oral argument as *amicus curiae* is granted.

No. 539. Colonial Airlines, Inc., appellant, *v.* Russell B. Adams, Joseph J. O'Connell, Jr., et al. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits.

No. 455. Automatic Radio Manufacturing Company, Inc., petitioner, *v.* Hazeltine Research, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 426. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local Union No. 390, American Federation of Labor, et al., petitioners, *v.* J. Tom Watson, Attorney General of the State of Florida, and Maule Industries, Inc. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 466. S. H. Stevens, et al., copartners doing business under the firm name and style of Sleet Shaver Mfg. Co., petitioners, *v.* Federal Cartridge Corporation, a corporation doing business as Twin Cities Ordnance Plant. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 471. Curtis Courant, petitioner, *v.* International Photographers of the Motion Picture Industry, Local 659, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 477. Combined Metals Reduction Company, petitioner, *v.* Nevada Half Moon Mining Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 12, Original. The United States of America, plaintiff, *v.* State of Louisiana; and

No. 13, Original. The United States of America, plaintiff, *v.* State of Texas. The petition of Agnes E. and Annie C. Lewis for rehearing is denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 56. Sarah O'Donnell, Administratrix of the Estate of William O'Donnell, deceased, petitioner, *v.* Elgin, Joliet and Eastern Railway Company. The petition for rehearing is denied. Mr. Justice Frankfurter and Mr. Justice Minton took no part in the consideration or decision of this application.

No. 430. The United States of America, on relation of James W. Mobley, Relator, petitioner, *v.* General Thomas T. Handy, Commanding Officer, Fort Sam Houston;

No. 447. Land O'Lakes Dairy Company, appellant, *v.* County of Wadena and State of Minnesota; and

No. 205, Misc. Dexter C. Dayton, petitioner, *v.* Walter A. Hunter, Warden. The petitions for rehearing in these cases are severally denied.

No. 180, Misc. Samuel D. Collins, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit, denied.

No. 223, Misc. Jack Lester Chapman, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal, First Appellate District of California, denied.

No. 224, Misc. Angelo de Luca, petitioner, *v.* Atlantic Refining Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit, denied.

No. 237, Misc. Earl Hardgrave, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 266, Misc. Fred H. Putnam, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 269, Misc. Edward O. Saxton, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois, Circuit Court of Will County, Illinois, and Circuit Court of Kane County, Illinois, denied.

No. 270, Misc. Joseph Bernovich, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois, denied.

No. 272, Misc. Cecil Swain, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 277, Misc. Louis Berman, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 280, Misc. Paul Peters, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 283, Misc. Dorsey Edmondson, petitioner, *v.* Dr. Leroy Wright, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 286, Misc. Robert DeWeese, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois, Circuit Court of Will County, Illinois, and Circuit Court of Rock Island County, Illinois, denied.

No. 288, Misc. Robert Taylor, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 252, Misc. Ivan Willis, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, Illinois; and

No. 281, Misc. Willie G. Scott, petitioner, *v.* Browning Robinson, Warden. On petition for writ of certiorari to the Circuit Court of Marion County, Illinois. The petition for writ of certiorari in each of these cases is denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

No. 287, Misc. William Walter Avelino, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied. The motion for leave to file petition for writ of habeas corpus is also denied.

No. 271, Misc. Allen Eason, petitioner, *v.* H. E. Moore, Warden. The motion for leave to file petition for writ of habeas corpus is denied.

No. 292, Misc. Leroy M. Simonson, petitioner, *v.* C. A. Robbins, Governor of Idaho, et al.;

No. 293, Misc. Scott W. Lantz, petitioner, *v.* T. Blake Kennedy, etc.; and

No. 295, Misc. Judith Coplon, petitioner, *v.* Honorable Albert L. Reeves et al. The motions for leave to file petitions for writs of mandamus are severally denied.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

Adjourned until Monday, February 6, next, at 12 o'clock.

The day call for Monday, February 6, will be as follows: Nos. 33, 359, 373, 378, 384, 403, 391, 438, 449, and 309.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Donald Edward Van Koughnet, of Washington, D. C.; Oliver Ainsworth Seaver, of Atlanta, Ga.; Don Eva, of Portland, Oreg.; Robt. H. Hare, of Saluda, S. C.; Ernest M. Causey, of Terre Haute, Ind.; John Wilson Ellis, of Atlanta, Ga.; Malcolm W. Monroe, of New Orleans, La.; Robert Marr, of Atlanta, Ga.; Hans G. Hoffmeister, of San Jose, Calif.; Robert J. McPeak, of Terre Haute, Ind.; Elizabeth Ridnour Haak, of New Orleans, La.; M. Truman Woodward, Jr., of New Orleans, La.; Wayne L. Benedict, of Washington, D. C.; John J. Dillon, of Chicago, Ill.; Merton E. Munson, of Lawton, Okla.; Noel Dyer, of San Francisco, Calif.; Steve Anderson, of Salem, Oreg.; Chas. A. Haskell, of Denver, Colo.; Arthur Cohen Katims, of Washington, D. C.; and George Hornecker, of Kansas City, Mo., were admitted to practice.

No. 217. The United States of America, petitioner, *v.* Alexander Lawrence Alpers. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of the Court of Appeals reversed and judgment of the District Court affirmed and case remanded to the United States District Court for the Northern District of California. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter and Mr. Justice Jackson concur. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 119. Louise M. Wissner and Leandous H. Wissner, appellants, *v.* Margaret Wissner. Appeal from the District Court of Appeal, Third Appellate District, State of California. Judgment reversed with costs and case remanded to said District Court of Appeal for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Frankfurter and Mr. Justice Jackson join. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 147. New Jersey Realty Title Insurance Company, appellant, *v.* Division of Tax Appeals in the Department of Taxation and Finance of the State of New Jersey and the City of Newark. Appeal from the Supreme Court of the State of New Jersey. Judgment reversed with costs and case remanded to said Supreme Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 60. Oscar L. Chapman, Department of Interior, petitioner, *v.* Sheridan-Wyoming Coal Company, Inc. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the Court of Appeals reversed and case remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Jackson. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 273. The United States of America, petitioner, *v.* Morton Salt Company; and

No. 274. The United States of America, petitioner, *v.* International Salt Company. On writs of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgments reversed and cases remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Jackson. Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of these cases.

No. 27. Secretary of Agriculture, petitioner, *v.* Central Roig Refining Company, Western Sugar Refining Company, et al.;

No. 30. Porto Rican American Sugar Refinery, Inc., petitioner, *v.* Central Roig Refining Company and Western Sugar Refining Company; and

No. 32. The Government of Puerto Rico, petitioner, *v.* The Secretary of Agriculture, Porto Rican American Sugar Refinery, Inc., et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment under review in Nos. 27 and 30 reversed and cases remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Writ of certiorari in No. 32 dismissed. Opinion by Mr. Justice Frankfurter. Dissenting: Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of these cases.

No. 83. Regents of the University System of Georgia, petitioner, *v.* W. E. Carroll, Clarence H. Calhoun, Mrs. Hattie J. Packard, et al. On writ of certiorari to the Court of Appeals of the State of Georgia.

Judgment affirmed with costs. Opinion by Mr. Justice Reed. Mr. Justice Black and Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 157. Civil Aeronautics Board, petitioner, *v.* State Airlines, Inc.;

No. 158. State Airlines, Inc., petitioner, *v.* Civil Aeronautics Board and Piedmont Aviation, Inc.; and

No. 159. Piedmont Aviation, Inc., petitioner, *v.* State Airlines, Inc. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed in Nos. 157 and 159 and cases remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Writ of certiorari in No. 158 dismissed. In No. 159 Piedmont Aviation, Inc., is to recover its cost in this Court from State Airlines, Inc. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Frankfurter joins. Mr. Justice Douglas took no part in the consideration or decision of these cases.

No. 70. John E. Manning, as Collector of Internal Revenue for the Fifth District of New York, petitioner, *v.* Seeley Tube and Box Company, a Corporation of the State of New Jersey. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of the Court of Appeals reversed with costs and judgment of the District Court affirmed, and case remanded to the United States District Court for the District of New Jersey. Opinion by Mr. Chief Justice Vinson. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 113. The United States of America and Interstate Commerce Commission, appellants, *v.* Pacific Coast Wholesalers' Association et al.; and

No. 114. Freight Forwarders Institute, appellant, *v.* Pacific Coast Wholesalers' Association et al. Appeals from the United States District Court for the Southern District of California. Decree affirmed. Opinion *per curiam*, announced by Mr. Chief Justice Vinson. Mr. Justice Douglas took part in the consideration or decision of these cases.

The Chief Justice announced the following orders of the Court:

No. 497. Aubrey B. Burton, doing business as A. B. Burton Company, appellant, *v.* The United States of America and Interstate Commerce Commission. Appeal from the United States District Court for the Western District of Virginia. *Per curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 502. Delaware, Lackawanna and Western Railroad Company, appellant, *v.* The Division of Tax Appeals, New Jersey State Department of Taxation, and the City of Jersey City; and

No. 503. The Central Railroad Company of New Jersey, appellant, *v.* The Division of Tax Appeals, New Jersey State Department of Taxation, and the City of Jersey City. Appeals from the Supreme Court of the State of New Jersey. *Per curiam*: The motions to dismiss are granted and the appeals are dismissed. Greyhound Lines *v.* Mealey, 334 U. S. 653.

The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 33. Charles Quicksall, petitioner, *v.* People of the State of Michigan. The motion of respondent for leave to file supplement to the record is granted.

No. 44. Heman Marion Sweatt, petitioner, *v.* Theophilis Shickel Painter et al. The motion of Southern Conference Educational Fund, Inc., for leave to file brief as amicus curiae is denied.

No. 438. Order of Railway Conductors of America, an Unincorporated Association, petitioner, *v.* Southern Railway Company, a corporation organized and existing under the laws of the State of Virginia. The motion of Railway Labor Executives' Association for leave to file brief as amicus curiae is denied.

No. 460. Jiffy Lubricator Company, Inc., petitioner, *v.* Stewart-Warner Corporation. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 463. Fred Urbuteit, claimant of 16 articles of device, more or less, labeled "Sinuothermic", petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 468. Wirt A. Warren, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 470. Alvin E. Sandroff and Thomas Paper Stock Company, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 475. Capital Transit Company, petitioner, *v.* Maude J. Underwood. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 476. Chicago Sugar Company, petitioner, *v.* The American Sugar Refining Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 478. Consumers Petroleum Company, petitioner, *v.* Consumers Company; and

No. 479. Consumers Petroleum Company, petitioner, *v.* Consumers Company. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 480. Victor H. Mulling, Junior Judge of the Municipal Court of Savannah, et al., petitioners, *v.* J. P. Houlihan et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 481. Walter Gustav Bejeuhr, petitioner, *v.* Edward J. Shaughnessy, District Director, United States Immigration and Naturalization Service at New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 486. Robertson Rock Bit Company, Inc., et al., petitioners, *v.* Hughes Tool Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 487. Amos L. Taylor, executor under the will of Jesse P. Lyman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Probate Court of Middlesex County, Massachusetts, denied.

No. 491. Commissioner of Internal Revenue, petitioner, *v.* Loraine T. Rickenberg, Executrix of the Estate of Edwin W. Rickenberg, deceased. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 507. Dawson County, Montana, and Prairie County, Montana, petitioners, *v.* Mary Hagan, E. B. Clark, Minnie R. Evans, The United States of America, et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 519. Vivian Cowgill Menees, petitioner, *v.* Lillian Cowgill et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 533. The Lincoln Electric Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 467. Edward Halle, as Executor of the Estate of Louis Halle, deceased, petitioner, *v.* Commissioner of Internal Revenue. The motion to dispense with printing exhibits is granted. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is denied.

No. 484. Margaret Arnold et al., petitioners, *v.* Thomas P. McAuliffe et al. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Supreme Court of Oklahoma is denied.

No. 358. J. S. Casselman et al., petitioners, *v.* State of Idaho;
No. 44, Misc. Dell Texas Dalton, petitioner, *v.* Walter A. Hunter,
Warden;

No. 228, Misc. Bernard M. Shotkin, petitioner, *v.* W. F. Perkins,
et al., and

No. 240, Misc. Bernard M. Shotkin, etc., petitioner, *v.* W. F.
Perkins; and

No. 254, Misc. Henry Schectman, petitioner, *v.* John F. Foster,
Warden. The petitions for rehearing in these cases are severally
denied.

No. 539, Misc., October Term, 1948. Daisy D. Wilson, petitioner, *v.*
Ralph S. Hinman et al. The second petition for rehearing is denied.

No. 90, Misc. Casper Crowe, petitioner, *v.* The United States of
America. Petition for writ of certiorari to the Court of Appeals for
the Fourth Circuit denied.

No. 143, Misc. Edward R. Wight, petitioner, *v.* The United States
of America. Petition for writ of certiorari to the Court of Appeals
for the Second Circuit denied.

No. 153, Misc. John E. Dorsey, petitioner, *v.* The United States of
America. Petition for writ of certiorari to the Court of Appeals
for the Fifth Circuit denied.

No. 241, Misc. Owen Caudle Butner, petitioner, *v.* State of Nevada.
Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 255, Misc. Sam Thompson, petitioner, *v.* Browning Robinson,
Warden. Petition for writ of certiorari to the Circuit Court of
Randolph County, Illinois, denied.

No. 267, Misc. James Trembois, petitioner, *v.* Standard Railway
Equipment Manufacturing Company. Petition for writ of certiorari
to the Appellate Court for the First District of Illinois denied.

No. 282, Misc. Harice Leroy Carter, petitioner, *v.* People of the
State of Illinois. Petition for writ of certiorari to the Supreme Court
of Illinois denied.

No. 284, Misc. James D. Cameron, petitioner, *v.* John Shahedy
et al.;

No. 285, Misc. James D. Cameron et al., petitioners, *v.* John Sha-
hedy et al.; and

No. 303, Misc. James D. Cameron, petitioner, *v.* John Shahedy
et al. Petition for writs of certiorari to the Court of Appeals for
the Third Circuit denied.

No. 296, Misc. Erling J. Elgesen, petitioner, *v.* John R. Cranor,
Superintendent. Petition for writ of certiorari to the Supreme Court
of Washington denied.

No. 297, Misc. Clifford Bramble, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 298, Misc. Max Lowenstein, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 299, Misc. George H. Smith, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Circuit Court of Chippewa County, Michigan, denied.

No. 300, Misc. Gerald D. Sherrow, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 304, Misc. Ralph Cabrera, petitioner, *v.* C. J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 306, Misc. M. L. Geisel, petitioner, *v.* Stanley P. Ashe, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 308, Misc. Leo Coniglio, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 316, Misc. John O. Story, petitioner, *v.* C. P. Burford, Warden. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 318, Misc. James Dailey, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 319, Misc. Climmie Mathis, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 321, Misc. Ed J. Farrant, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 322, Misc. Charley Howard, petitioner, *v.* Supreme Court of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 326, Misc. George W. Balles, Jr., petitioner, *v.* C. J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 327, Misc. Ronald James Sadness, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 345, Misc. Julio Ramirez Perez, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 106, Misc. Norman J. Griffin, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 247, Misc. Bernard G. McGuire, petitioner, *v.* The United States of America. The motion for leave to file petition for writ of certiorari is denied.

No. 314, Misc. Dwight L. Becker, petitioner, *v.* Hon. Luther M. Swygert, District Judge. The motion for leave to file petition for writ of mandamus is denied.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

No. 539. Colonial Airlines, Inc., appellant, *v.* Russell B. Adams, Joseph J. O'Connell, Jr., et al. Appeal from the United States District Court for the District of Columbia. Dismissed on motion of counsel for the appellant.

No. 571. Clifford Dwane Helm, petitioner, *v.* State of Nevada. It is ordered that the time for making service of petition for certiorari, brief, and record be, and the same is hereby, extended to a date which is not later than ten days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record in this case has been delivered to such Clerk.

No. 581. American President Lines, Ltd., petitioner, *v.* James M. Agnew et al.;

No. 582. American President Lines, Ltd., petitioner, *v.* John W. Griffin et al.; and

No. 583. American President Lines, Ltd., petitioner, *v.* Augustus Federer et al. It is ordered that the time for making service of petition for certiorari, brief, and record be, and the same is hereby, extended to a date which is not later than ten days after the giving of notice by the Clerk of this Court to counsel for the petitioners that the printed record in these cases has been delivered to such Clerk.

No. 33. Charles Quicksall, petitioner, *v.* People of the State of Michigan. Argued by Mr. Isadore Levin for the petitioner and Mr. Edmund E. Shepherd for the respondent.

No. 359. William H. Hiatt, Warden, petitioner, *v.* Eugene Preston Brown. Argument commenced by Mr. Stanley M. Silverberg for the petitioner and continued by Mr. Walter G. Cooper for the respondent.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, February 7, 1950, will be as follows: Nos. 359, 373, 378, 384, 403, 391, 438, 449, 309, and 364.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Tudor Willis Hampton, of Great Bend, Kans., and Seward Robert Blackburn, of Great Bend, Kans., were admitted to practice.

No. 345, Misc. Julio Ramirez Perez, petitioner, *v.* The People of the State of New York. Stay of execution granted pending the consideration and disposition of a petition for rehearing on application of counsel for the petitioner.

No. 359. William H. Hiatt, Warden, petitioner, *v.* Eugene Preston Brown. Argument concluded by Mr. Walter G. Cooper for the respondent.

No. 373. Martin Ludwig Cohnstaedt, petitioner, *v.* Immigration and Naturalization Service of the United States Department of Justice. Argued by Mr. Osmond K. Fraenkel for petitioner and by Mr. L. Paul Winings for respondent. Leave granted petitioner to file reply brief within one week.

No. 384. Commissioner of Internal Revenue, petitioner, *v.* Christian W. Korell. Argued by Mr. Arnold Raum for petitioner and by Mr. Paul L. Peyton for respondent.

No. 403. Rudolf Reider, petitioner, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor. Argued by Mr. Eberhard P. Deutsch for the petitioner and Mr. M. Truman Woodward, Jr., for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 8, will be as follows: Nos. 378, 391, 438, 449, 309, 364, 419, 454, 173, and 337.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Calmar Montgomery McCune, of Seattle, Wash.; J. Will Jones, of Seattle, Wash.; and John Christoph Blucher Ehringhaus, Jr., of Raleigh, N. C., were admitted to practice.

No. 378. Kenneth J. Mullane, as Special Guardian and Attorney, etc., appellants, *v.* Central Hanover Bank and Trust Company, as Trustee, etc., et al. Argued by Mr. Kenneth J. Mullane for the appellants and Mr. Albert B. Maginnes for the appellee, Central Hanover Bank and Trust Co., and submitted by Mr. James N. Vaughan for the appellee, James N. Vaughan, Guardian, etc.

No. 391. Marion J. Slocum, as General Chairman, Lackawanna Division No. 30 of the Order of Railroad Telegraphers, petitioner, *v.* The Delaware, Lackawanna and Western Railroad Company. Argued by Mr. Leo J. Hassenauer and Mr. Manly Fleischmann for the petitioner and Mr. Pierre W. Evans for the respondent.

No. 438. Order of Railway Conductors of America, an unincorporated Association, petitioner, *v.* Southern Railway Company, a corporation organized and existing under the laws of the State of Virginia. Argument commenced by Mr. V. C. Shuttleworth for the petitioner and continued by Mr. W. S. Macgill for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, February 9, will be as follows: Nos. 438, 449, 309, 364, 419, 454, 173, 337, and 428.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Morgan Louis Amaimo, of Baltimore, Md.; Lawrence Crowell Mills, of Chicago, Ill.; Richard S. Gibbs, of Milwaukee, Wis.; David Beznor, of Milwaukee, Wis.; A. Abraham Ziedman, of Chicago, Ill.; L. Eldon James, of Hampton, Va.; and C. Ellis Ott, of Bogalusa, La., were admitted to practice.

No. 438. Order of Railway Conductors of America, an unincorporated association, petitioner, *v.* Southern Railway Company, a corporation organized and existing under the laws of the State of Virginia. Argument continued by Mr. W. S. Macgill for the respondent and concluded by Mr. V. C. Shuttleworth for the petitioner.

No. 449. Building Service Employees International Union, Local 262, et al., petitioners, *v.* W. L. Gazzam. Argument commenced by Mr. Daniel D. Carmell for the petitioners, continued by Mr. Alfred J. Schweppe for the respondent; by Mr. Daniel D. Carmell for the petitioners; and concluded by Mr. Walter F. Dodd for the petitioners.

No. 309. International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers Union, Local 309, et al., petitioners, *v.* A. E. Hanke et al., copartners, doing business as Atlas Auto Rebuild. Argued by Mr. Samuel B. Bassett for the petitioners and by Mr. J. Will Jones for the respondents.

No. 364. Automobile Drivers and Demonstrators Local Union No. 882, et al., petitioners, *v.* George E. Cline. Argument commenced by Mr. Samuel B. Bassett for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, February 10, will be as follows: Nos. 364, 419, 454, 173, and 337.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Bernard M. Shanley, of Bernardsville, N. J.; Irwin Harold Stickler, of Chicago, Ill.; Rankin M. Gibson, of Chevy Chase, Md.; Thomas Spencer Earp, of South Boston, Va.; John H. Coffman, of Washington, D. C.; Gertrude M. Bauer, of Cleveland, Ohio; Saul S. Danaceau, of Shaker Heights, Ohio; Charles G. Coster, of New York City; and Timothy J. Murphy, of Boston, Mass, were admitted to practice.

No. 364. Automobile Drivers and Demonstrators Local Union No. 882, et al., petitioners, *v.* George E. Cline. Argument continued by Mr. C. M. McCune for the respondent and concluded by Mr. Samuel B. Bassett for the petitioner.

No. 419. Plankinton Packing Company, petitioner, *v.* Wisconsin Employment Relations Board et al. Argued by Mr. Richard S. Gibbs for the petitioner; by Mr. Mozart G. Ratner for the National Labor Relations Board, as *amicus curiae*, by special leave of Court; by Mrs. Beatrice Lampert for the respondent, Wisconsin Employment Relations Board, and by Mr. David Benzor for the respondent William Stokes, Employee.

Adjourned until Monday, February 13, at 12 o'clock.

The day call for Monday, February 13, will be as follows: Nos. 454, 173, and 337.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Alan Bible, of Carson City, Nev.; Abram P. Piwosky, of Philadelphia, Pa.; Adrian W. Maher, of Bridgeport, Conn.; James L. Simonton, of Cody, Wyo.; G. Ernest Jones, Jr., of Birmingham, Ala.; Jackson N. Townsend, Jr., of Dallas, Tex.; Edward Eugene Dorsey, of Atlanta, Ga.; Charles Henry Sparrenberger, of Evansville, Ind.; Leonard W. Lundin, of Rockford, Ill.; Robt. B. Troutman, of Atlanta, Ga.; J. H. Landman, of New York City; Arvid E. Lyden, of Ambler, Pa.; Harold L. Warner, of Ambler, Pa.; John D. Marsh, of Miami, Fla.; Joseph F. Holland, of St. Louis, Mo.; Paul B. Cannon, of Salt Lake City, Utah; and Edwin S. D. Butterfield, of Chicago, Ill., were admitted to practice.

No. 45. The United States, petitioner, *v.* Helen W. Benedict and Frank B. Smith, as Trustees, et al. On writ of certiorari to the Court of Claims. Judgment reversed and case remanded to the Court of Claims for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Dissenting: Mr. Justice Black and Mr. Justice Jackson. Separate opinion by Mr. Justice Frankfurter. Mr. Justice Douglas took no part in the consideration or decision of this case.

