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## OCTOBER TERM, 1955

### STATISTICS

	Original	Appellate	Miscellaneous	Total
Number of cases on dockets.....	15	1, 020	821	1, 856
Cases disposed of.....	4	865	768	1, 637
Remaining on dockets.....	11	155	53	219

#### Cases disposed of—Appellate Docket:

By written opinions.....	103
By per curiam opinions or orders.....	116
By motion to dismiss or per stipulation (merit cases).....	3
By denial or dismissal of petitions for certiorari.....	643

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Roderic R. Ashby, of Charleston, Mo., Melvin J. Sykes, of Baltimore, Md., Samuel J. Nachwalter, of New York, N. Y., Sidney Z. Fuchs, of New York, N. Y., David Noah Sugarman, of Brooklyn, N. Y., Irving Kirschenbaum, of New York, N. Y., Harry Z. Kaufman, of Brooklyn, N. Y., Harold Lisinsky, of New York, N. Y., Herbert M. Brune, Jr., of Baltimore, Md., Edward Larmour Rich, Jr., of Baltimore, Md., Samuel Dash, of Philadelphia, Pa., David Valentine Seaman, of Washington, D. C., Frederick Doran Carroll, of Chicago, Ill., Milton Marlowe Konowe, of New York, N. Y., Victor Hugo Wright, Jr., of Philadelphia, Pa., Hyman Aaron Pressman, of Baltimore, Md., Leo Wiener, of New York, N. Y., Arthur H. Beyer, of New York, N. Y., Herman N. Schwartz, of New York, N. Y., Alfred Taffet, of New York, N. Y., Bernard Segall, of New York, N. Y., Michael M. Skodnick, of New York, N. Y., Leo J. Zimmerman, of Jamaica, N. Y., Daniel Wolchok, of New York, N. Y., James Joseph Wood, of New York, N. Y., John F. Whicher, of New York, N. Y., Harold Harris, of New Milford, N. J., Elmer Fried, of New York, N. Y., Morris Weissman, of Brooklyn, N. Y., Joseph A. McDonald, of New York, N. Y., Joseph Louis Stein, of New York, N. Y., Hyman Frank, of New York, N. Y., Franklin Scott Irby, of New York, N. Y., Herman G. Blumenthal, of New York, N. Y., Stanley H. Lowell, of New York, N. Y., Melvin Howard Osterman, of New York, N. Y., Emil K. Ellis, of New York, N. Y., Eugene Wallman, of New York, N. Y., Joseph I. Weichbrod, of New York, N. Y., Vincent J. Aiken, of Arcadia, Calif., Benjamin Kleinberg, of South River, N. J., I. Philip Sipser, of New York, N. Y., Bernice P. Rogers, of New York, N. Y., Henry J. Bendheim, of Englewood, N. J., Leonard Levinsohn, of New York, N. Y., Margaret Mary Josephine Mangan, of New York, N. Y., Seymour R. Thaler, of New York, N. Y., James V. Altieri, of New York, N. Y., and Paul Simon, of New York, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Edward G. Biecek, of Chicago, Ill., on motion of Mr. Barratt O'Hara; Paul Schofield, of Chicago, Ill., Thomas H. Gignilliat, of Savannah, Ga., Evan Howell, of Springfield, Ill., and George W. McGurn, of Elmhurst, Ill., on

motion of Mr. Elmore Whitehurst; Bryan Wilson, of Bement, Ill., on motion of Mr. Will Shafroth; Norman W. Colquhoun, of Cleveland, Ohio, Herbert Bruce Griswold, of Cleveland, Ohio, Harris K. Weston, of Cincinnati, Ohio, James A. Lake, Sr., of Lincoln, Nebr., Ray C. Simmons, of Fremont, Nebr., John Michael Leahy, of Chicago, Ill., James R. Ryan, of Tulsa, Okla., and Samuel Hess Crossland, of Tulsa, Okla., on motion of Mr. William S. Cheatham; R. L. Arnold, of Texarkana, Ark., on motion of Mr. E. Fontaine Broun; J. Haden Alldredge, of Washington, D. C., Anthony F. Arpaia, of New Haven, Conn., Kenneth H. Tuggle, of Barbourville, Ky., Owen F. Clarke, of Yakima, Wash., and John H. Winchell, of Denver, Colo., on motion of Mr. Samuel R. Howell; Edward T. Stodola, of Washington, D. C., and Richard P. Tinkham, Jr., of Wausau, Wis., on motion of Mr. Mac Asbill, Jr.; James Martin Sutherland, of Atlanta, Ga., D. Byron King, of Jacksonville, Fla., Harold Robinson Clark, of Jacksonville, Fla., Robert Henry Traurig, of Miami, Fla., Lanas Troxler, of Jacksonville, Fla., Claude R. Jones, of Miami, Fla., Dudley Burton, of Miami, Fla., Frank M. Marks, of Miami, Fla., Mervyn L. Ames, of Miami, Fla., Paul D. Barns, Jr., of Miami, Fla., Julian Robert Benjamin, of Miami, Fla., William H. Frecker, of Tampa, Fla., Malcolm J. Hall, of Tampa, Fla., John S. Duss, of Jacksonville, Fla., V. R. Fisher, of Tampa, Fla., John Grady Hodges, of Tampa, Fla., Hammond Fowler, of Rockwood, Tenn., James Gilbert Lackey, Jr., of Nashville, Tenn., H. Francis Stewart, of Nashville, Tenn., Julius R. Lunsford, Jr., of Atlanta, Ga., Robert Langdon Foreman, Jr., of Atlanta, Ga., Marion Augustine Sams, of Atlanta, Ga., James C. Bowman, of Southport, N. C., Louis Julien Poisson, Jr., of Wilmington, N. C., William Grier Carver, of Lakeland, Fla., and Walter Wood Dean, of Alexander City, Ala., on motion of Mr. Francis La Mar Forshee; Melvin Sacks, of New York, N. Y., on motion of Mr. Harold Boxer; David Knox McKamy, of Birmingham, Ala., and Andrew Johnston Thomas, of Birmingham, Ala., on motion of Mr. Frontis H. Moore; Charles L. Cavness, of Amarillo, Tex., on motion of Mr. Noble J. Allen, Jr.; Roy G. Simmons, of Toms River, N. J., on motion of Mr. John S. Forsythe; Arthur Richenthal, of New York, N. Y., on motion of Mr. Carlile Bolton-Smith; Herman Brister DeCell, of Yazoo City, Miss.; on motion of Mr. Robert Lee McCarty; Allan Mills Anderson, of Chicago, Ill., on motion of Mr. Cornelius H. Doherty; Harry R. Begley, of Chicago, Ill., on motion of Mr. Douglas E. Smith; Frederick Clifford Tyler, Jr., of Cleveland Heights, Ohio, and James Foster Thompson, of Cleveland, Ohio, on motion of Mr. Harry D. Rees, Jr.; Ruth V. Washington, of New York, N. Y., on motion of Mr. James M. Nabrit, Jr.; Thomas W. Hathaway, of Tyler, Tex., and Ben F. Johnson, of Tyler, Tex., on motion of Mr. Mastin G. White; Milton

F. Lunch, of Washington, D. C., on motion of Mr. Milton I. Baldinger; Cyrus Pfeiffer Trowbridge, of Stuart, Fla., and Robert D. Moran, of Springfield, Mass., on motion of Mr. Howard Overholt Husband; Howard Russell Whipple, of San Antonio, Tex., on motion of Mr. Gerald A. Sams; Harry B. Kelleher, of New Orleans, La., on motion of Mr. Donald Macleay; Paul A. Borel, of Washington, D. C., on motion of Mr. John Hopkins Heires; Harold A. Harris, of Chicago, Ill., on motion of Mr. Milton M. Burke; Mervin E. Templin, of Oklahoma City, Okla., on motion of Mr. John Joseph Griffin; Andrew Frank Kristovich, of San Francisco, Calif., on motion of Mr. Louis Paul Haffer; Thomas F. Butler, Jr., of Toledo, Ohio, on motion of Mr. Daniel M. Gribbon; Knox Baird Kinney, of Forrest City, Ark., on motion of Mr. D. Roland Potter; Josiah E. DuBois, Jr., of Camden, N. J., and Alexander Feinberg, of Camden, N. J., on motion of Mr. Lawrence S. Lesser; Jeanne Barbara Miles, of Washington, D. C., on motion of Mr. Perry W. Howard; Joseph P. Allen, of New York, N. Y., on motion of Mr. William B. Jones; Edward Anthony Kaier, of Philadelphia, Pa., on motion of Mr. Edwin Haines Burgess; Lyman A. Garber, of Beverly Hills, Calif., and Walter R. Jones, Jr., of Rockingham, N. C., on motion of Mr. Frederick O. Graves; Coyle E. Bybee, of Chico, Calif., and Jean Morony, of Chico, Calif., on motion of Mr. Frederic P. Lee; and Henry Plauché Dart III, of New Orleans, La., on motion of Mr. Roger Hayward Muzzall, were admitted to practice.

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

The day call for Monday, October 10, will be as follows: Nos. 9, Orig., 11, Orig., and 5.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Carleton J. King, of Saratoga Springs, N. Y., Charles Howard Fleishman, of Philadelphia, Pa., Michael J. Ferrara, of Hackensack, N. J., George E. Dailey, of Hackensack, N. J., Frank M. Travaline, Jr., of Camden, N. J., Harold C. Detling, of Gridley, Calif., Marvin W. Mindes, of Chicago, Ill., Samuel Stephen Telep, of Greeley, Colo., Alfred A. Calabro, of Glendale, Calif., Edward H. Calabro, of Glendale, Calif., Frank Joseph Guarini, Jr., of Jersey City, N. J., and Louis Romolo Milio, of Baltimore, Md., on motion of Mr. Solicitor General Simon E. Sobeloff; S. Norwood Gasque, of Latta, S. C., on motion of Mr. E. Jake Jacobsen; James D. Thames, of Vicksburg, Miss., on motion of Mr. Gerard H. Brandon; Paul Bartel, of Glen Rock, N. J., on motion of Mr. Oliver Ellis Stone; Marvin G. Russell, of Atlanta, Ga., on motion of Mr. Linton J. Collins; Richard E. Colby, of New York, N. Y., on motion of Mr. Alan Y. Cole; William Dubin, of Newark, N. J., on motion of Mr. Herman B. J. Weckstein; Elmer William Henderson, of Washington, D. C., on motion of Mr. Frank D. Reeves; Ned D. Shands, Jr., of Lufkin, Tex., on motion of Mr. John C. White; James Francis McKenna, Jr., of Pittsburgh, Pa., and Louis A. Robertson, of St. Louis, Mo., on motion of Mr. Brice Wilson Rhyne; John J. Kehoe, of Miami, Fla., on motion of Mr. John J. O'Keefe; Theodore Philip Halperin, of New York, N. Y., on motion of Mr. Cyril Francis Brickfield; John B. Stone, Jr., of Elizabeth, N. J., H. Harding Brown, of Elizabeth, N. J., Milton A. Epstein, of Elizabeth, N. J., and Barnet H. Epstein, of Elizabeth, N. J., on motion of Mr. Emanuel Ainsworth Smith; Charles W. Bostwick, of Jacksonville, Fla., and William Cowan Bostwick, of Jacksonville, Fla., on motion of Mr. James Perkins Parker; Alvin Hersh Zagor, of New York, N. Y., and John René Vincens, of New York, N. Y., on motion of Mr. Max M. Greenfield; Thompson L. Clarke, of Saint Joseph, La., and Edgar H. Lancaster, Jr., of Tallulah, La., on motion of Mr. John L. Madden; Hartwell Davis, of Montgomery, Ala., on motion of Mr. Joseph H. Lesh; James P. Brice, of Los Angeles, Calif., on motion of Mr. Mastin G. White; Elza H. Papp, of Flint, Mich., Walter J. Barkey, of Flint, Mich.,

and Edward Packard Hopkins, of Flint, Mich., on motion of Mr. Edwin L. Kahn; Gilbert Zimmerman, of Richmond, Va., on motion of Mr. Albert E. Reitzel; Harold Fein, of Buffalo, N. Y., on motion of Mr. Samuel Brian Groner; James R. Billingsley, of Biloxi, Miss., on motion of Miss Sylvia S. Ellison; Joseph A. Jenkins, of Fort Worth, Tex., on motion of Mr. Ray R. Murdock; Charles Kohlmeyer, Jr., of New Orleans, La., on motion of Mr. John H. Clifton; John O. Kizer, of Charleston, W. Va., on motion of Mr. Frederick S. Hill; and Samuel Kenric Lessey, Jr., of Chappaqua, N. Y., on motion of Mr. Walter Franklin Sheble, were admitted to practice.

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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. 43. Morrison T. Wade and Bessie Lou Tanner Wade, appellants, *v.* The People of the State of Michigan. Appeal from the Supreme Court of Michigan;

No. 59. Anthony J. Wilkowski, appellant, *v.* Philip A. Hart, Lieutenant Governor of the State of Michigan. Appeal from the Supreme Court of Michigan;

No. 62. Ray Whitaker and Harry L. Swaim, Doing Business as Blue Motor Coach Lines, appellants, *v.* Louisville Transit Company et al. Appeal from the Court of Appeals of Kentucky;

No. 99. Earnest T. Budberg et al., appellants, *v.* The County of Sangamon et al. Appeal from the Supreme Court of Illinois;

No. 121. Charles P. Cullen, as Treasurer of New York Fire Insurance Rating Organization, et al., appellants, *v.* Alfred J. Bohlinger, as Superintendent of Insurance of the State of New York, et al. Appeal from the Court of Appeals of New York and the Appellate Division of the Supreme Court of New York, First Department;

No. 142. New York, Chicago & St. Louis Railroad Company, appellant, *v.* George Leonard. Appeal from the Supreme Court of Ohio; and

No. 174. Edwin K. Atwood et al., appellants, *v.* Willacy County Navigation District. Appeal from the Supreme Court of Texas and the Court of Civil Appeals of Texas, Fourth Supreme Judicial District. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for want of a substantial federal question.

No. 52. International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, CIO, et al., appellants, *v.* Great Lakes Greyhound Lines, a Division of Greyhound Corporation, a Delaware Corporation. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted.

appeal is dismissed for want of a substantial federal question. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 55. State of North Carolina et al., appellants, *v.* United States of America et al. Appeal from the United States District Court for the Eastern District of North Carolina; and

No. 212. Pledger L. Burkhalter, Jr., appellant, *v.* Liberty Mutual Insurance Companies, Inc., et al. Appeal from the United States Court of Appeals for the Fifth Circuit. *Per Curiam:* The motions to affirm are granted and the judgments are affirmed.

No. 108. Philip Landes, appellant, *v.* The Domestic Relations Court of the City of New York, etc., et al. Appeal from the Court of Appeals of New York. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction.

No. 186. Louis Blumenschein et al., appellants, *v.* Housing Authority of the City of Pittsburgh, a Corporation. Appeal from the Supreme Court of Pennsylvania, Western District. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 187. David Rines, Individually and as Administrator of Estate of Lucy L. Rines, Petitioner to Establish the Truth of Exceptions, appellant. Appeal from the Supreme Judicial Court of Massachusetts;

No. 188. David Rines, Individually and as Administrator of Estate of Lucy L. Rines, Petitioner to Establish the Truth of Exceptions, appellant. Appeal from the Supreme Judicial Court of Massachusetts; and

No. 217. Albuquerque Broadcasting Company, appellant, *v.* Bureau of Revenue of the State of New Mexico et al. Appeal from the Supreme Court of New Mexico. *Per Curiam:* The appeals are dismissed for want of a substantial federal question.

No. 238. Joseph A. Cota, appellant, *v.* L. Dale Coffman, as Dean of the School of Law, University of California at Los Angeles. Appeal from the Supreme Court of California. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. The Chief Justice took no part in the consideration or decision of this case.

No. 50. Einar Rasmussen, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam:* The petition for writ of certiorari is granted. The judgment is reversed and the case is remanded to the

Court of Appeals for consideration on the merits. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 91. Norton I. Kretske, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The petition for writ of certiorari is granted. On consideration of the record and the confession of error by the Solicitor General the judgment of the Court of Appeals is reversed and the case is remanded to the District Court for a new trial.

No. 143. Beatrice A. Anderson, as Administratrix of the Estate of Charles Arthur Anderson, Jr., Deceased, petitioner, *v.* Atlantic Coast Line Railroad Company; and

No. 261. James L. Swafford, petitioner, *v.* Atlantic Coast Line Railroad Company. On petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petitions for writs of certiorari in these cases are granted and the judgments are reversed. Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Burton, and Mr. Justice Harlan are of the opinion that certiorari should not have been granted in these cases.

No. 223. Virginia S. Block, petitioner, *v.* Louis T. Block. On petition for writ of certiorari to the Supreme Court of Ohio. *Per Curiam*: The petition for writ of certiorari is granted; the judgment is vacated, and the cause is remanded to the Supreme Court of Ohio for clarification as to whether its decision rests on state or federal grounds. See *Halvey v. Halvey*, 330 U. S. 610.

No. 271. United States of America, petitioner, *v.* I. J. Colotta et al. (Doing Business as Partners Under the Firm Name of Long & Chambliss Plumbing & Heating Company). On petition for writ of certiorari to the Supreme Court of Mississippi. *Per Curiam*: The petition for writ of certiorari in this case is granted and the judgment is reversed. Mr. Justice Douglas dissents.

No. 30, Misc. Cleo Gregory, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Appeals for consideration on the merits.

No. 262, Misc. James Alonzo Rogers, petitioner, *v.* Harley O. Teets, Warden, California State Prison, San Quentin, Cal. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: Motion for stay of execution of death sentence and petition for writ of certiorari to the Court of Appeals for the 9th Circuit are granted. The judgment of that court is reversed, and the case is remanded so that the Petitioner's application for a certificate of

probable cause may be entertained on its merits. *House v. Mayo*, 324 U. S. 42, 48 (1945).

No. 283, Misc. Eugene Burwell, petitioner, *v.* Harley O. Teets, Warden, California State Prison, San Quentin, Cal. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: Motion for stay of execution of death sentence and petition for writ of certiorari to the Court of Appeals for the 9th Circuit are granted. The judgment of that court is reversed, and the case is remanded so that the Petitioner's application for a certificate of probable cause may be entertained on its merits. *House v. Mayo*, 324 U. S. 42, 48 (1945).

No. 294, Misc. Autherine J. Lucy and Polly Anne Myers, petitioners, *v.* William F. Adams, Dean of Admissions, University of Alabama. Application to vacate order of United States District Court for the Northern District of Alabama. *Per Curiam*: Petitioners, Autherine J. Lucy and Polly Anne Myers, citizens of Alabama, have been seeking admission to the University of Alabama since September 1952. Respondent William F. Adams is Dean of Admissions of the University. After hearings United States District Judge Grooms of the Northern District of Alabama found that petitioners had been denied admission to the University "solely on account of their race and color". Holding this denied petitioners equal protection of state laws, the court permanently enjoined respondent Adams, his agents, employees and others acting in concert with respondent "from denying the plaintiffs and others similarly situated the right to enroll in the University of Alabama and pursue courses of study thereat, solely on account of their race or color". Respondent's motion to suspend the injunction pending appeal to the United States Court of Appeals for the Fifth Circuit was granted by the District Judge. A Judge of that court denied a motion to vacate the suspension and reinstate the injunction. A similar motion is now before us.

The motion is granted and the injunction is reinstated to the extent that it enjoins and restrains the respondent and others designated from denying these petitioners Autherine Lucy and Polly Anne Myers the right to enroll in the University of Alabama and pursue courses of study there. *Sipuel v. Board of Regents of the University of Oklahoma*, 332 U. S. 631; *Sweatt v. Painter*, 339 U. S. 629; *McLaurin v. Oklahoma State Regents for Higher Education*, 339 U. S. 637. In other respects, the motion is denied.

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No. 54. United States of America, appellant, *v.* Jack Green and General Laborers' Local 397 of Granite City, Illinois, etc. Appeal from the United States District Court for the Southern District of Illinois; and

No. 102. United States of America and Interstate Commerce Commission, appellants, *v.* Contract Steel Carriers, Inc. Appeal from the United States District Court for the Northern District of Indiana. In these cases probable jurisdiction is noted and the cases are transferred to the summary calendar.

No. 63. Werner Machine Company, Inc., appellant, *v.* Director of Division of Taxation, Department of the Treasury, State of New Jersey. Appeal from the Supreme Court of New Jersey;

No. 82. International Harvester Credit Corporation et al., appellants, *v.* Allen J. Goodrich et al., Constituting the State Tax Commission of the State of New York. Appeal from the Court of Appeals of New York;

No. 129. George W. Doud et al., Doing Business as Bondified Systems and Eugene Derrick, appellants, *v.* Orville Hodge, Auditor of Public Accounts of the State of Illinois, et al. Appeal from the United States District Court for the Northern District of Illinois; and

No. 233. Dixie Carriers, Inc., Coyle Lines Incorporated, et al., appellants *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Southern District of Texas. In these cases probable jurisdiction is noted.

No. 132. Holophane Company, Inc., appellant, *v.* United States of America. Appeal from the United States District Court for the Southern District of Ohio. In this case probable jurisdiction is noted. Mr. Justice Harlan took no part in the consideration or decision of this question.

No. 151. United States of America, appellant, *v.* E. I. duPont de Nemours and Company et al. Appeal from the United States District Court for the Northern District of Illinois. In this case probable jurisdiction is noted. Mr. Justice Clark and Mr. Justice Harlan took no part in the consideration or decision on this question.

No. 158. Frozen Food Express, appellant, *v.* United States and Interstate Commerce Commission;

No. 159. Interstate Commerce Commission, appellant, *v.* Frozen Food Express et al.;

No. 160. American Trucking Associations et al., appellants, *v.* Frozen Food Express et al.;

No. 161. Akron, Canton and Youngstown Railroad Company et al., appellants, *v.* Frozen Food Express et al.;

No. 162. East Texas Motor Freight Lines, Inc., et al., appellants, *v.* Frozen Food Express, Secretary of Agriculture of the United States, et al.;

No. 163. Interstate Commerce Commission, appellant, *v.* Frozen Food Express et al.; and

No. 164. Akron, Canton and Youngstown Railroad Company et al., appellants, *v.* Frozen Food Express et al. Appeals from the United States District Court for the Southern District of Texas. In these cases probable jurisdiction is noted. The cases are consolidated and a total of two hours allowed for oral argument.

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No. 92. Mabel Black and T. Y. Wulff, etc., et al., petitioners, *v.* Cutter Laboratories, a Corporation. Petition for writ of certiorari to the Supreme Court of California granted.

No. 94. United States of America and Federal Communications Commission, petitioners, *v.* Storer Broadcasting Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 134. Clark Squire, Collector of Internal Revenue for the District of Washington, petitioner, *v.* Horton Capoeman and Emma Capoeman, his wife. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 201. David Hyun, petitioner, *v.* Herman R. Landon, District Director, Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 213. United States of America, petitioner, *v.* Ettore Zucca, also known as Mario Sarni, also known as Ettore Sarni Zucca. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 231. Bill Hatahley et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 56. Murdock Acceptance Corporation, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary calendar.

No. 66. Riverbank Laboratories, a Corporation, petitioner, *v.* Hardwood Products Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit and case transferred to the summary calendar.

No. 105. William Thompson, petitioner, *v.* Coastal Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the summary calendar.

No. 110. Harold I. Cammer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of

Appeals for the District of Columbia Circuit granted and case transferred to the summary calendar.

No. 250. National Labor Relations Board, petitioner, *v.* The Babcock and Wilcox Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary calendar.

No. 251. National Labor Relations Board, petitioner, *v.* Seamprufe, Inc. (Holdenville Plant). Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case transferred to the summary calendar.

No. 257. Southern Pacific Company, petitioner, *v.* Charles M. Gileo et al. Petition for writ of certiorari to the Supreme Court of California granted and case transferred to the summary calendar.

No. 286. Commissioner of Internal Revenue, petitioner, *v.* Southwest Exploration Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 287. The United States, petitioner, *v.* Huntington Beach Company, a Corporation. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary calendar.

No. 72. Frank Costello, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to question 1 presented by the petition for the writ which reads as follows:

"1. May a defendant be required to stand trial and a conviction be sustained where only hearsay evidence was presented to the grand jury which indicted him."

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

No. 76. The Cold Metal Process Company and the Union National Bank of Youngstown, Ohio, Trustee, petitioners, *v.* United Engineering & Foundry Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case assigned for argument immediately following No. 34. Oral argument in each case will be limited to 45 minutes a side.

No. 79. National Labor Relations Board, petitioner, *v.* Coca-Cola Bottling Co. of Louisville, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 150. W. A. Shields petitioner, *v.* Atlantic Coast Line Railroad Company. Petition for writ of certiorari to the United States Court

of Appeals for the Fifth Circuit granted and case transferred to the summary calendar. The Court calls this case to the attention of the Interstate Commerce Commission and expresses its readiness to accept any brief it might wish to submit.

**No. 156.** Elmer F. Remmer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to the questions presented under III A of the petition for the writ. The Chief Justice took no part in the consideration or decision of this application.

**No. 170.** General Stores Corporation, petitioner, *v.* Max Shlensky, Security and Exchange Commission, Creditors Committee and Wage Claimants. Motion for leave to file brief of respondents, Wage Claimants, granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

**No. 242.** The Inter-State National Bank of Kansas City, petitioner, *v.* Frank Luther, Trustee of the Estate of Garden Grain and Seed Company, Inc., Bankrupt. Motion to add The First National Bank of Kansas City as a party petitioner is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case transferred to the summary calendar.

**No. 255.** Millinery Center Building Corp., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to questions 1 and 2 presented by the petition for the writ which read as follows:

"1. Where a lessee, the owner of a valuable building on leased land, acquires the fee to the land to be relieved of what it considers to be the burdensome terms of a lease, may the lessee deduct the excess of the payment over the determined value of the land at the date of purchase as an ordinary expense of doing business under § 23 (a) of the United States Internal Revenue Code of 1939 or under § 23 (f) as a loss on a transaction entered into for profit and not compensated for by insurance or otherwise.

"2. In the alternative, may the lessee-petitioner consider the excess payment over the determined value of the land to be in the nature of a prepayment of rent for the remaining term of the extinguished lease and amortize such amount over 21 years?"

The case is transferred to the summary calendar.

**No. 23,** Misc. Earl P. Greenwood, petitioner, *v.* United States of America. Motion for leave to proceed in forma pauperis and petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted. Case transferred to the appellate docket.

No. 61. Seeley Tube and Box Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 65. United States of America, petitioner, *v.* Edward D. Putty. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 67. James Warner Bellah, petitioner, *v.* Ruth Power-O'Malley Whittlesey, Mother on behalf of Ann De La Poer Bellah. Petition for writ of certiorari to the District Court of Appeals of California, Second Appellate District, denied.

No. 68. Great Lakes Steel Corporation, petitioner, *v.* United States of America, Interstate Commerce Commission, The Baltimore and Ohio Railroad Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 69. Robert T. Orton, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 70. David Swidler, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 75. R. E. Shutt, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77. Louis E. Wolcher, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 78. Honorable Michael L. Igoe, Judge of the United States District Court for the Northern District of Illinois, petitioner, *v.* Chicago, Rock Island and Pacific Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 80. United States of America, ex rel. Josip Feretic, a/k/a Joe Feretic, petitioner, *v.* Edward J. Shaughnessy, as District Director of the Immigration and Naturalization Service for the District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 81. Jacob Lichter and Jennie L. Lichter, Individually and as Partners Doing Business as Southern Fireproofing Company, petitioners, *v.* United States of America and Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 83. Mah Toi, petitioner, *v.* Herbert Brownell, Jr., as Attorney General. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 84. San Antonio Transit Company, petitioner, *v.* Frank Scofield, Formerly Collector of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85. The Martin Brothers Box Company, petitioner, *v.* Interstate Commerce Commission and Southern Pacific Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86. Mary L. Crist, petitioner, *v.* Washington, Virginia and Maryland Coach Co., Inc. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 87. Ladue & Co., petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88. B. H. Newman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 89. International Association of Machinists, et al., petitioners, *v.* Al Friedman. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 90. Talache Mines, Incorporated, petitioner, *v.* United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 93. Rene Bussoz, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 96. Esso Shipping Company, petitioner, *v.* Compania de Maderas de Caibarien, S. A. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 97. Albert J. Demelle, Doing Business as Curley's Transportation Company, petitioner, *v.* Interstate Commerce Commission. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 98. Lawrence E. Walsh, United States District Judge, and Westinghouse Electric Corporation, petitioners, *v.* Joseph H. Lyons and Jessie H. Lyons, Individually and as Co-partners, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 101. Soc. Armadora Del Norte, a Corporation, Claimant of the Steamship Theogennitor, etc., petitioner, *v.* Arne Armus Lahde.

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

No. 103. Louis J. Gariepy, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 104. Austin F. McFee, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 106. William Leighton, petitioner, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 107. 450 Acres of Land, More or Less, Known as Barnwell Island, Situate in Chatham County, Georgia, et al., petitioners, *v.* United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 109. United States, ex rel. Audrey Joan Czapkowski, petitioner, *v.* John W. Holland, District Director of Immigration and Naturalization Service for the Fourth District. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 113. Jeoffroy Mfg., Inc., petitioner, *v.* William T. Graham. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 114. Max P. Lash, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 115. Lillian M. Jones, petitioner, *v.* Avco Manufacturing Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 116. Edgar B. Stern et al., petitioners, *v.* The Board of Levee Commissioners of the Orleans Levee District et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 122. Willard L. Gleeson and Mary F. Gleeson, petitioners, *v.* Fred E. Carr, Trustee in Bankruptcy of the Estate of Broadcasting Corporation of America, Debtor. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 123. W. Lunsford Long and Hewitt S. West, petitioners, *v.* Honorable Sylvester J. Ryan and the Honorable Judges of the United States District Court for the Southern District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 124. Joseph A. Bass et al., Individually, and as Co-partners Doing Business Under the Name and Style of Joseph A. Bass Com-

pany, et al., petitioners, *v.* United States of America and Kenneth C. Royall, Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 125. Emery & Kaufman, Ltd., petitioner, *v.* Add A. Heyl. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 126. Jack H. Halfen, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 127. Roy Sickles, petitioner, *v.* Graybar Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 130. Edward Coco, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 131. Louis J. Farone, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 133. Reuben D. Silliman, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 135. Julius L. Echeles and Paul Echeles, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 136. Charlie Soper and Jack Mease, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 137. New Cut Rate Liquors, Inc., et al., petitioners, *v.* Seagram Distillers Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 138. Irving Trust Company and Ernest Crawford May, as Executors of the Will of Charles H. Hastings, Deceased, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 139. W. J. Earhart, petitioner, *v.* Alfred J. Callan, Jr., Trustee in Bankruptcy of the Estate of Felix Ivan Pugh, Bankrupt. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 141. Isaac Chaitt, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 145. The People of the State of New York, ex rel. Henrietta Gadson, on behalf of Willie Morgan, petitioner, *v.* John E. Hoy,

Sheriff, County of Westchester. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Department, denied.

No. 146. The American Metal Company, Limited, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 147. Mignon Reinecke, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 148. Wesley F. Mullett, Frank J. Mullett, Harold Comer and Leo Weibel, petitioners, *v.* William J. Korth, Individually and as Collector of Internal Revenue, District of Utah. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 149. J. C. Burris, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 152. Southern Pine Electric Cooperative, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 153. Walter Scott, an Infant, by Ernest Scott, His Next Friend, petitioner, *v.* Standard Conveyor Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 154. Tinker & Razor, John Patrick Razor and Leo H. Tinker, petitioners, *v.* Dick E. Stearns and the D. E. Stearns Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 157. Francisco Ballester Pons, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 165. Evelyn Leadman, petitioner, *v.* The Greyhound Corporation. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 167. John D. Snow and Grace K. Snow, Husband and Wife, petitioners, *v.* United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 168. Lester H. Burdick, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 169. E. V. Turner and I. C. Turner, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 171. Huron Milling Company, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 172. Michael Campodonico, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 173. James G. Pace, petitioner, *v.* Laurie W. Tomlinson, Director of Internal Revenue for the State of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 175. Paul Titus, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 176. Waterman Steamship Corporation, petitioner, *v.* Triple A. Machine Shop, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 177. Ann F. Ames, petitioner, *v.* The Mengel Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 178. Jack C. Vaughan, petitioner, *v.* City Bank & Trust Company, Natchez, Mississippi. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 179. David H. Mitchell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 180. Mastercrafters Clock & Radio Co., petitioner, *v.* Vacheron & Constantin-Le Coultre Watches, Inc., and Jaeger-Le Coultre, S. A. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 181. Boomhower, Inc., petitioner, *v.* American Automobile Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 182. Massachusetts Protective Association, Inc., petitioner, *v.* Joseph W. Buchanan. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 183. Paul A. Pigott, Eugene E. Murphy, William F. Menard, et al., petitioners, *v.* Detroit, Toledo & Ironton Railroad and Brotherhood of Railroad Trainmen. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 184. Estelle Bishop, petitioner, *v.* R. H. Reichel, Acting District Director of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 189. George Washington Pierce, petitioner, *v.* Hewlett-Packard Company and Paul G. Yewell, Doing Business as Yewell Associates. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 190. Charles F. Rubsam, petitioner, *v.* Harley C. Loney Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 191. American Marking Corporation and John K. Jackson, petitioners, *v.* Adolph Gottscho, Inc. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 192. Novak N. Marku, petitioner, *v.* The Union & League of Romanian Societies of America, Inc., et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 193. John Lloyd Taylor, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 194. Adeline Kirschenmann and Henry Kirschenmann, petitioners, *v.* Harry C. Westover, United States Collector of Internal Revenue for the Sixth District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 197. George F. Vasen, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 199. Wilson Brothers (an Illinois Corporation), petitioner, *v.* Textile Workers Union of America, CIO, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 200. Shopmen's Local Union No. 722, International Association of Bridge, Structural and Ornamental Iron Workers, A. F. of L., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 202. Michael Stella, on behalf of himself and All Other Stockholders of Kaiser-Frazier Corporation, petitioner, *v.* Henry J. Kaiser et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 203. John W. Martin, as Trustee of the Property of Florida East Coast Railway Company, petitioner, *v.* James E. Johnston. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 204. Harold Lurie and Samuel Dworetz, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 205. Marvin Wichman, petitioner, *v.* Allis Chalmers Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 206. Noel Estate, Incorporated, and Thomas G. Roberts, petitioners, *v.* James R. Russell, Stockholders' Agent of the Commercial National Bank of Shreveport. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 207. Harry Alexander, Inc., Continental Casualty Co., petitioners, *v.* Alice P. Friend. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 208. Board of Regents of the University of Maryland, petitioner, *v.* Trustees of Endowment Fund of the University of Maryland and Maryland Trust Company. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 214. Natalie Ortiz Torres, petitioner, *v.* Honorable Lawrence E. Walsh, United States District Judge. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 215. John Joseph Prochaska, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 216. The Item Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 219. Jacob Strauch, Alex Strauch, and Harry Benjamin Sher, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 220. Burton R. Landes, petitioner, *v.* Hon. Harold Knight, P. J., Court of Common Pleas, Montgomery County, Pennsylvania, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 221. Carolina Power and Light Company, petitioner, *v.* R. R. Jernigan, Administrator of the Estate of Haymie Warren, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 222. Preferred Insurance Company, a Corporation, et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 224. Trinity Universal Insurance Company, petitioner, *v.* Clyde H. Smithwick. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 225. Dennis Wayne McDow and Robert J. Casey, petitioners, *v. Louisiana Southern Railway Company*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 226. M. W. Kaye, Administrator, with the Will Annexed of the Estate of Morris Schuman, Deceased, petitioner, *v. Louise Wells Bechler et al.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 228. James F. Sexton, petitioner, *v. Eleanore M. Barry*. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 229. Helene M. Beaumont, petitioner, *v. Pennsylvania Railroad Company et al.* Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 230. Clarence Frach et al., petitioners, *v. Robert J. Schoettler, as Director of the Department of Fisheries of the State of Washington, et al.* Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 234. William Seawright, petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 235. Fairmont Aluminum Company, petitioner, *v. Commissioner of Internal Revenue*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 237. Armco Drainage & Metal Products, Inc., Fabricating Division, petitioner, *v. National Labor Relations Board*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 240. J. R. Alabaugh, W. H. Schaver, J. W. Welman, et al., petitioners, *v. The Baltimore and Ohio Railroad Company, a Body Corporate, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 243. Schwegmann Brothers Giant Super Markets et al., petitioners, *v. Hoffmann-La Roche, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 245. M. A. Tilbury, Doing Business as Tilbury's Southern Meat Company, petitioner, *v. William J. Rogers, Regional Director of the Wage, Hour, and Public Contracts Division, United States Department of Labor, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 246. Capital Transit Company, Inc., petitioner, *v. Nettie E. Foster, Clure Eddie Foster, Geneva Curry*. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 247. Charles Edwin York, petitioner, *v.* H. C. McLeod, Warden, Oklahoma State Penitentiary, McAlester, Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 248. Hamish Scott MacKay, petitioner, *v.* John P. Boyd, District Director of Immigration and Naturalization Service, United States Department of Justice and Ray J. Norene. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 249. Joseph E. Shearer and Georgia P. Shearer, petitioners, *v.* James G. Smyth, United States Collector of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 252. Nick Sagonias, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 253. Alice M. Anson et al., petitioners, *v.* Hiram Walker & Sons, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 259. The Wieman and Ward Company, petitioner, *v.* City of Pittsburgh and James P. Kirk, Treasurer, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 260. Detroit Stamping Company, petitioner, *v.* West Point Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 263. State of Utah, John Archer, W. H. H. Cramer, et al., petitioners, *v.* Bradley Estates, Inc., a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 264. The State of Wisconsin, *ex rel.* Saveland Park Holding Corporation, petitioner, *v.* Donald G. Wieland, Building Inspector of the Village of Fox Point. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 266. Armand Fred Hoepker, Walter Gail Thomas, and Edward L. Smith, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 267. Thomas Walter Pomorski, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 268. Elwood Lowell Diercks, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 270. Samuel Andrew Lindstrom, Sr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 272. George W. Lewis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 274. Elsworth F. Baker, Kenneth M. Bremmer, Philip Gold, et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 279. Ingle Coal Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 280. United States, petitioner, *v.* Paul Tanner et al. Petition for writ of certiorari to the United States Court of Claims denied.

No. 283. Adelaide Turner, Guardian of Lydia Louise Bell, petitioner, *v.* Theron O. Bell et al. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 285. E. Regensburg & Sons, a Corporation, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 288. Lynne Marx Gilmore, Formerly Lynne Marx Knauer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 289. International Longshoremen's Association Local Union No. 1291, et al., petitioners, *v.* Philadelphia Marine Trade Association et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 290. Anita Herman, petitioner, *v.* Northwest Airlines, Inc., and Capital Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 291. Kermath Manufacturing Company, petitioner, *v.* Herbert Brownell, Jr., Attorney General, Successor to the Alien Property Custodian. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 293. Louie Cosper, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 295. George Washington Pierce, petitioner, *v.* American Communications Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 299. George A. Landell, Executor of E. Q. Landell, Deceased, et al., petitioners, *v.* Northern Pacific Railway Company, Formerly

Known as the Superior and St. Croix Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **302.** United Gas Pipe Line Company, petitioner, *v.* Federal Power Commission and Mississippi River Fuel Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **303.** James Wade Braswell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **304.** William H. Ellison, petitioner, *v.* The Mutual Life Insurance Company of New York. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **305.** Saraphin Vogrin, petitioner, *v.* A. G. Hedstrom. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **311.** Morris Lipsitz and Morris Lipsitz and Helen Lipsitz, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **313.** Philip Albanese, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **325.** Peony Park, Inc., et al., petitioners, *v.* George W. O'Malley, Collector of Internal Revenue, Omaha, Nebraska, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **331.** Burton R. Landes, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **64.** Robert B. Gotfredson and Charlotte B. Gotfredson, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Reed took no part in the consideration or decision of this application.

No. **73.** Samuel R. Beard, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. **129.** Leo A. Zientek, petitioner, *v.* Reading Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 262. Westbrook Pegler, The Hearst Corporation, and Hearst Consolidated Publications, Inc., petitioners, *v.* Quentin Reynolds. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 292. Emma Ecker, petitioner, *v.* Atlantic Refining Company and United States of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 319. Haislip Baking Company, Incorporated, petitioner, *v.* United Construction Workers and United Mine Workers of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 140. Joseph Doto, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 144. Dong Wing Ott and Dong Wing Han, petitioners, *v.* Edward J. Shaughnessy, District Director, Immigration and Naturalization Service, New York District. Motion to dispense with printing of the petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 155. Frank Costello, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 277. The United States, petitioner, *v.* Otoe and Missouri Tribe of Indians. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Black would dismiss on the ground that no case or controversy is involved. Mr. Justice Reed is of the opinion certiorari should be granted.

No. 294. Arthur H. Samish, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. The Chief Justice took no part in the consideration or decision of this application.

No. 300. The Crummer Company, a Corporation, et al., petitioners, *v.* Jessie Ball duPont et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Clark and Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 307. Puritan Church—The Church of America Puritan Church Building Fund, petitioners, *v.* Commissioner of Internal

Revenue. Motion for disqualification of certain Justices denied. Motion for appointment of a Commissioner denied. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

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No. 20, October Term, 1954. James R. Ellis, as President of the Yonkers Committee for Peace, an Unincorporated Association, petitioner, *v.* William Dixon et al., as Members of the Board of Education of the City of Yonkers, etc.;

No. 654, October Term, 1954. Sylvester Papalardo and Patsy Lavelle, petitioners, *v.* United States of America;

No. 694, October Term, 1954. David Rines, Individually and as Administrator of Estate of Lucy L. Rines, Petitioner to Establish the Truth of Exceptions, appellant;

No. 703, October Term, 1954. Jewell M. Schwartz, Administratrix of the Estate of Edmund J. Schwartz, Deceased, petitioner, *v.* Kansas City Southern Railway Company, a Corporation;

No. 728, October Term, 1954. S. P. Beecher, Farm Debtor, petitioner, *v.* Leavenworth State Bank et al., and

No. 161, Misc., October Term, 1954. S. P. Beecher, petitioner, *v.* Leavenworth State Bank, et al.

No. 730, October Term, 1954. Harry J. Alker, Jr., petitioner, *v.* Fidelity-Philadelphia Trust Company, Trustee, et al.;

No. 740, October Term, 1954. Keith M. Beaty, petitioner, *v.* United States of America;

No. 746, October Term 1954. Thys Company and E. Clemens Horst Company, petitioners, *v.* Anglo-California National Bank, Executor of the Estate of Sophia Oeste, Deceased;

No. 761, October Term, 1954. Edward Coco, petitioner, *v.* State of Florida; and

No. 764, October Term, 1954. Everest Melvin Hupman, a/k/a Melvin E. Hupman, petitioner, *v.* United States of America. Petitions for rehearing denied.

No. 145, October Term, 1954. Carlos Marcello, petitioner, *v.* John M. Bonds, Officer in Charge, U. S. Immigration and Naturalization Service; and

No. 714, October Term, 1954. Dictograph Products, Inc., petitioner, *v.* Federal Trade Commission. Petitions for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of these applications.

No. 677, October Term, 1954. Walter E. Meyer et al., appellants, *v.* St. Louis Southwestern Railway Company et al. Petition for rehearing denied. Mr. Justice Frankfurter took no part in the consideration or decision of this application.