Mr. Justice Black announced the following orders of the Court:

No. 419. Plankinton Packing Company, petitioner, *v.* Wisconsin Employment Relations Board et al. On writ of certiorari to the Supreme Court of Wisconsin. *Per curiam*: The judgment is reversed. Bethlehem Steel Co. *v.* New York State Labor Relations Board, 330 U. S. 767; La Crosse Telephone Corp. *v.* Wisconsin Employment Relations Board, 336 U. S. 18.

No. 489. United States Smelting Refining and Mining Company et al., petitioners, *v.* Emma Grace Lowe. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per curiam*: The petition for writ of certiorari is granted. The Court

is of the opinion that a new trial should be granted. Accordingly, without expressing any opinion as to other questions presented, the judgments of the Court of Appeals and the District Court are vacated and the cause is remanded to the District Court with directions to grant a new trial.

Mr. Justice Black said:

"The other orders of the Court appear upon the list filed with the Clerk and will not be announced orally."

No. 482. Valentine Broadway Bowers, Jr., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 483. John J. Casale, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 485. Rose W. Shain, petitioner, *v.* Mark Shain. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 488. National Maritime Union of America, etc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 492. Missouri-Kansas-Texas Railroad Company, petitioner, *v.* State of Oklahoma, ex rel. Commissioners of Land Office of the State of Oklahoma et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 504. United States National Bank of Denver et al., petitioners, *v.* Ruby Dickey Bartges. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 505. Transport, Trading and Terminal Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 508. O. O. Owens, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 510. Chicago Transit Authority, petitioner, *v.* People of the State of Illinois and John E. Sullivan, Liquidating Trustee, etc.; and

No. 511. Chicago Transit Authority, petitioner, *v.* People of the State of Illinois and John E. Sullivan, Liquidating Trustee, etc. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 515. Atlantic Coast Line Railroad Company et al., petitioners, *v.* G. B. Jennings, Administratrix of the Estate of Luther W. Carter. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 518. Edward G. Dougherty, petitioner, *v.* General Motors Corporation, etc. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 535. Harris Henry Horner, petitioner, *v.* The United States. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Court of Claims is denied.

No. 178. J. Baker Bryan, Sr., petitioner, *v.* The United States of America;

No. 474. Walter N. Smith et al., petitioners, *v.* Hon. William O'Dwyer, Mayor of the City of New York, et al.;

No. 260, Misc. Wallace Phillips, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 295, Misc. Judith Coplton, petitioner, *v.* Hon. Albert L. Reeves et al. The petitions for rehearing in these cases are severally denied.

No. 47, Misc. Elijah Townsend, petitioner, *v.* State of Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 125, Misc. Jay Paul Shelton, petitioner, *v.* Curtis Reed, Resident Superintendent, District of Columbia Jail. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 279, Misc. Thomas Edwin Black, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 301, Misc. Fred Tate, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

The Court will take a recess from Monday, February 20, until Monday, March 13, next.

No. 119. Louise M. Wissner and Leandous H. Wissner, appellants, *v.* Margaret Wissner. Time within which to file petition for rehearing extended to March 3, 1950, on motion of counsel for appellee.

No. 454. Georgia Railroad and Banking Company, appellant, *v.* Charles D. Redwine, State Revenue Commissioner. Argued by Mr. Furman Smith for the appellant and Mr. M. H. Blackshear, Jr., for the appellee.

No. 173. The United States of America and Interstate Commerce Commission, appellants, *v.* United States Smelting Refining and Mining Company et al. Four hours allowed for oral argument. Argument commenced by Mr. Allen Crenshaw for the appellant The Interstate Commerce Commission; and continued by Mr. John F. Finerty for the appellee American Smelting and Refining Company; and by Mr. Otis J. Gibson for the appellee Denver & Rio Grande Western Railroad Company.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, February 14, will be as follows: Nos. 173 and 337.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

James Francis Coakley, of Oakland, Calif.; William Roderick McDougall, of Sacramento, Calif.; Harry J. Bozof, of Washington, D. C.; Thomas B. Phillips, of Kansas City, Mo.; Patrick J. Gilmore, Jr., of Juneau, Alaska; Henry L. Hess, of Portland, Oreg.; Harvey Erickson, of Spokane, Wash.; Philip B. Billings, of Wallingford, Conn.; and Harold A. Jones, of Pasadena, Calif., were admitted to practice.

No. 173. The United States of America and Interstate Commerce Commission, appellants, *v.* United States Smelting Refining and Mining Company et al. Argument continued by Mr. Elmer B. Collins for the appellee, Union Pacific Railroad Co.; by Mr. Charles A. Horsky for the appellee, United States Smelting Refining and Mining Co.; by Mr. Allen Crenshaw for appellant, Interstate Commerce Commission; and concluded by Mr. Joseph W. Bishop, Jr., for appellant, The United States, and case submitted by Mr. Stanley T. Wallbank for Intervenor, Colorado Mining Association; by Mr. S. J. Quinney for Intervenor, Utah Mining Association; and by Mr. Clinton D. Vernon for Intervenor, Public Service Commission of Utah and State of Utah.

No. 337. Railway Labor Executives' Association, appellant, *v.* The United States of America, Interstate Commerce Commission, City of New Orleans, Louisiana, et al. Argued by Mr. Edward J. Hickey, Jr., for appellant; by Mr. Daniel W. Knowlton for appellee, Interstate Commerce Commission; by Mr. W. S. Macgill for appellees, Railroad Intervenor; and case submitted by Mr. Solicitor General Perlman, Mr. Herbert A. Bergson, Mr. Robert L. Stern and Mr. Richard E. Guggenheim for appellee, The United States.

Adjourned until Monday, February 20, next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Max A. Denney, of Fairbury, Nebr.; J. Moore Mars, of Abbeville, S. C.; Frederick C. Belen, of Lansing, Mich.; Charles A. Barnard, of Oshkosh, Wis.; Lytle O. Cooke, of Neenah, Wis.; Frank J. Kelly, of Miami, Fla.; William W. Mundy, Jr., of Cedartown, Ga.; Howard Warren Rea, of Washington, D. C.; Chauncey P. Carter, Jr., of Washington, D. C.; Lloyd M. Bentsen, Jr., of McAllen, Tex.; James K. Seery, of New York City; Adelbert G. Straub, Jr., of New York City; John F. Mulvey, of New York City; Albert Lyman Beardsley, of Minneapolis, Minn.; Jack K. Berman, of San Francisco, Calif.; Louis F. Oberdorfer, of Washington, D. C.; William H. Waldrop, Jr., of New York City; Henry C. Vosbein, of New Orleans, La.; J. Terry Reynolds, Jr., of Mobile, Ala.; Raymond A. Hepner, of Pensacola, Fla.; Jule E. Stocker, of New York City; and Henry J. Bender, Jr., of Union City, N. J., were admitted to practice.

No. 293. The United States of America, petitioner, *v.* Albert J. Rabinowitz. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of the Court of Appeals reversed and case remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 154. Wong Yang Sung, petitioner, *v.* J. Howard McGrath, Attorney General of the United States, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Reed. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 302. District of Columbia, petitioner, *v.* Geraldine Little, alias Mildred Parker. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed with costs and case remanded to the Court of Appeals. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Reed concurs. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 77. George W. Solesbee, appellant, *v.* R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia. Appeal from the Supreme Court of the State of Georgia. Judgment affirmed. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 373. Martin Ludwig Cohnstaedt, petitioner, *v.* Immigration and Naturalization Service of the United States Department of Justice. On writ of certiorari to the Supreme Court of Kansas. *Per curiam*: The judgment is reversed. *Girouard v. United States*, 328 U. S. 61. The Chief Justice, Mr. Justice Reed, and Mr. Justice Clark dissent.

No. 454. Georgia Railroad & Banking Company, appellant, *v.* Charles D. Redwine, State Revenue Commissioner. Appeal from the United States District Court for the Northern District of Georgia. *Per curiam*: Inasmuch as the Attorney General of Georgia stated at the bar of this Court that plain, speedy, and efficient State remedies were available to appellant, the cause is ordered continued for such period as will enable appellant with all convenient speed to assert such remedies.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 568. Oscar R. Ewing, Federal Security Administrator, et al., appellants, *v.* Mytinger and Casselberry, a California Corporation. In this case probable jurisdiction is noted.

No. 512. Elliott V. Bell, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Eugene T. Singer; and

No. 527. Eugene T. Singer, petitioner, *v.* The Yokohama Specie Bank, Ltd., et al. Petitions for writs of certiorari to the Court of Appeals of the State of New York granted.

No. 513. Elliott V. Bell, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Banque Mellie Iran; and

No. 528. Banque Mellie Iran, petitioner, *v.* Elliott V. Bell, Superintendent of Banks of the State of New York, etc. Petitions for writs of certiorari to the Court of Appeals of the State of New York granted.

No. 498. Robert Womsley, Charles A. Woods, Jr., et al., petitioners, *v.* Pennsylvania Railroad Company et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 500. State of Washington, petitioner, *v.* Columbia Steel Company. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 501. Tax Commission of the State of Washington, E. C. Huntley, et al., petitioners, *v.* Weyerhaeuser Sales Company. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 509. James Buteau, petitioner, *v.* State of Connecticut. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 516. Daisy B. Wooton (Mrs. Richard G. Wooton), widow of Richard G. Wooton, deceased, et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 526. L. Holmes Eleazer, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 529. Phillips Petroleum Company, petitioner, *v.* H. C. Jones, Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 532. The United States Graphite Company, petitioner, *v.* Charles Sawyer, Secretary of Commerce. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 534. Marguerite S. Glover, petitioner, *v.* McM. Coffing, V-I-D, Inc., Debtor, et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 71. Federal Power Commission, petitioner, *v.* East Ohio Gas Company et al. The petitions for rehearing are denied. Mr. Justice Burton took no part in the consideration or decision of these applications.

No. 81. Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney and Samuel H. Berger. The third petition for rehearing is denied.

No. 219, Misc. William Richard Williams, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 243, Misc. Edward J. McCormack, petitioner, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 307, Misc. Robert Frank Bryan, petitioner, *v.* State of Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 309, Misc. Paul A. Johnson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 310, Misc. Calvin R. Smith, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 311, Misc. Carl Zubr, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Circuit Court of Sangamon County, and Supreme Court of Illinois, denied.

No. 312, Misc. Fred Wilson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Kane County, Illinois, denied.

No. 325, Misc. Joe Johnson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 335, Misc. Carl Hamby, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit, denied.

No. 343, Misc. Ted Bailey, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California, denied.

No. 290, Misc. Charlayne Whiteley Gellatly, etc., petitioner, *v.* Alexander Wetmore. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit, denied. The Chief Justice took no part in the consideration or decision of this application.

No. 328, Misc. In the matter of Sanford Leonard Schamus. The motion for leave to file petition for writ of quo warranto is denied.

No. 329, Misc. Leo G. Kissinger, petitioner, *v.* Walter A. Hunter, Warden; and

No. 338, Misc. Wellington Lancour, petitioner, *v.* State of Michigan. The motions for leave to file petitions for writs of habeas corpus are denied.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which orders or judgments are this day announced.

No. 613. Maurice C. Sparling, Superintendent of Banks of the State of California, etc., petitioner, *v.* Paramount Pictures, Inc., et al. It is ordered that the time for making service of petition for certiorari, brief, and record, be, and the same is hereby, extended to a date which is not later than 15 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record in this case has been delivered to such Clerk.

Adjourned until Monday, March 13, next, at 12 o'clock.

The day call for Monday, March 13, will be as follows: Nos. **12**, Original, **13**, Original, **1, 4** (**5, 6, 7, 8, and 9**), **2, 456, 428, 2**, Misc., **25**, and **34**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Harold E. Mott, of Arlington, Va.; David McKibbin 3d, of New York City; Robert Bowland Ritchie, of Wichita, Kans.; Stanley M. Kaufman, of Dallas, Tex.; Donald A. Surine, of Washington, D. C.; Smith N. Crowe, Jr., of Washington, D. C.; Frank A. Surine, of Washington, D. C.; Paul R. Smith, of Santa Monica, Calif.; Calvin M. Cory, of Washington, D. C.; Mildred C. Cosby, of San Francisco, Calif.; Charles Reynolds Cosby, of San Francisco, Calif.; Irvin H. Rimel, of Kensington, Md.; Harold L. Davidson, of Portland, Oreg.; Guy T. Huthnance, of Tuscaloosa, Ala.; Averill E. Butterfield, of Tucson, Ariz.; Monroe Leigh, of Richmond, Va.; Sherlock Davis, of Washington, D. C.; Harold Guttman, of New York City; Irwin Greene, of Cleveland, Ohio; Hamilton Douglas, Jr., of Atlanta, Ga.; John F. Lane, of Washington, D. C.; Herman Frankel, of New York City; Nicholas F. Lopes, of Lawrence, Kans.; Joseph T. Enright, of Los Angeles, Calif.; Asher Louis Wheeler, of Washington, D. C.; Roderick Russell Eagan, of Washington, D. C.; Joseph M. Creed, of Alexandria, Va.; William A. Hunt, of Ottumwa, Iowa; Henry Robinson, of San Francisco, Calif.; C. Donald Peterson, of Minneapolis, Minn.; Leslie S. Kohn, of Newark, N. J.; Charles H. Flasphaler, of Washington, D. C.; Albert Bernhard De Salardi, of Pittsburgh, Pa.; and Bryant Prescott, of New Bedford, Mass., were admitted to practice.

No. 403. Rudolf Reider, petitioner, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of the Court of Appeals reversed with costs and case remanded to the United States District Court for the Eastern District of Louisiana for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Frankfurter. Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 200. Floyd G. Affolder, petitioner, *v.* New York, Chicago and St. Louis Railroad Company. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment of the

Court of Appeals reversed with costs and judgment of the District Court affirmed. The case is remanded to the United States District Court for the Eastern District of Missouri. Opinion by Mr. Justice Clark. Mr. Justice Frankfurter would dismiss the writ as improvidently granted. Dissenting: Mr. Justice Reed. Dissenting opinion by Mr. Justice Jackson. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 359. William H. Hiatt, Warden, United States Penitentiary, Atlanta, Georgia, petitioner, *v.* Eugene Preston Brown. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of Georgia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Concurring opinion by Mr. Justice Burton. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 171. The United States of America, appellant, *v.* Joe Burnison, and Phil C. Katz, Public Administrator of the City and County of San Francisco; and

No. 188. The United States of America, appellant, *v.* Charles F. Gayetty et al. Appeals from the Supreme Court of California. Judgments affirmed. Opinion by Mr. Justice Reed. Dissenting: Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 213. The United States of America, *ex rel.* Lee Wo Shing, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of the Immigration and Naturalization Service in the New York District, etc. On petition for writ of certiorari to the Court of Appeals for the Second Circuit. *Per curiam:* The petition for writ of certiorari is granted and the judgment is reversed. Wong Yang Sung *v.* McGrath, No. 154, decided February 20, 1950. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 531. Carpet, Linoleum and Resilient Floor Decorators Union, Local No. 596, A. F. of L., et al., appellants, *v.* The Dayton Company. Appeal from the Supreme Court of Minnesota. *Per curiam:* The motion to dismiss is granted and the appeal is dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

No. 544. The Board of Regents of the University of Wisconsin and the State of Wisconsin, appellants, *v.* The State of Illinois. Appeal from the Supreme Court of Illinois. *Per curiam:* The appeal is dismissed. *United States v. Perkins*, 163 U. S. 625.

No. 555. State of Washington, ex rel. The Washington Water Power Company et al., appellants, *v.* The Superior Court of the State of Washington for Chelan County et al. Appeal from the Supreme Court of Washington. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 559. Standard Dredging Corporation, appellant, *v.* State of Louisiana, ex rel. Rufus W. Fontenot, Director of Revenue. Appeal from the Supreme Court of Louisiana. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 563. Minneapolis Street Railway Company, appellant, *v.* City of Minneapolis, Hubert H. Humphrey, Jr., as Mayor of the City of Minneapolis, et al. Appeal from the Supreme Court of Minnesota. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a final judgment.

No. 608. Gerald Miller and David Caudill, etc., appellants, *v.* City of Spokane, a Municipal Corporation, William P. Payne, Commissioner of Public Safety, et al. Appeal from the Supreme Court of Washington. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Title 28, United States Code, sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by title 28, United States Code, sec. 2103, certiorari is denied.

No. 644. A. F. Luse, appellant, *v.* The People of the State of California. Appeal from the District Court of Appeal for the Second Appellate District of California. *Per curiam*: The motion for leave to proceed in forma pauperis is granted. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

— H. Carrington Lancaster, et al., appellants, *v.* Hall Hammond, Attorney General of Maryland, et al. The motion for a stay of the mandate of the Court of Appeals of the State of Maryland, referred to the Court by Mr. Justice Black, is denied.

No. 12 Original. The United States of America, plaintiff, *v.* The State of Louisiana; and

No. 13 Original. The United States of America, plaintiff, *v.* The State of Texas. These cases are reassigned for argument on Monday, March 27th. The motion of the State of Texas to pass is denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 2. Graver Tank and Mfg. Co., Inc., et al., petitioners, *v.* The Linde Air Products Company. The motion for leave to file brief of American Lecithin Company, et al., as amici curiae is denied.

No. 44. Heman Marion Sweatt, petitioner, *v.* Theophilis Shickel Painter et al. The motion for leave to file brief of Texas Council of Negro Organizations as amicus curiae is denied.

No. 248. John Howard Lawson, petitioner, *v.* The United States of America; and

No. 249. Dalton Trumbo, petitioner, *v.* The United States of America. The motion for leave to file brief of certain publishers and others as amici curiae is denied.

No. 154. Wong Yang Sung, petitioner, *v.* J. Howard McGrath, Attorney General of the United States, et al. The motion of the Solicitor General to modify the judgment is granted and the judgment is modified so as to provide for the release of the prisoner from custody under the order of deportation but without terminating petitioner's custody under the warrant of arrest issued by the Attorney General dated October 13, 1947. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 306. Louis A. Johnson, Secretary of Defense of the United States, et al., petitioners, *v.* Lothar Eisentrager, alias Ludwig Ehrhardt, on his own behalf and as next friend of Franz Siebert, et al. The motion of the Solicitor General to substitute parties petitioner is granted.

No. 512. Elliott V. Bell, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Eugene T. Singer;

No. 513. Elliott V. Bell, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Banque Mellie Iran;

No. 527. Eugene T. Singer, petitioner, *v.* The Yokohama Specie Bank, Ltd., et al.; and

No. 528. Banque Mellie Iran, petitioner, *v.* Elliott V. Bell, Superintendent of Banks of the State of New York, etc. The motions to substitute William A. Lyon, present Superintendent of Banks in the place and stead of Elliott V. Bell, resigned, is granted.

No. 599. Daniel Niemotko, appellant, *v.* State of Maryland; and

No. 600. Neil W. Kelley, appellant, *v.* State of Maryland. In these cases probable jurisdiction is noted. The motion to consolidate is granted and the cases are ordered consolidated and transferred to the summary docket.

No. 551. Edward L. Fogarty, as Trustee in Bankruptcy of the Inland Waterways, Inc., petitioner, *v.* The United States of America and Navy Department, War Contracts Relief Board. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit granted.

No. 558. Bernice B. Feres, as Executrix under the last will and testament of Rudolph J. Feres, deceased, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 556. Joint Anti-Fascist Refugee Committee, an unincorporated association, petitioner, *v.* J. Howard McGrath, Attorney General of the United States, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 381, Misc. Arthur K. Jefferson, petitioner, *v.* The United States of America. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Appeals for the Fourth Circuit is granted and the case is ordered transferred to the appellate docket and assigned for argument immediately following No. 558.

No. 496. James Matthews, John Henry Nichols, and John Henry Radney, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 506. J. H. Crain and R. E. Lee Wilson, Jr., Trustees of Lee Wilson and Company, a business trust, petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 514. William MacDonald, James J. Coleman, R. E. MacDonald, et al., etc., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 520. Paramount Pictures, Inc., et al., petitioners, *v.* Harry Norman Ball;

No. 521. Paramount Pictures, Inc., et al., petitioners, *v.* Harry Norman Ball;

No. 522. Paramount Pictures, Inc., et al., petitioners, *v.* Harry Norman Ball;

No. 523. Paramount Pictures, Inc., et al., petitioners, *v.* Harry Norman Ball; and

No. 524. Paramount Pictures, Inc., et al., petitioners, *v.* Harry Norman Ball. Petition for writs of certiorari to the Court of Appeals for the Third Circuit denied.

No. 525. Orin C. Clement, petitioner, *v.* Tighe E. Woods, Housing Expediter, Office of the Housing Expediter. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 530. Seaboard Air Line Railroad Company, petitioner, *v.* C. Prosser, Intendent, Odell Venters, et al., Wardens of the Town of

Johnsonville. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 537. R. W. Pointer, doing business under the fictitious name and style of Pointer-Willamette Co., petitioner, *v.* Six Wheel Corporation. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 538. The People of the State of New York, *ex rel.* Hamportzoon Choolokian, petitioner, *v.* The Mission of the Immaculate Virgin and John J. Corrigan, Executive Director, etc., et al. Petition for writ of certiorari to the Court of Appeals of the State of New York denied.

No. 540. The Blanchard Machine Company, petitioner, *v.* Reconstruction Finance Corporation Price Adjustment Board. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 541. Anne Vilbert de Sairigne, petitioner, *v.* Frank Jay Gould. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 543. Jiffy Lubricator Company, petitioner, *v.* The Alemite Company. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 545. Laurie J. Carpenter, petitioner, *v.* Erie Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 549. Ernest Newton Kalb, petitioner, *v.* Henry Feuerstein and Helen Feuerstein, secured creditors, and Oscar Jacobson, Trustee. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 550. Charlotte L. Block, Harold Block, Max N. Block, et al., petitioners, *v.* Detroit Harbor Terminals, Inc. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 553. Joseph Sic, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 557. Overlakes Freight Corporation, petitioner, *v.* Elizabeth Murphy, Administratrix of the goods, chattels and credits of Thomas Murphy, deceased. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 560. M. E. Trapp, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 565. Helen Young, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 566. Louis Mitchell, Ralph Lipscomb, Jack Crowley, et al., petitioners, *v.* White Consolidated, Inc. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 567. Jack F. Lyle, petitioner, *v.* The Atchison, Topeka and Santa Fe Railway Company, et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 569. Henry M. Beverage, Administrator of the Estate of Dennis Roscoe Beverage, deceased, et al., petitioners, *v.* Farm Bureau Mutual Automobile Insurance Company. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 576. L. N. Jackson and Co., Inc., petitioner, *v.* The Royal Norwegian Government. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 494. Jacob Schoeps, petitioner, *v.* William A. Carmichael, District Director, Immigration and Naturalization Service, etc. The motion to substitute H. R. Landon, present District Director, in the place and stead of William A. Carmichael, is granted. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 517. Katherine Cohen and William Cohen, petitioners, *v.* The United States of America. The motion to dispense with printing the petition, brief and record is granted. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 578. Effie Emerson Walsh, petitioner, *v.* Bernard A. Walsh. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 607. Henry E. Jacobs, doing business as Henry E. Jacobs and Co., petitioner, *v.* Charles Peckat Manufacturing Company and Emma Peckat. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 48. Rosette Sorge Savorgnan, petitioner, *v.* The United States of America, J. Howard McGrath, The Attorney General of the United States of America, et al.;

No. 417. Joe T. Cawthorn, petitioner, *v.* The United States of America;

No. 505. Transport, Trading and Terminal Corporation, petitioner, *v.* Commissioner of Internal Revenue;

No. 508. O. O. Owens, petitioner, *v.* The United States of America;

No. 535. Harris Henry Horner, petitioner, *v.* The United States;
No. 90, Misc. Casper Crowe, petitioner, *v.* The United States of
America;

No. 255, Misc. Sam Thompson, petitioner, *v.* Browning Robinson,
Warden;

No. 287, Misc. William Walter Avelino, petitioner, *v.* Robert A.
Heinze, Warden; and

No. 345, Misc. Julio Ramirez Perez, petitioner, *v.* The People of
the State of New York. The petitions for rehearing in these cases are
severally denied.