No. 742, October Term, 1954. William H. Combs et al., appellants, *v.* The Illinois State Toll Highway Commission et al. Motion for leave to file second petition for rehearing denied.

No. 340, Misc., October Term, 1954. E. Haydon Bozell, petitioner, *v.* Henry M. Lindsay et al. Motion for leave to file petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 444, Misc., October Term, 1954. Albert Joseph Kostal, petitioner, *v.* People of the State of California;

No. 464, Misc., October Term, 1954. William Heirens, petitioner, *v.* State of Illinois;

No. 611, Misc., October Term, 1954. Carlos Rodriguez, petitioner, *v.* J. Vernal Jackson, Warden;

No. 613, Misc., October Term, 1954. Koger A. Wilson, petitioner, *v.* District of Columbia;

No. 623, Misc., October Term, 1954. Ross Cabell Hill, petitioner, *v.* United States of America;

No. 626, Misc., October Term, 1954. Richard H. Davis, petitioner, *v.* Arthur E. Summerfield, Postmaster General;

No. 628, Misc., October Term, 1954. Elmer S. Lenz, petitioner, *v.* C. H. Looney, Warden;

No. 629, Misc., October Term, 1954. Thomas Harvey, petitioner, *v.* Nathan Mayo, Prison Custodian of the State of Florida;

No. 635, Misc., October Term, 1954. Charles A. Byrnes, petitioner, *v.* People of the State of Illinois;

No. 649, Misc., October Term, 1954. Eugene Wallace, Sr., petitioner, *v.* Copiah County Lumber Company and Lumbermen's Mutual Casualty Insurance Co.;

No. 669, Misc., October Term, 1954. Sol Newstead, petitioner, *v.* Harold Baynes; and

No. 684, Misc., October Term, 1954. Wilbur Hudson, petitioner, *v.* United States of America. Petitions for rehearing denied.

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No. 7, Misc. Robert George Banks, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois; denied.

No. 8, Misc. Robert L. Conroy, petitioner, *v.* Criminal Court of Cook County, Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 9, Misc. James Brown, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

- No. 20, Misc. James H. Stum, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.
- No. 24, Misc. Edgar Williams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.
- No. 25, Misc. Cassell Ritchie, petitioner, *v.* People of the State of Illinois. Petition for certiorari to the Supreme Court of Illinois denied.
- No. 26, Misc. Silas S. Griffin, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.
- No. 27, Misc. Joseph DiChiara, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.
- No. 33, Misc. Albert Gambino, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.
- No. 34, Misc. William Austin, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.
- No. 41, Misc. Henry Davis, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.
- No. 42, Misc. Bernard M. Shotkin, petitioner, *v.* Margaret Fee Duggan, J. R. Duggan, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.
- No. 46, Misc. Chester R. Blanton, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.
- No. 49, Misc. Andrew Bernski, petitioner, *v.* George A. Cummings, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.
- No. 50, Misc. George Duke, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.
- No. 52, Misc. Mose Robinson, petitioner, *v.* State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.
- No. 53, Misc. Ann Rousseau, petitioner, *v.* Virginia Hurtado, Individually and Executrix, etc., et al. Petition for writ of certiorari to the Supreme Court of California denied.
- No. 54, Misc. Frank Fernino, petitioner, *v.* State of Connecticut. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 55, Misc. Ishmael Washington, petitioner, *v.* Nathan Mayo, Custodian of Florida State Prison. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 57, Misc. Philip Dovico, 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, Fourth Judicial Department, denied.

No. 59, Misc. John Henry Molton, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Sangamon County, Illinois, denied.

No. 61, Misc. Oscar Levy, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 62, Misc. Angelo D'Angelo, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 65, Misc. State of Florida, *ex rel.* Charlie Copeland, Jr., petitioner, *v.* Nathan Mayo, Prison Custodian of the State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 66, Misc. Chester Gallas, petitioner, *v.* James E. Denney, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 71, Misc. Willard A. Winhoven, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72, Misc. Austin J. Smith and John Beck, petitioners, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 73, Misc. William Arlie Thomas, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 74, Misc. Edward F. Thomas, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 78, Misc. Dan K. Westerfield, petitioner, *v.* David Menary, Sheriff. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 79, Misc. Floyd Sidener, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Adams County, Illinois, denied.

No. 81, Misc. William R. Bell, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 84, Misc. Martin F. Feeney, Richard Lavoie, and William Couture, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 85, Misc. Martin Vola, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 87, Misc. Albert Van Pelt, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 88, Misc. Sewell W. Rouzer, Jr., petitioner, *v.* John W. Claudy, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 90, Misc. Roger M. LaVera, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 92, Misc. Joseph LaBostrie, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 93, Misc. Commonwealth of Pennsylvania, ex rel. George Lane, petitioner *v.* F. S. Baldi, Superintendent of Philadelphia County Prison. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 94, Misc. Louis Milano, 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, Second Department, denied.

No. 95, Misc. Henry Marks, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of St. Clair County, Illinois, denied.

No. 97, Misc. Henry Hooper, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 98, Misc. Russell B. Smith, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 103, Misc. Joseph R. Lazzara, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 105, Misc. Joseph J. Matthews, petitioner, *v.* Charles G. Day, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 108, Misc. Carrol Farrar, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 109, Misc. Norman J. Brabson, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of General Sessions of New York, County of New York, denied.

No. 112, Misc. Jack C. Vaughan, petitioner, *v.* First National Bank of Greenville, Mississippi, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 117, Misc. Willie Evans, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 118, Misc. Melvin Keithley, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 143, Misc. Howard Dulany Mitchell, petitioner, *v.* State of Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

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No. 56, Misc. Nelson Chrisp, petitioner, *v.* State of North Carolina; No. 86, Misc. David H. Johnson, petitioner, *v.* State of Utah; and No. 102, Misc. Wayne Patterson, petitioner, *v.* Supreme Court of Illinois. Applications denied.

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No. 60, Misc. In the Matter of Wesley Adam Stewart, petitioner; and

No. 76, Misc. Sylvester Elliott, petitioner, *v.* Henry M. Butzel, Chief Justice of the Supreme Court of Michigan. Motions for leave to file petitions for writs of mandamus denied.

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No. 67, Misc. Laurie J. Carpenter, petitioner, *v.* Harlem Valley State Hospital et al.;

No. 70, Misc. Odell Gunter, petitioner, *v.* Ralph N. Eidson, Warden; and

No. 96, Misc. Arthur G. Marsh, petitioner, *v.* Lee B. Mailer et al., Members of Board of Parole, etc. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 42, October Term, 1952. F. W. Woolworth Company, petitioner, *v.* Contemporary Arts, Inc. The motion for clarification of the mandate is denied. The Chief Justice and Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 131, October Term, 1954. J. W. Whitehouse, G. Orndorff, J. H. Sylvester, et al., petitioners, *v.* Illinois Central Railroad Company

et al. The petition for modification of the opinion is denied. Mr. Justice Harlan took no part in the consideration or decision of this petition.

No. 406, October Term, 1954. Elie J. Boudoin, petitioner, *v.* Lykes Brothers Steamship Co., Inc. The motion of petitioner to amend the judgment is granted. It is ordered that the certified copy of the judgment sent to the District Court be recalled and that the judgment be amended so as to provide for a remand of the cause to the United States Court of Appeals for the Fifth Circuit for further proceedings in conformity with the opinion of this Court. Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 3. United States of America, ex rel. Audrey M. Toth, petitioner, *v.* Harold E. Talbott, Secretary of the United States Air Force. The motion to substitute Donald A. Quarles, present Secretary of the United States Air Force in the place and stead of Harold E. Talbott, resigned, is granted.

No. 4. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. The motions for leave to file briefs of American Merchant Marine Institute, Inc., and Association of American Ship Owners, as *amici curiae*, are denied.

No. 18. Jew Sing, petitioner, *v.* Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco District. The motion to postpone argument is granted.

No. 58. William Ludwig Ullmann, petitioner, *v.* United States of America. The motion for leave to file brief of Emergency Civil Liberties Committee, as *amicus curiae*, is denied.

No. 7, Original. The United States of America, plaintiff, *v.* The State of Louisiana. The motion of the plaintiff for modification of decree is denied. The Chief Justice, Mr. Justice Clark, and Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 10, Original. State of Arizona, plaintiff, *v.* State of California et al. The report of the Special Master is received and it is ordered that exceptions thereto, if any, by the California defendants be filed on or before Friday, October 14th, next.

It is ordered that Simon H. Rifkind of New York City, be and he hereby is appointed Special Master in this case in the place of George I. Haight, deceased. The Chief Justice took no part in the consideration or decision of these questions.

No. 12, Original. State of South Carolina, plaintiff, *v.* State of Georgia and United States of America. The motion for leave to file complaint is denied.

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No. 9, Original. The State of Texas, plaintiff, *v.* The State of New Mexico et al. Argument on the exceptions to the Report of the Special Master commenced by Mr. Fred E. Wilson for the defendants, continued by Mr. Eugene T. Edwards for the plaintiff and concluded by Mr. Martin A. Threet for the defendants.

No. 11, Original. The State of Mississippi, plaintiff, *v.* The State of Louisiana. Argument on the exceptions to the Report of the Special Master commenced by Mr. Ashton L. Stewart for the defendant, continued by Mr. Gerard H. Brandon and Mr. James D. Thames for the plaintiff and concluded by Mr. Ashton L. Stewart for the defendant.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 11, will be as follows: Nos. 5, 4, 6 (7, 11, and 12).

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Paul G. Darrough, of Oklahoma City, Okla., Folger Johnson, Jr., of Portland, Oreg., Van C. Griffin, of Seattle, Wash., Othmar M. Pitzen, of Tacoma, Wash., Charles J. Brennan, of Dayton, Ohio, William G. Keane, of Fort Wayne, Ind., Archie Katcher, of Huntington Woods, Mich., Estes Snedecor, of Portland, Oreg., Basil H. Coutrakon, of Springfield, Ill., Stephen P. Laffey, of Pittsburgh, Pa., and Ben T. Head, of Oklahoma City, Okla., on motion of Mr. Henry P. Chandler; Charles A. Rittenhouse II, of Wilmington, Del., and Frank J. Zugehoer, of Wilmington, Del., on motion of Mr. Gerhard A. Gesell; Adolph Herbert Shagrin, of Cleveland, Ohio, on motion of Mr. Edward G. Hudon; Francis X. Byrn, of New York, N. Y., on motion of Mr. James M. Estabrook; Frederick H. Krueger, of Michigan City, Ind., on motion of Mr. T. Addison Smith; Billy Hunt, of Center, Tex., and Richard E. McDaniel, on motion of Mr. Arthur C. Perry; James P. Murray, Jr., of Washington, D. C., on motion of Mr. Samuel O. Clark, Jr.; Claude E. Reitzel, Jr., of High Point, N. C., on motion of Mr. Joseph A. Guimond; William K. Unverzagt, of Pittsburgh, Pa., on motion of Mr. Herbert A. Bergson; George Joseph Goldsborough, Jr., of Baltimore, Md., on motion of Mr. Richard Arnd Mehler; Maurice Weiss, of Washington, D. C., on motion of Mr. Herbert W. Gediman; Donald A. Campbell, of Washington, D. C., on motion of Mr. Neil Brooks; Howard Albert Mills, of Niles, Ohio, on motion of Mr. Robert James Clendenin; Everett Emory Utterback, of Pittsburgh, Pa., on motion of Mr. James A. Cobb; Ralph L. Chappell, of New York, N. Y., on motion of Mr. Charles R. Fenwick; and Edward D. Ransom, of San Francisco, Calif., on motion of Mr. Tom Killefer, were admitted to practice.

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No. 5. United States of America, appellant, *v.* E. I. du Pont de Nemours and Company. Three hours for oral argument. Argued by Mr. Charles H. Weston for the appellant and Mr. Gerhard A. Gesell for the appellee.

No. 4. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. Reargument commenced by Mr. Sidney A. Schwartz for the petitioner and continued by Mr. Edward J. Behrens for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 12, will be as follows: Nos. 4, 6 (7, 11, and 12), 8, and 24.

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CORRECTED COPY

TUESDAY, OCTOBER 11, 1955

SUPREME COURT OF THE UNITED STATES

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Harold R. Medina, Jr., of New York, N. Y., on motion of Mr. John H. Pickering; Herman Herson, of Chicago, Ill., on motion of Mr. Alan Y. Cole; Sidney Goldstein, of Washington, D. C., on motion of Mr. Abraham S. Goldstein; Arthur Richard Mattson, Jr., of Washington, D. C., on motion of Mr. Rutherford Day; William M. Baskin, of Falls Church, Va., on motion of Mr. William Thompson Finley; John Greenway Keller, of Washington, D. C., on motion of Mr. Lloyd Symington; Cyrus D. Samuelson, of Washington, D. C., on motion of Mr. Francis R. McGuigan; William M. Gallen, Jr., of St. Louis, Mo., and John C. Roberts, Jr., of St. Louis, Mo., on motion of Mr. Marvin E. Frankel; and Henry Lewis Gertner, of Lakewood, N. J., and Harry Mopsick, of Linden, N. J., on motion of Mr. Philip Amram, were admitted to practice.

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No. 4. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. Reargument continued by Mr. Edward J. Behrens for the respondent, by Mr. Sidney A. Schwartz for the petitioner, and concluded by Mr. Leavenworth Colby for the United States, as *amicus curiae*, by special leave of Court.

No. 6. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 7. Utah Poultry & Farmers Cooperative, Armour and Company, and Swift and Company, appellants, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 11. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, et al.; and

No. 12. Utah Poultry & Farmers Cooperative, Armour and Company, and Swift and Company, appellants, *v.* United States of America, Interstate Commerce Commission, et al. Argued by Mr. Marvin E. Frankel for the Secretary of Agriculture and United States, by Mr. Samuel R. Howell for the Interstate Commerce Commission, and by Mr. William F. Zearfaus for the Intervening Railroad appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 13, will be as follows: Nos. 8, 24, and 3.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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John R. Baskin, of Cleveland, Ohio, on motion of Mr. J. Fontaine Broun; Charles E. Corker, of South Pasadena, Calif., on motion of Mr. Northcutt Ely; Emmett C. Yokley, of Nashville, Tenn., and John F. Carr, of Springfield, Mo., on motion of Mr. Brice Wilson Rhyne; John Kenneth Wise, of Glenview, Ill., on motion of Mr. Theophil Carl Kammholz; Lionel Irving Brazen, of Chicago, Ill., on motion of Mr. Seymour S. Guthman; Louis Joseph Fisher, of High Point, N. C., on motion of Mr. David Wiener; Robert F. Peckham, of San Francisco, Calif., on motion of Mr. Jay A. Darwin; Hyman Karnofsky, of Buffalo, N. Y., on motion of Mr. James M. McInerney; and Arnold Weiss, of Buffalo, N. Y., on motion of Mr. Herbert A. Bergson, were admitted to practice.

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No. 8. Indian Towing Company, Inc., et al., petitioners, *v.* United States of America. Reargued by Mr. Richard B. Montgomery for the petitioners and by Mr. Lester S. Jayson for the respondent.

No. 24. Althea G. Williams, petitioner, *v.* United States of America. Argued by Mr. Henry C. Clausen for the petitioner and by Mr. Morton Hollander for the respondent.

No. 3. United States of America, ex rel. Audrey M. Toth, petitioner, *v.* Donald A. Quarles, Secretary of the United States Air Force. Reargued by Mr. William A. Kehoe, Jr., for the petitioner and by Mr. Solicitor General Sobeloff for the respondent.

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

The day call for Monday, October 17, will be as follows: Nos. 16, 19, and 20.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Elmer C. Kissane, of Chicago, Ill., and Paul E. Fowler, of Portsmouth, Ohio, on motion of Mr. Solicitor General Simon E. Sobeloff; James LaBar, of Richmond, Va., Jot B. Law, of Oklahoma City, Okla., Paul A. Gross, of Miami, Fla., Henry J. Cotman, of Miami, Fla., Donald C. Helling, of Chicago, Ill., Sam F. Carter, of Palm Beach, Fla., Clifton G. Harris, of Fresno, Calif., George H. Klein, of San Francisco, Calif., William Lee Garrett, of Merced, Calif., Orly O. Davis, of Visalia, Calif., and Cecil E. Edgar, of Fresno, Calif., on motion of Mr. Reginald Carl Harmon; Rocco M. Clarizio, of Newark, N. J., Robert A. McKinley, of Newark, N. J., Harry Fisch, of Newark, N. J., James A. Christiano, of West Orange, N. J., Frank Lehane, of West Orange, N. J., Alfred S. Goldberger, of Newark, N. J., Emil L. Casale, of Newark, N. J., Rocco F. Senna, of Newark, N. J., and Nathan Turesky, of Newark, N. J., on motion of Mr. Salvatore J. Benianti; Samuel Finestone, of Philadelphia, Pa., John Ashton Harris, of Wyncote, Pa., Marvin P. Schatz, of Cleveland, Ohio, Robert M. Krewson, of Cleveland, Ohio, Myron R. Lewis, of Cleveland, Ohio, Arthur T. Wincek, of Garfield Heights, Ohio, Donald W. Gropp, of Cleveland, Ohio, John Miller Wolford, of Erie, Pa., E. Bernard Schlegel, of Philadelphia, Pa., John Alexis Bowler, of Erie, Pa., Alvin L. Gray, of Cleveland, Ohio, A. Groh Schneider, of Philadelphia, Pa., Bernard I. Abramson, of Philadelphia, Pa., Daniel B. Michie, Jr., of Philadelphia, Pa., Donald M. Bowman, of Philadelphia, Pa., Francis M. Payne, Jr., of Cleveland, Ohio, Henry H. Foster, Jr., of Pittsburgh, Pa., William A. Peiffer, of Corry, Pa., Paul Lawrence Jaffe, of Philadelphia, Pa., Elmer S. Rolader, of Philadelphia, Pa., Alfred Lytle Burdine, of Washington, D. C., Horace B. Fay, Jr., of Cleveland, Ohio, George N. Gafford, of Cleveland, Ohio, Paul G. Sullivan, of Pittsburgh, Pa., Oliver J. Schneider, of Ravenna, Ohio, David J. Hopkins, of Cleveland, Ohio, Thomas E. Fisher, of Mentor, Ohio, Allen N. Corlett, of Cleveland, Ohio, Stanley E. Lloyd, of Cleveland, Ohio, Jerry R. Siefert, of Oshkosh, Wis., and Burton R. Manser, of Jacksonville, Fla., on motion of Mr. Francis La Mar Forshee; John Erle Stephen, of Houston, Tex., on motion of

Mr. Arthur C. Perry; Francis Houston Lynch, Jr., of Dallas, Tex., on motion of Mr. E. Jake Jacobsen; Charles S. Haight, of New York, N. Y., on motion of Mr. John T. Casey; Irving H. Sheff, of Boston, Mass., on motion of Mr. J. Bruce Kellison; William L. Shapero, of Norfolk, Va., on motion of Mr. Mark P. Friedlander; Emil Drobac, of Milwaukee, Wis., on motion of Mr. Drexel Dahlke Journey; Roger Franklin Strauss, of Columbus, Ohio, on motion of Miss Elizabeth Scott Salisbury; Claire V. Eberhard, of Los Angeles, Calif., and Howard Irwin Friedman, of Los Angeles, Calif., on motion of Mr. Northcutt Ely; Mary Massey, of Marshall, Ark., on motion of Mr. J. Smith Henley; James W. Quiggle, of Washington, D. C., Edward I. Berry, Jr., of Camden, N. J., and Walter S. Anderson, of Camden, N. J., on motion of Mr. John H. Myers; Joseph Hall Sperry, of Houston, Tex., Alvin R. Martin, of Houston, Tex., and Merle Edward Minks, of Houston, Tex., on motion of Mr. Archie D. Gray; Stephen D. Maffini, of San Francisco, Calif., on motion of Mr. James R. Browning; Thomas Richard Scovel, of Independence, Kans., on motion of Mr. Robert D. Moran; Nathan Tolok, of New York, N. Y., on motion of Mr. Lewis Jacobs; Sol Alexander Eichler, of Newark, N. J., on motion of Mr. Joseph Volpe, Jr.; Manuel Grabel, of Tulsa, Okla., on motion of Mr. Jerome J. Dick; and Paul J. Donaldson, of Wichita, Kans., on motion of Mr. Brice Wilson Rhyne, were admitted to practice.

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The Chief Justice announced the following orders of the Court:

No. 9, Original. The State of Texas, plaintiff, *v.* The State of New Mexico et al. The Government is invited to set forth its views on the question of indispensability of the United States as a party at this time in light of the report of the Special Master dated January 31, 1955, and the proposed Amendments of the State of Texas.

No. 11, Original. The State of Mississippi, plaintiff, *v.* The State of Louisiana. *Per Curiam:* The exceptions to the report of the Special Master are overruled. The report of the Special Master is adopted and his proposed decree is approved. Final decree is entered.

No. 24. Althea G. Williams, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam:* This case is controlled by the California doctrine of respondeat superior. The judgment is vacated and the case is remanded for consideration in the light of that governing principle.

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. 196. Caryl Chessman, petitioner, *v.* Harley O. Teets, Warden, California State Prison, San Quentin, California. The petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted. The judgment of the Court of Appeals is reversed and the case is remanded to the District Court for a hearing. Opinion *Per Curiam*. Mr. Justice Reed, Mr. Justice Burton, and Mr. Justice Clark dissent. The Chief Justice took no part in the consideration or decision of this case.

No. 195. United States of America, appellant, *v.* John David Provo. Appeal from the United States District Court for the District of Maryland. *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. 265. M. & M. Transportation Company and Stone's Express, Inc., appellants, *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the District of Massachusetts. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

No. 284. Allen M. Peairs, appellant, *v.* The State of Texas. Appeal from the Court of Criminal Appeals of Texas. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 314. Sara Billings Boardman Smith, Executrix of the Last Will and Testament of Harvey A. Smith, Deceased, appellant, *v.* Joseph B. Wissler, President Judge, et al. Appeal from the Supreme Court of Pennsylvania, Eastern District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed.

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No. 1. Silesian Holding Company et al., petitioners, *v.* Union Bank of Switzerland et al.; and

No. 2. Herbert Brownell, Jr., Attorney General of the United States as Successor to the Alien Property Custodian, petitioner *v.* Union Bank of Switzerland et al. The motion to defer consideration of the petitions for writs of certiorari until March 1, 1956, is granted.

No. 48. Communist Party of the United States of America, petitioner, *v.* Subversive Activities Control Board. The motion for leave to file brief of Frank Aydelotte et al., as *amici curiae*, is granted.

No. 74. United States of America, petitioner, *v.* Leslie Salt Co. The motion for leave to file brief of Plymouth Oil Co., as *amicus curiae*, is denied.

No. 300. Misc. October Term, 1952. In re Disbarment of Norman J. Griffin. The petition of Norman J. Griffin for reinstatement to the Bar of this Court is granted and the order entered April 6, 1953, disbaring him from the further practice of the law in this Court is vacated.

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No. 278. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joseph T. Budd, Jr., and Florence W. Budd, Co-Partners, Doing Business as J. T. Budd, Jr., and Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 227. United Mine Workers of America et al., petitioners, *v.* Arkansas Oak Flooring Company. Petition for writ of certiorari to the Supreme Court of Louisiana granted. The Solicitor General is invited to file a brief setting forth the views of the National Labor Relations Board.

No. 281. United States of America, petitioner, *v.* Joseph P. Ryan. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calender. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 308. Oleta O'Connor Yates, Henry Steinberg, Loretta Starvus Stack, et al., petitioners, *v.* United States of America;

No. 309. William Schneiderman, petitioner, *v.* United States of America; and

No. 310. Al Richmond and Philip Marshall Connelly, petitioners, *v.* United States of America. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit granted. The motions for leave to file briefs of American Civil Liberties Union and International Longshoremen's & Warehousemen's Union, as *amicus curiae*, are denied.

No. 320. George B. Parr, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and the case will be heard on the merits and on the question of appealability.

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No. 210. Aztec Land and Cattle Company, petitioner, *v.* Navajo Realty Company, Cecil McCormick, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 211. Edward B. Marks Music Corporation, petitioner, *v.* Continental Record Company, Inc., and Remington Records, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 218. Guy V. Whitener, petitioner, *v.* State of South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 239. Emmitt R. Warring, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 256. Lawrence Callanan, Carl Bianchi, L. A. Thompson, et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 275. Frank Orlando, petitioner, *v.* District Director of Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 276. In the Matter of Narragansett Pier Amusement Corporation, Arcraft Pictures, Inc., et al., petitioners. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 306. Lillian Agnes Wieland and Charles L. Wieland, petitioners, *v.* C. A. Swanson & Sons. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 312. The United States, petitioner, *v.* The Ohio Power Company. Petition for writ of certiorari to the United States Court of Claims denied.

No. 315. Henry J. Laque, Jr., petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 317. William Estep, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 318. George P. DeHardit, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 236. Cora Reynolds, petitioner, *v.* The State of Texas. Motion to strike petition denied. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 273. American-Hawaiian Steamship Company, as Owner of the American Steamship Hawaiian, petitioner, *v.* The United States; and

No. 361. The United States, petitioner, *v.* American-Hawaiian Steamship Company, as Owner of the American Steamship Hawaiian. Petitions for writs of certiorari to the United States Court of Claims denied. Mr. Justice Harlan took no part in the consideration or decision of these applications.

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No. 712, October Term, 1954. Thoger Gronborg Jungersen, petitioner, *v.* Axel Bros., Inc., et al. Petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 737, October Term, 1954. Panhandle Eastern Pipe Line Company, petitioner, *v.* Federal Power Commission et al. Petition for rehearing denied.

No. 758, October Term, 1954. National Airlines, Inc., petitioner, *v.* Thelma Scholnik. Petition for rehearing denied. Mr. Justice Burton took no part in the consideration or decision of this application.

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No. 29, Misc. John Monaghan, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 38, Misc. Homer Fletcher Neal, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 40, Misc. Antonio Verceles, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 51, Misc. Aldo Verrico, petitioner, *v.* State of New Jersey et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 77, Misc. Reinhold Langer, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 80, Misc. Joseph L. DeLeVay, petitioner, *v.* T. E. Miller, District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 83, Misc. In the Matter of Edmond C. Fletcher on the Charge of Criminal Contempt, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 99, Misc. A. B. Farmer, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 110, Misc. L. P. Thomason, petitioner, *v.* Alester G. Furman, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 113, Misc. Gene R. Austin, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 114, Misc. Francis M. Murphy, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 120, Misc. Donald Burleson, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 121, Misc. Myron Alden Wix, petitioner, *v.* State of Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 122, Misc. Angus Sanguigni, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 123, Misc. Roy C. Hadley, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 124, Misc. William Erwin Lynch, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 125, Misc. Roy W. Burkley, petitioner, *v.* Frank C. Johnston, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 127, Misc. John Reid, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 130, Misc. Alexander Bloxom, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 131, Misc. Grady Harvell, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Circuit Court of St. Joseph County, Indiana, denied.

No. 132, Misc. William Mahler, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Circuit Court of Branch County, Michigan, denied.

No. 134, Misc. Aurweid George Reickauer, petitioner, *v.* W. Frank Smyth, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 141, Misc. Carl Smith, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 142, Misc. Albert Horodecki, petitioner, *v.* Joseph E. Ragen, Warden, etc. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 147, Misc. George T. Gallagher, petitioner, *v.* C. G. Day, Warden, State Penitentiary, Graterford, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 153, Misc. Steven Russek, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 154, Misc. Stanley Simmons, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York and the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 155, Misc. Arnold Plue, petitioner, *v.* George A. Cummings, Warden, Connecticut State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit and the United States District Court for the District of Connecticut denied.

No. 158, Misc. In the Matter of Edmond C. Fletcher, petitioner; Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 159, Misc. Charles Franklin Johnson, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petitioner for writ of certiorari to the United States Court of Appeals for the Seventh Circuit and the United States District Court for the Northern District of Illinois, Eastern Division, denied.

No. 162, Misc. Harry R. Dixon, petitioner, *v.* Joseph B. Bovey, Warden, Nebraska State Penitentiary. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 163, Misc. Judith Morgan, petitioner, *v.* George Sylvester et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 164, Misc. Bert Crabtree, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 166, Misc. Leslie Thompson, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 175, Misc. James Francis Hill, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 180, Misc. Arthur Jerome Watson, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, Division Three, denied.

No. 182, Misc. Curtis J. Hurt, petitioner, *v.* R. P. Balkcom, Jr., Warden, Georgia State Prison, Reidsville, Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

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No. 3, Misc. Roy E. Eaton, petitioner, *v.* A. J. Scheineman et al.; and

No. 129, Misc. Walter Stewart, petitioner, *v.* R. W. Alvis, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 100, Misc. James A. Hackett, petitioner, *v.* United States of America. Motion for leave to file petition for writ of certiorari denied.

No. 128, Misc. Everett James Peckham, petitioner, *v.* Joseph E. Ragen, Warden. Motion for leave to file petition for writ of certiorari out of time denied.

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ORDER

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

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No. 16. Marvin Stuart Walton, petitioner, *v.* People of the State of California. Argued by Mr. Robert F. Peckham and Mr. Jay A. Darwin for the petitioner and by Mr. Clarence A. Linn for the respondent.

No. 19. Mastro Plastics Corp. and French-American Reeds Manufacturing Co., Inc., petitioners, *v.* National Labor Relations Board, Argued by Mr. Bernard H. Fitzpatrick for the petitioners and by Mr. Dominick L. Manoli for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 18, will be as follows: Nos. 20, 21, and 23.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Henry O. Duque, of Los Angeles, Calif., on motion of Mr. Stanley N. Barnes; Judith B. Aaronson, of Beverly Hills, Calif., on motion of Mr. Mose Silverman; David I. Shapiro, of New York, N. Y., and James H. Heller, of Washington, D. C., on motion of Mr. Abraham J. Harris; M. L. Armijo, Jr., of Las Vegas, N. Mex., on motion of Mr. Meredith M. Daubin; Richard H. Gens, of Boston, Mass., on motion of Mr. Irving H. Sheff; Bernard H. Cantor, of Johnson City, Tenn., on motion of Mr. Caldwell Daniel; Peter Theodore Gourdouros, of Saco, Maine, on motion of Mr. Robert D. Moran; and William E. Bennett, Jr., of New York, N. Y., on motion of Mr. Austin P. Sullivan, were admitted to practice.

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No. 20. Corn Products Refining Company, petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Jay O. Kramer and Mr. Samuel A. McCain for the petitioner and by Mr. Charles K. Rice for the respondent.

No. 21. United States of America, petitioner, *v.* Twin City Power Company and William P. Dauchy, its Mortgagee. Argued by Mr. Ralph S. Spritzer for the petitioner and by Mr. David W. Robinson for the respondents.

No. 23. Harry Slochower, appellant, *v.* The Board of Higher Education of the City of New York. Argument commenced by Mr. Ephraim London for the appellant.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 19, will be as follows: Nos. 23, 29, and 25.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Charles W. Wilkerson, of Baltimore, Md., on motion of Mr. Daniel J. Freed; Gloria Agrin, of New York, N. Y., on motion of Mrs. Blanch Freedman; James Watson Crawford, of Portland, Oreg., on motion of Mr. Guy Cordon; James W. Creamer, of Denver, Colo., on motion of Mr. Norris C. Bakke; Ellis Brodstein, of Reading, Pa., on motion of Mr. Philip Werner Amram; Robert W. Stevenson, of Los Angeles, Calif., on motion of Mr. Homer S. Carpenter; Jackson D. Guerant, Jr., of Danville, Ky., on motion of Mr. Fred M. Vinson, Jr.; Alvin L. Gottlieb, of Chevy Chase, Md., on motion of Mr. William Wolcott Goodrich; Eli Gorodezky, of Phoenix, Ariz., on motion of Mr. David Kammerman; Grace Wilkey Thomas, of Atlanta, Ga., on motion of Mr. Gray Thoron; and Earl C. Collins, of Sylva, N. C., on motion of Mr. John W. Shields, were admitted to practice.

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No. 23. Harry Slochower, appellant, *v.* The Board of Higher Education of the City of New York. Argument continued by Mr. Ephraim London for the appellant, by Mr. Daniel T. Scannell for the appellee, and concluded by Mr. Ephraim London for the appellant. Leave granted appellee to file an additional brief by Monday, next.

No. 29. Michael Nukk, Frank Borich, Joseph Siminoff, et al., appellants, *v.* Edward J. Shaughnessy, District Director of the Third District of the Immigration and Naturalization Service of the Port of New York. Argued by Miss Gloria Agrin and Mrs. Blanch Freedman for the appellants and by Mr. Gray Thoron for the appellee.

No. 25. The Liquid Carbonic Corporation, appellant, *v.* United States of America. Argument commenced by Mr. James F. Dwyer for the appellant.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 20, will be as follows: Nos. 25, 26, and 27.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Thomas J. Lewis, Jr., of Atlanta, Ga., on motion of Mr. Mac Asbill; Paul A. Dorf, of Baltimore, Md., and Martin Shor, of Baltimore, Md., on motion of Mr. James Wm. Somerville; George F. Archer, of Chicago, Ill., on motion of Mr. John F. Davis; David M. Freedman, of New York, N. Y., on motion of Mrs. Blanch Freedman; Martin J. Murphy, of Colorado Springs, Colo., on motion of Mr. James Edwin Bailey; Edward M. Boddington, of Kansas City, Kans., on motion of Mr. Robert Mason Clark; William Sims Richardson, of Dallas, Tex., on motion of Mr. Robert E. May; Stevens Fargo, of Los Angeles, Calif., on motion of Mr. Donald O. Lincoln; Thomas James Gray, of Cleveland, Ohio, on motion of Mr. Albert L. Ely, Jr.; William L. Beecher, of Waterloo, Iowa, on motion of Mr. Robert B. Dawkins; and Benjamin Wyle, of New York, N. Y., on motion of Mr. David E. Feller, were admitted to practice.

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No. 25. The Liquid Carbonic Corporation, appellant, *v.* United States of America. Argument continued by Mr. James F. Dwyer for the appellant and concluded by Mr. John F. Davis for the appellee.

No. 26. United States, petitioner, *v.* Anderson, Clayton & Co. Argued by Mr. Assistant Attorney General Holland for the petitioner and by Mr. John C. White for the respondent.

No. 27. National Labor Relations Board, petitioner, *v.* The Warren Company, Incorporated. Argued by Mr. David P. Findling for the petitioner and by Mr. John Wesley Weekes for the respondent.

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

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Edward LeMoyné Cullum, of Little Rock, Ark., John J. Lemken, of Jersey City, N. J., Joseph W. Levy, of Jersey City, N. J., Charles F. James, of Denver, Colo., Rupert R. Ryan, of Oakland, Calif., Benjamin M. Taub, of Passaic, N. J., and Leslie B. Hanson, of Los Angeles, Calif., on motion of Mr. Solicitor General Simon E. Sobeloff; R. Vernon Coe, of Dallas, Tex., on motion of Mr. E. Jake Jacobsen; Francis A. Auleta, of Mamaroneck, N. Y., and John P. Cooke, of New York, N. Y., on motion of Mr. Cyril Francis Brickfield; William Marion Page, of Columbus, Ga., on motion of Mr. Richard Arne Mehler; Walter C. Wright, Jr., of Cape May, N. J., on motion of Mr. Neville Miller; S. Sam Fekett, of Youngstown, Ohio, on motion of Mr. Joseph John Craciun; Harris L. Present, of New York, N. Y., on motion of Mr. Leo Pfeffer; Norman N. Rosen, of Madison, Wis., on motion of Mr. Russell Sherman Bernhard; Samuel R. Gerber, of Cleveland, Ohio, on motion of Mr. Harold G. Mosier; John Joseph McNally, of Denver, Colo., on motion of Mr. Daniel J. Murphy; Eugene E. Burke, of Lackawanna, N. Y., William H. Dillon, of Lackawanna, N. Y., John A. Dillon, of Lackawanna, N. Y., and Michael F. Dillon, of Lackawanna, N. Y., on motion of Mr. Oscar Chapman; Martin L. Haines, of Mount Holly, N. J., on motion of Mr. William P. MacCracken, Jr.; Charles Bernard Kenning, of Rochester, N. Y., and Norbert John Heubusch, of Vienna, Va., on motion of Mr. Carl Frederick Bauersfeld; H. Vance Austin, of Sterling, Colo., on motion of Mr. John Bernard O'Brien, Jr.; William M. Woodroe, of Charleston, W. Va., on motion of Mr. Frederick S. Hill; George A. McCormick, of Memphis, Tenn., on motion of Mr. William M. Burkhalter; John Paul Jones, of Memphis, Tenn., on motion of Mr. William W. Koontz; Beverley Singleton Simms, of Washington, D. C., on motion of Mr. Leo Harben Pou; George England, of San Francisco, Calif., on motion of Mr. Robert K. McConaughy; John Patrick Byron, of Minneapolis, Minn., on motion of Mr. Gordon F. Harrison; George M. Mott, of Indianapolis, Ind., on motion of Mr. John C. Herberg; T. Hughlett Henry, Jr., of Easton, Md., on motion of Mr. Paul C. Warnke; Abraham A. Rotberg, of Los Angeles, Calif., on motion of Mr. Raphael Tourover; Carl

Illig, of Houston, Tex., on motion of Mr. Bernard A. Foster, Jr.; David George Watts, of Los Angeles, Calif., on motion of Mr. Jesse R. Smith; William Allen Rahill, of Philadelphia, Pa., on motion of Mr. Thurman W. Arnold; Corinne Childs, of Tulsa, Okla., on motion of Mr. Joseph R. Gorman; Frank W. Middleton, Jr., on motion of Mr. Herbert L. Packer; Lorine A. Torrey, of San Francisco, Calif., on motion of Mr. John K. Pickens; W. Howard Fullerton, of Fords, N. J., James V. McMahan, of Caldwell, N. J., Dante De Pamphilis, of Lyndhurst, N. J., Mario V. Farco, of Newark, N. J., Saul Tischler, of Newark, N. J., Anthony C. Blasi, of Newark, N. J., George L. Lombardi, of Union Township, N. J., Jerome B. Dwyer, of Newark, N. J., Fred Belcuore, of Springfield, N. J., Frank George Alster, of Hohokus, N. J., Anthony C. Manzelle, of Nutley, N. J., and Louis J. Anzalone, of Maplewood, N. J., on motion of Mr. Aristo Dallavalle, were admitted to practice.

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The Chief Justice announced the following orders of the Court:

**No. 16.** Marvin Stuart Walton, petitioner, *v.* People of the State of California. On writ of certiorari to the Superior Court of California, Appellate Department, in and for the County of Santa Clara. *Per Curiam:* A majority of the Court are of opinion that the record in this case fails to establish that a federal question is presented and for that reason the writ of certiorari is dismissed. Mr. Justice Reed and Mr. Justice Douglas dissent. The Chief Justice did not participate in the consideration or decision of this case.

**No. 25.** The Liquid Carbonic Corporation, appellant, *v.* United States of America. Appeal from the United States District Court for the Eastern District of New York. *Per Curiam:* The judgment is reversed and the case is remanded for a hearing on modification of the consent decree. *Hughes v. United States*, 342 U. S. 353. Mr. Justice Reed and Mr. Justice Burton dissent. Mr. Justice Clark took no part in the consideration or decision of this case.

**No. 29.** Michael Nukk, Frank Borich, Joseph Siminoff, et al., appellants, *v.* Edward J. Shaughnessy, District Director of the Third District of the Immigration and Naturalization Service of the Port of New York. Appeal from the United States District Court for the Southern District of New York. *Per Curiam:* The Court is of the opinion that the complaints do present a case and controversy. *Rochester Telephone Corp. v. United States*, 307 U. S. 125. The judgment is reversed and the case is remanded for consideration on the merits.

**No. 327.** Hobson P. Jones, appellant, *v.* The State of Mississippi. Appeal from the Supreme Court of Mississippi. *Per Curiam:* The appeal is dismissed and the petition for writ of certiorari is denied.

No. 336. Charles Stacey and William Winslow, appellants, *v.* Theodore Pappas. Appeal from the Supreme Judicial Court of Maine. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. Mr. Justice Black and Mr. Justice Douglas would note probable jurisdiction.

No. 338. Holmby Productions, Inc., and United Artists Corp., appellants, *v.* Mrs. Frances Vaughn et al., Constituting the Kansas State Board of Review, et al. Appeal from the Supreme Court of Kansas. *Per Curiam*: Judgment reversed. *Joseph Burstyn, Inc. v. Wilson*, 343 U. S. 495; *Superior Films v. Dept. of Education*, 346 U. S. 587.

No. 48, Misc. William A. Wetzel, appellant, *v.* State of Mississippi. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The appeal is dismissed and the petition for writ of certiorari is denied.

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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. 308. Oleta O'Connor Yates, Henry Steinberg, Loretta Starvus Stack, et al., petitioners, *v.* United States of America;

No. 309. William Schneiderman, petitioner, *v.* United States of America; and

No. 310. Al Richmond and Philip Marshall Connelly, petitioners, *v.* United States of America. The motion for leave to file brief of Linus Pauling et al., as *amici curiae*, is denied.

No. 310. Al Richmond and Philip Marshall Connelly, petitioners, *v.* United States of America. The motion for leave to file brief of Howard R. Carey et al., as *amici curiae*, is denied.

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No. 117. The Denver & Rio Grande Western Railroad Company, appellant, *v.* Union Pacific Railroad Company et al.;

No. 118. Union Pacific Railroad Company et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 119. United States of America, Interstate Commerce Commission, and Secretary of Agriculture, appellants, *v.* The Union Pacific Railroad Company et al. Appeals from the United States District Court for the District of Nebraska;

No. 332. Washington Public Service Commission, Public Utilities Commissioner of Oregon, et al., appellants, *v.* The Denver and Rio Grande Western Railroad Company et al.;

No. 333. Union Pacific Railroad Company, Chicago and North Western Railway Company, et al., appellants, *v.* The Denver and Rio Grande Western Railroad Company et al.; and

No. 334. United States of America and Interstate Commerce Commission, appellants, *v.* The Denver and Rio Grande Western Railroad Company. Appeals from the United States District Court for the District of Colorado. In these cases probable jurisdiction is noted. The cases are consolidated and a total of 3 hours allowed for oral argument.

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No. 323. United States of America, *ex rel.* David Darcy, petitioner, *v.* Earl D. Handy, Warden of Bucks County Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 342. Blazey Czaplicki, petitioner, *v.* The Vessel "SS. Hoegh Silvercloud," Her Boilers, Engines, Tackle, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 351. R. V. Archawski et al., petitioners, *v.* Basil Hanioti, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

No. 37, Misc. Dan Durley, petitioner, *v.* Nathan Mayo, Custodian, Florida State Prison. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Florida granted and case transferred to the appellate docket.