No. 106, Misc. Norman J. Griffin, petitioner, *v.* United States of
America. The petition for rehearing is denied. Mr. Justice Clark
took no part in the consideration or decision of this application.

No. 284, Misc. James D. Cameron, petitioner, *v.* John Shahedy,
et al.;

No. 285, Misc. James D. Cameron, et al., petitioners, *v.* John Sha-
hedy, et al.; and

No. 303, Misc. James D. Cameron, petitioner, *v.* John Shahedy, et
al. The petition for rehearing and the motion for leave to file petition
for writ of mandamus are denied.

No. 377, Misc., October Term, 1948. Alex M. Ferguson, Temporary
Administrator, etc., et al., petitioners, *v.* James E. Ferguson. The
second petition for rehearing is denied.

No. 275, Misc. George Marion Wilfong, petitioner, *v.* E. B. Swope,
Warden. Petition for writ of certiorari to the Court of Appeals for
the Ninth Circuit denied.

No. 315, Misc. Joseph J. Quinn, petitioner, *v.* State of New York.
Petition for writ of certiorari to the Court of Appeals of the State
of New York denied.

No. 333, Misc. Clark Campbell, petitioner, *v.* Stanley P. Ashe,
Warden. Petition for writ of certiorari to the Supreme Court of
Pennsylvania denied.

No. 347, Misc. John Baker, petitioner, *v.* Commonwealth of Ken-
tucky. Petition for writ of certiorari to the Court of Appeals of
Kentucky denied.

No. 368, Misc. Milton Linnaberry, petitioner, *v.* State of Iowa.
Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 377, Misc. Otis Harrod, petitioner, *v.* Commonwealth of Ken-
tucky. Petition for writ of certiorari to the Court of Appeals of
Kentucky denied.

No. 378, Misc. James H. Vermillion, petitioner, *v.* Eugene Meyer
et al. Petition for writ of certiorari to the Court of Appeals for the
District of Columbia Circuit denied.

No. 380, Misc. Robert L. Smith, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 393, Misc. Oscar Patterson, petitioner, *v.* State of Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 351, Misc. Ex Parte Sol Newstead, petitioner. The motion for leave to file petition for writ of mandamus is denied.

No. 371, Misc. Mary A. Ruthven, petitioner, *v.* Dr. Winfred Overholser, Superintendent. The motion for leave to file petition for writ of habeas corpus is denied.

No. 374, Misc. United States of America, ex rel. Francis Monaghan, petitioner, *v.* Cornelius J. Burke, Warden, etc. The motion for leave to file petition for writ of certiorari is denied.

No. 376, Misc. B. E. Epperson, petitioner, *v.* H. E. Moore, Warden, Texas State Prison. The motion for leave to file petition for writ of habeas corpus is denied.

ORDER

IT IS ORDERED by this Court that the bond of the Marshal, Thomas E. Waggaman, dated April 1, 1950, be, and the same is, this day approved and ordered to be recorded.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

The Court will take a recess from today until Monday, March 27, next.

Adjourned until Monday, March 27, next, at 12 o'clock.

The day call for Monday, March 27, next, will be as follows: Nos. 12 Original, 13 Original, 1, 4 (5, 6, 7, 8, and 9), 2, 456, 428, 2 Misc., 25, and 34.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Arthur B. Cunningham, of Alexandria, Va.; Guy P. Allison, of San Antonio, Tex.; Charles L. Carpenter, of North Little Rock, Ark.; Allen Lumpkin Henson, of Atlanta, Ga.; Wade W. Thompson, of Lake Charles, La.; Irving I. Schachtel, of New York City; Harry Nowalsky, of New Orleans, La.; Roger Austin Prestwood, of Washington, D. C.; Carroll Caruthers, of Greensburg, Pa.; Thomas Gallagher Taylor, of Greensburg, Pa.; Cecil R. Harrison, of Judsonia, Ark.; Albert Michelson, of San Francisco, Calif.; Paul de Hagara, of Newark, N. J.; Richard E. Seley, of Newark, N. J.; Fred C. Philby, of Louisville, Ky.; Francis Heisler, of Chicago, Ill.; Bernard Epstein, of Chicago, Ill.; Robert William Zivnuska, of Berkeley, Calif.; Andrew Kip Foulds, of Pittsburgh, Pa.; Townsend F. Beaman, of Jackson, Mich.; William Brown Himrod, of Los Angeles, Calif.; James R. Shick, of Forest Grove, Oreg.; Bert B. Rand, of Philadelphia, Pa.; and Lester H. Marks, of New York City, were admitted to practice.

No. 18. Standard-Vacuum Oil Company, petitioner, *v.* The United States. On writ of certiorari to the United States Court of Claims. Judgment vacated and cause remanded. The Court of Claims may permit further pleadings if in the court's discretion such further pleadings seem proper and just. If permission to plead further is denied, or if petitioner fails to plead further should permission be granted, the cause shall be dismissed. Opinion by Mr. Justice Minton. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 14. Eugene Dennis, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and case remanded to the United States District Court for the District of Columbia. Opinion by Mr. Justice Minton. Mr. Justice Reed concurs in the opinion and judgment. Opinion by Mr. Justice Jackson concurring in the result. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter. Mr. Justice Douglas

and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 173. The United States of America and Interstate Commerce Commission, appellants, *v.* The United States Smelting Refining and Mining Company et al. Appeal from the United States District Court for the District of Utah. Decree reversed and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton. Dissenting: Mr. Justice Jackson. Mr. Chief Justice Vinson and Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 337. Railway Labor Executives' Association, appellant, *v.* The United States of America, Interstate Commerce Commission, City of New Orleans, Louisiana, et al. Appeal from the United States District Court for the District of Columbia. Decree reversed and case remanded to the District Court with directions to remand it to the Interstate Commerce Commission for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Dissenting: Mr. Justice Jackson. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed joins. Mr. Chief Justice Vinson and Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 156. The United States, petitioner, *v.* Commodities Trading Corporation et al.; and

No. 163. Commodities Trading Corporation et al., petitioners, *v.* The United States. On writs of certiorari to the United States Court of Claims. Judgment reversed and case remanded to the Court of Claims with directions to enter an appropriate judgment based on the maximum ceiling price of the pepper at the time it was taken. Opinion by Mr. Justice Black. Opinion by Mr. Justice Frankfurter dissenting in part. Dissenting opinion by Mr. Justice Jackson. Mr. Chief Justice Vinson and Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following order of the Court:

No. 653. A. H. Stone, Chairman of the State Tax Commission, appellant, *v.* Reichman-Crosby Company. Appeal from the Supreme Court of Mississippi. *Per curiam:* The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 76. Travelers Health Association and R. E. Pratt, as Treasurer thereof, and in his personal capacity, appellants, *v.* Commonwealth of Virginia, at the relation of State Corporation Commission. This case is ordered restored to the docket and assigned for reargument on Monday, April 17, next. The case is transferred to the summary docket.

No. 173. The United States of America and Interstate Commerce Commission, appellants, *v.* United States Smelting Refining and Mining Company et al. The motion for leave to file supplemental memorandum of American Smelting and Refining Co. is granted. The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 455. Automatic Radio Manufacturing Company, Inc., petitioner, *v.* Hazeltine Research, Inc. The motion for leave to file brief of Edwin H. Armstrong as *amicus curiae* is denied.

No. 512. William A. Lyon, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Eugene T. Singer; and

No. 527. Eugene T. Singer, petitioner, *v.* The Yokohama Specie Bank, Ltd. et al.;

No. 513. William A. Lyon, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Banque Mellie Iran; and

No. 528. Banque Millie Iran, petitioner, *v.* William A. Lyon, Superintendent of Banks of the State of New York, etc. The motion of the Solicitor General for leave to appear and participate in the oral argument as *amicus curiae* is granted.

No. 654. The United States of America and Interstate Commerce Commission, appellants, *v.* The Rock Island Motor Transit Company, State of Iowa, ex rel. Iowa State Commerce Commission et al. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 596. Cornelia Harris, petitioner, *v.* Commissioner of Internal Revenue. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is granted limited to Questions "2" and "3" presented by the petition for the writ.

No. 597. State of Missouri, at the relation of Southern Railway Company, petitioner, *v.* Waldo C. Mayfield, Judge of the Circuit Court of the City of St. Louis, Missouri, etc.; and

No. 598. State of Missouri, ex rel. the Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* David J. Murphy, Judge of the Circuit Court of the City of St. Louis, Missouri, etc. The petitions

for writs of certiorari to the Supreme Court of Missouri are granted and the case is transferred to the summary docket.

No. 499. Edith Church, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 561. Standard Commercial Tobacco Company and Standard Commercial Steamship Corp., petitioners, *v.* John W. Snyder, Secretary of the Treasury and United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 572. Irvin Winkler, Stanley Askin, Harold Buchman, et al., petitioners, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 573. Atlantic Coast Line Railroad Company, petitioner, *v.* Alton Joseph Scarborough, Jr. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 574. Piedmont Cotton Mills, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 575. R. E. Conner et al., petitioners, *v.* The Pennsylvania Railroad Company et al.;

No. 645. The Pennsylvania Railroad Company, petitioner, *v.* R. E. Conner et al.; and

No. 646. Brotherhood of Railroad Trainmen et al., petitioners, *v.* R. E. Conner et al. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 577. Hartford Fire Insurance Company, petitioner, *v.* Domenico Roberto and Vincenzo Ammirati. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 588. Waialua Agricultural Company, Ltd., petitioner, *v.* Ciraco Maneja et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 589. American Bantam Car Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 602. Mary Elizabeth Lee et al., petitioners, *v.* Pan American Airways, Inc. Petition for writ of certiorari to the Supreme Court of New York, County of Westchester, denied.

No. 605. Phil S. Cohen, alias P. H. Phillips, and Leo Escovitch, alias Leo Esco, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 612. Dorothy May Arnold Davis, petitioner, *v.* Gretchen A. Prose and United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 552. William R. Mestice, petitioner, *v.* Anthony Masi. The motion to dispense with printing the record and the motion for leave to file a substituted petition are granted. The petition for writ of certiorari to the Supreme Court of New Jersey is denied.

No. 564. Samuel Harold Litton, petitioner, *v.* The United States of America. The motion to dispense with printing the petition, brief, and record is granted. The petition for writ of certiorari to the Court of Appeals for the Eighth Circuit is denied.

No. 77. George W. Solesbee, appellant, *v.* R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia;

No. 119. Louise M. Wissner and Leandous H. Wissner, appellants, *v.* Margaret Wissner;

No. 488. National Maritime Union of America, affiliated with the Congress of Industrial Organizations, et al., petitioners *v.* National Labor Relations Board;

No. 301, Misc. Fred Tate, petitioner, *v.* Robert A. Heinze, Warden; and

No. 316, Misc. John O. Story, petitioner, *v.* C. P. Burford, Warden. The petitions for rehearing in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 76, Misc., October Term, 1945. Salvatore Stizza, petitioner, *v.* Essex County Juvenile and Domestic Relations Court. The second petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 166, Misc. John Harry McGough and Meyer Joseph Cohen, petitioners, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 170, Misc. William Edward Alred, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 202, Misc. Wentworth Crombie, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois, denied.

No. 207, Misc. Wentworth Crombie, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois; denied.

No. 221, Misc. People of the State of Illinois, ex rel. Tony Marino, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 222, Misc. Tony Marino, petitioner, *v.* State of Illinois. Petition for writs of certiorari to the Supreme Court of Illinois denied.

No. 246, Misc. James F. S. Kelly, petitioner, *v.* The District Commandant, United States Navy, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 261, Misc. Jesse Edward James, Jr., etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 264, Misc. Leon Jones, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 265, Misc. John Henry Kinney, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 276, Misc. Jack Gibson Moss, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 278, Misc. W. T. Holt, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 302, Misc. Winnie De Long Clark, petitioner, *v.* The Order of United Commercial Travelers of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 305, Misc. George H. Robinson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 313, Misc. Harold O. Royal, petitioner, *v.* Edna E. Royal. Petition for writ of certiorari to the Probate Court of the County of Norfolk, Massachusetts, denied.

No. 317, Misc. Agnes Catherine Marron, Administratrix, petitioner, *v.* Atlantic Refining Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 331, Misc. William Baumet, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 344, Misc. Henry Hawk, petitioner, *v.* State of Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 346, Misc. Fred Wilson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 348, Misc. Robert G. Dalton and John C. Dalton, petitioners, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 352, Misc. Joseph C. Fredrick, petitioner, *v.* Ralph M. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 355, Misc. Jesse Brooks, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 358, Misc. Paul Null, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 361, Misc. Harry Meyers, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, and the Supreme Court of Illinois, denied.

No. 362, Misc. Henry Schectman, petitioner, *v.* John F. Foster, Warden. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 363, Misc. Derwood L. Treadway, petitioner, *v.* Vernon A. Morhous, Warden. Petition for writ of certiorari to the Supreme Court of New York denied.

No. 367, Misc. Ronald Borday, petitioner, *v.* Cornelius J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 369, Misc. Henry Moore, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 373, Misc. David Almeida, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 383, Misc. Basil McCullough, petitioner, *v.* State of New York. Petition for writ of certiorari to the Supreme Court of New York denied.

No. 386, Misc. Leonard Novak, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 389, Misc. Enos Wicks, petitioner, *v.* Supreme Court of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 394, Misc. Arthur William Nonn, petitioner, *v.* People of the State of Michigan et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 395, Misc. Roy Bute, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 397, Misc. Everett Rheim, petitioner, *v.* John A. Lyons, Commissioner. Petition for writ of certiorari to the Court of Appeals of the State of New York denied.

No. 398, Misc. Charles Tanthorey, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 401, Misc. Charles Skinner, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 402, Misc. Herbert Taylor, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 403, Misc. Frank Valecek, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 405, Misc. James J. Plaine, petitioner, *v.* C. P. Burford, Warden. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 409, Misc. William Stevens, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 356, Misc. Henry Marks, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Randolph County, Illinois; and

No. 404, Misc. Hampton James, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, Illinois. The petition for writ of certiorari in each of these cases is denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

No. 360, Misc. Melville Lee Wagner, petitioner, *v.* State of Louisiana;

No. 366, Misc. Francis Haines, petitioner, *v.* Joseph E. Ragen, Warden;

No. 385, Misc. Bruce Pierce, petitioner, *v.* John R. Cranor, Superintendent; and

No. 408, Misc. Earl W. Taylor, petitioner, *v.* P. J. Squier, Warden. The motions for leave to file petitions for writs of habeas corpus in these cases are severally denied.

No. 407, Misc. Max Philip Couture, petitioner, *v.* John R. Cranor, Superintendent. The motion for leave to file petition for writ of certiorari is denied.

No. 439, Misc. In the matter of the petition of Thomas J. O'Neill. The petition is denied.

No. 583. American President Lines, Ltd., petitioner, *v.* Augustus Federer et al. Time within which to file response to petition for writ of certiorari extended to and including April 20, on motion of counsel for the respondents.

No. 12 Original. The United States of America, plaintiff, *v.* The State of Louisiana. Four hours allowed for oral argument. Argued on motion for judgment by Mr. Solicitor General Perlman for the plaintiff; and by Mr. Cullen R. Liskow and Mr. L. H. Perez for the defendant.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, March 28, will be as follows: Nos. 13, Original, 1, 4 (5, 6, 7, 8, and 9), 2, 456, 428, 2 Misc., 25, 34, and 44.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

William E. Powers, of Cumberland, R. I.; Stephen A. Fanning, of Cumberland, R. I.; Leonard J. Roach, of Los Angeles, Calif.; Nicholas Pellegrini, of Brooklyn, N. Y.; Leo Tillman Norville, of Chicago, Ill.; Gerard J. Sheehan, of New York City; Ralph E. Hughes, of Lansing, Mich.; and Robert W. Brown, of Sioux City, Iowa, were admitted to practice.

No. 13, Original. The United States of America, plaintiff, *v.* The State of Texas. Four hours allowed for oral argument. Argument on the motion for judgment commenced by Mr. Solicitor General Perlman for the plaintiff, continued by Mr. Price Daniel and Mr. J. Chrys Dougherty for the defendant, and concluded by Mr. Solicitor General Perlman for the plaintiff.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 29, will be as follows: Nos. 1, 4 (5, 6, 7, 8, and 9), 2, 456, 428, 2 Misc., 25, 34, 44, and 445.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Albert Berthold Heitz, of New Orleans, La.; Roswell Perry Rosen-
gren, of Buffalo, N. Y.; Morris Merick, of Cleveland, Ohio; Hal D.
Kerr, of Cleveland, Tenn.; James E. Bennet, Jr., of New York City;
John Alan Appleman, of Urbana, Ill.; Luke R. Lamb, of Washington,
D. C.; Charles A. Rothman, of Philadelphia, Pa.; Thomas I. Guerin,
of Philadelphia, Pa.; and Emanuel Leof, of Philadelphia, Pa., were
admitted to practice.

No. 571. Clifford Dwane Helm, petitioner, *v.* State of Nevada.
Time within which to file brief in response to petition for writ of
certiorari extended to April 24, 1950, on motion of counsel for the
respondent.

No. 1. The United States, petitioner, *v.* Kansas City Life Insurance
Company. Reargued by Mr. Marvin J. Sonosky for the petitioner
and by Mr. Stanley Bassett for the respondent.

No. 4. The United States, petitioner, *v.* Gerlach Live Stock Com-
pany;

No. 5. The United States, petitioner, *v.* J. Sheldon Potter;

No. 6. The United States, petitioner, *v.* Martin Erreca;

No. 7. The United States, petitioner, *v.* James J. Stevinson, (a
Corporation);

No. 8. The United States, petitioner, *v.* Archibald J. Stevinson;
and

No. 9. The United States, petitioner, *v.* 3-H Securities Company.
Reargument commenced by Mr. Ralph S. Boyd for petitioners and
continued by Mr. Edward J. Treadwell for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 30, will be as follows: Nos. 4
(5, 6, 7, 8, and 9), 2, 456, 428, 2 Misc., 25, 34, 44, 445, and 455.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

William J. Gleason, of Harvard, Ill.; Charles W. Wilkinson, of Pearisburg, Va.; Anthony J. Race, of Arlington, Va.; Reuben Sirlin, of Mamaroneck, N. Y.; John H. Lewis, of Columbus, Ohio; and Samuel Markle, of New York City, were admitted to practice.

No. 4. The United States, petitioner, *v.* Gerlach Live Stock Company;

No. 5. The United States, petitioner, *v.* J. Sheldon Potter;

No. 6. The United States, petitioner, *v.* Martin Erreca;

No. 7. The United States, petitioner, *v.* James J. Stevinson (a Corporation);

No. 8. The United States, petitioner, *v.* Archibald J. Stevinson; and

No. 9. The United States, petitioner, *v.* 3-H Securities Company. Reargument concluded by Mr. Warner W. Gardner for Gill et al., as amici curiae, by special leave of Court.

No. 2. Graver Tank and Manufacturing Co., Inc., et al., petitioners, *v.* The Linde Air Products Company. Argued on rehearing by Mr. Thomas V. Koykka for the petitioners and by Mr. John T. Cahill and Mr. Richard R. Wolfe for the respondent.

No. 456. The International Union of United Automobile, Aircraft, and Agricultural Implement Workers of America, C. I. O., et al., appellants, *v.* Gerald K. O'Brien, Wayne County Prosecuting Attorney, et al. Argued by Mr. Joseph L. Rauh, Jr., for the appellants, by Mr. David P. Findling for the National Labor Relations Board, as amicus curiae, by special leave of Court; and by Mr. Edmund E. Shepherd for the appellees. Leave granted appellees to file brief within 10 days if so advised.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, March 31, will be as follows: Nos. 428, 2 Misc., 25, 34, 44, 445, and 455.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Beatrice E. Packard, of Brooklyn, N. Y.; John A. Rullo, of Brooklyn, N. Y.; Daniel E. Mulhern, of New York City; Carolyn E. Agger, of Washington, D. C.; Fred A. Potruch, of Los Angeles, Calif.; and Thos. N. Griggs, of Pittsburgh, Pa., were admitted to practice.

No. 635. Jane Rogers, petitioner, *v.* The United States of America;

No. 636. Irving Blau, petitioner, *v.* The United States of America;

No. 637. Arthur Bary, petitioner, *v.* The United States of America;

No. 638. Paul Meir Kleinbord, petitioner, *v.* The United States of America;

No. 639. Tracy Roy Rogers, petitioner, *v.* The United States of America; and

No. 640. Patricia Blau, petitioner, *v.* The United States of America. Time within which to file brief in response to petition for writs of certiorari extended to May 2, 1950, on motion of counsel for the respondent.

No. 663. Standard Oil Company of New Jersey, petitioner, *v.* The United States of America, as owner of the United States ship YMS-12; and

No. 664. Standard Oil Company of New Jersey, as owner of the steam tanker John Worthington, petitioner, *v.* The United States of America. Time within which to file brief in response to petition for writs of certiorari extended to May 15, 1950, on motion of counsel for the respondents.

No. 428. The United States of America, appellant, *v.* National Association of Real Estate Boards, Washington Real Estate Board, et al. Three hours allowed for oral argument. Argument commenced by the Assistant to the Attorney General, Mr. Peyton Ford, for the appellant; continued by Mr. William E. Leahy for appellees, Washington Real Estate Board, et al.; by Mr. Roger J. Whiteford for appellees, National Association of Real Estate Boards and Herbert U. Nelson; and concluded by Mr. Victor H. Kramer for the appellant.

No. 2, Misc. William Henry Roberts, petitioner, *v.* The United States District Court for the Northern District of California. Argued on the motion for leave to file petition for writ of mandamus by Mr. Max Radin for the petitioner. No appearance for respondent.

Adjourned until Monday, April 3, next, at 12 o'clock.

The day call for Monday, April 3, will be as follows: Nos. 25, 34, 44, 445, and 455.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

William R. Bagby, of Grayson, Ky.; Herman L. Taylor, of Raleigh, N. C.; Oliver W. Hill, Sr., of Richmond, Va.; Coleman H. Hayes, of Oklahoma City, Okla.; Buck W. McNeil, of Lubbock, Tex.; Virgil H. Langtry, of Portland, Oreg.; Harry Middleton Bellinger, of San Antonio, Tex.; William Claude Williams, of Dallas, Tex.; Stevens Park Kinney, of Denver, Colo.; Martin A. Martin, of Richmond, Va.; Caswell J. Gates, of Durham, N. C.; Barton Dement, Jr., of Murfreesboro, Tenn.; Howard Wallner, of Philadelphia, Pa.; Guy J. Kornblum, of Terre Haute, Ind.; Jerdie D. Lewis, of Terre Haute, Ind.; N. George Nasser, of Terre Haute, Ind.; Edward K. Zuckerman, of Beverly Hills, Calif.; Henry Watkins de Lagarde, of Washington, D. C.; and Howard Cayton, of Washington, D. C., were admitted to practice.

No. 51. Pete Darr, petitioner, *v.* C. P. Burford, Warden, Oklahoma State Penitentiary. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Eastern District of Oklahoma. Opinion by Mr. Justice Reed. Mr. Justice Burton and Mr. Justice Clark concur in the judgment and the opinion with the exception indicated in the statement of concurrence. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Black and Mr. Justice Jackson join. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following order of the Court:

No. 657. Jacob F. Holmes et al., appellants, *v.* The United States of America, Interstate Commerce Commission, Macon, Dublin and Savannah Railroad Company. Appeal from the United States District Court for the Southern District of New York. *Per curiam:* The motion to affirm is granted and the judgment is affirmed.