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No. 326. Guy A. Thompson, Trustee, The St. Louis, Brownsville & Mexico Railway Co., Debtor, petitioner, *v.* George C. Moore, Sr.; and

No. 339. George C. Moore, Sr., petitioner, *v.* Guy A. Thompson, Trustee, St. Louis, Brownsville & Mexico Railway Co., Debtor. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 328. T. Vail Palmer, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 330. Harry A. Eaton, Jr., petitioner, *v.* Mrs. Nancy Lankenau Eaton. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 335. Charles T. Douds, Regional Director of the Second Region of The National Labor Relations Board, etc., petitioner, *v.* International Longshoremen's Association, Independent and Locals 856, 824,

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

No. 340. Hamlin K. Buchman, petitioner, *v.* Claire Morse. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 341. Santiago Albanese D'Imperio, petitioner, *v.* Secretary of the Treasury of Puerto Rico. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 344. Ivan M. Elchibegoff, petitioner, *v.* John Foster Dulles, Secretary of State, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 346. William M. Tadio, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 347. Edward Blackman, petitioner, *v.* Balaban & Katz Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 349. Great Northern Railway Company, petitioner, *v.* William E. Hallada, Jr. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 350. Kenneth R. Brown, Doing Business as Brown Engineering Company, petitioner, *v.* James P. Mitchell, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 353. Commonwealth of Pennsylvania, petitioner, *v.* United States ex rel. Cleveland Thompson. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 324. Warren County, Mississippi, petitioner, *v.* C. E. Hester et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 345. Randall Sterling, petitioner, *v.* Local 438, Liberty Association of Steam and Power Pipe Fitters and Helpers Association, etc., et al. Motion to dispense with printing of the petition granted. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

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No. 36, Misc. Joseph White, petitioner, *v.* State of California. Motion for leave to file brief of National Lawyers Guild, as *amicus curiae*, denied. Petition for writ of certiorari to the Supreme Court of California denied.

No. 64, Misc. Rufus Glenn Sisk, petitioner, *v.* J. Ellis Overlade, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 135, Misc. Lowell Lyons, petitioner, *v.* Supreme Court of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 139, Misc. Dolores Lebron et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 186, Misc. Lennis Luther Price, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 208, Misc. William McBee, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

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No. 586, Misc., October Term, 1954. Minor Sorber, petitioner, *v.* State of Mississippi. Petition for rehearing denied.

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

The day call for Monday, November 7, will be as follows: Nos. 28, 17 (and 31), and 51 (and 53).

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Sheldon H. Braiterman, of Baltimore, Md., Marvin Braiterman, of Baltimore, Md., Charles Merrill Kelley, of Petersham, Mass., Robert F. Drinan, of Boston, Mass., and Frank Ernest Arnold Sander, of Brookline, Mass., on motion of Mr. Solicitor General Simon E. Sobeloff; Erwin Allen Goldstein, of Minneapolis, Minn., on motion of Mr. H. Brian Holland; C. M. Graff, of Seattle, Wash., William J. Masters, of Portland, Oreg., George R. Waldum, of Portland, Oreg., James J. Moran, of Marlborough, Mass., Thomas W. Hansen, of Portland, Oreg., Laurie K. Luoma, of Portland, Oreg., Charles H. McGirr, of Oregon City, Oreg., Theodore B. Jensen, of Portland, Oreg., John R. Gilbertson, of Portland, Oreg., Joe Porter Stirling, of Portland, Oreg., John I. Lerom, of Buxton, N. Dak., and William Granison Tharp, of Mandan, N. Dak., on motion of Mr. Albert M. Kuhfeld; Gerald A. Baynes, of London, Ohio, George E. Tyack, of Columbus, Ohio, James H. Larva, of Columbus, Ohio, Lawrence A. Ramey, of Columbus, Ohio, Paul A. Griffith, of Columbus, Ohio, Morton C. Anderson, of Columbus, Ohio, and William J. Bennett, Jr., of Columbus, Ohio, on motion of Mr. Ralph W. Wilkins; Ralph Hargraves Smith, of Charleston, W. Va., Charles W. Loeb, of Charleston, W. Va., James A. McWhorter, of Charleston, W. Va., Philip H. Hill, of Charleston, W. Va., William F. Seebohm, of Cincinnati, Ohio, J. Roger Klomann, of Cincinnati, Ohio, Ernest Karam, of Cincinnati, Ohio, H. Warrington Sharp, of Norfolk, Va., Virgil W. Hickman, of Berlin, Md., Heber E. Johnson, of Louisville, Ky., E. P. Sawyer, of Louisville, Ky., Ralph S. Petrilli, of Louisville, Ky., Harry F. Poynter, of Louisville, Ky., William M. Harvin, of Louisville, Ky., C. H. Richardson, Jr., of Louisville, Ky., and John L. Cleary, of Louisville, Ky., on motion of Mr. Edward N. Logan; J. Fred Talley, of Phoenix, Ariz., on motion of Mr. Henry F. Ashurst; James Horace Kindel, Jr., of Los Angeles, Calif., on motion of Mr. John T. Sapienza; Stephen J. D'Arcy, Jr., of Boston, Mass., on motion of Mr. John Edward McCarty; Thomas E. McAndrews, of Norfolk, Va., on motion of Mr. Joseph E. McAndrews; Maurice W. Goldstein, of Jacksonville, Fla., on motion of Mr. John L. Nixon; Leon D. Hubert, Jr., of New

Orleans, La., and Adrian G. Duplantier, of New Orleans, La., on motion of Mr. Michael Emmett Culligan; Henry Schwartz II, of Chattanooga, Tenn., on motion of Mr. Ernest H. Van Fossan; Curtis P. Mitchell, of Washington, D. C., and Conrad J. Lynn, of New York, N. Y., on motion of Mr. F. Joseph Donohue; Norman S. Dike, Jr., of New York, N. Y., on motion of Mr. John O. Dahlgren; Felicien Y. Lozes, of New Orleans, La., and George H. Fust, of New Orleans, La., on motion of Mr. Rudolph F. Becker, Jr.; Thomas A. Rothwell, of Chicago, Ill., on motion of Mr. Colin A. Smith; Samuel Roessler, of Newark, N. J., Augustine J. Kelly, of Newark, N. J., Michael M. Alercio, of Newark, N. J., and Luke T. Flood, of Newark, N. J., on motion of Mr. M. Joseph Matan; Berkeley Wright, Jr., of Washington, D. C., and John William Cameron, of Washington, D. C., on motion of Mr. Edward August Waldmann; John Lee Miller, of Pittsburgh, Pa., and Harvey A. Miller, Jr., of Pittsburgh, Pa., on motion of Mr. Harvey A. Miller; Joseph F. Hanley, of Brooklyn, N. Y., on motion of Mr. Vincent L. Toomey; John Cunningham, of Washington, D. C., on motion of Mr. Israel Convisser; George W. Morrow, of Tulsa, Okla., on motion of Mr. Daniel J. Andersen; Dana C. Smith, of Pasadena, Calif., on motion of Mr. Melvin D. Wilson; Frank G. Tompkins, Jr., of Columbia, S. C., on motion of Mr. Sidney S. Alderman; John L. Nettles, of Darlington, S. C., and Henry H. Edens, of Columbia, S. C., on motion of Mr. Henry Hammer; Samuel Z. Goldman, of Washington, D. C., on motion of Mr. Sidney M. Goldstein; Joseph Zitomer, of Silver Spring, Md., on motion of Mr. Walter Franklin Sheble; Frederick T. Searls, of San Francisco, Calif., on motion of Mr. Robert E. May; Robert A. Scardino, of Houston, Tex., on motion of Mr. James E. Kilday; Peter J. Cunningham, of West Palm Beach, Fla., on motion of Mr. Richard L. Walsh; and James P. Mozingo III, of Darlington, S. C., on motion of Mr. Warren E. Miller, were admitted to practice.

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No. 26. United States, petitioner, *v.* Anderson, Clayton & Co. On writ of certiorari to the United States Court of Claims. Judgment affirmed. Opinion by Mr. Justice Minton. Mr. Justice Douglas and Mr. Justice Burton dissent.

No. 20. Corn Products Refining Company, petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the said Court of Appeals. Opinion by Mr. Justice Clark. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 3. United States of America, *ex rel.* Audrey M. Toth, petitioner *v.* Donald A. Quarles, Secretary of the United States Air Force.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and cause remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton and Mr. Justice Minton join. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Burton joins.

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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. 232. Mayor and City Council of Baltimore City et al., appellants, *v.* Robert M. Dawson, Jr., et al. Appeal from the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 348. David Rines, Individually and as Administrator of Estate of Lucy L. Rines, appellant, *v.* The Honorable Justices of the Superior Court of the Commonwealth of Massachusetts, et al. Appeal from the Supreme Judicial Court of Massachusetts. *Per Curiam*: The appeal is dismissed for want of a substantial federal question.

No. 364. Rennold Pender, appellant, *v.* Clark County, a Municipal Corporation. Appeal from the Supreme Court of Nevada. *Per Curiam*: The appeal is dismissed for want of a substantial federal question.

No. 352. Milwaukee & Suburban Transport Corporation, appellant, *v.* Public Service Commission of Wisconsin et al. Appeal from the Supreme Court of Wisconsin. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 385. Dunn Bros., Incorporated, appellant, *v.* A. H. Stone, Chairman, State Tax Commission, etc. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 394. Wilburn Alfred Berryman, appellant, *v.* The State of Oklahoma. Appeal from the Criminal Court of Appeals of Oklahoma. *Per Curiam*: The motion to dispense with the printing of the jurisdictional statement is granted. The appeal is dismissed for want of a substantial federal question.

No. 301. Chiu But Hao, petitioner, *v.* Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco District. 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 judgment of the Court of Appeals is vacated and the case is remanded to the District Court with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot.

No. 395. Mrs. Jose Kate Gianfala, Widow of Oscar J. Martin, et al., petitioners, *v.* The Texas Company. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the case is remanded to the District Court with directions to reinstate its judgment. *South Chicago Coal & Dock Co. v. Bassett*, 309 U. S. 251; *Summerlin v. Massman Const. Co.*, 199 F. 2d 715; *Wilkes v. Mississippi River Sand & Gravel Co.*, 202 F. 2d 383; *Gahagan Construction Corp. v. Armao*, 165 F. 2d 301, 305.

No. 396. Alfred Holmes, Oliver W. Holmes, and Dr. H. M. Holmes, petitioners, *v.* City of Atlanta et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted, the judgments both of the Court of Appeals and the District Court are vacated and the case is remanded to the District Court with direction to enter a decree for petitioners in conformity with *Mayor & City Council of Baltimore City v. Dawson*, No. 232, O. T. 1955, decided this day.

No. 82, Misc. Mario J. De Lucia, petitioner, *v.* State of New Jersey. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the case is remanded to the District Court for a hearing concerning the circumstances surrounding petitioner's plea of guilty.

No. 206, Misc. Charles F. Yaeger, appellant, *v.* Director of Department of Welfare of Virginia et al. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The appeal is dismissed.

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No. 10, Original. State of Arizona, plaintiff, *v.* State of California et al. This case is set for argument on the exceptions to the report of the Special Master and is assigned for hearing at the end of the call for the week beginning December 5. A total of four hours is allowed for oral argument. The motion of the United States for determination of certain legal points is denied. The Chief Justice took no part in the consideration or decision of these questions.

No. 10. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson. The motion for leave to appear and present oral argument on behalf of Phil Feldman and others, as *amici curiae*, is denied.

No. 207. Harry Alexander, Inc., Continental Casualty Co., petitioners, *v.* Alice P. Friend. The motion of counsel for respondent for the allowance of attorney's fees for services in this Court is granted and counsel is awarded the sum of \$420.

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No. 380. Edwin B. Covey, Committee of the Person and Property of Nora Brainard, an Incompetent, appellant, *v.* Town of Somers. Appeal from the Court of Appeals of New York. In this case probable jurisdiction is noted and the case is transferred to the summary calendar.

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No. 282. Alma Schulz, Administratrix of the Estate of August M. Schulz, petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

No. 383. General Box Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

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No. 329. Fay Heasley, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 354. Housing Authority of the City of Milwaukee, Cecil A. Fisher, Mrs. Henry E. Gunderson, et al., petitioners, *v.* Joseph Lawson, Jr., and Corrine Lawson. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 355. Lawrence P. Bardin, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 356. J. D. Lewis and Zelma Lewis, petitioners, *v.* Spencer Carver, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 357. Bernard M. Wolfe et al., Individuals and Co-Partners, Doing Business Under the Names and Styles "Dutch Paint Co.", et al., petitioners, *v.* National Lead Co. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 358. David L. Subin, petitioner, *v.* A. Philip Goldsmith et al.; and

No. 362. A. Philip Goldsmith et al., petitioners, *v.* David L. Subin. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 359. E. L. Bride, Individually, and E. L. Bride, Transferee, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 360. The United States, petitioner, *v.* Atchison, Topeka and Santa Fe Railway Company. Petition for writ of certiorari to the United States Court of Claims denied.

No. 365. T. A. Loving & Company and Southeastern Construction Company, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 367. Russell Louis LaRose, petitioner, *v.* Lieutenant General W. G. Wyman, or any other Commanding Officer of the Sixth Army, Presidio, San Francisco, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 368. New York Central Railroad Company, petitioner, *v.* Robert F. Ruddy, and Atlas Tack Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 369. Pasquale Pagano, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 370. Kansas City Power & Light Company, a Missouri Corporation, et al., petitioners, *v.* Douglas McKay, Secretary of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 371. Howard Foundry Company, petitioner, *v.* Hartford Fire Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 372. China Daily News, Incorporated, et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 375. The Automobile Insurance Company et al., petitioners, *v.* United Fruit Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 376. Sidney Smith, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 382. A. D. Edwards, Doris Edwards, Frances W. Soroka, et al., petitioners, *v.* Shell Oil Company, a Corporation, et al. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 384. Frank A. Pachmayr and Frank A. Pachmayr, Doing Business Under the Fictitious Name and Style of Pachmayr Gun

Works, petitioner, *v. Mershon Company, Incorporated*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 386. International Molders & Foundry Workers Union of North America, AFL, Local Union No. 294, petitioner, *v. Western Foundry Company*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 387. Mark Gannon, petitioner, *v. W. R. Britton*. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 388. Raphael G. Urciolo and Joseph J. Urciolo, petitioners, *v. Ben L. Fuller et al.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 391. The People of the State of California, on the Relation of Ardy V. Barton, petitioner, *v. American Automobile Insurance Company, a Foreign Corporation, et al.* Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 392. L. C. Collins and Lucille Collins, his wife, et al., petitioners, *v. The City of Wichita, Kansas, a Municipal Corporation*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 393. Bennie Lazarov, Jacob Carl Epstein, petitioners, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 398. Vern George Davidson, petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 399. Atlantic Coast Line Railroad Company, petitioner, *v. Georgia, Ashburn, Sylvester and Camilla Railroad Company*. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 401. Board of Supervisors of Monroe County, Mississippi, petitioners, *v. Allen A. Walker et al.* Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 378. The First National Bank, petitioner, *v. Commissioner of Internal Revenue*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Reed took no part in the consideration or decision of this petition.

No. 397. Howard Lionel Toft, petitioner, *v. Mary G. Ketchum*. Motion for leave to file brief of New Jersey State Bar Association, as *amicus curiae*, granted. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 126. Jack H. Halfen, petitioner, *v.* United States of America; and

No. 307. Puritan Church—The Church of America Puritan Church Building Fund, petitioners, *v.* Commissioner of Internal Revenue. Petitions for rehearing denied.

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No. 17, Misc. Albert Ciha, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 126, Misc. Hans Goldstein, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 148, Misc. William T. White, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 161, Misc. James E. Marron, Jr., petitioner, *v.* Joseph E. Ragen, Warden of the Illinois State Penitentiary, Joliet, Illinois, et al. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 171, Misc. Robert James, petitioner, *v.* E. J. Uffleman, Supt. Security Hospital, Menard, Ill. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 176, Misc. Hartley Moore, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 177, Misc. Robert Allen Bobo, Jr., petitioner, *v.* The People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 178, Misc. German Coleman, petitioner, *v.* Ross V. Randolph, Warden, Illinois State Penitentiary, Menard Branch. Petition for writ of certiorari to the Circuit Court of Randolph County denied.

No. 187, Misc. Jack Randolph, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 188, Misc. Reuben B. Weitz, petitioner, *v.* People of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 189, Misc. James Clyde Meeks, petitioner, *v.* Percy A. Lainson, Warden, Iowa State Penitentiary. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 192, Misc. Raymond Butler, petitioner, *v.* H. C. McLeod, Warden, etc. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 193, Misc. People of the State of Illinois ex rel. Edward Mayes, petitioner, *v.* Ross V. Randolph, Warden, etc. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 194, Misc. U. S. A. ex rel. James T. Lawson alias Truhart Lawson, petitioner, *v.* Orel J. Skeen, Warden, etc. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 195, Misc. Neary McNeal, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 198, Misc. Jack Grant El, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Supreme Court of New York, Appellate Division, First Judicial Department, denied.

No. 199, Misc. Toy Walton, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Prison, et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 205, Misc. Frank Lewis, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 209, Misc. Fred Dwight Jones, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 215, Misc. Charles Huber, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 241, Misc. Frank Watson, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee.

No. 255, Misc. Willie Lee Knight, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

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No. 15, Misc. John Bongiorno, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, et al.;

No. 119, Misc. C. C. Farrell, petitioner, *v.* Harry C. Tinsley, Warden;

No. 167, Misc. Everett E. Spencer, petitioner, *v.* William F. Steiner, Warden;

No. 173, Misc. James H. Anderson, petitioner, *v.* Ross V. Randolph, Warden, Illinois State Penitentiary;

No. 190, Misc. Sidney Zipkin, petitioner, *v.* Walter B. Martin, Warden of Attica State Prison, et al.;

No. 197, Misc. Howard Hildebrandt, petitioner, *v.* Paul J. Madigan, Warden, etc.; and

No. 214, Misc. Harold Peters, petitioner, *v.* Frank C. Johnston, Warden, et al. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 43, Misc. Walter B. Wanamaker, petitioner, *v.* The Supreme Court of Ohio, Consisting of Carl V. Weygandt, Chief Justice, et al. Motion for leave to file petition for writ of mandamus denied.

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No. 184, Misc. Truman McDowell, Jr., petitioner, *v.* The Sheriff of Linn County, Cedar Rapids, Iowa, et al. Petition for writ of injunction denied.

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No. 212, Misc. George Sessions, petitioner, *v.* Wyndham Manning, Superintendent, South Carolina Penitentiary. Application denied.

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No. 28. W. W. Neese, Administrator of the Estate of William Neese, Deceased, petitioner *v.* Southern Railway Company. Argued by Mr. Henry Hammer for the petitioner and by Mr. Sidney S. Alderman for the respondent.

No. 17. United Gas Pipe Line Company, petitioner, *v.* Mobile Gas Service Corporation and Federal Power Commission; and

No. 31. Federal Power Commission, petitioner, *v.* Mobile Gas Service Corporation. Argument commenced by Mr. Howard E. Wahrenbrock for the Federal Power Commission and continued by Mr. Thomas Fletcher for United Gas Pipe Line Company.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 8, will be as follows: Nos. 17 (and 31), 51, 53, 32, and 36.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Stuart B. Campbell, of Wytheville, Va., on motion of Mr. E. Fontaine Broun; William Randolph Bryant, of Sherman, Tex., and Henry Hollis Rankin, Jr., of Edinburg, Tex., on motion of Mr. Arthur C. Perry; Victor Don Baughman, of Miami, Fla., on motion of Mr. J. L. Searles; Ernest S. Carsten, of Washington, D. C., on motion of Mr. Victor Rogers Taylor; David I. Ashe, of New York, N. Y., on motion of Mr. A. Norman Somers; Paul Louis Laskin, of Boston, Mass., on motion of Mr. Benjamin Fisher Pollack; Aaron Rosen, of New York, N. Y., and Marks F. Paskes, of New York, N. Y., on motion of Mr. Frederick S. Hill; Gordon Page Weir, of Jefferson City, Mo., on motion of Mr. James H. Duffy; W. Neil Thomas, Jr., of Chattanooga, Tenn., on motion of Mr. Mac Asbill, Jr.; and Seymour Korn, of Washington, D. C., on motion of Mr. Bernard P. Platshon, were admitted to practice.

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No. 17. United Gas Pipe Line Company, petitioner, *v.* Mobile Gas Service Corporation and Federal Power Commission; and

No. 31. Federal Power Commission, petitioner, *v.* Mobile Gas Service Corporation. Argument continued by Mr. William C. Chanler for the Mobile Gas Service Corp. et al. and concluded by Mr. Thomas Fletcher for United Gas Pipe Line Co.

No. 51. Federal Power Commission, petitioner, *v.* Sierra Pacific Power Company; and

No. 53. Pacific Gas and Electric Company, petitioner, *v.* Sierra Pacific Power Company. Argued by Mr. Howard E. Wahrenbrock for the petitioner in No. 51, by F. T. Searls for the petitioner in No. 53, and by Mr. William C. Chanler for the respondent.

No. 32. John Michel, petitioner, *v.* State of Louisiana. Argument commenced by Mr. Gerard H. Schreiber for the petitioner and continued by Mr. George H. Fust for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 9, will be as follows: Nos. 32, 36, 112, 30, and 44.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

Raymond Treat Sullivan, Jr., of Riverside Calif., on motion of Mr. Robert F. Klepinger; Gerhard A. Ellestad, of Rochester, N. Y., on motion of Mr. Elmer Stewart; Robert P. Kleinmann, of Cincinnati, Ohio, on motion of Mr. William Horace Deck; LeRoy M. Lacey, Jr., of Kokomo, Ind., on motion of Mr. Franklin M. Schlutz; Eugene G. Parker, of Clemson, S. C., on motion of Mr. M. Maurice Parshall; William Wood Watson, of Washington, D. C., on motion of Mr. James R. Billingsley; Roy Philip Franchino, of Washington, D. C., on motion of Mr. Mario S. Mazzuchi; Jacob D. Guice, of Biloxi, Miss., and Chalin O. Perez, of New Orleans, La., on motion of Mr. W. L. Guice; James Theron Haight, of Washington, D. C., on motion of Mr. Harry L. Shniderman; Robt. B. Morton, of Wichita, Kans., on motion of Mr. Brice Wilson Rhyne; and Robert G. Chandler, of Shreveport, La., on motion of Mr. R. F. Camalier, were admitted to practice.

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No. 32. John Michel, petitioner, *v.* State of Louisiana. Argument continued by Mr. George H. Fust for the petitioner, by Mr. Leon D. Hubert, Jr., for the respondent, and concluded by Mr. Gerard H. Schreiber for the petitioner.

No. 36. Clifton Alton Poret and Edgar Labat, petitioners, *v.* State of Louisiana. Argued by Mr. Felician Y. Lozes and Mr. Rudolph F. Becker, Jr., for the petitioners and by Mr. Adrian G. Duplantier for the respondent.

No. 112. Amos Reece, petitioner, *v.* State of Georgia. Argued by Mr. Daniel Duke for the petitioner and submitted by Mr. Eugene Cook, Mr. Robert H. Hall and Mr. E. Freeman Leverett for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, November 10, will be as follows: Nos. 30, 44, and 33.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Thomas F. McKenna, of Santa Fe, N. Mex., on motion of Mr. Joseph A. Sommer; Margaret L. Lebair, of Trenton, N. J., and Foster M. Voorhees III, of Trenton, N. J., on motion of Mr. Oscar Davis; Richard S. Sullivan, of Boston, Mass., on motion of Mr. Stephen J. D'Arcy, Jr.; Fernando Oberlin Rodriguez, of Alexandria, Va., and Joseph J. Philips, of Washington, D. C., on motion of Mr. Godfrey L. Munter; Owen J. Brady, of Hollywood, Calif., on motion of Mr. Michael G. Luddy; Wray G. Zelt, Jr., of Washington, Pa., Harold V. Fergus, of Washington, Pa., and John Francis Roney, of Washington, Pa., on motion of Mr. Robert Stuart Erdahl; William West Milligan, of Sidney, Ohio, on motion of Mr. Thomas H. McGrail; and Walter Frederick Brown, of Los Angeles, Calif., on motion of Mr. Howard H. Brandenburg were admitted to practice.

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No. 30. Dantan George Rea, petitioner, *v.* United States of America. Argued by Mr. Joseph A. Sommer for the petitioner and by Miss Beatrice for the respondent.

No. 44. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Myrtle Grove Packing Company. Argued by Miss Bessie Margolin for the petitioner and by Mr. W. L. Guice for the respondent.

No. 33. Local Union No. 25 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al., petitioners, *v.* The New York, New Haven and Hartford Railroad Company. Argued by Mr. Stephen J. D'Arcy, Jr., for the petitioners and by Mr. Herbert Burstein for the respondent.

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

The day call for Monday, November 14, will be as follows: Nos. 45, 35, 47, and 38.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Robert William Feuer, of Madison, Wis.; John R. Borys, of Utica, N. Y.; Gerald T. McDonough, of New York, N. Y.; Thomas W. Curran, of New Haven, Conn.; Robert R. J. Gallati, of New York, N. Y.; Carleton P. Norton, Jr., of Denver, Colo.; George Herbert Packwood, of Salem, Ind.; A. Nathan Cowen, of Newark, N. J.; Bernard M. Hollander, of Chevy Chase, Md.; and James Arthur Miller, of Wichita, Kans., on motion of Mr. Solicitor General Simon E. Sobeloff; Luther W. White III, of Norfolk, Va., on motion of Mr. Will Shafroth; Cecil Byron Smith, Jr., of North Little Rock, Ark., and Reed Wilson Thompson, of North Little Rock, Ark., on motion of Mr. Brooks Hays; Eugene Melvin Gant, Jr., of Nashville, Tenn., on motion of Mr. William C. Hamilton, Jr.; S. Keith Linden, of San Francisco, Calif., on motion of Mr. George Morris Fay; Walter B. Conway, of Houston, Tex., on motion of Mr. Arthur C. Perry; Norman A. Sand, of Miami, Fla.; John W. Wright, of Miami, Fla.; and Michael John Horan, of Alexandria, Va., on motion of Mr. John J. O'Keefe; Robert H. Law III, of White Plains, N. Y., on motion of Mr. Robert H. Law, Jr.; Dean Farrington Cochran, of Washington, D. C., and John Edgar Boice, Jr., of Silver Spring, Md., on motion of Mr. Fred M. Vinson, Jr.; John Grindle, Jr., of Washington, D. C., on motion of Mr. Charles F. Barber; Henry L. Kanter, of New York, N. Y., on motion of Mr. David Findling; Carl Arthur Herbig, of Atlanta, Ga., on motion of Mrs. Ruby Kettles Peterson; and Richard Arens, of Washington, D. C., on motion of Mr. Abraham Krash, were admitted to practice.

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The Chief Justice announced the following order of the Court:

No. 44. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Myrtle Grove Packing Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The Court, agreeing with the construction of the Fair Labor Standards Act given it by the Fourth Circuit Court of Appeals in *Tobin v. Blue Channel Corp.*, 198 F. 2d 245, reverses the judgments below.

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. 366. Ham Say Naim, appellant, *v.* Ruby Elaine Naim. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The inadequacy of the record as to the relationship of the parties to the Commonwealth of Virginia at the time of the marriage in North Carolina and upon their return to Virginia, and the failure of the parties to bring here all questions relevant to the disposition of the case, prevents the constitutional issue of the validity of the Virginia statute on miscegenation tendered here being considered "in clean cut and concrete form, unclouded" by such problems. *Rescue Army v. Municipal Court*, 331 U. S. 549, 584. The judgment is vacated and the case remanded to the Supreme Court of Appeals in order that the case may be returned to the Circuit Court of the City of Portsmouth for action not inconsistent with this opinion.

No. 390. John Syres, Louis J. Warrick and Local 254, Oil Workers International Union, C. I. O., petitioners, *v.* Oil Workers International Union, Local #23, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the case is remanded to the District Court for further proceedings. *Steele v. L. & N. R. Co.*, 323 U. S. 192; *Tunstall v. Brotherhood*, 323 U. S. 210; *Railroad Trainmen v. Howard*, 343 U. S. 768.

No. 400. The Atchison, Topeka and Santa Fe Railway Company et al., appellants, *v.* United States of America et al. Appeal from the United States District Court for the Eastern District of Missouri. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas would note probable jurisdiction and set the case for argument.

No. 409. W. H. Wilson, Executor of the Estate of Birdine Fletcher, Deceased, and Sisters of St. Francis, a Corporation, petitioners, *v.* A. J. Simler. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgments of the Court of Appeals are vacated and the judgments of the District Court reinstated. *Sutton v. English*, 246 U. S. 199. See *Markham v. Allen*, 326 U. S. 490, 494; *Pufahl v. Estate of Parks*, 299 U. S. 217, 226. Mr. Justice Black dissents.

No. 415. C. E. Owens, Mrs. C. E. Owens, O. O. Owens, and Nabob Oil Company, appellants, *v.* Oklahoma Turnpike Authority. Appeal

from the Supreme Court of Oklahoma. *Per Curiam*: The appeal is dismissed for want of a substantial federal question.

No. 425. John B. Strickland, petitioner, *v.* Seaboard Air Line Railroad Company. On petition for writ of certiorari to the Supreme Court of Florida. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Bailey v. Central Vermont R. Co.*, 319 U. S. 350.

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No. 105. William Thompson, petitioner, *v.* Coastal Oil Company. The motion to waive the printing of the record is granted.

No. 308. Oleta O'Connor Yates, Henry Steinberg, Loretta Starvus Stack, et al., petitioners, *v.* United States of America. The motion as to the record is granted.

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No. 404. Offutt Housing Company, a Corporation, petitioner, *v.* County of Sarpy and Robert M. Eby, Treasurer of County of Sarpy, Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska granted.

No. 373. Commissioner of Internal Revenue, petitioner, *v.* Philip J. LoBue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and the case transferred to the summary calendar.

No. 410. American Airlines, Incorporated, petitioner, *v.* North American Airlines, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted and case transferred to the summary calendar.

No. 422. Ranco, Incorporated, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar and assigned for argument immediately following No. 250 and No. 251.

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No. 321. J. J. Dix, Inc., petitioner, *v.* Commissioner of Internal Revenue; and

No. 363. Commissioner of Internal Revenue, petitioner, *v.* Estate of Jacob J. Dix, Deceased. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 402. Robert Francis Clifton, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 403. Paul Freedman, petitioner, *v.* Donovan and Schuenke et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 406. Wichita Falls and Southern Railway Company, petitioner, *v.* Ben N. Gifford. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 407. George D. Key, Benjamin M. Cassity and J. William Cordell, petitioners, *v.* A. B. McDonald. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 408. The Seminole Nation, petitioner, *v.* Nelly White, Chicago, Rock Island and Pacific Railroad Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 411. Texas Construction Company and United States Fidelity and Guaranty Company, petitioners, *v.* United States of America for the Use and Benefit of Caldwell Foundry and Machine Company, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 412. Hanover Fire Insurance Company, petitioner, *v.* Harold W. Holcombe. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 413. City of Detroit, a Michigan Municipal Corporation, and County of Wayne, etc., petitioners, *v.* The Murray Corporation of America, a Delaware Corporation, and the United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 414. Sonken-Galamba Corporation, a Corporation, petitioner, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 416. Robert E. Murphy, as Warden of Auburn Prison, State of New York and People of the State of New York, petitioners, *v.* United States of America, ex rel. Santo Caminito. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 417. Charles B. Grady, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 418. Waiters and Waitresses Union, Local 301, AFL, an Unincorporated Association, et al., petitioners, *v.* Sansom House Enterprises, Inc., a Pennsylvania Corp., et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 419. Angelo Paccione, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 420. Lewis S. Jacobson, petitioner, *v.* Angelo D. Malandra. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 421. Patrick J. Scully, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 423. Ralph A. Chinburg, Doing Business as Fremont Plumbing Shop, et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 424. Howard O. Allen, petitioner, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

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No. 294. Arthur H. Samish, petitioner, *v.* United States of America. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 88. B. H. Newman, petitioner, *v.* United States of America ;

No. 122. Willard L. Gleeson and Mary F. Gleeson, petitioners, *v.* Fred E. Carr, Trustee in Bankruptcy of the Estate of Broadcasting Corporation of America, Debtor ;

No. 180. Mastercrafters Clock & Radio Co., petitioner, *v.* Vacheron & Constantin-Le Coultre Watches, Inc., and Jaeger-Le Coultre, S. A. ;

No. 189. George Washington Pierce, petitioner, *v.* Hewlett-Packard Company and Paul G. Yewell, Doing Business as Yewell Associates ; and

No. 295. George Washington Pierce, petitioner, *v.* American Communications Company, Inc. ;

No. 190. Charles F. Rubsam, petitioner, *v.* Harley C. Loney Company ;

No. 193. John Lloyd Taylor, petitioner, *v.* United States of America ;

No. 204. Harold Lurie and Samuel Dworetz, petitioners, *v.* United States of America ;

No. 261. James L. Swafford, petitioner, *v.* Atlantic Coast Line Railroad Company ;

No. 325. Peony Park, Inc., et al., petitioners, *v.* George W. O'Malley, Collector of Internal Revenue, Omaha, Nebraska, et al. ;

No. 345. Randall Sterling, petitioner, *v.* Local 438, Liberty Association of Steam and Power Pipe Fitters and Helpers Association, etc., et al. ;

No. 40, Misc. Antonio Verceles, petitioner, *v.* People of the State of Illinois ; and

No. 109, Misc. Norman J. Brabson, petitioner, *v.* State of New York. Petitions for rehearing denied.

## ORDER

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

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No. 45. Commonwealth of Pennsylvania, ex rel. Stephen J. Herman, petitioner, *v.* Dr. John W. Claudy, Warden. Argued by Mr. Herbert Monte Levy and Mrs. Marjorie Hanson Matson for the petitioner and by Mr. Wray G. Zelt, Jr., for the respondent.

No. 35. United States of America, petitioner, *v.* Abraham Minker. Argued by Mr. Marvin E. Frankel for the petitioner and by Mr. Jacob Kossman for the respondent.

No. 47. Salvatore Falcone and Joseph Falcone, petitioners, *v.* Harold E. Barnes, Officer in Charge of Immigration and Naturalization Service. Argument commenced by Mr. George Morris Fay for the petitioners and continued by Mr. Marvin E. Frankel for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 15, will be as follows: Nos. 47, 38, 71, and 10.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Fred C. Littooy, of Hutchinson, Kans., and Fred L. True, Jr., of Georgetown, Mass., on motion of Mr. Brice Wilson Rhyne; J. Wesley Oler, of Philadelphia, Pa., on motion of Mr. J. Louis Monarch; John L. Pitts, of Alexandria, La., on motion of Mr. William A. Roberts; George D. Kline, of Philadelphia, Pa., and Frank Phillip Lawley, Jr., of Millersburg, Pa., on motion of Mr. Frank F. Truscott; Seth Thomas Boaz, Jr., of Mayfield, Ky., on motion of Mr. Robert Edward Webb; Fred Somkin, of Washington, D. C., on motion of Mr. Ellis Klein; Samuel William Shepard, of San Diego, Calif., on motion of Mr. Robert Wallace McMillan; Martin D. Von Zamft, of Miami, Fla., on motion of Mr. Myer Feldman; and Wilton Henry John Erlenborn, of Dwight, Ill., on motion of Mr. James W. Cassedy, Jr., were admitted to practice.

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No. 47. Salvatore Falcone and Joseph Falcone, petitioners, *v.* Harold E. Barnes, Officer in Charge of Immigration and Naturalization Service. Argument concluded by Mr. Marvin E. Frankel for the respondent.

No. 38. Raymond C. Armstrong, petitioner, *v.* Mary R. Armstrong, General Motors Corporation, et al. Argued by Mr. Robert N. Gorman for the petitioner and by Mr. Walter K. Sibbald for the respondents. Leave granted to file supplement to brief for respondents with leave to petitioner to file reply within 2 days.

No. 71. Lonnie Affronti, petitioner, *v.* United States of America. Argued by Mr. Harry F. Murphy for the petitioner and by Mr. John V. Lindsay for the respondent.

No. 10. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson. Argument commenced by Mr. Frank F. Truscott for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 16, will be as follows: Nos. 10, 22, 39, and 48.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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John R. Mack, of Boulder, Colo., on motion of Mr. Charles F. Barber; Floyd Bixler McKissick, of Durham, N. C., Conrad Odelle Pearson, of Durham, N. C., and John Hervey Wheeler, of Durham, N. C., on motion of George E. C. Hayes; Louis Leftwich, Jr., of Nashville, Tenn., on motion of Mr. Cecil Sims; H. Kirkwood Yockey, of Indianapolis, Ind., on motion of Mr. Harry E. Yockey; and Richard P. Barnard, of Williamsville, N. Y., on motion of Mr. George L. DeMott, were admitted to practice.

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No. 10. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson. Argument continued by Mr. Louis C. Wyman for the State of New Hampshire and by Mr. Charles F. Barber for the United States, as *amici curiae* by special leave of Court, by Mr. Herbert S. Thatcher for the respondent, and concluded by Mr. Harry F. Stambaugh for the petitioner.

No. 22. Morris Steiner, Harry Lightman, Mitchell Magid, et al., etc., petitioners, *v.* James P. Mitchell, Secretary of Labor, United States Department of Labor. Argued by Mr. Cecil Sims for the petitioners and by Miss Bessie Margolin for the respondent.

No. 39. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* King Packing Company. Argument commenced by Miss Bessie Margolin for the petitioner and continued by Mr. Willard S. Johnston for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, November 17, will be as follows: Nos. 39 and 48.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Mary Hall Williams, of Austin Tex., on motion of Mr. Jerry S. Williams; Janet Dunham Saxon, of New Haven, Conn., on motion of Mr. PGad Bryan Morehouse; William Goldman, of Jersey City, N. J., on motion of Mr. James Mahoney; H. Carl Kait, of Red Bank, N. J., on motion of Mr. Edwin R. Fischer; George L. La Coste, of Oklahoma City, Okla., on motion of Mr. John Joseph Griffin; C. Robert Burns, of Palm Beach, Fla., on motion of Mr. Charles Orlando Pratt; Edwin Stanley Nail, of Washington, D. C., and Robert A. Marmet, of Omaha, Nebr., on motion of Mr. Paul M. Segal; Theodore M. Kranitz, of St. Joseph, Mo., on motion of Mr. Richard K. Lyon; and Forrest Shep-person Holmes, Jr., of College Park, Md., on motion of Mr. John Holt Myers, were admitted to practice.

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No. 39. James P. Mitchell, Secretary of Labor, United States Deparement of Labor, petitioner, *v.* King Packing Company. Argument continued by Mr. Willard S. Johnston for the respondents and concluded by Miss Bessie Margolin for the petitioner.

No. 48. Communist Party of the United States of America, petitioner, *v.* Subversive Activities Control Board. Three hours allowed for oral argument. Argued by Mr. John J. Abt and Mr. Joseph Forer for the petitioner and by Mr. Solicitor General Sobeloff for the respondent.

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

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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B. Franklin Taylor, Jr., of Warwick, R. I., Thomas A. McIvor, of Philadelphia, Pa., and John A. Lombardi, of Berkeley Heights, N. J., on motion of Mr. Solicitor General Simon E. Sobeloff; Edward R. Wienecke, of Baltimore, Md., on motion of Mr. John Marshall Butler; Jack M. Lowery, Jr., of Georgetown, Ky., on motion of Mr. William C. Hamilton, Jr.; William Joseph Barton, of Buffalo, N. Y., on motion of Mr. Theodore Francis Green; Thomas Francis Jordan, of New Orleans, La., on motion of Mr. Wendell Holmes McCulloch, Jr.; Douglas K. Reading, of Ann Arbor, Mich., on motion of Mr. Edward Schoen, Jr.; William H. Buys, of Pasadena, Calif., on motion of Mr. John A. Parker; Cyril Drew Pearson, of Salt Lake City, Utah, on motion of Mr. Francis X. Clair; Hon W. Dang, of Washington, D. C., on motion of Mrs. Helena D. Reed; Peter A. Hall, of Birmingham, Ala., and Orzell Billingsley, Jr., of Birmingham, Ala., on motion of Mr. Herbert O. Reid; James Harvey Hackney, of St. Petersburg, Fla., on motion of Mr. Eric Daenecke; Theron Crouse Barnum, of Fayetteville, N. Y., on motion of Mr. Philip Schleit; Norman Earle Sill, of Washington, D. C., and Donald Minker Sullivan, of Washington, D. C., on motion of Mr. John Dillon Fitzgerald; John Wing Hughes, of Chicago, Ill., and Harold R. Burnstein, of Chicago, Ill., on motion of Mr. John E. Hughes; W. Brown Morton, Jr., of Alexandria, Va., and Stanton T. Lawrence, Jr., of Little Silver, N. J., on motion of Mr. W. Brown Morton; Ward B. Saunders, Jr., of Oakland, Calif., on motion of Mr. Herbert L. Packer; Harrington A. Lackey, of Chattanooga, Tenn., on motion of Mr. A. Yates Dowell; and Harold Seligman, of Nashville, Tenn., on motion of Mr. Austin Leonard Roberts, Jr., were admitted to practice.

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No. 8. Indian Towing Company, Inc., et al., petitioners, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of 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 Frankfurter. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton join.

No. 28. W. W. Neese, Administrator of the Estate of William Neese, Deceased, petitioner, *v.* Southern Railway Company. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment of the Court of Appeals reversed with costs and case remanded to the United States District Court for the Eastern District of South Carolina for proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren.

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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. 18. Jew Sing, petitioner, *v.* Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco District. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The judgment of the Court of Appeals is vacated and the case is remanded to the District Court with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot.

No. 436. Raymond G. Cahill, petitioner, *v.* The New York, New Haven and Hartford Railroad Company. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. Mr. Justice Reed believes certiorari should have been denied and dissents from the judgment of reversal. Mr. Justice Frankfurter, Mr. Justice Burton, and Mr. Justice Harlan are of the opinion that the petition for writ of certiorari should have been denied.

No. 31, Misc. Clifford Bramble, petitioner, *v.* Robert A. Heinze, Warden, et al. On petition for writ of certiorari to the Supreme Court of California. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. Since the record in this case fails to show whether denial of petitioner's application for habeas corpus rests on an adequate state ground or exclusively on a federal ground, the judgment of the Supreme Court of California is vacated and the cause is remanded to that court for further proceedings. The Chief Justice took no part in the consideration or decision of this case.

No. 47, Misc. Paul Chaisson et al., petitioners, *v.* Southcoast Corporation et al. On petition for writ of certiorari to the Supreme

Court of Louisiana. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. It appearing that the cause has become moot, the judgment of the Supreme Court of Louisiana is vacated and the cause is remanded for such proceedings as by that Court may be deemed appropriate. *Harris v. Stanley*, 348 U. S. 803. The Chief Justice and Mr. Justice Black are of the opinion that the case is not moot and would grant certiorari and hear argument.

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No. 489. Dan Durley, petitioner, *v.* Nathan Mayo, Custodian, Florida State Prison. It is ordered that Neal Rutledge, Esquire, of Miami, Florida, be appointed to serve as counsel for the petitioner in this case.

No. 442. Kendrick M. Cole, petitioner, *v.* Philip Young et al. The motion to substitute Marion B. Folsom, present Secretary of Health, Education, and Welfare, as a party respondent in the place and stead of Oveta Culp Hobby, resigned, is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

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No. 377. Eastern Sugar Associates (a Trust), petitioner, *v.* Jose A. Pena. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 405. Grimes and Hauer, Incorporated, petitioner, *v.* Sam Pollock, Individually, etc., et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 426. Northern Fur Company, Incorporated, and Insurance Company of North America, petitioners, *v.* Minneapolis, St. Paul & Sault Ste. Marie Railway Company and Railway Express Agency, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 427. A/S J. Ludwig Mowinckels Rederi, petitioner, *v.* Manual Amador et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 428. Cadillac Publishing Company, Incorporated, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 429. Alfred B. Cenedella, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 431. Irving E. Morris, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 432. George William Brewer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 434. Firemen's Insurance Company, a Corporation, et al., petitioners, *v.* Max Edlin. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 435. Giuseppe Gagliano, petitioner, *v.* John M. Bonds, Officer in Charge, United States Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 440. Standard Coil Products Company, Incorporated, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 441. Alonsita Walker et al., petitioners, *v.* Board of County Commissioners of Talbot County et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 443. Norman Lumber Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 445. The First National Bank in Houston, petitioner, *v.* The United States et al. Petition for writ of certiorari to the United States Court of Claims denied.