The Chief Justice said :

“The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

— In re Francis X. Lipare. The motion to amend the attorney roll to show the change of name of Frank V. Lipari to Francis X. Lipare is granted.

— October Term, 1933. In re Disbarment of Edmond C. Fletcher. The motion to vacate order of disbarment is denied. The Chief Justice took no part in the consideration or decision of this application.

No. 306. Louis A. Johnson, Secretary of Defense of the United States, et al., petitioners, *v.* Lothar Eisentrager, alias Ludwig Ehrhardt, on his own behalf and as next friend of Franz Siebert et al. The motion for leave to file brief of American Civil Liberties Union as amicus curiae is denied.

No. 609. Larry Gara, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted and the case transferred to the summary docket.

No. 590. Fred Pannell, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit dismissed on motion of counsel for the petitioner.

No. 591. George F. Croessant, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied.

No. 603. Eckert-Fair Construction Company, petitioner, *v.* Capitol Steel and Iron Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 606. London Guarantee and Accident Co., Ltd., and Weeden T. Underwood, petitioners, *v.* Horace W. Behrle. Petition for writ of certiorari to the Supreme Court of Rhode Island and Providence Plantations denied.

No. 611. Illa Routh Alley Schurink, petitioner, *v.* The United States of America, Gertrude Rhodes Alley and Bluford Alley. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 617. Commonwealth of Pennsylvania, petitioner, *v.* The Curtis Publishing Company. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 642. Minnie Keys, petitioner, *v.* K. E. Madsen, Assistant Engineer Commissioner in charge of Buildings for the District of Columbia, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 655. Burlington Transportation Company, petitioner, *v.* Earl C. Stoltz. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 601. Atlantic Coast Line Railroad Company et al., petitioners, *v.* St. Joe Paper Company et al. The motion to dispense with printing certain portions of the record is granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 217, Misc. Lorenzo McCoy Cradle, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 365, Misc. Lonnie James Ball, alias L. J. Ball, petitioner, *v.* State of Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 424, Misc. Dale Smith Simpson, petitioner, *v.* State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

The Court will take a recess from Monday, April 10, until Monday, April 17, next.

No. 25. Elmer W. Henderson, appellant, *v.* The United States of America, Interstate Commerce Commission and Southern Railway Company. Argument commenced by Mr. Attorney General McGrath for the United States; continued by Mr. Solicitor General Perlman for the United States; by Mr. Belford V. Lawson, Jr., and Mr. Jawn Sandifer for Henderson; by Mr. Allen Crenshaw for the Interstate Commerce Commission; by Mr. Charles Clark for the Southern Railway Company, and concluded by Mr. Sam Hobbs, as *amicus curiae*, by special leave of Court.

No. 34. G. W. McLaurin, appellant, *v.* Oklahoma State Regents for Higher Education, Board of Regents of the University of Oklahoma, et al. Argument commenced by Mr. Amos T. Hall for the appellant.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 4, will be as follows: Nos. 34, 44, 445, and 455.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Horace S. Kerr, of Columbus, Ohio; Richard A. Montgomery, of Media, Pa.; Frank A. Thompson, of St. Louis, Mo.; Lester J. Kramer, of Teaneck, N. J.; Irving Stenn, of Chicago, Ill.; Howard C. Ellis, of San Francisco, Calif.; Henri L. Bromberg, Jr., of Dallas, Tex.; Verne Churchill Hampton, of Pontiac, Mich.; Margarete M. Ryan, of Washington, D. C.; Frank W. Barton, of Memphis, Tenn.; and Mollie Z. Margolin, of Washington, D. C., were admitted to practice.

No. 34. G. W. McLaurin, appellant, *v.* Oklahoma State Regents for Higher Education, Board of Regents of University of Oklahoma, et al. Argument continued by Mr. Amos T. Hall for the appellant; by Mr. Robert L. Carter for the appellant; by Mr. Fred Hansen for the appellees; and concluded by Mr. Amos T. Hall for the appellant.

No. 44. Heman Marion Sweatt, petitioner, *v.* Theophilis Shickel Painter et al. Argued by Mr. W. J. Durham and Mr. Thurgood Marshall for the petitioner and Mr. Price Daniel and Mr. Joe R. Greenhill for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 5, will be as follows: Nos. 445 and 455.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Robert S. Link, Jr., of New Orleans, La., and Morris Relson, of New York City, were admitted to practice.

No. 18. Standard-Vacuum Oil Company, petitioner, *v.* The United States. Mandate ordered to issue forthwith on motion of counsel for petitioner.

No. 445. Brown Shoe Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Charles B. McInnis for the petitioner and Mr. Harry Marselli for the respondent.

No. 455. Automatic Radio Manufacturing Company, Inc., petitioner, *v.* Hazeltine Research, Inc. Argued by Mr. Floyd H. Crews for the petitioner and by Mr. Laurence B. Dodds and Mr. Philip F. LaFollette for respondent.

Adjourned until Monday, April 10, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Josephine M. Elmore, of San Francisco, Calif.; Roland Towle, of Chicago, Ill.; John F. Kavanagh, of New Smyrna Beach, Fla.; Merryl F. Sicherman, of Akron, Ohio; Florence Weinberg, of Chicago, Ill.; Eugene A. Weinberg, of Chicago, Ill.; Benjamin F. Stapleton, Jr., of Denver, Colo.; Aminta C. N. Burnet, of New York City; John D. Bennett, of Rockville Centre, N. Y.; Ulysses S. Bratton, Jr., of Detroit, Mich.; John Raymond Barry, of Denver, Colo.; Martin Lester Hanna, of Bowling Green, Ohio; Laurence A. Price, of Detroit, Mich.; Francis T. Nemas, of New York City; Jay-Ehret Mahoney, of New York City; Doyle Willis, of Fort Worth, Tex.; Edward G. Howard, of Wilmington, Del.; Freeman W. Sharp, Jr., of Washington, D. C.; Seymour Tabin, of Chicago, Ill.; James P. Hart, Jr., of Roanoke, Va.; Thomas J. Jones, Jr., of Boise, Idaho; John W. Coggins, of Washington, D. C.; Chas. W. Williamson, of Henderson, N. C.; Earl B. Myers, of San Francisco, Calif.; Joseph L. Seligman, Jr., of San Francisco, Calif.; George T. Law, of New Bedford, Mass.; Joseph Vincent Ferguson II, of New Orleans, La.; Morrie Slifkin, of Tarrytown, N. Y.; George R. Maury, of Los Angeles, Calif.; T. M. Royce, of Seattle, Wash.; and Craig McKee, of Des Moines, Iowa, were admitted to practice.

No. 391. Marion J. Slocum, as General Chairman, Lackawanna Division No. 30 of the Order of Railroad Telegraphers, petitioner, *v.* The Delaware, Lackawanna & Western Railroad Company. On writ of certiorari to the Court of Appeals of the State of New York. Judgment of the Court of Appeals reversed with costs and case remanded to that court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Reed. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 438. Order of Railway Conductors of America, an Unincorporated Association, petitioner, *v.* Southern Railway Company, a Corporation Organized and Existing under the Laws of the State of Virginia. On writ of certiorari to the Supreme Court of South Caro-

lina. Judgment of the Supreme Court of South Carolina reversed with costs, and case remanded to that court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting: Mr. Justice Reed. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 236. Richard Morford, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the case is remanded to the United States District Court for the District of Columbia for further proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Douglas concurs in the reversal of the judgment. Mr. Justice Black and Mr. Justice Frankfurter reverse for the reasons expressed in their opinions in *Dennis v. United States*, No. 14, decided March 27, 1950. Mr. Justice Clark took no part in the consideration or decision of this case.

The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 547. John W. Snyder, petitioner, *v.* Tighe E. Woods, Housing Expediter. Petition for writ of certiorari to the United States Emergency Court of Appeals denied.

No. 580. The United States, petitioner, *v.* Union Pacific Railroad Company. Petition for writ of certiorari to the Court of Claims denied.

No. 604. Tex-O-Kan Flour Mills Company, d/b/a Perry Burrus Elevators, petitioner, *v.* Texas and Pacific Railway Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 610. Charles W. Strong, trading as Strong Manufacturing Company, petitioner, *v.* Francis R. Smith, Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 615. John Mansavage, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 618. Continental Oil Company, petitioner, *v.* H. C. Jones, Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 619. Wilmington Trust Company, etc., petitioner, *v.* The Mutual Life Insurance Company of New York. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 622. B. D. Phillips, petitioner, *v.* Commissioner of Internal Revenue;

No. 623. T. W. Phillips, Jr., petitioner, *v.* Commissioner of Internal Revenue;

No. 624. Thomas W. Phillips III, petitioner, *v.* Commissioner of Internal Revenue;

No. 625. Roger S. Phillips, petitioner, *v.* Commissioner of Internal Revenue;

No. 626. Idell H. Phillips, petitioner, *v.* Commissioner of Internal Revenue;

No. 627. Margaret Phillips Succop, petitioner, *v.* Commissioner of Internal Revenue;

No. 628. Estate of Alma J. S. Phillips, deceased, et al., petitioners, *v.* Commissioner of Internal Revenue;

No. 629. Estate of Undine C. Phillips, deceased, B. D. Phillips, Administrator, petitioner, *v.* Commissioner of Internal Revenue; and

No. 630. Ruth Phillips Bisiker, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the Court of Appeals for the Third Circuit denied.

No. 633. Keokuk Steel Casting Company, petitioner, *v.* J. R. Lawrence. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 650. New York Life Insurance Company, petitioner, *v.* Virdie Schiel, Frank Schiel, Sr., Mary Lou Schiel, and Lorraine Schiel. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 666. Monolith Portland Midwest Company, petitioner, *v.* Reconstruction Finance Corporation. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 676. Carl Carpenter, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 677. Dave Dover, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 678. Gay Stinnett, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 197. George Marshall, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals

for the District of Columbia Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 248. John Howard Lawson, petitioner, *v.* The United States of America; and

No. 249. Dalton Trumbo, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 495. Anheuser-Busch, Incorporated, petitioner, *v.* Du Bois Brewing Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 548. Meyer Gordon, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 620. M. Loucopantis, G. Diamatakis, et al., petitioners, *v.* Steamship "Olympos," etc., et al. The motion to dispense with printing the petition, brief, and record is granted. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 403. Rudolf Reider, petitioner, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor. The petition for rehearing is denied. Mr. Justice Jackson and Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 517. Katherine Cohen and William Cohen, petitioners, *v.* The United States of America. The petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 255, Misc. Sam Thompson, petitioner, *v.* Browning Robinson, Warden. The second petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 364, Misc. Ruth Vena Johnson, etc., et al., petitioners, *v.* George Gardner, as Trustee. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 382, Misc. Grace W. Adkins, etc., petitioner, *v.* E. I. Du Pont de Nemours and Co., Inc. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 390, Misc. E. M. Watson, petitioner, *v.* L. G. Suddoth and J. S. Calfee. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 391, Misc. Melissa J. Rowe, petitioner, *v.* Walter L. Green. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 425, Misc. Salatheal Harry Tracy Everhart, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 427, Misc. Hans-Joachim Falkenstein, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York denied.

No. 428, Misc. Edgar Holland, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 437, Misc. Harry Holmes, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals for Maryland denied.

No. 457, Misc. Fred Varela and Alfonso Najera, petitioners, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 459, Misc. Carson Seger and Curtis Chapman, petitioners, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 432, Misc. Alexander G. Jeronis, petitioner, *v.* People of the State of Michigan. Application denied.

No. 438, Misc. Madeleine Du Pont Ruoff, petitioner, *v.* Honorable Charles F. McLaughlin, U. S. District Judge for the District of Columbia. The motion for leave to file petition for writ of mandamus is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

Adjourned until Monday, April 17, next, at 12 o'clock.

The day call for Monday, April 17, 1950, will be as follows: Nos. 76, 306, 434, 435, 490, 512 and 527, 513 and 528, 568.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

James M. McGarry, of Providence, R. I.; Matthew Wilson Goring, of Providence, R. I.; Joseph Francis Dolan, of Valley Stream, N. Y.; B. M. Pelavin, of Flint, Mich.; George Marlin, of New York City; Wilbur W. Heard, of Tulsa, Okla.; David E. Smitherman, of Shreveport, La.; Charles Ford Currier, of Shreveport, La.; Allen A. Dobey, of Arlington, Va.; Jerome Frank Kutak, of Hammond, Ind.; Forrest H. Anderson, of Helena, Mont.; William Glassman, of Warren, Pa.; Sherman Anderson, of Los Angeles, Calif.; Albert Langerman, of Washington, D. C.; Milton C. Wasby, of Boston, Mass.; Herman Knell, of Chicago, Ill.; Alfred B. Eddy, of Ontonagon, Mich.; Richard William Corman, of Rushville, Ill.; James L. McGovern, of New York City; Arthur Carl Larson, of Wakefield, Nebr.; Robert E. Penland, of Columbia, S. C.; Fred J. Baumgardner, of Louisville, Ky.; Joseph A. Lehman, Jr., of Chicago, Ill.; Earl C. Johnson, of Dunning, Nebr.; G. Lawrence Keller, of Pratt, Kans.; Edgar L. Robbins, of Louisville, Ky.; Charles M. Noone, of Alexandria, Va.; Courtney Allen Evans, of Detroit, Mich.; Manning C. Clements, of Burnet, Tex.; William F. Billings, of Dallas, Tex.; Joseph Daniel Donohue, of Montclair, N. J.; and August B. Fipp, Jr., of Defiance, Ohio, were admitted to practice.

No. 26. The United States of America, petitioner, *v.* Westinghouse Electric and Manufacturing Co. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment reversed insofar as it awards \$25,600 to respondent and case remanded to the United States District Court for the District of Massachusetts for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Jackson. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 724. Benard South and Harold C. Fleming, appellants, *v.* James Peters, as Chairman of the Georgia State Democratic Executive Committee, et al. Appeal from the United States District Court for Northern Georgia. Decree affirmed with costs. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 353. California-Michigan Land and Water Company, petitioner, *v.* City of Pasadena, a Municipal Corporation, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 595. W. O. Roberts, Superintendent of the Five Tribes Agency, for Agnes Quapaw Hoffman, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 614. Ralph M. Brock, petitioner, *v.* Robert C. Solomon, Trustee, etc.; and

No. 675. Henry E. Becker, petitioner, *v.* Robert C. Solomon, Trustee, etc. Petitions for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 631. Ruth M. Morairty, petitioner, *v.* Mutual Life Insurance Company of New York. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 641. G. Pullen Jackson and Frank L. Horan, a partnership, practicing under the name of Jackson and Horan, petitioners, *v.* Harry V. Vance, Trustee of the Estate of William O. Stuart, et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 643. Allied Oil Corporation, petitioner, *v.* Socony-Vacuum Oil Company, Incorporated. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 669. Republic Steel Corporation, petitioner, *v.* The Farval Corporation. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 359. William H. Hiatt, Warden, United States Penitentiary, Atlanta, Georgia, petitioner, *v.* Eugene Preston Brown;

No. 525. Orin C. Clement, petitioner, *v.* Tighe E. Woods, Housing Expediter, Office of Housing Expediter;

No. 543. Jiffy Lubricator Company, petitioner, *v.* The Alemite Company;

No. 545. Laurie J. Carpenter, petitioner, *v.* Erie Railroad Company; and

No. 351, Misc. Ex parte Sol Newstead, petitioner. The petitions for rehearing in these cases are severally denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 291, Misc. Joseph Rufus Langford, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 336, Misc. Cornelo Thomasson, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 400, Misc. Daniel M. Kent, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 406, Misc. Randall Winegard, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 413, Misc. Sadie Smith and Minnie Smith, petitioners, *v.* Mr. & Mrs. J. L. Holt. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 417, Misc. George Cubbler, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 419, Misc. Ralph Bindrin, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 426, Misc. Richard Blue, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 435, Misc. Ross E. Dunlevy, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Sangamon County, Illinois, denied.

No. 450, Misc. J. F. Wild, petitioner, *v.* C. P. Burford, Warden. Petition for writ of certiorari to the District Court of the County of McCurtain, Oklahoma, denied.

No. 396, Misc. John Robert Bridges, alias Jack Bridges, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 449, Misc. Earnest Lee Potter, petitioner, *v.* Ralph N. Eidson, Warden. Motion for leave to file petition for writ of habeas corpus denied.

It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the argument in case No. 568, and that the Court will take a recess from Monday, April 24, until Monday, May 1, next.

No. 490. The United States of America, appellant, *v.* Cotton Valley Operators Committee et al. Motion for leave to file brief of Wm. Dwight Whitney as amicus curiae submitted by Mr. John H. Pickering in that behalf, and the motion denied.

No. 76. Travelers Health Association and R. E. Pratt, as Treasurer Thereof, and in his personal capacity, appellants, *v.* Commonwealth of Virginia, at the relation of State Corporation Commission. Re-argued by Mr. Moses G. Hubbard, Jr., for the appellants and Mr. Walter E. Rogers for the appellee.

No. 306. Louis A. Johnson, Secretary of Defense of the United States et al., petitioners, *v.* Lothar Eisentrager, alias Ludwig Ehrhardt, on his own behalf and as next friend of Franz Siebert et al. Argued by Mr. Solicitor General Perlman for the petitioners and Mr. A. Frank Reel and Mr. Milton Sandberg for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 18, will be as follows: Nos. 434, 435, 490, 512 and 527, 513 and 528, 568.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

James Carter Cooper, of Rushville, Ind.; Henry A. Frye, of Philadelphia, Pa.; Loren Milo Hullinger, of Cedar Rapids, Iowa; Joseph Stomel, of Los Angeles, Calif.; Thomas C. Heffernan, of Boston, Mass.; Walter P. Armstrong, Jr., of Memphis, Tenn.; and Philip A. Angell, of Randolph, Vt., were admitted to practice.

No. 434. National Labor Relations Board, petitioner, *v.* Mexia Textile Mills, Inc.; and

No. 435. National Labor Relations Board, petitioner, *v.* Pool Manufacturing Company. Argued by Mr. A. Norman Somers for the petitioner and Mr. John M. Scott for the respondents.

No. 490. The United States of America, appellant, *v.* Cotton Valley Operators Committee et al. Motion to dismiss or affirm submitted by Mr. Arthur O'Quin for appellees, Ohio Oil Company et al.

No. 490. The United States of America, appellant, *v.* Cotton Valley Operators Committee et al. Argued by Mr. Assistant Attorney General Bergson for appellant; by Mr. Arthur O'Quin for appellees, Ohio Oil Company et al.; by Mr. Charles L. Black for appellees, Stanolind Oil and Gas Company et al.; and case submitted by Mr. Charles B. Wallace, Mr. Wallace Hawkins, and Mr. Earl A. Brown, for appellee, Magnolia Petroleum Company.

No. 512. William A. Lyon, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Eugene T. Singer; and

No. 527. Eugene T. Singer, petitioner, *v.* The Yokohama Specie Bank, Ltd., et al. Argument commenced by Mr. Albert R. Connelly, for Eugene T. Singer.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 19, will be as follows: Nos. 512 and 527, 513 and 528, 568.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton.

Daniel Gersen, of New York City; John R. Gehrig, of Cincinnati, Ohio; Anthony Albert Cardozo, of Modesto, Calif.; Stanislaus J. Jablonski, of Worcester, Mass.; Morris Morgenstern, of Cleveland, Ohio; Bernard B. Dierenfeld, of Cleveland, Ohio; Marvin L. Shaw, of Cleveland, Ohio; John Jennings Boland, of Washington, D. C.; and William F. Leopold, Jr., of Philadelphia, Pa., were admitted to practice.

No. 583. American President Lines, Ltd., petitioner, *v.* Augustus Federer et al. Time within which to file response to petition for writ of certiorari extended to and including April 27, on motion of counsel for the respondents.

No. 512. William A. Lyon, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Eugene T. Singer; and

No. 527. Eugene T. Singer, petitioner, *v.* The Yokohama Specie Bank, Ltd., et al. Argument continued by Mr. Albert R. Connelly for Singer; by Mr. Edward Feldman for William A. Lyon, Superintendent of Banks, et al.; by Mr. James L. Morrisson for the United States as *amicus curiae* by special leave of Court; and concluded by Mr. Albert R. Connelly for Singer.

No. 513. William A. Lyon, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Banque Mellie Iran; and

No. 528. Banque Mellie Iran, petitioner, *v.* William A. Lyon, Superintendent of Banks of the State of New York, etc. Argued by Mr. Allen T. Klotz for the Banque Mellie Iran; by Mr. James L. Morrisson for the United States as *amicus curiae* by special leave of Court, and by Mr. Edward Feldman for William A. Lyon, Superintendent of Banks, etc.

No. 568. Oscar R. Ewing, Federal Security Administrator, et al., appellants, *v.* Mytinger and Casselberry, a California Corporation. Argument commenced by Mr. Robert L. Stern for the appellants.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 20, will be as follows: No. 568.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton.

John Francis Doyle, of Washington, D. C.; Lester L. Lev, of Fullerton, Calif.; Frederick J. Hertz, of Chicago, Ill.; Enos A. Axtell, of Kansas City, Mo.; Ralph C. Busser, of Philadelphia, Pa.; and James L. Abney, of Houston, Tex., were admitted to practice.

No. 568. Oscar R. Ewing, Federal Security Administrator, et al., appellants, *v.* Mytinger and Casselberry, a California Corporation. Argument continued by Mr. Robert L. Stern for the appellants, by Mr. Charles S. Rhyne for the appellee, and concluded by Mr. Robert L. Stern for the appellants.

Adjourned until Monday, April 24, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Julius B. Nachman, of Alexandria, La.; Frederick H. Block, of New York City; James L. Griffin, of Chicago, Ill.; Samuel S. Topper, of Detroit, Mich.; Alfred E. McLane, of Dallas, Tex.; John A. Murphy, of Phoenix, Ariz.; Richard L. Baltimore, Jr., of New York City; Carl G. Lutz, of Indianapolis, Ind.; Donald O. Krag, of Alhambra, Calif.; Edward Schoen, Jr., of Newark, N. J.; Robert G. MacAlister, of Pittsburgh, Pa.; Hayford O. Enwall, of Gainesville, Fla.; C. Edward Leasure, of Washington, D. C.; Sidney Morse, of Brooklyn, N. Y.; Wm. A. Glasgow, of Washington, D. C.; Russell E. Smith, of Missoula, Mont.; George Herbert Seefeld, of New York City; Paul M. Geist, of Bridgeport, Conn.; James Burnley Doak, of Philadelphia, Pa.; John A. Dienner, Jr., of Chicago, Ill.; John Rex Allen, of Chicago, Ill.; Wilbur Myron Jones, of New York City; Vincent W. H. DeLucia, of New Haven, Conn.; Edwin N. Dwyer, of New Haven, Conn.; Thomas Boyd Ramey, of Tyler, Tex.; Frederick J. Waters, of New York City; Walter Rojek, of Chicago, Ill.; Matthew H. Schoenbaum, of Chicago, Ill.; and Norman J. Small, of Washington, D. C., were admitted to practice.

No. 378. Kenneth J. Mullane, as Special Guardian and Attorney, etc., appellant, *v.* Central Hanover Bank and Trust Company, as Trustee, etc., et al. Appeal from the Court of Appeals of the State of New York. Judgment reversed with costs and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Jackson. Dissenting: Mr. Justice Burton. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 46. Lee Cassell, petitioner, *v.* The State of Texas. On writ of certiorari to the Court of Criminal Appeals of the State of Texas. Judgment reversed with costs and case remanded to the Court of Criminal Appeals for further proceedings not inconsistent with the opinion of this Court. Mr. Justice Reed announced the judgment of

the Court and an opinion in which the Chief Justice, Mr. Justice Black, and Mr. Justice Clark concur. Opinion by Mr. Justice Frankfurter concurring in the judgment in which Mr. Justice Burton and Mr. Justice Minton join. Concurring opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Jackson. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 689. E. B. Shipman and W. A. Shipman, individually, and trading as Shipman Brothers, et al., appellants, *v.* Andrew J. DuPre et al. Appeal from the United States District Court for the Eastern District of South Carolina. Judgment of the District Court vacated, each party to pay his or its own costs in this Court. The case is remanded to the District Court with directions to retain jurisdiction of the complaint for a reasonable time, to afford appellants an opportunity to obtain, by appropriate proceedings, a construction by the state court of the statutory provisions involved. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Douglas.