No. 447. City and County of San Francisco, a Municipal Corporation, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 449. Kellogg Company, Kellogg Sales Company, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 450. Elizabeth E. Norris, petitioner, *v.* Ralph A. Norris. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 453. Wm. H. Muller & Company, Incorporated, petitioner, *v.* Swedish American Line, Ltd., and Transatlantic Steamship Company, Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 464. Chicago Great Western Railway Company, a Corporation, petitioner, *v.* Leslie J. Kenney. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 475. Central Hudson Gas and Electric Corporation, petitioner, *v.* Albert Banks and Ninnie Brothers. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 484. Vaughn C. Payne, Sr., Individually, et al., petitioners, *v.* Gus F. Koehler, District Director of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 493. Clackamas County, Oregon, petitioner, *v.* Douglas McKay, Secretary of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 439. George R. Joslyn, petitioner, *v.* Thomas Hart Fisher. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Motion for damages denied.

No. 463. Capital Transit Company, petitioner, *v.* George Spiegel. Motion to dispense with printing the respondent's brief granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

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No. 73. Samuel R. Beard, petitioner, *v.* United States of America. Petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 238. Joseph A. Cota, appellant, *v.* L. Dale Coffman, as Dean of the School of Law, University of California at Los Angeles. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 11, Original. The State of Mississippi, plaintiff, *v.* The State of Louisiana;

No. 43. Morrison T. Wade and Bessie Lou Tanner Wade, appellants, *v.* The People of the State of Michigan;

No. 77. Louis E. Wolcher, petitioner, *v.* United States of America;

No. 86. Mary L. Crist, petitioner, *v.* Washington, Virginia and Maryland Coach Co., Inc.;

No. 106. William Leighton, petitioner, *v.* Securities and Exchange Commission;

No. 113. Jeoffroy Mfg., Inc., petitioner, *v.* William T. Graham;

No. 127. Roy Sickles, petitioner, *v.* Graybar Electric Company;

No. 135. Julius L. Echeles and Paul Echeles, petitioners, *v.* United States of America;

No. 143. Beatrice A. Anderson, as Administratrix of the Estate of Charles Arthur Anderson, Jr., Deceased, petitioner, *v.* Atlantic Coast Line Railroad Company;

No. 173. James G. Pace, petitioner, *v.* Laurie W. Tomlinson, Director of Internal Revenue for the State of Florida;

No. 179. David H. Mitchell, petitioner, *v.* United States of America;

No. 212. Pledger L. Burkhalter, Jr., appellant, *v.* Liberty Mutual Insurance Companies, Inc., et al.;

No. 216. The Item Company, petitioner, *v.* National Labor Relations Board;

No. 235. Fairmont Aluminum Company, petitioner, *v.* Commissioner of Internal Revenue;

No. 293. Louie Cospers, petitioner, *v.* State of Illinois;

No. 299. George A. Landell, Executor of E. Q. Landell, Deceased, et al., petitioners, *v.* Northern Pacific Railway Company, Formerly Known as the Superior and St. Croix Railway Company;

No. 53, Misc. Ann Rousseau, petitioner, *v.* Virginia Hurtado, Individually and as Executrix, etc., et al.;

No. 118, Misc. Melvin Keithley, petitioner, *v.* People of the State of Illinois; and

No. 164, Misc. Bert Crabtree, petitioner, *v.* United States of America. Petitions for rehearing denied.

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Adjourned until Monday, December 5, next, at 12 o'clock.

The day call for Monday, December 5, will be as follows: Nos. 46, 49, and 42.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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George Spiegel, of Silver Spring, Md., B. Jenkins Middleton, of Rochester, N. Y., Julia Perry Cooper, of Fayetteville, N. C., Clem H. Sehrt, of New Orleans, La., Noel E. Story, of Eufaula, Okla., Wellington Albert Gillis, of Washington, D. C., James Pulm Swann, Jr., of Atlanta, Ga., and Lewis Abrahams, of New York, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Charles H. Juliá, of San Juan, P. R., on motion of Mr. Philip F. Herrick; Bernard Stroyman, of Indianapolis, Ind., on motion of Mr. Gustav H. Dongus; Thomas J. McCluskey, of Newark, N. J., on motion of Mr. Henry F. Ashurst; Bruce M. Casey, Jr., of San Francisco, Calif., on motion of Mr. Hamilton Carothers; Henry Walter Low, of Los Angeles, Calif., on motion of Mr. Allan Y. Cole; Thomas Francis McIntyre, of Oklahoma City, Okla., on motion of Mr. Michael John Horan; I. Franklin Feld, of New York, N. Y., on motion of Mr. Benjamin Feld; Leonard M. Mendelson, of Pittsburgh, Pa., on motion of Mr. Harry Friedman; John R. Bronaugh, of Washington, D. C., and John Dirk Nies, of Washington, D. C., on motion of Mr. J. Matthew Neale; Albert E. Aikman III, of Dallas, Tex., on motion of Mr. William P. McClure; Ngai Ho Hong, of San Francisco, Calif., on motion of Mr. Ernest F. Hom; David O. Belew, Jr., of Fort Worth, Tex., and Emory A. Cantey, of Fort Worth, Tex., on motion of Mr. Harry Poth; Benjamin M. Sherman of New York, N. Y., on motion of Mr. Dyer Justice Taylor; Frank Alexander Steele Wright, of Richmond, Va., Richard Frederick Seibert, of Gainesville, Fla., and Sidney L. Berz, of Richmond, Va., on motion of Mr. Cyrus Pfeiffer Trowbridge; Ernest A. Carrere, Jr., of New Orleans, La., on motion of Mr. Frank Flournoy Roberson; Francis L. Rice, of Pikeville, Ky., on motion of Mr. Heber H. Rice; John W. Barton, of Detroit, Mich., on motion of Mrs. Lucy Somerville Howorth; Oliver Charles Schroeder, Jr., of Cleveland, Ohio, on motion of Mr. James H. McGlothlin; Nicholas R. Doman, of New York, N. Y., on motion of Mr. Philip Werner Amram; Jacob B. Heller, of New York, N. Y., on motion of Mr. Henry W. Balka; Douglass B. Wright, of Hartford, Conn., on motion of Mr. Karl M. Dollak; G. C. Spillers, Jr., of Tulsa, Okla., on motion of Mr. Louis F. Oberdorfer; Charles

James Mullen, Jr., of Cortland, N. Y., on motion of Mr. Thomas H. Carolan; Milton Harman Parrott, of San Antonio, Tex., on motion of Mr. Fred Boyd Ugast; Donald A. Brown, of Washington, D. C., on motion of Mr. Robert Eugene Waltz; Cornell DeGrothy, of Milwaukee, Wis., Pelham Jones Merrill, of Heflin, Ala., William A. Hockensmith, of Frankfort, Ky., Hyman Jacob Bradofsky, of Pomona, Calif., Ted Sullivan, of Long Beach, Calif., John A. Webb, of Denver, Colo., Aaron Hirsh Narevsky, of Chicago, Ill., Roger A. Johnsen, of Minneapolis, Minn., George B. Morse, of Tucson, Ariz., Robert E. Ray, of Tallahassee, Fla., and Thomas J. Carroll, of Tallahassee, Fla., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

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No. 112. Amos Reece, petitioner, *v.* State of Georgia. On writ of certiorari to the Supreme Court of the State of Georgia. Judgment reversed with costs and case remanded to the Supreme Court of Georgia for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark.

No. 32. John Michel, petitioner, *v.* State of Louisiana; and

No. 36. Clifton Alton Poret and Edgar Labat, petitioners, *v.* State of Louisiana. On writs of certiorari to the Supreme Court of the State of Louisiana. Judgments affirmed. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Black in which the Chief Justice and Mr. Justice Douglas concur. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Black concur.

No. 71. Lonnie Affronti, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Missouri. Opinion by Mr. Justice Reed.

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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. 9. Interstate Commerce Commission, appellant, *v.* Stone's Express, Inc.; and

No. 14. St. Johnsbury Trucking Company, Inc., and Hinsch Transportation Co., Inc., appellants, *v.* Stone's Express, Inc. Appeals from the United States District Court for the District of Massachusetts. *Per Curiam*: The judgments are vacated and the cases are remanded to the District Court for dismissal of the proceedings in accordance with the stipulation of the parties as to mootness.

No. 37. Paul Dillon, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam:* The writ of certiorari is dismissed and the case is remanded to the Court of Appeals for such further action as law and justice may require.

No. 40. Samuel R. Snyder, Administrator of the Estates of Renee Denise Snyder and Kaye Erin Synder, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. *Per Curiam:* The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the judgment of the District Court reinstated. Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Burton, and Mr. Justice Harlan would deny certiorari.

No. 296. United States of America, petitioner, *v.* Union Trust Company et al. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam:* The petition for writ of certiorari is granted and the judgment is affirmed. *Indian Towing Co. v. United States*, No. 8, O. T. 1955, decided November 21, 1955.

No. 298. Union Trust Company et al., petitioners, *v.* Eastern Air Lines, Inc. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam:* The petition for writ of certiorari is granted and the judgment is reversed. Mr. Justice Frankfurter and Mr. Justice Harlan would not grant certiorari.

No. 389. Federal Trade Commission, petitioner, *v.* American Crayon Company. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per Curiam:* The petition for writ of certiorari is granted and the judgment is reversed.

No. 433. The State of Kansas, ex rel. Lelus B. Brown, County Attorney of Harvey County, Kansas, et al., appellants, *v.* Clay Hedrick, as County Clerk of Harvey County, Kansas, et al. Appeal from the Supreme Court of Kansas. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 438. H. E. White, Charles R. Hall, Jennings Lilly, et al., appellants, *v.* Albert Anson, Jr., et al. 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. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 461. Drawdy Investment Company, a Corporation, appellant, *v.* William J. Leonard and Mildred Leonard, his wife. Appeal from the Supreme Court of Florida. *Per Curiam:* The motion to dispense

with the printing of the jurisdictional statement is granted. The appeal is dismissed for want of a substantial federal question.

No. 191, Misc. United States, ex rel. Robert Hendrickson, appellant, *v.* Edward J. Hendrick, Supt., etc. Appeal from the United States District Court for the Eastern District of Pennsylvania; and

No. 256, Misc. United States of America, ex rel. Raymond W. Nichols, Raymond W. Nichols, pro se., appellant, *v.* Western Union Telegraph Company. Appeal from the United States District Court for the Eastern District of Virginia. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed.

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— In the Matter of A. Joseph Sherwood. The motion to amend the attorneys' roll to show the change of name of A. Joseph Shapiro to A. Joseph Sherwood is granted.

No. 85. The Martin Brothers Box Company, petitioner, *v.* Interstate Commerce Commission and Southern Pacific Company. The motion to set aside the order denying certiorari is denied.

No. 337. Thomas W. Banks, petitioner, *v.* United States of America. The motion for leave to file supplement to the petition for writ of certiorari is granted.

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No. 451. Railway Employees' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. Appeal from the Supreme Court of Nebraska. In this case probable jurisdiction is noted and case transferred to the summary calendar.

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No. 60. Louis Berra, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Petition for writ of certiorari granted limited to question (2) by the petition for the writ which reads as follows:

"(2) Whether in a prosecution under a felony indictment for tax evasion under Section 145 (b) of the 1939 Internal Revenue Code, the trial court is required by Rule 31 of the Federal Rules of Criminal Procedure to give a requested misdemeanor instruction under Section 3616 (a) of the 1939 Internal Revenue Code, and thus allow the jury to determine whether defendant committed the greater or lesser offense."

The case is transferred to the summary calendar.

No. 469. John M. Petrowski, Grace Ringle, a Minor, by Ervin Ringle, Her Guardian Ad litem, Francis Gelhar, Et Al petitioners, *v.* Hawkeye-Security Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 297. Union Trust Company et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 379. Bausch and Lomb Optical Company, petitioner, *v.* Dean A. Lyon. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 430. Richard Thomas, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 446. Agnes W. Tymann, as Administratrix of the Estate of Minnie Polizzo, Deceased, petitioner, *v.* Harrison B. Wright, Individually, and as Executor of Joseph Polizzo, Deceased, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 452. Rose Miller, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 454. The American Crayon Company, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 455. Agricultural Insurance Company et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 458. Dr. Henry L. Peckham, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States District Court for District of Columbia Circuit denied.

No. 459. C. Maxwell Brown, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 462. Aaron M. Kohn, petitioner, *v.* State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 465. Ira S. Bushey & Sons, Incorporated, Employer, and the State Insurance Fund, Insurance Carrier, petitioners, *v.* Frank A. Cardillo, Deputy Commissioner, Second Compensation District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 466. George H. Brasier, petitioner, *v.* United States of America, H. V. Higley, Administrator of Veteran Affairs, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 467. Sammy Kaye and David Krengel, petitioners, *v.* L. C. Smitherman and Simon Cohen. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 468. Tyler Bank and Trust Company, petitioner, *v.* Frank Carder, Sr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 473. Elmer J. Benes, Individually, and as an Officer of E. J. Benes & Company, Incorporated, petitioner, *v.* Sumner Canary, as United States Attorney. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 474. Winston M. Reynolds, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 476. National Labor Relations Board, petitioner, *v.* General Drivers, Warehousemen and Helpers, Local 968, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 477. Frank A. Haffa, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 479. Shirlington Supermarket, Incorporated, etc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 483. Sherman H. Eary, Sr., et al., petitioners, *v.* West Virginia Turnpike Commission, as an Agency of, for, and in the Name of The State Of West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 480. Bernard Mitchell Wolfe et al., Individuals and Co-Partners Doing Business Under the Name and Styles, "Dutch Paint Co.", et al., petitioners, *v.* National Lead Company, a New Jersey Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 487. Joseph A. Elliott, petitioner, *v.* Pacific Far East Line, Incorporated, a Corporation, etc. Motion to dispense with printing of the petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

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No. 259. The Wieman and Ward Company, petitioner, *v.* City of Pittsburgh and James P. Kirk, Treasurer, et al.;

No. 312. The United States, petitioner, *v.* The Ohio Power Company;

No. 327. Hobson P. Jones, appellant, *v.* The State of Mississippi;

No. 338. Holmby Productions, Inc., and United Artists Corp., appellants, *v.* Mrs. Frances Vaughn et al., Constituting the Kansas State Board of Review, et al.;

No. 344. Ivan M. Elchibegoff, petitioner, *v.* John Foster Dulles, Secretary of State, et al.;

No. 355. Lawrence P. Bardin, petitioner, *v.* United States of America;

No. 64, Misc. Rufus Glenn Sisk, petitioner, *v.* J. Ellis Overlade, Warden; and

No. 163, Misc. Judith Morgan, petitioner, *v.* George Sylvester et al. Petitions for rehearing denied.

No. 217, Misc. October Term, 1954. Nicholas Medich, petitioner, *v.* United States of America. Motion for leave to file petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 48, Misc. William A. Wetzel, appellant, *v.* State of Mississippi. Motion for leave to file petition for rehearing denied.

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No. 14, Misc. Roy E. Eaton, petitioner, *v.* Joseph D. Bibb, Victor I. Knowles, Joseph E. Ragen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 19, Misc. Millard Greear, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 32, Misc. Chester L. Mohler, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 140, Misc. Holden Selby, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 145, Misc. Jodie Bailey, petitioner, *v.* W. Frank Smyth, Superintendent, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 152, Misc. Elmer S. Whiting, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 165, Misc. Henry Speditz, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 169, Misc. Edmond C. Fletcher, petitioner, *v.* Courtney R. Young and Eleanor M. Young, his wife. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 170, Misc. Sylvester R. Winston, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 183, Misc. Frank F. Bisson, petitioner, *v.* Brigadier General Francis E. Howard, Post Commander, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 185, Misc. Morgan A. Ringer, petitioner, *v.* Captain James Francis Maroney, Acting Warden, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 210, Misc. Samuel D. Collins, petitioner, *v.* Bert O. Webb, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 216, Misc. Robert D. Pedersen, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 217, Misc. Welcome Goode, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 219, Misc. Howard Ruth, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 220, Misc. James Powell Mitchell, petitioner, *v.* Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 221, Misc. Frank DiGiovanni, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 222, Misc. Robert B. Wyers and Elizabeth Wyers, petitioners, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 223, Misc. Walter L. Bishop, petitioner, *v.* James F. Maroney, Acting Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 226, Misc. Robert Lister, petitioner, *v.* H. C. McLeod, Warden. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 228, Misc. Willis Edwin Smith, 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, Third Judicial Department, denied.

No. 229, Misc. Winfred Williams, petitioner, *v.* Lawrence Delmore, Jr., Warden. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 232, Misc. Forest Orville Buchanan, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 234, Misc. Albert C. Johns, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 235, Misc. Kelly Petillo, petitioner, *v.* State of Indiana et al. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 242, Misc. Anthony C. Ricco, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 244, Misc. Albert Baumgart, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 245, Misc. Robert W. Erdmann, 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, Second Judicial Department, denied.

No. 246, Misc. Alfred W. Perkins and Sue Garrett Perkins, petitioners, *v.* Frances H. Bach. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 247, Misc. Kent Saxon, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 249, Misc. Grayce Golding, petitioner, *v.* Sinclair Weeks, Secretary of Commerce. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 250, Misc. Robert D. Nelson, petitioner, *v.* The State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 259, Misc. Pasquale Masi, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 268, Misc. Agustin Rosello Bras, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

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No. 224, Misc. William John Johnson, petitioner, *v.* Warden, Eastern State Penitentiary, Philadelphia, Pa.;

No. 230, Misc. Rafael Hernandez Forestier, petitioner, *v.* United States of America;

No. 233, Misc. Gene L. Patterson, petitioner, *v.* Harry C. Tinsley, Warden, Colorado State Penitentiary; and

No. 252, Misc. Herman Howlery, petitioner, *v.* Ross V. Randolph, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 238, Misc. Ex parte William P. Martin, Petitioner;

No. 239, Misc. George E. Sprye, petitioner, *v.* Herbert Brownell, Attorney General, et al.;

No. 248, Misc. Walter June Pulliam, petitioner, *v.* U. S. Court of Appeals for the Tenth Circuit; and

No. 254, Misc. W. A. Marshall, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of mandamus denied.

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No. 271, Misc. Francis O'Halloran, petitioner, *v.* C. G. Day, Warden, State Penitentiary, Graterford, Pennsylvania. Motion for leave to file petition for writ of certiorari denied.

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No. 301, Misc. Abner Green, Individually and on Behalf of Himself and all Others Similarly Situated, petitioners, *v.* Hon. John W. Clancy, a Judge of the U. S. District Court for the Southern District of New York, Jacob K. Javits, Jerome O. Glucksman and Owen McGivern. Motion for leave to file petition for writs of prohibition and mandamus denied.

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The Court will take a recess from Monday, December 12, until Monday, January 9, 1956.

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No. 46. Rex Trailer Company, Inc., petitioner, *v.* United States of America. Argued by Mr. Gustav H. Dongus for the petitioners and by Mr. Melvin Richter for the respondent.

No. 49. Norman C. Bernhardt, petitioner, *v.* Polygraphic Company of America, Inc. Argued by Mr. Manfred W. Ehrich, Jr., and Mr. Eugene V. Clark for the petitioner and by Mr. Joseph A. McNamara and Mr. Guy M. Page, Jr., for the respondent.

No. 42. Victor D. Gibson, petitioner, *v.* Lockheed Aircraft Service, Inc. Argument commenced by Mr. G. C. Spiller, Jr., for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 6, will be as follows: Nos. 42, 58, and 74.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Joseph A. Lichtenthal, of White Plains, N. Y., and Arthur F. Gaynor, of White Plains, N. Y., on motion of Mr. Robert H. Law, Jr.; Hamilton W. Kenner, of Washington, D. C., on motion of Mr. Arthur B. Carton; Max Rosenn, of Wilkes-Barre, Pa., on motion of Mr. George F. Guy; Max Gene Schocken, of Washington, D. C., on motion of Mr. Herbert W. Gediman; John A. Reynolds, Jr., of Decatur, Ala., on motion of Mr. William F. McKenna; Paul E. Berman, of Kansas City, Mo., on motion of Mr. Harry W. F. Glemser; Robert E. LeCorgne, Jr., of New Orleans, La., on motion of Mr. John L. Ingoldsby, Jr.; Stanley Fleishman, of Los Angeles, Calif., on motion of Mr. Victor Rabinowitz; M. Ivory Jefferson, of Hampton, Va., on motion of Mr. Julius W. Robertson; Robert W. Fraser, of Tustin, Calif., on motion of Mr. Charles F. Barber; and Wolfgang E. Klostermann, of Chicago, Ill., on motion of Mr. Donald A. Brown, were admitted to practice.

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No. 42. Victor D. Gibson, petitioner, *v.* Lockheed Aircraft Service, Inc. Argument continued by Mr. G. C. Spillers, Jr., for the petitioner and concluded by Mr. Emory A. Cantey for the respondent.