The Chief Justice announced the following orders of the Court:

No. 490. The United States of America, appellant, *v.* Cotton Valley Operators Committee et al. Appeal from the United States District Court for the Western District of Louisiana. *Per curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 725. Nick Tedesco, appellant, *v.* Board of Supervisors of Elections for the Parish of Orleans et al. Appeal from the Court of Appeal for the Parish of Orleans, Louisiana. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 727. William F. Hopkins, appellant, *v.* State of Maryland. Appeal from the Court of Appeals of Maryland. *Per curiam*: The appeal is dismissed for want of a substantial federal question.

The Chief Justice said:

“The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

ORDER

It is ordered that Maynard E. Pirsig, of Minneapolis, Minn., Dean of the Law School of the University of Minnesota, be, and he hereby

is, appointed a member of the Advisory Committee, appointed by the order of June 3, 1935, and designated as a continuing Committee to advise the Court with respect to amendments or additions to the Rules of Civil Procedure for the District Courts of the United States, by the order of January 5, 1942, in the place of Wilbur H. Cherry, deceased.

— In the Matter of Otto G. Cook. The motion to amend the attorney roll to show the change of name of Otto G. Kuklinski to Otto G. Cook is granted.

No. 648. The United States of America, petitioner, *v.* Munsingwear, Inc.; and

No. 649. The United States of America, petitioner, *v.* Munsingwear, Inc. Petition for writs of certiorari to the Court of Appeals for the Eighth Circuit granted and cases transferred to the summary docket.

No. 546. George E. Eddy and Samuel Silbiger, petitioners, *v.* Prudence Bonds Corporation et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 571. Clifford Dwane Helm, petitioner, *v.* State of Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 592. The United States of America, petitioner, *v.* Pevely Dairy Company; and

No. 593. The United States of America, petitioner, *v.* St. Louis Dairy Company. Petition for writs of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 616. Plainfield Hotel Corporation, petitioner, *v.* The City of Buffalo. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 632. Aurora G. Tamez, Independent Executrix of the Estate of R. I. Tamez, deceased, petitioner, *v.* Tighe E. Woods, Housing Expediter, Office of the Housing Expediter. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 634. Union Pacific Railroad Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 652. Andrew Kjar, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 656. Ring Construction Corporation, petitioner, *v.* The Secretary of War of the United States. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 660. Louisville and Jefferson County Metropolitan Sewer District, petitioner, *v.* Bond Brothers. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 661. The Commission of the Department of Public Utilities of the Commonwealth of Massachusetts, petitioner, *v.* New York, New Haven and Hartford Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 662. Nicholas W. Mathey, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 665. The Baltimore and Ohio Railroad Company, petitioner, *v.* Hopper Paper Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 683. Johnie Throckmorton, petitioner, *v.* St. Louis-San Francisco Railway Company. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 280. Willapoint Oysters, Inc., petitioner, *v.* Oscar R. Ewing, Administrator, et al., Acting Administrator, Federal Security Agency, Food and Drug Administration. The motion for leave to file petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 552. William R. Mestice, petitioner, *v.* Anthony Masi;

No. 596. Cornelia Harris, petitioner, *v.* Commissioner of Internal Revenue; and

No. 397, Misc. Everett Rheim, petitioner, *v.* John A. Lyons, Commissioner. The petitions for rehearing in these cases are severally denied.

No. 337, Misc. John Edwin Byers, petitioner, *v.* Walter A. Hunter, Warden. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 392, Misc. Paul L. Cromelin, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 440, Misc. Eddie Mitchell, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 442, Misc. Edward J. Sterba, Jr., petitioner, *v.* Judge Francis Borelli et al. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 443, Misc. Arthur Rivers, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Circuit Court of St. Joseph County, Indiana, denied.

No. 444, Misc. Jack Swoveland, petitioner, *v.* W. Frank Smyth, Jr., Supt. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 447, Misc. Edmond Arthur Rohde, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 448, Misc. Frank Barnes, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 451, Misc. George Ross Wagner, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 452, Misc. Henry Nelson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 461, Misc. Anthony Adams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 465, Misc. Emanuel Perrozzi, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, the Criminal Court of Cook County, and the Supreme Court of Illinois, denied.

No. 473, Misc. Theodore Wulsch, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Saint Clair County, Illinois, denied.

No. 387, Misc. Eugene K. Quillian, petitioner, *v.* Joseph M. Sweeney, Sheriff, et al. Petition for writ of certiorari to the Court of Appeals of Ohio denied. Mr. Justice Douglas is of the opinion the petition should be granted.

No. 388, Misc. Robert Woodall, A. K. A. Frank Woodall, petitioner, *v.* Joseph M. Sweeney, Sheriff et al. Petition for writ of certiorari to the Court of Appeals of Ohio denied. Mr. Justice Douglas is of the opinion the petition should be granted.

No. 430, Misc. E. I. Du Pont de Nemours and Company et al., petitioners, *v.* United States District Court for the Northern District of Illinois, et al. The motion for leave to file petition for writ of mandamus and/or certiorari is denied.

No. 455, Misc. Frederick Lee Spillman, petitioner, *v.* J. Vernal Jackson, Warden. The motion for leave to file petition for writ of certiorari is denied.

No. 464, Misc. George Robert Slade, petitioner, *v.* Emery E. Jacques, Warden. The motion for leave to file petition for writ of habeas corpus is denied.

ORDER

IT IS ORDERED that paragraph 7 of rule 32 of the Rules of this Court be amended so as to read as follows:

"7. In pursuance of section 1911 of title 28 of the United States Code, the fees to be charged by the Clerk of this Court are fixed as follows:

"(a) For docketing a case on appeal or petition for writ of certiorari or docketing any other proceeding, \$100.00, to be increased to \$150.00 in a case on appeal or writ of certiorari when oral argument is permitted.

"(b) For preparing the record for the printer, indexing the same, supervising the printing and distributing the printed copies to the justices, the reporter, the library, and the parties or their counsel, 20 cents per folio of each 100 words; but where the necessary printed copies of the record as printed for the use of the court below are furnished, charges under this item will be limited to any additions printed here under the clerk's supervision, plus a handling charge of \$25.00 in cases in which oral argument is permitted.

"(c) For preparing, on filing, for the printer, petitions for writs of certiorari, briefs, jurisdictional statements or motions when required by the Rules, or at the request of counsel, when, in the opinion of the clerk, circumstances require, indexing the same, changing record references to conform to the pagination of the printed record, and supervising the printing, 20 cents per folio of each 100 words. Neither the expense of printing nor the clerk's supervising fee shall be allowed as costs in the case.

"(d) For making a copy (except a photographic reproduction) of any record or paper, and comparison thereof, 40 cents per page of 250 words or fractions thereof; for comparing for certification a copy (except a photographic reproduction) of any record or paper when such copy is furnished by the person requesting its certification, 10 cents for each page of 250 words or fraction thereof.

"For comparing with the original thereof any photographic reproduction of any record or paper, when furnished by the person requesting its certification, 5 cents for each page.

"(e) For a certificate and seal, \$3.00.

“(f) For an admission to the Bar and certificate under seal, \$25.00.

“(g) For a duplicate certificate of an admission to the Bar under seal, \$10.00.”

IT IS FURTHER ORDERED that this order shall apply to cases docketed on or after May 1, 1950.

ORDER

IT IS ORDERED that the concluding sentence of paragraph 9 of Rule 13 of the Rules of this Court be amended so as to read as follows:

“The fees of the clerk under Rule 32, paragraph 7, shall be computed on the folios in the record as printed, and shall be in full for the performance of his duties in that regard.”

IT IS FURTHER ORDERED that this order shall apply to cases docketed on or after May 1, 1950.

ORDER

The Clerk is directed to abandon the practice of awarding an attorney's docket fee except as provided by statute in admiralty cases.

This order shall apply to cases docketed on and after May 1, 1950.

Adjourned until Monday, May 1, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Benj. G. Habberton, of Dallas, Tex.; Rogers C. Kelley, of Edinburg, Tex.; Arad McCutchan Riggs, of New York City; John B. Ebinger, of Klamath Falls, Oreg.; B. G. Langston, of Lakeland, Fla.; William J. Bivens, of St. Augustine, Fla.; Charles H. Thompson, of Harrisburg, Ill.; George B. Lee, of Harrisburg, Ill.; Jesse D. Davis, of Tulsa, Okla.; Albert Theodore Suter, of San Francisco, Calif.; Harry W. Lindsey, Jr., of Chicago, Ill.; Curtis F. McClane, of New York City; Edmond J. Shea, of Lackawanna, N. Y.; Rhoda V. Lewis, of Honolulu, Hawaii; R. deS. Shryock, of Philadelphia, Pa.; Edward T. Kenny, of New York City; E. Kendell Davis, of Sacramento, Calif.; Louis Eisenstein, of Washington, D. C.; Solomon B. Rosenzweig, of Chicago, Ill.; Alan B. Todd, of New York City; Frank Ray Anderson, of Falls Church, Va.; and Carl R. Lauritsen, of Elsa, Tex., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 427. Hartness Flowers, appellant, *v.* State of Mississippi. Appeal from the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 687. David Franklin, appellant, *v.* J. Walker Harper, C. Nolan Bowden, and G. E. Murphey. Appeal from the Supreme Court of Georgia. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 713. The United States of America and Interstate Commerce Commission, appellants, *v.* The Texas and Pacific Motor Transport Company; and

No. 714. Regular Common Carrier Conference of American Trucking Associations, Inc., appellant, *v.* The Texas and Pacific Motor Transport Company. In these cases probable jurisdiction is:

noted. The cases are transferred to the summary docket and assigned for argument immediately following No. 654.

No. 584. The United States of America, petitioner, *v.* Security Trust and Savings Bank of San Diego, Executor, etc., et al.;

No. 585. The United States of America, petitioner, *v.* Security Trust and Savings Bank of San Diego, Executor, etc., et al.;

No. 586. The United States of America, petitioner, *v.* Security Trust and Savings Bank of San Diego, Executor, etc., et al.; and

No. 587. The United States of America, petitioner, *v.* Security Trust and Savings Bank of San Diego, Executor, etc., et al. Petition for writs of certiorari to the District Court of Appeal for the Fourth Appellate District of California granted.

No. 686. The Great Atlantic and Pacific Tea Company, petitioner, *v.* Supermarket Equipment Corporation, substituted for Evelyn B. Bradley and Joe Weingarten. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted and the case transferred to the summary docket.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 542. Duncan Coffee Company, petitioner, *v.* Reconstruction Finance Corporation. Petition for writ of certiorari to the United States Emergency Court of Appeals denied.

No. 562. Local 36, International Fishermen and Allied Workers of America et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 651. William L. Burns and Mable Burns, petitioners, *v.* The Mutual Benefit Life Insurance Company of Newark, New Jersey. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 658. Mary Kathryn Castle Steinway, petitioner, *v.* Majestic Amusement Company, Hotel Frontier, Inc., et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 668. Insurance Company of North America, petitioner, *v.* Carl T. Howe. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 672. The Hygienic Products Company, petitioner, *v.* Judson Dunaway Corporation; and

No. 681. Judson Dunaway Corporation, petitioner, *v.* The Hygienic Products Company. Petitions for writs of certiorari to the Court of Appeals for the First Circuit denied.

No. 673. Nellie Ione Gray, Evlyn Levison, A. C. McLaughlin, et al., petitioners, *v.* Ambrose Oldland, Carrie Knowles, et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 679. William M. Jones and O. (Ora) King, petitioners, *v.* A. (Ace) Gutowsky. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 688. Noble C. Powell, petitioner, *v.* Rowland W. Young. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 692. M. and M. Transportation Company, suing on its behalf and all other Interstate Motor Carriers operating to and from and through the City of New York, petitioner, *v.* City of New York, Lazarus Joseph, as Comptroller of the City of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 694. E. H. Albrecht et al., petitioners, *v.* Indiana Harbor Belt Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 695. Bentley S. Handwork et al., Individually and as Trustees, etc., petitioners, *v.* Horace A. Young, as Trustee in Bankruptcy of the Estate of George R. Joslyn, Bankrupt; and

No. 696. Bentley S. Handwork et al., Individually and as Trustees, etc., petitioners, *v.* Horace A. Young, as Trustee in Bankruptcy of the Estate of George R. Joslyn, Bankrupt. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 733. The Charter Oak Fire Insurance Company and United States Fire Insurance Company of New York, petitioners, *v.* Harry J. Gerrity and Blanche Hunt Gerrity. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 674. Armand Gregoire, petitioner, *v.* Francis Biddle, Tom C. Clark, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 697. Garfield A. Berlinsky, petitioner, *v.* Tighe E. Woods, Housing Expediter, Office of Housing Expediter, et al. The motion to dispense with printing the petition and record is granted. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 14. Eugene Dennis, petitioner, *v.* The United States of America. The motion of O. John Rogge and Benedict Wolf for leave to file brief as amici curiae is denied. The petition for rehearing is denied. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 163. Commodities Trading Corporation et al., petitioners, *v.* The United States;

No. 156. The United States, petitioner, *v.* Commodities Trading Corporation et al.; and

No. 337. Railway Labor Executives' Association, appellant, *v.* The United States of America, Interstate Commerce Commission, City of New Orleans, Louisiana, et al. Petitions for rehearing in these cases denied. The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 301, Misc. Fred Tate, petitioner, *v.* Robert A. Heinze, Warden. The second petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 373, Misc. David Almeida, petitioner, *v.* Commonwealth of Pennsylvania. The petition for rehearing is denied.

No. 324, Misc. Richard Anderson Lowe, petitioner, *v.* George D. Killinger, etc., et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 422, Misc. James Arrington, petitioner, *v.* State of Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 441, Misc. Paul Lee Holt, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 454, Misc. Robert Young, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 468, Misc. William Lester Keith, petitioner, *v.* W. C. Miller, Warden. The motion for leave to file petition for writ of certiorari is denied.

No. 470, Misc. Julius Edward Epple, petitioner, *v.* Clinton T. Duffy, Warden; and

No. 471, Misc. Joseph Hobbs, Jr., petitioner, *v.* Edwin T. Swenson, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

Adjourned until Monday, May 8, next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Mr. Solicitor General Perlman addressed the Court as follows:

“May it please this Honorable Court: At a meeting of members of the bar of the Supreme Court, held on November 4, 1949, resolutions expressing their profound sorrow at the death of Chief Justice Charles Evans Hughes were offered by a committee, of which the Honorable John W. Davis was chairman. Addresses on the resolutions were made by former Governor Nathan L. Miller of New York; former New York Appellate Division Justice Joseph M. Proskauer; the Honorable Charles Cheney Hyde, Professor Emeritus of International Law at Columbia University and Solicitor of the Department of State during the period when Mr. Hughes was Secretary of that Department; and the Honorable John Lord O’Brian, former Assistant Attorney General of the United States, and a long-time associate of the late Chief Justice in many legal and political affairs before his elevation to the bench. The resolutions, adopted unanimously, are as follows:

“RESOLUTIONS

“On the 27th of August 1948 in the Eighty-seventh year of his life, Charles Evans Hughes, eleventh Chief Justice of the United States, departed this life. He had laid down the burdens of his great office ‘for reasons of health and age,’ as he said, on July 1, 1941. He carried however into his retirement and retained until his death the widespread admiration and affection which he had earned by a lifetime of devoted services to his profession and his country.

“We, members of the bar of the Supreme Court, meet today to place on record our estimate of the man and our appraisal of his labors.

“His career belongs to history and we do not attempt to chronicle all of its incidents. Born of intellectual and cultured parents, he was trained by them in boyhood in the use of his exceptional mind. He early proved his mental power by consistently winning honors and distinction in his educational life. In 1884 when but 22 years of age he was admitted to the bar of the State of New York and from that time until his death, no matter how tempted to other pursuits, he remained a servant of the law.

“Upon his admission he entered the employ of the firm of Chamberlain, Carter & Hornblower in the City of New York and four years later after he had become a partner he married Miss Antoinette Carter, daughter of the senior member of the firm. It was a most fortunate choice and she remained his beloved companion until her death in 1945 left a void that could not be filled.

“He early interrupted his increasingly busy life at the bar by two years as a law teacher at Cornell University. And within little more than a decade after returning to the practice, he won public acclaim as counsel for committees of the Legislature of New York in the investigation of the gas and insurance companies.

“Comparatively young and relatively unknown, he demonstrated an extraordinary capacity in dealing with complicated accounts, and in ascertaining and revealing the existence of abuses and framing legislation designed to prevent their continuance or recurrence. In the investigation of the life insurance companies especially, he attracted favorable public attention throughout the land and was given principal credit for exposing and eradicating the illegal and objectionable practices that were then prevalent. His outstanding contribution in a matter of such vital Nation-wide importance soon reaped its deserved reward. Without his seeking, he was nominated and elected as Governor of the State in 1906 and reelected in 1908. Toward the end of his second gubernatorial term he was called by President Taft to the bench of the Supreme Court. This office he resigned after six years to become the Republican nominee for the presidency in 1916, and upon his defeat in the ensuing campaign he once more returned to active practice at the bar. In 1921 President Harding named him as Secretary of State. After four years in that office he again took on the work of a practicing lawyer. In 1928 he was elected a judge of the permanent Court of International Justice but retired from that position when President Hoover in 1930 nominated him for the Chief Justiceship.

“It is notable that in all this chain of events he followed the rule, laid down by Benjamin Franklin, never to seek a public office and never to refuse one when offered. It could never be said of him that he was greedy for office. No nomination or appointment came to him of his own seeking. And his various terms of service were ended by his resignation. Thus he resigned as Governor to become a Justice of the Supreme Court; he resigned as Justice of the Supreme Court to become a nominee for the Presidency; he resigned as Secretary of State upon the election of President Coolidge; he resigned as Judge of the International Court to become Chief Justice of the United States.

“When his biography comes to be written, it will be easy for the author to cull from his many opinions, speeches, and writings, passages that fully develop his philosophy of life. He was a self-contained and self-reliant man; never a silent one, yet not given overmuch to self-disclosure. But it is clear that from his earliest days he entertained a deep-rooted reverence for equal justice under law. This was his ideal, this his guiding star, this his lifetime ambition to which he gave frequent expression and which he pursued with unswerving devotion both on the bench and at the bar.

“In the great speech which he delivered at London, in Westminster Hall in 1924, on behalf of the American Bar Association, he gave eloquent utterance to his creed. Said he:

“The fundamental conception which we especially cherish as our heritage is the right to law itself, not as the edict of arbitrary power but as the law of a free people, springing from custom, responsive to their sense of justice, modified and enlarged by their free will to meet conscious needs and sustained by authority which is itself subject to the law—the law of the land. * * * We of the common law respect authority but it is the authority of the legal order. We respect those who in station high or humble execute the law—because it is our law. We esteem them but only as they esteem and keep within the law.’

“Even in private life he was not spared from public demands, as when President Wilson called on him to survey the aircraft program during World War I, or when in 1926 he headed a successful commission to reorganize the administrative agencies of the state. It was but natural, too, that his professional brethren should constantly call on him to lead and vitalize their various organizations. At one time or another he was President of the Association of the Bar of the City of New York, of the New York County Lawyers Association, of the New York State Bar Association, and of the American Bar Association.

“His exalted conception of a lawyer’s duty is illustrated by the fact that upon his resumption of practice after his campaign for the Presidency of the United States one of his first acts was to accept the presidency of the Legal Aid Society of New York City. The present usefulness of that organization is due in large part to the impetus he gave it. His idea of its purpose he stated in these words:

“We are trying to make firm the foundations of the Republic through confidence in the administration of justice; through love of country; not of the flag in a sentimental way—that is well enough—but through love of the institutions of the country; in respect for the judicial institutions of the country and by the determination that when

we say we will regard neither rich nor poor we mean not simply impartiality and integrity of courts; we mean actual advice, representation, the power of the expert bar, the strong man of democracy at the service of the weak.'

"Another incident illustrating his conception of a lawyer's duty occurred when the Assembly of the State of New York passed in 1920 a resolution expelling five members of the Socialist Party who had been regularly elected to that body. At once he stepped forward as the spokesman of public right and denounced the proceeding as thoroughly un-American. In a ringing open letter to the Speaker of the Assembly he wrote:

"* * * it is absolutely opposed to the fundamental principles of our government for a majority to undertake to deny representation to a minority through its representatives elected by ballots lawfully cast. If there was anything against these men as individuals * * * they should be charged accordingly.

"But I understand that the action is not directed against these five elected members as individuals, but that the proceeding is virtually an attempt to indict a political party and to deny it representation in the Legislature. That is not, in my judgment, American government.'

"Be it said to the credit of the bar associations of the State and city, that, following the lead he gave them, they joined him in a no less ardent protest.

"As an advocate at the bar he was earnest, forceful, and persuasive; in counsel, wise and exact. He possessed an extraordinary memory and a great capacity for the analysis of complicated facts and the determination of their weight and consequence. He gave to every case exhaustive scrutiny and could never be taken unawares or unprepared. One who had large opportunity to observe him and other famous lawyers of his day has said: 'He was a man whose equal I have never seen at the bar.'

"These faculties, together with a tireless industry, he carried with him to the bench. There, as his successor in office has said, 'He was fired by a passion for prompt and faithful performance of the work of the Court.' The word 'passion' is particularly well chosen. To comment at this moment upon all the opinions which he rendered would be impossible, and selection of those foremost in importance would be hardly less difficult. He reasoned cogently and wrote clearly with a minimum of striving for literary ornament or display. But he served at a time when great and novel questions were to the fore. He took a large and statesmanlike view of the function of the Court and was determined that no act or word of his should lessen its dignity or usefulness.

"He evidenced his jealous concern for the Court as an institution when the bill affecting the membership of the Court came forward during his term as Chief Justice. The measure was promoted on the ground, among others, that the efficiency of the Court would be improved by an enlargement of its membership. He reacted strongly to the implied reflection on the then efficiency of the Court and his letter on the subject to Senator Wheeler was probably a large contribution to the defeat of the bill.

"His colleagues on the Court have spoken from time to time in praise of the manner in which he conducted the deliberations of the Court. How great was his contribution in conference they best can know. But the members of the bar who stood before him cannot forget his urbanity, his attentiveness, his helpfulness, nor the manner, at all times kindly but nevertheless firm, in which he recalled a wandering advocate to the issues at hand.

"Few men have ever been called upon to serve their country in such high offices and for such extended periods. None has ever served with more conscientious fidelity. As a lawyer, as a statesman and as a jurist, he labored well and left behind him so splendid a record of achievement that his professional brethren who were privileged to witness its creation will always regard it as an inspiration to greater effort.

"Wherefore, Be It Resolved, That we, the members of the bar of the Supreme Court of the United States, express our sorrow that the long life of former Chief Justice Hughes has reached its end. We record our high appreciation of his great qualities of mind and heart, our full recognition of his many public services to his country and our deep gratitude for the lustre that he shed by his life and character upon the profession which he so adorned.

"Be It Also Resolved, That the Attorney General be asked to present these resolutions to the Court and to request that they be permanently inscribed upon its record."

Mr. Attorney General McGrath addressed the Court as follows:

"May it please the Court: Five times within the last forty years, within the personal experience of some now present here today, this Court has met to receive the Minute and Resolutions of its Bar to mark the passing of a Chief Justice of the United States.

"Today your Honors meet to mourn Charles Evans Hughes, the eleventh Chief Justice, and to commemorate, in fitting and reverent fashion, his life and his judicial services.

"This would be, in any event, a solemn occasion. But it is additionally marked with sadness by reason of the untimely death, since

the meeting of the Bar of this Court in November last, of the late Chief Justice's only son, Charles Evans Hughes the younger, one time able Solicitor General of the United States.

"The Minute and the Resolutions of the Bar which have been read, and the addresses which were made in November, outlined Chief Justice Hughes' career, at the bar, in public office, and on this bench. I shall not attempt even to summarize what was there so eloquently and so gracefully said, and, since I did not have the privilege of acquaintance with the late Chief Justice, there are no personal touches which I could add to what was said by those who knew him. But I venture to think that it would not be inappropriate if I were to suggest, however briefly, an appraisal of those qualities which contributed to his eminence among those very eminent men who preceded him in the Chief Justiceship.

"First of all, Charles Evans Hughes came to this Court the second time with a wide and varied experience in public life. He had been Governor of his State. He had been a candidate for President—and the nomination came to him unsought. He had been Secretary of State, directing the foreign relations of this country during the critical years that followed the end of the First World War. He had been counsel for investigatory bodies of his State legislature, and had conducted the wartime investigation of the aircraft industry. He had been for six years a Justice of this Court, and had been a member of the Permanent Court of International Justice as well. He was thus superbly equipped to preside over a tribunal which is, necessarily and inescapably, the final arbiter between the claims of the individual and those of government, as well as between the powers of the States and those of the Nation. It is precisely because the resolution of those fundamental questions involves judgments that are political in the larger sense that judges with first-hand experience in legislative and executive and administrative tasks have been in the forefront of those who have left a lasting impress on our constitutional law.

"Second, Chief Justice Hughes was a consummate lawyer. As one of his associates has said, he 'could tear the heart out of books because all his life he had been a student.' With the exception of two years of law teaching as a young man, all of his life when not in public office was devoted to the practice—the very active practice—of the law. His handling of cases was characterized by a complete mastery of the facts and of the law, and by powerful and persuasive advocacy. The same qualities characterized his opinions in this Court. A Hughes opinion stands up under the most searching analysis and after-scrutiny, and its style is, very literally, the man himself: well-organized thoroughly logical, rolling onward in powerful sentences to an irresistible conclusion.

"Finally, Chief Justice Hughes had the indispensable quality of integrity. A man of principles and quite without fear, he never chose the path that was merely easy. He knew that the greatest evils follow a compromise with or an appeasement of evil. And so he espoused and defended causes because of their merits wholly irrespective of public acclaim. Hughes' career throughout exemplifies what Mr. O'Brian has so well expressed, a 'disdain for considerations of expediency.'

"When, therefore, some dozen or so years ago, the country was in the throes of a grave constitutional crisis, it was fortunate indeed, from whatever point of vantage that crisis is viewed, that Charles Evans Hughes was Chief Justice. I have no wish, least of all in this Chamber, to revive the emotions which it evoked, or even to recall the broad outlines of the struggle. But viewing the matter in retrospect, realizing that the conflict was either one that both sides would lose or that both sides would win, I think it both fair and accurate to say that to Chief Justice Hughes must go much of the credit for the ultimate outcome, which not only preserved our most cherished institutions but yet adapted them to the manifold needs of an increasingly complex society. Like the common law worthies of old, Hughes summed up the law, restated it, adapted it, and passed it on, making it serve the demands of the present, yet preserving its continuity with the past and its capacity for growth in the future. And, like Marshall, Hughes was ever mindful that 'it is a constitution we are expounding' (4 Wheaton 407).

"For Hughes himself the process involved very little back-tracking. He had written eloquent dissents in the Railroad Retirement Act case (*Retirement Board v. Alton R. Co.*, 295 U. S. 330) and in the New York minimum wage case (*Morehead v. New York ex rel. Tipaldo*, 298 U. S. 587); the views he expressed there did not later need to be changed. He had similarly, in the first Guffey Coal Act case (*Carter v. Carter Coal Co.*, 298 U. S. 238), set forth a basis for sustaining the statute which the majority struck down. Possibly his most questionable utterance, in the light of later decisions, was the commerce clause portion of his opinion in the Schechter case (*Schechter Corp v. United States*, 295 U. S. 495); as to that, it is probably sufficient to say that no member of the Court expressed any contemporaneous disagreement with what was there said. And of course his views on civil liberties were consistently liberal, from the days of *Bailey v. Alabama* (219 U. S. 219) during his first service on the bench, through a whole series of land-mark cases, whose mere listing is a temptation which I must resist, though with regret, down to *Mitchell v. United States* (313 U. S. 80), decided in his last term of Court.

"It would be tempting, too, to dwell upon Chief Justice Hughes' work as presiding officer of the Court, of his contribution to the formulation and promulgation of the Rules of Procedure, and of his relation to the functioning of the entire Federal judicial system through the Conference of Senior Circuit Judges and the Administrative Office of the United States Courts. But my time is fleeting, and I must leave untouched this and many other fields in which the late Chief Justice labored and left his mark.

"Few men, in our or any other age, have packed so much and such superlative accomplishment into a single lifetime as did Charles Evans Hughes. Today, on this occasion, we are perhaps more immediately concerned with his accomplishments as Chief Justice. We know now—indeed, we knew during his lifetime—that he was a great Chief Justice. And as the years pass, as the immediate past recedes to a point where it can be viewed with more perspective, so that the constitutional problems of the 1930's can be examined with at least some of the detachment with which we examine those of, let us say, the 1850's, then, I venture to predict, the name of Charles Evans Hughes will be linked with those of Marshall and Taney on the list of the greatest expounders of our fundamental law.

"May it please the Court: On behalf of the bar of this Court, who in this matter speak for all the lawyers in the land, I move that the Minute and Resolutions heretofore presented in memory of Chief Justice Hughes be accepted, and that, together with the chronicle of these proceedings, they be spread upon the permanent records of this Court."

The Chief Justice said:

"Mr. Attorney General: The Court receives the resolutions which you present in the confidence that they express the appreciation of his career which Chief Justice Hughes would most have welcomed. For he regarded 'the esteem of his professional brethren' as 'the highest reward that can come to a lawyer.' And in such qualifications as you have mentioned, experience, ability and integrity, he recognized the only possible foundations for such esteem. The favorable judgment of one's fellows at the Bar, he said, is 'commanded solely by integrity of character and by brains and skill in the honorable performance of professional duty * * *. No manipulator or negotiator can secure it. It is essentially a tribute to a rugged independence of thought and intellectual honesty which shine forth amid the clouds of controversy. It is a tribute to exceptional power controlled by conscience and by a sense of public duty.' Such a tribute, so fittingly recorded in the resolutions which have just been read, could hardly be more genuinely merited than by the attainments of position, character, and intellect achieved by Charles Evans Hughes.

"When he took his seat as eleventh Chief Justice of the United States, Charles Evans Hughes was no stranger to lofty judicial or executive post. The impressive list of public offices he held will bear another brief repetition. He had been a Judge of the Permanent Court of International Justice, a Member of the Permanent Court of Arbitration, and for six terms commencing in 1910, a member of this Court. In the executive branch of the national Government, he had been Secretary of State in two administrations, and the nominee of his Party for President. In his native New York, after spectacularly successful years as counsel to investigative committees, he was twice elected Governor. Each of these positions he fulfilled with unique distinction.

"This career of public service, rare in the rich variety of its prizes, should not induce neglect of Chief Justice Hughes' achievements as a practicing member of the Bar. His law firm was quick to accord its recognition to him. At the time he began his public career, when he was in his early forties, he was in the topmost rank of the New York Bar. In his subsequent period of private practice, he of course enjoyed the prestige of the Governorship and Justiceship he had held. But the qualities of his intelligence and character were chiefly responsible for the vigor and breadth of his advocacy which won for him the acknowledged leadership of the American practicing Bar. Charles Evans Hughes was a great lawyer before he became a great judge.

"What was the fusion of inner forces which produced such a man? The answer cannot be simple and may be put in an infinite variety of ways. In your remarks, Mr. Attorney General, and in the resolutions which have been read, some elements of that fusion have been eloquently expressed. To me, Chief Justice Hughes' primary attribute was balance, a perfect union of opposing tendencies. He was thinker and doer, scholar and politician. Absolute master he was of law, both law as written in the books and law as lived through functioning social institutions. His efficiency was superb, but it was tempered by a zealous humanitarianism.

"His magnificent efficiency of thought and administration has been most emphasized. The reach of his intellectual and executive abilities was extensive, incisive, and profound. Best of all, it was subject to rigorous self-control. His superlative talents for receiving and retaining ideas, for analyzing and applying legal principles, gave ready obedience to the most drastic of self-imposed disciplines. But his mastery of self was not subservient to a narrowing approach nor an unchanging position. Always he was alert to recognize and utilize better tenets and techniques. He knew when to reform as well as when to preserve. His understanding encompassed the ultimate possibilities as well as the practical probabilities.

"So obvious and manifold were his abilities that the spirit in which they were applied is sometimes slighted. Charles Evans Hughes was a humanitarian. He sought to mitigate suffering. The first modern workmen's compensation law was a product of his administration as Governor of New York. In that office, he strove to establish effective regulation of utilities, to expand direct popular participation in the governmental process and to enable the passage of child labor laws and kindred legislation; he took positions which were advanced outposts for his time. On this Court, Chief Justice Hughes authored opinions which are taken as symbolizing the constitutional acceptability of the efforts of state and federal government to cope with contemporary economic problems by exercising, respectively, the police and the commerce power. This view of the Constitution encounters far less vocal opposition today than it did when such decisions as the state minimum wage and National Labor Relations Board cases were handed down. Charles Evans Hughes was ready to soften the impact on the individual of the anything-goes economics which characterized the national expansion in his early years.

"His concern for humanity was evident also in his leadership in the struggle for world peace. His years as Secretary of State and international jurist were marked by unwavering devotion to peaceful settlements of dispute. His was the way of conference and negotiation, of neighborliness and disarmament, of law and order among nations.

"Bullying he opposed at home as well as abroad. He was constantly solicitous of the liberties which the Constitution assures the individual. His opinions on this Court, as Associate Justice as well as Chief Justice, display an appreciation of and fealty to lofty ideals of fair trial, for ideas as well as individuals. His vigilance to protect individual freedom, to promote world peace and to approve public means for dealing with problems which apparently no longer could be solved by unaided or unregulated individual enterprise, stamp Charles Evans Hughes as intensely humanitarian.

"Humane but efficient, Charles Evans Hughes manifests the balance which is especially worthy of emulation today. There is over-much interest these days in classification at the expense of comprehension. There is excessive pressure to take all or none of a single dogma, rather than to accept the good and reject the evil of all proposals. In our times, there is extreme need of men like Charles Evans Hughes, who have some inner gyroscope of conscience and capacity which maintains a balanced devotion to duty. Chief Justice Hughes had his own exalted standards and principles, and he lived by them. In him there was no surrender to the purposes of the uncritical or the critique of a single viewpoint.

"He described his conception of the judicial function in an address to some Federal judges. 'A young man wrote me the other day,' he related, 'to ask whether I regarded myself as "liberal" or "conservative."' I answered that these labels do not interest me. I know of no accepted criterion. Some think opinions are conservative which others might regard as essentially liberal, and some opinions classed as liberal might be regarded from another point of view as decidedly illiberal * * * A judge who does his work in an objective spirit, as a judge should, will address himself conscientiously to each case, and will not trouble himself about labels.'

"The history of this Court reflects the objective spirit, the balance of Chief Justice Charles Evans Hughes. His view of the workings of the Court and the Federal judicial system was sufficiently detached to recognize the opportunity for improvement in administration. The Administrative Office Act of 1939 is a symbol of his concern for efficiency in the functioning of courts. The achievements of the Administrative Office of the United States Courts and the day-by-day operations of the Federal judiciary as a fully independent branch of our national Government are founded in large part upon the wisdom of Chief Justice Charles Evans Hughes.

"The years of his service as Chief Justice were ones in which this Court was in the very forefront of public notice. Those years are fresh enough in memory so that recitation of the unusual position occupied by the Court is not needed. What does need to be recorded is that the Court emerged as it did in large measure because of the consummate skill of its Chief Justice. He was precise and decisive in playing the role he believed the Chief Justice ought to play. Everything he did manifested veneration for the traditions of this Court and the constitutional scheme of our Government, and vision to look forward to the adaptation of the Court and the other vehicles of our democracy to possible future needs. Surely Charles Evans Hughes will rank as one of the great Chief Justices.

"More, there can even now, so few years after his death, be no doubt that Charles Evans Hughes deserves inclusion on the select roll of great Americans."

The Chief Justice directed that the resolutions be spread upon the minutes of the Court.

Marshall W. Haislip, of Phoenix, Ariz.; Jno. W. Turner, of Eastland, Tex.; Robert G. Maysack, of St. Louis, Mo.; Clifford F. Hansen, of Minneapolis, Minn.; William Don Welch, of Madill, Okla.; Helen E. Creighton, of Washington, D. C.; Felix Jack Dees, of Portland, Oreg.; George Spencer Barnes, of Chicago, Ill.; James Reece Duncan, of Alexandria, Va.; Harold H. Krowech, of Los Angeles, Calif.; Her-

bert V. Walker, of Los Angeles, Calif.; Harbaugh Miller, of Pittsburgh, Pa.; Irving Smith Abrams, of Chicago, Ill.; Doris Hoffman Maier, of Sacramento, Calif.; Laurie M. Streeter, of Minneapolis, Minn.; Flora H. Elliott, of Washington, D. C.; Robert B. Campbell, of Pasadena, Calif.; Thomas P. Mesick, of New York City; John W. Lewis, of Topeka, Kans.; Harry Frank Perlet, of Washington, D. C.; Stanley U. Robinson, Jr., of Columbus, Ohio; Davis Scarborough, of Abilene, Tex.; Nathaniel Martin McFarland, of Decatur, Ga.; Katsuro Miho, of Honolulu, Hawaii; and Philip Barbash, of Jersey City, N. J., were admitted to practice.

No. 449. Building Service Employees International Union, Local 262, et al., petitioners, *v.* W. L. Gazzam. On writ of certiorari to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Minton. Mr. Justice Black concurs in the judgment. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 96. R. M. Powell et al., petitioners, *v.* The United States Cartridge Company. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit;

No. 79. Julia Rhoda Aaron et al., petitioners, *v.* Ford, Bacon & Davis, Incorporated. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit; and

No. 58. Roy Creel et al., petitioners, *v.* Lone Star Defense Corporation. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment in No. 96 reversed with costs and case remanded to the Court of Appeals for further consideration of the errors asserted on appeal but not reviewed by that Court. Judgment in No. 79 reversed with costs and case remanded to the United States District Court for the Eastern District of Arkansas for further proceedings in conformity with the opinion of this Court. Judgment in No. 58 reversed with costs and case remanded to the United States District Court for the Eastern District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of these cases.

No. 428. The United States of America, appellant, *v.* National Association of Real Estate Boards, Washington Real Estate Board, et al. Appeal from the United States District Court for the District of Columbia. Judgment reversed except as to the National Association of Real Estate Boards and Herbert U. Nelson; and as to them the judgment is affirmed. The case is remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion

by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Jackson. Mr. Justice Frankfurter and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 61. John Hughes and Louis Richardson, petitioners, *v.* Superior Court of the State of California in and for the County of Contra Costa. On writ of certiorari to the Supreme Court of the State of California. Judgment affirmed. Opinion by Mr. Justice Frankfurter. Concurring: Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Minton. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 309. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers Union, Local 309, et al., petitioners, *v.* A. E. Hanke, L. J. Hanke, R. R. Hanke, et al. On writ of certiorari to the Supreme Court of the State of Washington; and

No. 364. Automobile Drivers and Demonstrators Local Union No. 882, Ralph Reinertsen, its business agent, et al., petitioners, *v.* George E. Cline. On writ of certiorari to the Supreme Court of the State of Washington. Judgments affirmed with costs. Mr. Justice Frankfurter announced the judgment of the Court and an opinion in which the Chief Justice, Mr. Justice Jackson, and Mr. Justice Burton concur. Mr. Justice Clark concurs in the result. Mr. Justice Black dissents for substantially the reasons given in his dissent in *Carpenters & Joiners Union v. Ritter's Cafe*, 315 U. S. 722. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed joins. Mr. Justice Douglas took no part in the consideration or decision of these cases.

No. 99. The United States of America, petitioner, *v.* Helen R. Bryan. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the Court of Appeals reversed and case remanded to that court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Mr. Justice Frankfurter agrees with the opinion of the Chief Justice except as to the portion marked "Third," involving the applicability of Sec. 3486 of Title 18 U. S. C. to the facts of this case, which requires him to dissent from the judgment of reversal. Concurring opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter concurs. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 98. The United States of America, petitioner, *v.* Ernestina G. Fleischman. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the Court of Appeals reversed and case remanded to that court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Black in which

Mr. Justice Frankfurter concurs. Dissenting opinion by Mr. Justice Frankfurter. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 10. American Communications Association, C. I. O., et al., appellants, *v.* Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board, Second Region. Appeal from the United States District Court for the Southern District of New York; and

No. 13. United Steelworkers of America et al., petitioners, *v.* National Labor Relations Board. On writ of certiorari to the Court of Appeals for the Seventh Circuit. Judgments of courts below affirmed. Opinion by Mr. Chief Justice Vinson. Separate opinion by Mr. Justice Frankfurter. Separate opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Black. Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of these cases.

No. 456. The International Union of United Automobile, Aircraft and Agricultural Implement Workers of America, C. I. O., et al., appellants, *v.* Gerald K. O'Brien, Wayne County Prosecuting Attorney et al., etc. Appeal from the Supreme Court of the State of Michigan. Judgment reversed with costs and case remanded to said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Mr. Justice Douglas concurs in the result.

The Chief Justice said :

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 685. The United States of America, petitioner, *v.* Edith Louise Griggs, as Executrix of the estate of Dudley R. Griggs, deceased. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit granted and the case is transferred to the summary docket and assigned for argument following Nos. 558 and 667 which are also transferred to the summary docket.

No. 732. National Labor Relations Board, petitioner, *v.* The Pittsburgh Steamship Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted.

No. 294, Misc. Madeleine Ursula Snyder, petitioner, *v.* Rear Admiral W. A. Buck, Paymaster General of the Navy. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted and the case is transferred to the appellate docket.

No. 581. American President Lines, Ltd., petitioner, *v.* James M. Agnew et al.;

No. 582. American President Lines, Ltd., petitioner, *v.* John W. Griffin et al.; and

No. 583. American President Lines, Ltd., petitioner, *v.* Augustus Federer et al. Petition for writs of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 680. United Artists Corporation et al., petitioners, *v.* Board of Censors of the City of Memphis et al. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 684. Fireman's Fund Insurance Company of San Francisco, California, petitioner, *v.* Mark McConnell. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 691. William M. Brown, petitioner, *v.* Kenneth C. Royall, Secretary of the Army, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 693. Safeway Stores, Inc., petitioner, *v.* Elizabeth West and Vester West. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 698. Randolph Laboratories, Inc., petitioner, *v.* Specialties Development Corporation. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 699. Jay M. Rowland, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 706. Citizens Ice and Cold Storage Company et al., petitioners, *v.* The Atlantic Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 707. Jesse J. Parkerson, Trustee, et al., petitioners, *v.* William R. Chapman III et al., etc. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 729. The Texas and Pacific Railway Company, petitioner, *v.* Red River Cotton Oil Company et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 731. Curley C. Hoffpauir, petitioner, *v.* Harry M. Hoxsey. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 594. J. Howard McGrath, Attorney General of the United States, etc., petitioner, *v.* Paramount Pictures, Inc., et al. On petition for writ of certiorari to the District Court of Appeal, First Appellate District, State of California; and

No. 613. Maurice C. Sparling, Superintendent of Banks of the State of California, etc., petitioner, *v.* Paramount Pictures, Inc., et al. On petition for writ of certiorari to the Supreme Court of California.

Petitions for writs of certiorari denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 621. Morrison T. Wade and Bessie Lou Tanner Wade, petitioners, *v.* The People of the State of Michigan. The motion to proceed on typewritten papers is granted. The petition for writ of certiorari to the Supreme Court of Michigan is denied.

No. 561. Standard Commercial Tobacco Company and Standard Commercial Steamship Corp., petitioners, *v.* John W. Snyder, Secretary of the Treasury, et al.;

No. 657. Jacob F. Holmes et al., appellants, *v.* The United States of America, et al.; and

No. 666. Monolith Portland Midwest Company, petitioner, *v.* Reconstruction Finance Corporation. Petitions for rehearing denied.

No. 255, Misc. Sam Thompson, petitioner, *v.* Browning Robinson, Warden. Third petition for rehearing denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 412, Misc. Bennie Daniels and Lloyd Ray Daniels, petitioners, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 458, Misc. William H. Baker, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 498, Misc. Jeremiah F. Collins et al., petitioners, *v.* Justice F. Dickinson Letts, Judge of the United States District Court for the District of Columbia, et al. Motion for leave to file petition for writs of prohibition and mandamus denied.

Adjourned until Monday, May 15 next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Jeanne R. Twiss, of Detroit, Mich.; Abraham Cal Rosen, of Detroit, Mich.; Frederick G. Dobbs, of Muncie, Ind.; Frances Y. Read, of Atlanta, Ga.; Robert Julian Glover, of Hot Springs, Ark.; John M. Kitchen, of Indianapolis, Ind.; Harry T. Running, of Traverse City, Mich.; John M. Leonard, Jr., of Chicago, Ill.; Francis E. Picklow, of Cleveland, Ohio; John Harvey Crow, of St. Paris, Ohio; Leo G. Chimo, of Cleveland, Ohio; Ernest L. Rushmer, of Chevy Chase, Md.; Glenn E. Thomson, of Clearfield, Pa.; Leroy S. Bendheim, of Alexandria, Va.; James S. Hemingway, of New York City; John F. Schmidt, of Franklin, Pa.; William Lawrence West, of Cleveland, Ohio; Milford Bendiner, of Philadelphia, Pa.; Thomas J. Lee, of Oklahoma City, Okla.; R. H. Dunn, of Oklahoma City, Okla.; Harold R. Kaplan, of New York City; Charles A. Anderson, of Dayton, Ohio; Charles J. Winger, of Kansas City, Mo.; Leonard Francis Genz, of Waco, Tex.; Sigmund Eugene Bychinsky, of Detroit, Mich.; LeRoy Hanson Barnard, of Arlington, Va.; Craigh Leonard, of New York City; Daniel G. McGrath, of Falls Church, Va.; Louis R. Baker, of Los Angeles, Calif.; Alfred P. D'Auria, of Jersey City, N. J.; Eugene F. Blanchard, of Washington, D. C.; Louis Ballenger, of Glendale, Calif.; Paul H. Schroy, of Rockford, Ill.; Joseph A. Moynihan, Jr., of Detroit, Mich.; Harold A. Johnson, of Detroit, Mich.; Leland O. Graham, of Sacramento, Calif.; Arthur Wells Dew, of Richmond, Va., Wiley Narron, of Kenly, N. C.; and John Howell Cotten, of Tallahassee, Fla., were admitted to practice.

No. 434. National Labor Relations Board, petitioner, *v.* Mexia Textile Mills, Inc. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Order of the Court of Appeals vacated and the enforcement of the Board order decreed pursuant to Sec. 10 (e) of the National Labor Relations Act as amended by the Labor Management Relations Act, unless "extraordinary circumstances" are pleaded which justify the respondent's failure to urge its objections before the Board. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

No. 435. National Labor Relations Board, petitioner, *v.* Pool Manufacturing Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Order of the Court of Appeals vacated and the enforcement of the Board order decreed pursuant to Sec. 10 (e) of the National Labor Relations Act as amended by the Labor Management Relations Act, unless "extraordinary circumstances" are pleaded which justify the respondent's failure to urge its objections before the Board. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

No. 445. Brown Shoe Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment of the Court of Appeals reversed and case remanded with direction to remand to the Tax Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Mr. Justice Black agrees with the Court of Appeals and would affirm its judgment.

No. 118. Capitol Greyhound Lines, Pennsylvania Greyhound Lines, Inc., and Red Star Motor Coaches, Inc., appellants, *v.* Arthur H. Brice, Commissioner of Motor Vehicles, State of Maryland, Baltimore, Maryland. Appeal from the Court of Appeals of the State of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 754. The Emery Transportation Company, appellant, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Southern District of Ohio; and

No. 755. Herman Hoffman and New York County Criminal Courts Bar Association, appellants, *v.* William P. O'Brien, as Police Commissioner of the City of New York, et al. Appeal from the United States District Court for the Southern District of New York. *Per curiam*: The motions to affirm are granted and the judgments are affirmed.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 748. The Alabama Great Southern Railroad Company et al., appellants, *v.* The United States of America, Interstate Commerce Commission, et al.;

No. 749. Galveston Chamber of Commerce and Houston Port and Traffic Bureau, appellants, *v.* The United States of America, Interstate Commerce Commission, et al.;

No. 750. Railroad Commission of Texas, appellant, *v.* The United States of America, Interstate Commerce Commission, et al.; and

No. 751. Savannah Sugar Refining Corporation, appellant, *v.* The United States of America, Interstate Commerce Commission, et al. In these cases probable jurisdiction is noted.

No. 768. Carl Jacob Kunz, appellant, *v.* The People of the State of New York. In this case probable jurisdiction is noted.

No. 536. Louis Compagna and Charles Gioe, petitioners, *v.* William H. Hiatt, Warden, United States Penitentiary, Atlanta, Georgia. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 554. National Council of American-Soviet Friendship, Inc., et al., petitioners, *v.* J. Howard McGrath, Attorney General of the United States, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted. The case is transferred to the summary docket and assigned for argument immediately following No. 556. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 635. Jane Rogers, petitioner, *v.* The United States of America;

No. 636. Irving Blau, petitioner, *v.* The United States of America; and

No. 640. Patricia Blau, petitioner, *v.* The United States of America. The petition for writs of certiorari to the Court of Appeals for the Tenth Circuit is granted and the cases are transferred to the summary docket. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 700. J. Howard McGrath, Attorney General of the United States, et al., petitioners, *v.* Peder Kristian Kristensen, also known as Peter Kristen Kristiansen, etc. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted.

No. 570. Lord Manufacturing Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 709. Safe Harbor Water Power Corporation, petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the Court of Appeals of the Third Circuit denied.

No. 712. The United States of America, petitioner, *v.* Lottie May Martin, James Martin, and the Smoot Sand and Gravel Corporation; and

No. 715. James Martin, Lottie May Martin, and the Smoot Sand and Gravel Corporation, petitioners, *v.* The United States of America. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 721. Jepson L. Nelson and Charles W. Reeves, petitioners, *v.* Louis Johnson, Secretary of National Defense, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 722. Lillian H. Willis, petitioner, *v.* Consolidated Textile Co., Inc., and Manufacturers Trust Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 448. Joseph P. Kamp, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 637. Arthur Bary, petitioner, *v.* The United States of America;

No. 638. Paul Meir Kleinbord, petitioner, *v.* The United States of America; and

No. 639. Tracy Roy Rogers, petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals for the Tenth Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 730. E. B. Kaiser Company, petitioner, *v.* The Ric-Wil Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 248. John Howard Lawson, petitioner *v.* The United States of America; and

No. 249. Dalton Trumbo, petitioner, *v.* The United States of America. The motions for leave to file briefs of Southland Jewish Organization; certain members of the Los Angeles Democratic and State Committee; and 64 ministers and rabbis, as *amici curiae*, are denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 197. George Marshall, petitioner, *v.* The United States of America; and

No. 495. Anheuser-Busch, Incorporated, petitioner, *v.* Du Bois Brewing Company. The petitions for rehearing are denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 238. Willie McGee, appellant, *v.* State of Mississippi. The petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 724. Benard South and Harold C. Fleming, appellants, *v.* James Peters, as Chairman of the Georgia State Democratic Executive Committee, et al. ;

No. 390, Misc. E. M. Watson, petitioner, *v.* L. G. Suddoth and J. S. Calfee; and

No. 417, Misc. George Cubbler, petitioner, *v.* State of New Jersey. The petitions for rehearing in these cases are severally denied.

No. 410, Misc. Leon Ball, petitioner, *v.* H. E. Moore, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 414, Misc. Robert Sewell, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal for the Fourth Appellate District of the State of California denied.

No. 478, Misc. John Edwin Byers, petitioner, *v.* Richmond Keech, U. S. District Judge, etc. The motion for leave to file petition for writ of mandamus is denied.

ORDER

The Court will take a recess from today until Monday, May 29, and from that day until Monday, June 5, upon which day it will adjourn for the term unless otherwise ordered. No motions, except motions for admission to practice, will be received after the session next before the date fixed for adjournment of the term.

Adjourned until Monday, May 29, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Joseph R. Lee, of Chicago, Ill.; Philip A. Shapiro, of Chicago, Ill.; Jack Marsh Laughlin, of Monterey, Calif.; Abraham J. Levinson, of Philadelphia, Pa.; Nathan Skolnik, of New York City; Hyman L. Brody, of Chicago, Ill.; Theodore J. Sakowitz, of Miami, Fla.; Erwin L. Clemens, of Defiance, Ohio; Alfred T. MacFarland, of Lebanon, Tenn.; R. A. Wallace, of Gulfport, Miss.; Lloyd M. McCormick, of Portland, Oreg.; Thomas F. Arnett, of Battle Creek, Mich.; Frank L. Haver, of Battle Creek, Mich.; David Jaffe, of New York City; Arthur L. Ross, of Kansas City, Mo.; Harold V. Boisvert, of Washington, D. C.; George P. Cheney, Jr., of Pittsburgh, Pa.; Virgil M. McElroy, of Greensburg, Kans.; Samuel M. Greenbaum, of Washington, D. C.; Milton I. Abelson, of Boston, Mass.; Halstead Shaw Covington, of Norfolk, Va.; Stanley Block, of San Leandro, Calif.; Joe S. Moss, of Post, Tex.; Martin A. Meyer, Jr., of New York City; Samuel D. McIlwain, of Washington, D. C.; Maurice A. M. Edkiss, of Flushing, N. Y.; Julius Fielo, of East Orange, N. J.; Abraham R. Klitzman, of Asbury Park, N. J.; William H. Doherty, of Washington, D. C.; Andrew F. Zazzali, of Newark, N. J.; James L. McKenna, of Newark, N. J.; Edward J. Gilhooly, of Newark, N. J.; Lionel E. Goff, of Alton, Ill.; Harold E. Haven, of San Francisco, Calif.; Charles Forrest McKay, Jr., of Hyattsville, Md.; Frank B. Buchanan, Jr., of San Antonio, Tex.; Frank Rogers Donahue, Jr., of Philadelphia, Pa.; Henry James Karison, of Alexandria, Va.; and Paul Louis Gomony, of Bethesda, Md., were admitted to practice.

No. 2. Graver Tank and Mfg. Co., Inc., et al., petitioners, *v.* The Linde Air Products Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment of the Court of Appeals reaffirmed with costs on rehearing and case remanded to the United States District Court for the Northern District of Indiana. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 568. Oscar R. Ewing, Federal Security Administrator, et al., appellants, *v.* Mytinger and Casselberry, a California Corporation. Appeal from the United States District Court for the District of Columbia. Decree reversed and case remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Burton concurs in the result. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Jackson. Mr. Justice Clark took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 670. The United States of America, appellant, *v.* United States Gypsum Company, Sewell L. Avery, Oliver M. Knode, et al. In this case probable jurisdiction is noted. The motions to supplement the record are granted. Article III of the decree of the District Court of November 7, 1949, reading as follows: "The defendant companies have acted in concert in restraint of trade and commerce among the several states in the eastern territory of the United States to fix, maintain, and control the prices of gypsum board and have monopolized trade and commerce in the gypsum board industry in violation of sections 1 and 2 of the Sherman Antitrust Act," is affirmed. The corporate defendants and Samuel M. Gloyd, doing business as Texas Cement Plaster Company, are enjoined, pending further order of this Court, from (1) enforcing in any manner whatsoever the provisions of their current license agreements fixing, maintaining, or stabilizing prices of gypsum board or the terms and conditions of sale thereof, and (2) from entering into or performing any agreement or understanding in restraint of trade and commerce in gypsum board among the several states in the eastern territory of the United States by license agreements to fix, maintain, or stabilize prices of gypsum board or by license or other concerted action arranging the terms and conditions of sale thereof.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of these questions.

No. 671. United States Gypsum Company, Sewell L. Avery, Oliver M. Knode, et al., appellants, *v.* The United States of America. Appeal from the United States District Court for the District of Columbia. *Per curiam*: The appeal is dismissed. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 774. E. I. Du Pont de Nemours and Company, General Motors Corporation, et al., appellants, *v.* The United States of America. Appeal from the United States District Court for Northern Illinois. *Per curiam*: The motion to dismiss is granted and the appeal is dis-

missed. Mr. Justice Reed is of the opinion probable jurisdiction should be noted. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 792. Henry C. Glissmann, appellant, *v.* The City of Omaha et al. Appeal from the Supreme Court of Nebraska. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 703. Hans Ackermann, petitioner, *v.* The United States of America; and

No. 704. Frieda Ackermann, petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 723. Universal Camera Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted and case assigned for argument immediately following No. 732.

No. 421, Misc. Irving Feiner, petitioner, *v.* People of the State of New York. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals of the State of New York granted and case transferred to the appellate docket.

No. 609. Larry Gara, petitioner, *v.* The United States of America. Motion for leave to file brief of American Friends Service Committee, Inc., as amicus curiae, denied. Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 682. Commissioner of Internal Revenue, petitioner, *v.* The McKay Products Corporation. Petition for writ of certiorari to the Court of Appeals for the Third Circuit dismissed on motion of counsel for the petitioner.

No. 701. La Salle Steel Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 702. Seaboard and Western Airlines, Inc., petitioner, *v.* Civil Aeronautics Board et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 708. Five Cases, more or less, each containing 6 cans of an article labeled in part: (Can) "Figlia Mia Brand a Blend Consisting of 90% Vegetable Oils, Choice Cottonseed, Corn and Peanut Oils,

Plus 10% Pure Olive Oil One Gallon Net", et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 711. Ben L. Beets, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 716. Herman Francis Henderson, petitioner, *v.* The United States of America;

No. 717. William Edwards Wildman, petitioner, *v.* The United States of America;

No. 718. Richard H. Shufflebarger, petitioner, *v.* The United States of America; and

No. 719. Charles Frantz, petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 720. Carolyn H. King, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 728. Union Bleachery, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 735. Emily Marx et al. *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 736. Charles A. Givens, petitioner, *v.* Herman H. Moll et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 737. James A. Yates, petitioner, *v.* Edward Ball. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 739. Earl T. Ellis, Receiver of the Quantico Company, Inc., petitioner, *v.* Clifton B. Cates. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 741. James Anderson et al., Trustees of the Hermann Hospital Estate, etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 742. The Arlington, Inc., and Sturm-Bickel Corporation, Illinois Corporations, petitioners, *v.* Edward Mayer. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 744. Jerome N. Curtis, Trustee in Bankruptcy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 747. Phil Magidson, petitioner, *v.* Jerome F. Duggan, Trustee of the Estate of Christopher Engineering Company, et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 752. Floyd W. Dunaway, Allie Merle Dunaway, joined by her husband, Floyd W. Dunaway, et al., petitioners, *v.* Standard Oil Company (New Jersey) et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 753. Carl B. George, petitioner, *v.* C. M. Leonard and Leonard Construction Company. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 757. Charles Simon and Herman T. Warshow, as Executors of the last Will and Testament of Edward J. Cornish, deceased, petitioners *v.* Jane M. Hoey, as Executrix of the last Will and Testament of James J. Hoey, deceased, etc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 758. Fred M. Carter et al., as Executors of the last Will and Testament of Selina C. Cornish, deceased, petitioners, *v.* Jane M. Hoey, as Executrix of the last Will and Testament of James J. Hoey, deceased, etc., et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 767. Julius Hyman, petitioner, *v.* Velsicol Corporation. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 770. Charles McGarty, petitioner, *v.* John J. O'Brien, Warden of the Massachusetts State Prison. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 777. Lola Brooks, Administratrix of the Estate of F. S. Brooks, deceased, petitioner, *v.* St. Louis-San Francisco Railway Company. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 803. Commissioner of Internal Revenue, petitioner, *v.* Basalt Rock Co., Inc. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 804. Commissioner of Internal Revenue, petitioner, *v.* Busch's Kredit Jewelry Co., Inc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 805. Commissioner of Internal Revenue, petitioner, *v.* John Breuner Company. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 734. Nathan R. Alltmont and Charles O'Neill, petitioners, *v.* The United States of America and United States Maritime Commission. Motion for leave to file brief of Brotherhood of Locomotive Engineers, et al., as amici curiae denied. Petition for writ of certiorari

to the Court of Appeals for the Third Circuit denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 766, O. T. 1947. Edward K. Barsky, et al., petitioners, *v.* The United States of America. The petitions for rehearing are denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petitions should be granted. Mr. Justice Burton and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 173. The United States of America and Interstate Commerce Commission, appellants, *v.* United States Smelting, Refining and Mining Company et al. The petitions for rehearing are denied. The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 248. John Howard Lawson, petitioner, *v.* The United States of America; and

No. 249. Dalton Trumbo, petitioner, *v.* The United States of America. The petition for rehearing is denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 490. The United States of America, appellant, *v.* Cotton Valley Operators Committee et al. The petition for rehearing is denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 661. The Commission of the Department of Public Utilities of the Commonwealth of Massachusetts, petitioner, *v.* New York, New Haven and Hartford Railroad Company. The petition for rehearing is denied.

No. 205, Misc. Dexter C. Dayton, petitioner, *v.* Walter A. Hunter, Warden. The second petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 324, Misc. Richard Anderson Lowe, petitioner, *v.* George D. Killinger, etc., et al. The petition for rehearing is denied.

No. 331, Misc. William Baumet, petitioner, *v.* The United States of America et al.;

No. 378, Misc. James H. Vermillion, petitioner, *v.* Eugene Meyer et al.; and

No. 391, Misc. Melissa J. Rowe, petitioner, *v.* Walter L. Green. The motions for leave to file petitions for rehearing are denied.

No. 455, Misc. Frederick Lee Spillmann, petitioner, *v.* J. Vernal Jackson, Warden. The petition for rehearing is denied.

No. 289, Misc. Dorman E. Shaw and Lill Alfred Crawford, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 320, Misc. Robert Clayton St. Clair, petitioner, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 323, Misc. Harmon M. Waley, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 330, Misc. Charles Lee McIntosh, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 332, Misc. Robert M. Simmons, petitioner, *v.* Walter A. Hunter, Warden; and

No. 350, Misc. Robert W. McMahan, petitioner, *v.* Walter A. Hunter, Warden. Petitions for writs of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 339, Misc. Otis Spencer, petitioner, *v.* Albert A. Ridge, U. S. District Judge. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 340, Misc. Ferdinand Thompson, petitioner, *v.* Joseph E. Ragen, Warden;

No. 341, Misc. Julius Bernard Sherman, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 342, Misc. Willie Lewis, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writs of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 349, Misc. Rolan L. Davison, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals of the Eighth Circuit denied.

No. 353, Misc. John Darman, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of the State of New York denied.

No. 357, Misc. Paul Dean Barker, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 379, Misc. William H. Jackson, petitioner, *v.* W. H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 384, Misc. Harley F. Smith, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 399, Misc. George D. Pine, petitioner, *v.* Joseph L. Boyle. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 411, Misc. James Edgar Lowrey, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 416, Misc. James D. Burson, petitioner, *v.* R. W. Alvis, Warden. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 418, Misc. Theodore A. Baldwin, petitioner, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 423, Misc. Daniel F. Ahearn, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of the State of New York denied.

No. 431, Misc. Hyman A. Kronberg, a Minor, by his Guardian ad litem, William Farnum White, petitioner, *v.* Major General Willis H. Hale, et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 436, Misc. Fred Banks, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 453, Misc. John W. Morton, petitioner, *v.* Ivan W. Steele, Warden. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 456, Misc. James Nels Ekberg, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 462, Misc. Samuel White, petitioner *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 472, Misc. Oliver Marshall, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Circuit Court of Randolph County, Indiana, denied.

No. 474, Misc. Homer L. Loomis, Jr., petitioner, *v.* Clark Edwards, Jr., Judge, etc. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 475, Misc. Andrew Petrek, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 480, Misc. James P. Duty, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 482, Misc. George W. Henry, petitioner, *v.* F. S. Baldi, Superintendent. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 483, Misc. John B. Hovis, petitioner, *v.* S. P. Ashe, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 485, Misc. Cecil C. Crebs, petitioner, *v.* Robert H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 487, Misc. Johnie Lee Johnson, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Criminal Court of Lake County, Indiana, denied.

No. 488, Misc. William H. Campbell, petitioner, *v.* S. P. Ashe, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 492, Misc. William Lester Keith, petitioner, *v.* State of Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 493, Misc. Charles B. Blaksley, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 494, Misc. Charles E. Walshfer, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 495, Misc. Ray F. Harris, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 496, Misc. Harold Charles Moranda, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 500, Misc. Cambridge McMorris, petitioner, *v.* Stanley P. Ashe, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 505, Misc. Paul Vaccaro, petitioner, *v.* State of New York. Petition for writ of certiorari to the County Court of Manhattan County, New York, denied.

No. 507, Misc. Aldine T. Carroll, petitioner, *v.* Col. E. T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 508, Misc. Malichi Holiday, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 510, Misc. Thomas Stephenson, petitioner, *v.* George W. Page, Warden. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 513, Misc. Edgar D. Duffy, petitioner, *v.* Stanley P. Ashe, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 516, Misc. Wilbur Williams, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 420, Misc. Salvatore Oddo, petitioner, *v.* People of the State of New York. Motion of Dominic Mundo to join in the petition denied. Petition for writ of certiorari to the Court of Appeals of the State of New York denied.

No. 469, Misc. Dillard E. Porter, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied. Motion for leave to file petition for writ of mandamus also denied.

No. 479, Misc. Kenneth Pardee, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 511, Misc. Robert G. Gibbs, petitioner, *v.* Stanley P. Ashe, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied. Petition for appeal also denied.

No. 467, Misc. 4278 Hazel Building Corporation et al., petitioners, *v.* Albert Berest et al.;

No. 477, Misc. James Farnsworth, petitioner, *v.* John F. Foster, Warden; and

No. 499, Misc. Raymond Grant, petitioner, *v.* Winfred Overholser. Motion for leave to file petitions for writs of certiorari denied.

No. 486, Misc. Harry Edison Hackworth, petitioner, *v.* W. H. Hiatt, Warden;

No. 489, Misc. Richard Anderson Lowe, petitioner, *v.* George W. Humphrey, Warden; and

No. 506, Misc. Morris Leder, petitioner, *v.* People of the State of California. Motions for leave to file petitions for writs of habeas corpus denied.

No. 490, Misc. Albert Woodrow Rash, petitioner, *v.* Members of Board of Trustees of Indiana State Prison; and

No. 503, Misc. Rolan L. Davison, petitioner, *v.* United States District Court for the District of Kansas. Motions for leave to file petitions for writs of mandamus denied.

Adjourned until Monday, June 5, next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton.

Ralph F. Bagley, of Los Angeles, Calif.; Bruce A. Pettijohn, of Harrison, N. Y.; Milton Greenstein, of Chicago, Ill.; Samuel S. Siegel, of Chicago, Ill.; Harold J. Atkinson, of Detroit, Mich.; Jackson Bosch, of Hamilton, Ohio; Amerigo D'Agostino, of Newark, N. J.; James J. Corrigan, of Providence, R. I.; Joe Raycraft, of Los Angeles, Calif.; Harry Wolpin, of Los Angeles, Calif.; Earle Hepburn, of Philadelphia, Pa.; Jacob B. Courshon, of Chicago, Ill.; Harold J. Siebenthaler, of Cincinnati, Ohio; Harold G. Cant, of Minneapolis, Minn.; Robt. E. McLaughlin, of Washington, D. C.; Edward F. Giblin, Jr., of Long Island City, N. Y.; Paul M. Rhodes, of Washington, D. C.; Harold Halpern, of New York City; James Hall Brooks, of New York City; Ira Kaye, of New York City; Geo. L. Hubbell, Jr., of New York City; Mildred Meyers Binzer, of Toledo, Ohio; Thomas H. Carolan, of Washington, D. C.; Murray Gartner, of San Francisco, Calif.; Benjamin Spiegel, of New York City; Robert Holt Meyers, of Chevy Chase, Md.; Louis Linton Dent, of Chicago, Ill.; Benj. Gordon, of Elizabeth, N. J.; Edward C. Sweeney, of Chicago, Ill.; James G. Mackey, of Rockville Centre, N. Y.; Philip Bransfield Brown, of Washington, D. C.; Thomas B. Collins, of Washington, D. C.; Franklin N. Parks, of Washington, D. C.; Albert A. Axelrod, of San Francisco, Calif.; Harry Evans Proctor, of Washington, D. C.; John L. Reith, of Oakland, Calif.; William J. Drohan, of New York City; Albert E. Hadlock, Jr., of New York City; Martin Atlas, of Washington, D. C.; Shirley F. Mehl, of Brooklyn, N. Y.; Irving J. Zipin, of Philadelphia, Pa.; Ralf Hillemann Owen, of Washington, D. C.; James E. Greeley, of Washington, D. C.; Howard R. Hawkins, of New York City; Ishmael Burton, of Washington, D. C.; Anthony J. Siciliano, of Washington, D. C.; and Charles B. Sullivan, Jr., of Washington, D. C., were admitted to practice.

No. 455. Automatic Radio Manufacturing Company, Inc., petitioner, v. Hazeltine Research, Inc. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed

with costs and case remanded to the United States District Court for the District of Massachusetts. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs. Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 1. The United States, petitioner, *v.* Kansas City Life Insurance Company. On writ of certiorari to the United States Court of Claims. Judgment affirmed. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Minton concur. Dissenting opinion by Mr. Justice Minton.

No. 25. Elmer W. Henderson, appellant, *v.* The United States of America, Interstate Commerce Commission, and Southern Railway Company. Appeal from the United States District Court for the District of Maryland. Judgment of the District Court reversed and cause remanded to that court with directions to set aside the order of the Interstate Commerce Commission which dismissed the original complaint and to remand the case to the Interstate Commerce Commission for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Douglas concurs in the result. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 4. The United States, petitioner, *v.* Gerlach Live Stock Company;

No. 5. The United States, petitioner, *v.* J. Sheldon Potter;

No. 6. The United States, petitioner, *v.* Martin Erreca;

No. 7. The United States, petitioner, *v.* James J. Stevinson (a corporation);

No. 8. The United States, petitioner, *v.* Archibald J. Stevinson; and

No. 9. The United States, petitioner, *v.* 3-H Securities Company. On writs of certiorari to the United States Court of Claims. Judgments affirmed. Opinion by Mr. Justice Jackson. Mr. Justice Black concurs in the judgment and opinion except that he agrees with Mr. Justice Douglas that interest should not be allowed. Opinion by Mr. Justice Douglas concurring in part and dissenting in part.

No. 306. Louis A. Johnson, Secretary of Defense of the United States, et al., petitioners, *v.* Lothar Eisentrager, alias Ludwig Ehrhardt, on his own behalf and as Next Friend of Franz Siebert, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the Court of Appeals reversed and judgment of the District Court dismissing the petition

for writ of habeas corpus affirmed. The case is remanded to the United States District Court for the District of Columbia. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas and Mr. Justice Burton concur.

No. 12, Original. The United States of America, plaintiff, *v.* The State of Louisiana. Opinion by Mr. Justice Douglas holding that the United States is entitled to the relief prayed for in the complaint. The parties, or either of them, may before September 15, 1950, submit the form of decree to carry the opinion of this Court into effect. Motion of Louisiana for a jury trial denied. Separate opinion by Mr. Justice Frankfurter. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 13, Original. The United States of America, plaintiff, *v.* The State of Texas. The motion of the United States for judgment is granted. The parties, or either of them, may before September 15, 1950, submit the form of decree to carry this opinion into effect. The motions of Texas for an order to take depositions and for the appointment of a Special Master are denied. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Minton joins. Separate opinion by Mr. Justice Frankfurter. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 33. Charles Quicksall, petitioner, *v.* People of the State of Michigan. On writ of certiorari to the Supreme Court of Michigan. Judgment affirmed. Opinion by Mr. Justice Frankfurter. Dissenting: Mr. Justice Black. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 221. Skelly Oil Company et al., petitioners, *v.* Phillips Petroleum Company. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment of the Court of Appeals as to Magnolia Petroleum Company vacated and cause remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. As to Skelly Oil Company and Stanolind Oil and Gas Company, the judgment is reversed with directions that the cause be dismissed as to them. Opinion by Mr. Justice Frankfurter. Mr. Justice Black agrees with the Court of Appeals and would affirm its judgment. Opinion by Mr. Chief Justice Vinson dissenting in part in which Mr. Justice Burton joins. Mr. Justice Douglas took no part in the consideration or disposition of this case.

No. 230. Swift and Company Packers et al., petitioners, *v.* Compania Colombiana Del Caribe, S. A. On writ of certiorari to the

United States Court of Appeals for the Fifth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the District of the Canal Zone for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 76. Travelers Health Association and R. E. Pratt, as Treasurer Thereof, and in his Personal Capacity, appellants, *v.* Commonwealth of Virginia, at the relation of State Corporation Commission. Appeal from the Supreme Court of Appeals of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Jackson joins. Mr. Justice Reed and Mr. Justice Frankfurter agreeing with the Court in reaching the merits, on the merits join in the dissent of Mr. Justice Minton.

No. 384. Commissioner of Internal Revenue, petitioner, *v.* Christian W. Korell. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the Court of Appeals. Opinion by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Black. Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 44. Heman Marion Sweatt, petitioner, *v.* Theophilis Shickel Painter et al. On writ of certiorari to the Supreme Court of Texas. Judgment reversed with costs and cause remanded to the Supreme Court of Texas for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Vinson.

No. 34. G. W. McLaurin, appellant, *v.* Oklahoma State Regents for Higher Education, Board of Regents of University of Oklahoma et al. Appeal from the United States District Court for the Western District of Oklahoma. Judgment reversed with costs and cause remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Vinson.

No. 512. William A. Lyon, Superintendent of Banks of the State of New York, etc., petitioner *v.* Eugene T. Singer, and

No. 527. Eugene T. Singer, petitioner, *v.* The Yokohama Specie Bank, Limited, et al.; and

No. 513. William A. Lyon, Superintendent of Banks of the State of New York, etc., petitioner, *v.* Banque Mellie Iran, and

No. 528. Banque Mellie Iran, petitioner, *v.* William A. Lyon, Superintendent of Banks of the State of New York, etc. On writs of certiorari to the Court of Appeals of New York. Judgments affirmed

with costs. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Frankfurter is of the opinion that the writs of certiorari in Nos. 513 and 528 should be dismissed.

No. 2, Misc. William Henry Roberts, petitioner, *v.* The United States District Court for the Northern District of California. Motion for leave to file petition for writ of mandamus denied. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Frankfurter took no part in the consideration or decision of this case.

No. 12. Arthur Osman, David Livingston, Jack Paley, et al., appellants, *v.* Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board. Appeal from the United States District Court for the Southern District of New York. Judgment affirmed. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Clark took no part in the consideration or decision of this case. See opinion for dissents and concurrences.

The Chief Justice announced the following orders of the Court:

No. 814. A. J. Felman, appellant, *v.* The United States of America and Federal Communications Commission. Appeal from the United States District Court for the Northern District of Illinois. *Per curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 824. Consolidated Edison Company of New York, Inc., appellant, *v.* Milo R. Maltbie et al. Appeal from the Supreme Court of Albany County, New York. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 838. Angel B. Serna, appellant, *v.* Lon Walters, Warden of the Arizona State Prison. Appeal from the Supreme Court of Arizona. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied.

No. 844. Loew's, Incorporated, appellant, *v.* The United States of America;

No. 845. Warner Bros. Pictures, Inc., et al., appellants, *v.* The United States of America;

No. 846. Twentieth Century-Fox Film Corporation et al., appellants, *v.* The United States of America; and

No. 847. The United States of America, appellant, *v.* Loew's, Incorporated et al. Appeals from the United States District Court

for the Southern District of New York. *Per curiam*: The judgment is affirmed. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of these cases.

No. 453. Joe Shoong and Rose Shoong, petitioners, *v.* Commissioner of Internal Revenue. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per curiam*: The petition for writ of certiorari is granted and the judgment is reversed. Commissioner *v.* Korell, No. 384, decided this day. Mr. Justice Black dissents. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 795. Edward Fretwell Prichard, Jr., petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per curiam*: The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Clark have disqualified themselves in this case. Because of this absence of a quorum, 28 U. S. C. § 1, and since a majority of the qualified justices are of the opinion that the case cannot be heard and determined at the next term of court, the judgment of the Court of Appeals is affirmed under 28 U. S. C. § 2109, which provides that under these circumstances "the court shall enter its order affirming the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court."

No. 10, Original. The State of Georgia, complainant, *v.* The Pennsylvania Railroad Company et al. Upon submission of the report of the Special Master herein it is ordered that it be received and filed. Exceptions and objections of the parties, if any, shall be filed within ninety days thereafter.

No. 11, Original. The United States of America, complainant, *v.* The State of California. The motion of Harold L. Ickes for leave to file suggestions is denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 2. Graver Tank and Mfg. Co., Inc., et al., petitioners, *v.* The Linde Air Products Company. The motion to issue the mandate forthwith is denied. Mr. Justice Minton took no part in the consideration or decision of this motion.

No. 107. Standard Oil Company, petitioner, *v.* Federal Trade Commission. This case is ordered restored to the docket for reargument.

No. 609. Larry Gara, petitioner, *v.* The United States of America. The motion for leave to file brief of Ohio Pastors Convention as *amicus curiae* is denied.

No. 821. Phillips Petroleum Company, appellant, *v.* The State of Oklahoma et al.; and

No. 832. The United States of America, appellant, *v.* Mrs. Maria Melitona Sanchez and Armand Mota. In these cases probable jurisdiction is noted.

No. 663. Standard Oil Company of New Jersey, petitioner, *v.* The United States of America, as owner of the United States Ship "YMS-12"; and

No. 664. Standard Oil Company of New Jersey, as owner of the Steam Tanker "John Worthington," petitioner, *v.* The United States of America. The petition for writs of certiorari to the Court of Appeals for the Seventh Circuit is granted and the cases are transferred to the summary docket.

No. 710. Libby, McNeill and Libby, a corporation, petitioner, *v.* The United States. The petition for writ of certiorari to the United States Court of Claims is granted and the case is transferred to the summary docket and assigned for argument immediately following Nos. 663 and 664.

No. 766. Dorothy Bailey, petitioner, *v.* Seth W. Richardson et al. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted and the case is assigned for argument immediately following No. 554.

No. 429, Misc. Marton L. Whelchel, petitioner, *v.* A. McDonald, Warden. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Appeals for the Fifth Circuit is granted and the case is transferred to the appellate docket and placed on the summary docket.

No. 545, Misc. Thomas A. Gusik, a minor, by his Father and Next Friend, John Gusik, petitioner, *v.* L. C. Schilder, Warden. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Appeals for the Sixth Circuit is granted and the case is transferred to the appellate docket. The case is placed on the summary docket and assigned for argument immediately following No. 429, Misc.

No. 647. The United States, petitioner, *v.* East Side Canal and Irrigation Company and Stevinson Water District. Petition for writ of certiorari to the United States Court of Claims denied.

No. 705. Helen K. Henjes and Edmund F. Bowen, as Executors of the last will and testament of Gerd H. Henjes, deceased, et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 740. Lena Simonsen, petitioner, *v.* John W. Emmerling, Trustee of Franklin Building Company;

No. 761. John W. Emmerling, Trustee of Franklin Building Company, petitioner, *v.* Robert W. Schroeder; and

No. 762. John W. Emmerling, Trustee of Franklin Building Company, petitioner, *v.* Mollie Schroeder and June Kuptz. Petitions for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 743. The United States of America, petitioner, *v.* Harry S. Knight. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 745. Jessica S. Mahana, petitioner *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 756. Alfred L. Seavey, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 760. State of Iowa, Conservation Commission of Iowa, Highway Commission of Iowa, et al., petitioners, *v.* Federal Power Commission, First Iowa Hydro-Electric Cooperative. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 763. De Bothezat Impeller Company, Inc., petitioner, *v.* American Machine and Metals, Inc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 764. Milton Theodore Shafer, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 765. Francis H. Montmarquet, D/B/A O. C. Manufacturing Company, petitioner, *v.* Johnson and Johnson. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 769. Edward Jackson Murray, petitioner, *v.* Lt. Gen. Albert C. Wedemeyer, United States Army, Commanding General, 6th Army, Presidio of San Francisco, California. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 776. Harry Y. Victor and Ella S. Victor, his wife, et al., petitioners, *v.* Herbert Hillebrecht et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 779. Huntington Palisades Property Owners Corporation, Ltd., petitioner, *v.* Metropolitan Finance Corporation of California.

Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 783. Clarence Jackson, petitioner, *v.* Herman J. Ruthazen, Warden of the City Prison, Borough of Manhattan, 125 White Street, New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 784. C. A. Mahon, petitioner, *v.* George Bennett, doing business as George Bennett Construction Company and Harry Bennett. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 791. Firemen's Insurance Company of Newark, New Jersey, petitioner, *v.* A. Walter Smith and Virginia Smith. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 793. E. R. Moody, Owner, Ferry Barge Martha Ruth Moody, petitioner, *v.* Leonard Edmonston, Administrator of the Estates of Charlie W. Vaughn, et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 794. James B. Richardson, Trustee, petitioner, *v.* National Acceptance Company of Chicago. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 796. William Joseph Hudson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 800. Daniel D. Lynch, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 823. Edwin H. Pilson, petitioner, *v.* Marjorie Pilson Salvoni. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 828. Robert L. Wixom, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 841. William Henry Jackson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 402. Joseph Dorsey, Monroe Dowling, and Calvin Harper, petitioners, *v.* Stuyvesant Town Corporation and Metropolitan Life Insurance Company. Petition for writ of certiorari to the Court of Appeals of the State of New York denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 579. The United States, petitioner, *v.* Iowa-Wisconsin Bridge Company, a corporation etc., et al. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Black and Mr. Justice Reed are of the opinion certiorari should be granted.

No. 759. Ernest L. Levine, petitioner, *v.* David H. Berman and Dorothy Berman, Co-partners, doing business under the firm name and style of David H. Berman Co. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied. Mr. Justice Minton took no part in the consideration or decision of this application.

No. 771. Marie Julia Young Kaufman Pratt et al., petitioners, *v.* Margaret De Korwin, Individually and as Executrix of the will of Joseph Maria De Korwin, deceased;

No. 772. Marie Julia Young Kaufman Pratt et al., petitioners, *v.* Margaret De Korwin, Individually and as Executrix of the will of Joseph Maria De Korwin, deceased;

No. 773. Marie Julia Young Kaufman Pratt et al., petitioners, *v.* Margaret De Korwin, Individually and as Executrix of the will of Joseph Maria De Korwin, deceased;

No. 789. Margaret De Korwin, Individually and as Executrix, etc., et al., petitioners, *v.* The First National Bank of Chicago et al.; and

No. 790. Gwendolyn Young Heyworth Koch, petitioner, *v.* Margaret De Korwin, Individually and as Executrix, etc., et al. The petitions for writs of certiorari to the Court of Appeals for the Seventh Circuit are denied. Mr. Justice Minton took no part in the consideration or decision of these applications.

No. 775. General Steel Castings Corporation et al., petitioners, *v.* John S. Kroese. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied. Mr. Justice Minton took no part in the consideration or decision of this application.

No. 778. Yvette J. Madsen, petitioner, *v.* Louis A. Johnson, Secretary of Defense, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 491, Misc. Yvette J. Madsen, petitioner, *v.* Louis A. Johnson et al. Motion for leave to file petition for writ of habeas corpus denied.

No. 780. William J. Drury, petitioner, *v.* Stephen E. Hurley et al., Civil Service Commissioners of the City of Chicago; and

No. 781. Thomas E. Connelly, petitioner, *v.* Stephen E. Hurley et al., Civil Service Commissioners of the City of Chicago. The motion to dispense with printing the record is granted. The petition for writs of certiorari to the Appellate Court for the First District of Illinois is denied.

No. 788. Richard Eichenlaub, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 802. Bennett E. Meyers, petitioner, *v.* The United States of America and Donald Clemmer, Director, Department of Corrections, District of Columbia. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 10. American Communications Association, C. I. O., et al., appellants, *v.* Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board, Second Region. The motion for leave to file brief of National Lawyers Guild as amicus curiae is denied. The petition for rehearing is denied. Mr. Justice Douglas, Mr. Justice Clark and Mr. Justice Minton took no part in the consideration or decision of these applications.

No. 13. United Steelworkers of America et al., petitioners, *v.* National Labor Relations Board. The petition for rehearing is denied. Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this application.

No. 98. The United States of America, petitioner, *v.* Ernestina G. Fleischman; and

No. 99. The United States of America, petitioner, *v.* Helen R. Bryan. The petition for rehearing is denied. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 309. International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers Union, Local 309, et al., petitioners, *v.* A. E. Hanke et al., Co-partners, D. B. A. Atlas Auto Rebuild; and

No. 364. Automobile Drivers and Demonstrators Local Union No. 882 et al., petitioners, *v.* George E. Cline. The petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 449. Building Service Employees International Union, Local 262, et al., petitioners, *v.* W. L. Gazzam. Petition for rehearing denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 542. Duncan Coffee Company, petitioner, *v.* Reconstruction Finance Corporation. The motion of Wright Patman for leave to file a brief as amicus curiae is denied. The petition for rehearing is denied.

No. 621. Morrison T. Wade and Bessie Lou Tanner Wade, petitioners, *v.* The People of the State of Michigan; and

No. 691. William M. Brown, petitioner, *v.* Kenneth C. Royall, Secretary of the Army, and Edward Witsell, The Adjutant General. Petitions for rehearing in these cases denied.

No. 695. Bentley S. Handwork et al., Individually and as Trustees, etc., petitioners, *v.* Horace A. Young, as Trustee in Bankruptcy of the Estate of George R. Joslyn, Bankrupt; and

No. 696. Bentley S. Handwork et al., Individually and as Trustees, etc., petitioners, *v.* Horace A. Young, as Trustee in Bankruptcy of the Estate of George R. Joslyn, Bankrupt. Petition for rehearing denied.

No. 697. Garfield A. Berlinsky, petitioner, *v.* Tighe E. Woods, Housing Expediter, Office of Housing Expediter, et al.;

No. 699. Jay M. Rowland, petitioner, *v.* State of Arkansas;

No. 721. Jepson L. Nelson and Charles W. Reeves, petitioners, *v.* Louis Johnson, Secretary of National Defense, et al.; and

No. 754. The Emery Transportation Company, appellant, *v.* The United States of America, Interstate Commerce Commission, et al. The petitions for rehearing in these cases are severally denied.

No. 429. Annie Mary Timmons, petitioner, *v.* J. D. Fagan. Motion for leave to file petition for rehearing denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 119, Misc. Julia B. Minton, petitioner, *v.* Theodore Britton, Deputy Commissioner. Petition for rehearing denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 413, Misc. Sadie Smith and Minnie Smith, petitioners, *v.* Mr. and Mrs. J. L. Holt. The motion to defer consideration is denied. The petition for rehearing is denied.

No. 427, Misc. Hans-Joachim Falkenstein, petitioner, *v.* People of the State of New York. Motion for leave to file petition for rehearing denied.

No. 48, Misc. James McClannahan, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

No. 190, Misc. Elmer A. Melanson, petitioner, *v.* Commonwealth of Massachusetts;

No. 192, Misc. John H. Blondin, petitioner, *v.* Commonwealth of Massachusetts; and

No. 194, Misc. Ronald W. Morin, petitioner, *v.* Commonwealth of Massachusetts. Petitions for writs of certiorari to the Superior

Court of Berkshire County, Massachusetts, denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petitions should be granted.

No. 191, Misc. Elmer A. Melanson, petitioner, *v.* Commonwealth of Massachusetts;

No. 193, Misc. John H. Blondin, petitioner, *v.* Commonwealth of Massachusetts; and

No. 195, Misc. Ronald W. Morin, petitioner, *v.* Commonwealth of Massachusetts. Petitions for writs of certiorari to the Supreme Judicial Court of Suffolk County, Massachusetts, denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petitions should be granted.

No. 233, Misc. Charles Evans, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of St. Clair County, Illinois, denied.

No. 236, Misc. Hilliard Sanders, petitioner, *v.* Edwin B. Swope, Warden. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 244, Misc. William Edward Alred, petitioner, *v.* James V. Bennett, etc., et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 334, Misc. Lloyd Beverly Hart, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 359, Misc. Bonewicz X. Dawson, petitioner, *v.* The United States of America; and

No. 370, Misc. F. E. Nemeč, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 372, Misc. Homer C. Price, petitioner, *v.* E. B. Swope, Warden. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 375, Misc. Alfred Glen Symons, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 415, Misc. Johnie H. Powers, petitioner, *v.* Walter A. Hunter, Warden. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 445, Misc. Carolyn Elizabeth Schmidt, Administratrix of the Estate of Calvin Dale Schmidt, deceased, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 446, Misc. Dorothy Ruth Fitzhugh, petitioner, *v.* State of Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 460, Misc. Julius Sturm, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 466, Misc. Augustin Young, petitioner, *v.* New York Central Railroad Company. Petition for writ of certiorari to the Court of Appeals of Cuyahoga County, Ohio, denied.

No. 476, Misc. Fletcher Mills, petitioner, *v.* Frederick S. Baldi, Supt. Petition for writ of certiorari to the Superior Court of Pennsylvania and the Supreme Court of Pennsylvania denied.

No. 501, Misc. Lawrence Goodall, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 502, Misc. Royal Lamora, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 504, Misc. Fannie J. Licznarski, etc., petitioner, *v.* The United States of America et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 509, Misc. Bennett N. Oden, petitioner, *v.* Mason W. Hill, Warden. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 512, Misc. Thomas Willard Eugene Moore, petitioner, *v.* C. J. Shuttleworth, Warden. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 514, Misc. Robert S. Burchfield, petitioner, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 515, Misc. Gladys I. Byers, petitioner, *v.* Juanita W. Temple. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 517, Misc. Albert W. Krause, petitioner, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 518, Misc. Earl W. Taylor, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 519, Misc. Eugene Paul Vance, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 520, Misc. Richard Anderson Lowe, petitioner, *v.* George W. Humphrey, Warden. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 521, Misc. Charles Skinner, petitioner, *v.* The New York Central Railroad Company et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 522, Misc. Raymond V. Masterson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 525, Misc. Ernest George Bland, petitioner, *v.* O. B. Ellis, Manager of the Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 528, Misc. Amos Reed, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 529, Misc. Roy F. Gagnon, petitioner, *v.* State of Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 530, Misc. Willie Davis, petitioner, *v.* W. Frank Smyth, Jr., Supt. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 531, Misc. Thomas Stephenson, petitioner, *v.* George W. Page, Warden. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 534, Misc. Georgia M. Spruill, petitioner, *v.* Bishop S. D. Brooks. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 535, Misc. Annie H. Logan, petitioner, *v.* Wiley M. Harty. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 536, Misc. Ray F. Harris, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Sangamon County, Illinois, denied.

No. 537, Misc. J. Ernest Wilkins, Jr., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 538, Misc. Joe Henry Hampton et al., petitioners, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 541, Misc. William Kemmerer, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 542, Misc. William Lester Keith, petitioner, *v.* W. C. Miller, Warden. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 543, Misc. Joseph W. Di Silvestro, petitioner, *v.* United States Veterans' Administration. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 544, Misc. Edmond Arthur Rohde, petitioner, *v.* Thomas O'Donnell, Acting Director. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 549, Misc. James Spencer, petitioner, *v.* Stanley P. Ashe, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 550, Misc. Harry Siegel and Maurice Meyer, petitioners, *v.* Joseph E. Regan, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 551, Misc. James M. Smith, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia denied.

No. 552, Misc. David Leon O'Hara, petitioner, *v.* Clarence P. Burford, Warden. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 559, Misc. Lloyd Edison Sampsell, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 523, Misc. Cecil Swain, petitioner, *v.* Clinton T. Duffy, Warden;

No. 526, Misc. Moses Charlie Moss, petitioner, *v.* Dr. Ivan W. Steele, Warden;

No. 532, Misc. Joseph Fleet, petitioner, *v.* Edwin T. Swenson, Warden;

No. 533, Misc. Memphis Bridges, petitioner, *v.* Joseph E. Ragen, Warden;

No. 539, Misc. Wilford Hill Castleman, petitioner, *v.* Dr. Winfred Overholser;

No. 540, Misc. Dan Williams, Jr., petitioner, *v.* Dr. Winfred Overholser; and

No. 547, Misc. Bertha A. Paquette, petitioner, *v.* State of Illinois. The motions for leave to file petitions for writs of habeas corpus in these cases are severally denied.

No. 433, Misc. In the matter of Kurt Hans, petitioner;

No. 434, Misc. In the matter of Hans Th. Schmidt, petitioner; and

No. 484, Misc. Dr. Hans-Heinrich Lammers, petitioner, *v.* The United States of America. The motions for leave to file petitions for writs of habeas corpus are denied. Mr. Justice Black and Mr. Justice Douglas vote to deny without prejudice to making applications in a District Court. Mr. Justice Jackson took no part in the consideration or decision of these applications.

No. 497, Misc. John Edwin Byers, petitioner, *v.* The United States of America et al. Motions for leave to file petitions for writs of certiorari and mandamus denied.

No. 524, Misc. Donald E. Chandler, petitioner, *v.* The United States District Court for the Northern District of California;

No. 546, Misc. Jack Chapman, petitioner, *v.* The United States District Court for the Northern District of California; and

No. 548, Misc. Charles E. Walshfer, petitioner, *v.* State of Michigan. The motions for leave to file petitions for writs of mandamus are severally denied.

No. 527, Misc. Joseph Kadans, petitioner, *v.* William C. Coleman. Motion for leave to file petition for writ of injunction denied.

No. 568, Misc. Henry V. Tillman, petitioner, *v.* The State of Florida. The motion for a stay of execution is denied.

The Chief Justice announced the following order:

“All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

“It is ordered by this Court that all cases on the docket be, and they hereby are, continued to the next term.”

Adjourned to the time and place appointed by law.

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