No. 58. William Ludwig Ullmann, petitioner, *v.* United States of America. Argued by Mr. Leonard B. Boudin for the petitioner and by Mr. Charles F. Barber for the respondent. Memorandum to come from respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 7, will be as follows: Nos. 74, 95, and 111.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Alfred W. Bullock, of Shreveport, La., on motion of Mr. John F. Davis; George W. Kemp, of Los Angeles, Calif., and Thurl C. Rhodes, of Indianapolis, Ind., on motion of Mr. David Wiener; John F. Hassler, of Los Angeles, Calif., on motion of Mr. Robert M. Vaughan; Leon Pear, of Silver Spring, Md., on motion of Mr. Stanley B. Frosh; William S. Sandifer, of Spartanburg, S. C., and Howard Carlisle Bean, of Spartanburg, S. C., on motion of Mr. Samuel Billingsley Hill, Jr.; and George R. Douglas, Jr., of Alexandria, Va., on motion of Mr. David Winship Tibbott, were admitted to practice.

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No. 74. United States of America, petitioner, *v.* Leslie Salt Co. Argued by Mr. John F. Davis for the petitioner and by Mr. Bruce M. Casey, Jr., for the respondent.

No. 95. Judson Griffin and James Crenshaw, petitioners, *v.* People of the State of Illinois. Argued by Mr. Charles A. Horsky for the petitioner and by Mr. William C. Wines for the respondent.

No. 111. Daniel Castaneda Gonzales, petitioner, *v.* H. R. Landon, District Director of Immigration and Naturalization Service of District No. 16, et al. Argument commenced by Mr. A. L. Wirin for the petitioner and continued by Mr. Oscar H. Davis for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 8, will be as follows: Nos. 111, and 10, Original.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

The Chief Justice said:

"The Court is very happy to recognize in the Court Room the presence of two distinguished guests, His Excellency Senor Batlle Berres, President of the National Council of Government of the Oriental Republic of Uruguay, and Senora de Batlle Berres."

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A. William Van Dyke, of Atlanta, Ga., Edward W. Tozer, of Charlottesville, Va., and Jerome O. Hendrickson, of Eau Claire, Wis., on motion of Mr. Oscar H. Davis; George H. Thompson, of Omaha, Nebr., on motion of Mr. Walter R. Johnson; Charlie Y. Wier, of Shreveport, La., on motion of Mr. William C. Hamilton, Jr.; Wesley C. Marsh, of Staunton, Va., on motion of Mr. Otto T. Englehart; Alfred D. Treherne, of Washington, D. C., on motion of Mr. Yelverton Cowherd; James I. McCain, of New Orleans, La., on motion of Mr. Crampton Harris; William V. Dunne, of New Orleans, La., on motion of Mr. Philip R. Collins; Charles A. Stanecker, of Phoenix, Ariz., on motion of Mr. Ernest W. McFarland; and John Frederick Zimmermann, of Milwaukee, Wis., on motion of Mr. O. P. Easterwood, Jr., were admitted to practice.

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**No. 111.** Daniel Castaneda Gonzales, petitioner, *v.* H. R. Landon, District Director of Immigration and Naturalization Service of District No. 16, et al. Argument continued by Mr. Oscar H. Davis for the respondent and concluded by Mr. A. L. Wirin for the petitioner.

**No. 10,** Original. State of Arizona, plaintiff, *v.* State of California et al. Four hours allowed for oral argument. Argument on the exceptions of the California defendants to the report of the Special Master commenced by Mr. Northcutt Ely for the defendants, continued by Mr. W. T. Mathews for the intervenor, State of Nevada, by Mr. John P. Frank for the plaintiff, by Mr. Hatfield Chilson for the States of Colorado, Wyoming, Utah, and New Mexico, by Mr. Ernest W. McFarland for the plaintiff and concluded by Mr. Northcutt Ely for the defendants.

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Adjourned until Monday, December 12, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Minton, and Mr. Justice Harlan.

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Ernest McRae, of Blue Rapids, Kans., Thomas E. O'Shaughnessy, of Versailles, Ky., and Virgil Van Street, of Glenwood, Md., on motion of Mr. Simon E. Sobeloff; C. Guy Tadlock, of Chevy Chase, Md., on motion of Mr. H. Brian Holland; Thomas Moncure, of Alexandria, Va., on motion of Mr. William W. Koontz; Fred C. Scribner, Jr., of Portland, Maine, on motion of Mr. David W. Kendall; Harold A. Katz, of Chicago, Ill., on motion of Mr. Eugene Gressman; Thomas P. McGarrity, of Philadelphia, Pa., on motion of Mr. James P. McGranery; Herbert A. Fierst, of Washington, D. C., on motion of Mr. Oscar H. Davis; Arthur M. Laufer, of New York, N. Y., on motion of Mr. James M. McInerey; Brandan C. Kelly, of New York, N. Y., and Thomas Victor Kingham, of New York, N. Y., on motion of Mr. Daniel J. Andersen; Forrest P. Moore, of Lancaster, Ohio, on motion of Mr. Charles A. Webb; Edgar G. Brisach, of Hempstead, N. Y., on motion of Mr. James P. O'Brien; C. Harold Herr, of Wilmington, Del., and Emmet D. Hurley, Jr., of Pittsburgh, Pa., on motion of Mr. Harold Alden Jewett; Helen M. Clark, of New York, N. Y., on motion of Miss Marguerite Rawalt; Walter Jonathan Turnbull, Jr., of Pawnee, Okla., on motion of Mr. George L. Quinn, Jr.; Theodore R. Galysh, of Washington, D. C., on motion of Mr. James G. Choulas; Nelson Hirsh Shapiro, of Washington, D. C., on motion of Mr. Joseph York Houghton; McDannell Brown, of Portland, Oreg., on motion of Mr. Joel David Wolfsohn; Raymond T. Greene, of New York, N. Y., on motion of Mr. Robert E. Kline, Jr.; James S. Stubbs, of Dayton, Ohio, on motion of Mr. Joseph Eugene Keller; Alma Foster Elliott, of Atlanta, Ga., on motion of Mrs. Olive Geiger Faircloth; and Edward T. Cheyfitz, of Washington, D. C., on motion of Mr. Edward Bennett Williams, were admitted to practice.

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Mr. Justice Black announced the following order:

No. 10, Original. State of Arizona, plaintiff, *v.* State of California et al. *Per Curiam*: The motion of California to join the States of Colorado and Wyoming as parties to this cause is denied. The motion to join Utah and New Mexico as parties is granted only to the extent

of their interest in Lower Basin Waters. Mr. Justice Frankfurter, Mr. Justice Burton, and Mr. Justice Harlan would grant the motion. The Chief Justice did not participate in this proceeding.

No. 27. National Labor Relations Board, petitioner, *v.* The Warren Company, Incorporated. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the said Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

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The Chief Justice announced the following order of the Court:

No. 111. Daniel Castaneda Gonzales, petitioner, *v.* H. R. Landon, District Director of Immigration and Naturalization Service of District No. 16, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The Court is of the view that the standard of proof required in denaturalization cases (see *Schneiderman v. United States*, 320 U. S. 118; *Baumgartner v. United States*, 322 U. S. 665) is applicable to expatriation cases arising under § 401 (j) of the Nationality Act of 1940, 54 Stat. 1137 as amended and has not been satisfied in this case. Accordingly the judgment below is reversed without reaching the constitutional questions that have been presented.

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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. 444. Bingler Vacation Tours, Incorporated, appellant, *v.* United States of America and Interstate Commerce Commission, et al. Appeal from the United States District Court for the District of New Jersey. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

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No. 14, Original. In the Matter of the State of Louisiana, plaintiff. The motion for leave to file and the petition to perpetuate testimony are granted. The Chief Justice took no part in the consideration or decision of this motion.

No. 54. United States of America, appellant, *v.* Jack Green and General Laborers' Local 397 of Granite City, Illinois, etc. The motion to strike the cross-designation of portions of the record to be printed is granted.

No. 351. R. V. Archawski et al., petitioners, *v.* Basil Hanioti, etc. The motion to dispense with printing portions of the record designated by respondent is granted.

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No. 448. United States of America, appellant, *v.* McKesson and Robbins, Incorporated. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction is noted and the case is transferred to the summary calendar.

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No. 486. National Labor Relations Board, petitioner, *v.* Truitt Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case transferred to the summary calendar.

No. 295. Misc. Stephen Mesarosh, also known as Steve Nelson, Benjamin Lowell Careathers, William Albertson, et al., petitioners, *v.* The United States of America. Motion for leave to proceed in forma pauperis and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. The case is transferred to the appellate docket and assigned for argument immediately following Nos. 308, 309, and 310.

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No. 481. Elsie Johnson Black and Others, petitioners, *v.* State of Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 482. WHEC, Incorporated and Veterans Broadcasting Company, Incorporated, petitioners, *v.* Federal Broadcasting System, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 488. Stephen Enke, petitioner, *v.* Jean S. Baucus. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 258. Walter C. Durst, Assignee for the Benefit of Creditors of Jack P. Kalpakoff and Mary Kalpakoff, Debtors, petitioner, *v.* Jack P. Kalpakoff and Mary Kalpakoff and William Chernabaeff, Trustee in Bankruptcy of the Estate of Jack P. Kalpakoff, et al.; and

No. 498. Walter C. Durst, Assignee for the Benefit of Creditors of Jack P. Kalpakoff and Mary Kalpakoff, Debtors, petitioner, *v.* Jack P. Kalpakoff and Mary Kalpakoff and William Chernabaeff, Trustee in Bankruptcy of the Estate of Jack P. Kalpakoff, et al. Motion for leave to file respondent's brief in No. 258 granted. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 495. Douglas Scott Thropp, petitioner, *v.* Henry W. Farnum et al. Motion to strike respondents' brief denied. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

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No. 256. Lawrence Callanan, Carl Bianchi, L. A. Thompson, et al., petitioners, *v.* United States of America;

No. 356. J. D. Lewis and Zelma Lewis, petitioners, *v.* Spencer Carver, Trustee; and

No. 177, Misc. Robert Allen Bobo, Jr., petitioner, *v.* The People of the State of California et al. Petitions for rehearing denied.

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No. 35, Misc. Roy Teal, petitioner, *v.* William H. Bannan, Warden of the State Prison of Southern Michigan, Jackson, Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 44, Misc. Charles S. Dereniewski, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 91, Misc. Curtis Fallen and Irene Kinlan Mickwee Fallen, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 111, Misc. Clemmie Williams, petitioner, *v.* H. C. McLeod, Warden. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 240, Misc. William H. Jackson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 243, Misc. Harry B. Gallagher, petitioner, *v.* Tim McCullough, Sheriff of King County, Washington, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 257, Misc. Johnnie Elwood Gordon, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 263, Misc. John Edwin Byers, petitioner, *v.* Dr. Ivan W. Steele. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 265, Misc. Henry Heimowitz, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 270, Misc. John P. Medley, petitioner, *v.* William F. Steiner, Warden, Maryland House of Correction. Petition for writ of certiorari to the Circuit Court of Anne Arundel County and Court of Appeals of Maryland denied.

No. 272, Misc. Vincent Cicensia, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 274, Misc. John Rastus Smith, petitioner, *v.* William F. Steiner, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 275, Misc. Sol Newstead, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Circuit Court of Cole County, Missouri, denied.

No. 276, Misc. Bert Crabtree, petitioner, *v.* Herbert Brownell, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 279, Misc. Robert Lee Goldsby, petitioner, *v.* State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 280, Misc. Ex parte C. C. Dooley, petitioner. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 282, Misc. Francisco Cepero, petitioner, *v.* Pan American Airways, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

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No. 258, Misc. Clara Celia Golden, petitioner, *v.* Dr. John F. McNeill, Sup't. of Matteawan State Prison, et al.;

No. 267, Misc. James Seward, petitioner, *v.* James E. Denny, Illinois State Penitentiary, etc.; and

No. 278, Misc. Homer L. Gibbs, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 266, Misc. Everett Wesley Davis, petitioner, *v.* The Sheriff, Finney County, Kansas. Petition for writ of injunction denied.

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No. 269, Misc. Maurice Allen, petitioner, *v.* U. S. Court of Appeals for the Seventh Circuit. Application denied.

No. 281, Misc. Neil White, petitioner, *v.* United States of America ;  
and

No. 307, Misc. Hiram B. Waller, Sheriff of the Parish of Franklin,  
State of Louisiana, petitioner, *v.* United States of America, ex rel.  
Joseph Sheffield. Motions for leave to file petitions for writs of  
certiorari denied.

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No. 336, Misc. In the Matter of Disbarment of Orille C. Gaudette.  
It is ordered that Orille C. Gaudette, of Washington, D. C., be  
suspended from the practice of the law in this Court and that a  
rule issue, returnable within forty days, requiring him to show cause  
why he should not be disbarred from the practice of the law in this  
Court.

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Adjourned until Monday, January 9, 1956, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Samuel W. Plauche, Jr., of Lake Charles, La., Bernard William Heidkamp, of Cincinnati, Ohio, Nathan Ravin, of Newark, N. J., Rudolph Markowitz, of Jersey City, N. J., Harry B. Dowsing, of Los Angeles, Calif., Joseph Schildkret, of Newark, N. J., Martin Gelber, of Maplewood, N. J., Richard E. McMonagle, of Cleveland, Ohio, George J. McMonagle, of Cleveland, Ohio, James F. Eckhart, of Miami, Fla., and Harold Markowitz, of Newark, N. J., on motion of Mr. Oscar H. Davis; Russell L. Dearmont, of St. Louis, Mo., Richard H. Brown, of Kansas City, Mo., and William J. Costello, of St. Louis, Mo., on motion of Mr. Thos. C. Hennings, Jr.; Robert T. S. Colby, of Washington, D. C., on motion of Mr. Frederick Bernays Wiener; George Howard Edward Smith, of Shelton, Conn., on motion of Mr. Arthur V. Watkins; C. D. Blackwell, of West Palm Beach, Fla., on motion of Mr. Paul G. Rogers; Nelson P. Jackson, of Clifton, Va., John V. Fels, of Cleveland, Ohio, Arthur J. Roth, of Cleveland, Ohio, Robert R. Afflick, of West Warwick, R. I., Shayle Robinson, of Providence, R. I., Joseph C. Zieba, of Lorain, Ohio, Arthur P. Lambros, of Cleveland, Ohio, Guilford D. Ware, of Norfolk, Va., Donald Alan Gerson, of New York, N. Y., and Clarence E. Barnes, Jr., of Louisville, Ky., on motion of Mr. Albert M. Kuhfeld; John F. McDonald, of Newark, N. J., and Philip J. Mylod, of Newark, N. J., on motion of Mr. Michael Francis Xavier Dolan; Edward W. Currie, of Matawan, N. J., on motion of Mr. Wilmer A. Hill; Sidney Keats, of New York, N. Y., on motion of Mr. Samuel Ross; Abraham Spector, of Brooklyn, N. Y., on motion of Mr. Harvey Rosenberg; Seymour R. Goldgehn, of Chicago, Ill., on motion of Mr. Laurence A. Kusek; William C. Watson, of New Orleans, La., on motion of Mr. Joseph J. Smith, Jr.; Fred D. Durrach, of Washington, D. C., and William C. Darden, of Washington, D. C., on motion of Mr. Carl D. Coleman; Thomas B. McCulloch, of Houston, Tex., on motion of Mr. C. Dinwiddie Stores; Francis Boecher Stine, of Chicago, Ill., on motion of Mr. Gerritt W. Wesselink; Arthur L. Wade, of Cleveland, Ohio, on motion of Mr. Richard G. Radue; Thomas Nelson Gasque, of Florence, S. C., on motion of Mr. William S. McKinley; Sol Friedman, of Washington, D. C., on motion of Mr. Ellis Klein; Arthur J. O'Leary, of New York, N. Y., on motion of Mr. Charles B. Murray; Clarence W. Pierce, of Seattle, Wash., on motion of Mr. Frank Pelligrini;

James L. O'Brien, of South Bend, Ind., on motion of Mr. Robert B. Harmon; Edwin F. Dosek, of Lincoln, Nebr., on motion of Mr. Joseph R. Gorman; Godfrey Wm. Welsch, of New York, N. Y., and William D. Lunn, of Oklahoma City, Okla., on motion of Mr. Leonard Raum; and L. Orville Cameron, of Oklahoma City, Okla., on motion of Mr. I. Martin Leavitt, were admitted to practice.

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No. 6. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 7. Utah Poultry & Farmers Cooperative, Armour and Company, and Swift and Company, appellants, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 11. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, et al.; and

No. 12. Utah Poultry & Farmers Cooperative, Armour and Company, and Swift and Company, appellants, *v.* United States of America, Interstate Commerce Commission, et al. Appeals from the United States District Court for the District of Utah. Judgment reversed and cases remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed and Mr. Justice Burton concur.

No. 33. Local Union No. 25 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al., petitioners *v.* The New York, New Haven and Hartford Railroad Company. On writ of certiorari to the Superior Court of the Commonwealth of Massachusetts. Judgment reversed with costs and case remanded to the Superior Court of Massachusetts for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Minton.

No. 46. Rex Trailer Company, Inc., petitioner, *v.* United States of America. 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 Southern District of Indiana. Opinion by Mr. Justice Clark. Mr. Justice Frankfurter concurs in the judgment.

No. 4. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Eastern District of New York. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Black, in which the Chief Justice, Mr. Justice Douglas, and Mr. Justice Clark concur.

No. 45. Commonwealth of Pennsylvania, ex rel. Stephen J. Herman, petitioner, *v.* Dr. John W. Claudy, Warden. On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania, Western District. Judgment reversed with costs and case remanded to the Supreme Court of Pennsylvania for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black.

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. 437. Boston and Providence Railroad Corporation Stockholders, appellants, *v.* The New York, New Haven and Hartford Railroad Company, Interstate Commerce Commission and the United States. Appeal from the United States District Court for the Eastern District of Virginia. *Per Curiam*: The motion of Boston and Providence Railroad Corporation Stockholders Committee for leave to intervene or, in the alternative, to file brief as *amicus curiae* is denied. The motions to affirm are granted and the judgment is affirmed.

No. 490. United States of America and Interstate Commerce Commission, appellants, *v.* Watson Bros. Transportation Company, Incorporated. Appeal from the United States District Court for the District of Nebraska. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Reed, Mr. Justice Douglas, and Mr. Justice Burton would note probable jurisdiction.

No. 501. Cammie B. Holman, appellant, *v.* Guerdon M. Matthews, Commissioner of Banks. Appeal from the Supreme Court of Wisconsin; and

No. 516. The First Federal Savings and Loan Association of New Haven, appellant, *v.* William F. Connelly, Tax Commissioner of the State of Connecticut. Appeal from the Supreme Court of Errors of Connecticut. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for want of a substantial federal question.

No. 231, Misc. Charles Larsen, appellant, *v.* People of the State of California. Appeal from the Supreme Court of California;

No. 290, Misc. Bernard M. Shotkin, appellant, *v.* Trustees of the Internal Improvement Fund of Florida, etc. Appeal from the Supreme Court of Florida; and

No. 309, Misc. William H. Fuller, Rufus Fuller, and Robert Lee Hood, appellants, *v.* Charlie Mullins. Appeal from the Supreme Court of Texas. *Per Curiam*: The appeals in these cases are dismissed.

No. 457. B. B. Carter, petitioner, United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certio-

rari is granted. On consideration of the entire record and confession of error by the Solicitor General of the United States the judgment of the Court of Appeals is vacated and the case is remanded to the District Court.

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No. 491. United States of America, appellant, *v.* Interstate Commerce Commission and United States of America. Appeal from the United States Court of Appeals for the District of Columbia Circuit. In this case probable jurisdiction is noted.

No. 507. Lee Walker, appellant, *v.* City of Hutchinson, Reno County, Kansas, a Municipal Corporation, et al. Appeal from the Supreme Court of Kansas. In this case probable jurisdiction is noted and the case is transferred to the summary calendar.

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No. 503. Cecil Reginald Jay, petitioner, *v.* John P. Boyd, District Director, Immigration and Naturalization Service. Motion to dispense with printing of the petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 523. Joan Greenway Collins, Widow, et al., petitioners, *v.* American Buslines, Inc., Respondent Employer, et al. Petition for writ of certiorari to the Supreme Court of Arizona granted.

No. 529. Marie DeSylva, petitioner, *v.* Marie Ballentine, as Guardian of the Estate of Stephen William Ballentine. Motions for leave to file briefs of Music Publishers' Protective Association, Inc.; American Society of Composers, Authors and Publishers; Songwriters' Protective Association; and Motion Picture Association of America, Inc., as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

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No. 134. Clark Squire, Collector of Internal Revenue for the District of Washington, petitioner, *v.* Horton Capoeman and Emma Capoeman, his wife. Motion for leave to file brief of George H. Brasier, as *amicus curiae*, denied.

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No. 374. Tommy Lee Walker, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 456. Laskey Bros. of West Virginia, Incorporated, et al., petitioners, *v.* Warner Bros. Pictures, Incorporated (in Dissolution) et al.; and

No. 512. Paramount Film Distributing Corporation et al., petitioners, *v.* Austin Theatre, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 478. National Aluminate Corporation, petitioner, *v.* Hall Laboratories, Incorporated, et al.; and

No. 508. Hall Laboratories, Incorporated, et al., petitioners, *v.* National Aluminate Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 497. Hans Zimmerman, petitioner, *v.* Delos C. Emmons. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 502. Omri E. Daniels, Jr., Barge Hiskey and Bentley M. McMullin, petitioners, *v.* C. Sewell Thomas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 505. Joel A. Maloy, petitioner, *v.* City of Mulberry, a Municipal Corporation. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 506. Gulf, Mobile and Ohio Railroad Company, petitioner, *v.* Illinois Central Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 514. E-I-M Company, petitioner, *v.* Philadelphia Gear Works, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 515. Alfred Lee Weinberg and Morgan Bird, Sr., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 518. Helen M. Kiefer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 519. William G. Meagher and Industrial Development, petitioners, *v.* Eastern Iron and Metal Company, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 520. Julian Lentin, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 521. Brown Land and Royalty Company, petitioner, *v.* Frances Clark Green et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 522. Julius Bascom McBride, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 524. May Terry, petitioner, *v.* Keith L. Seegmiller. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 526. Sam D. Rawson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 527. Estate of Henry M. Marks, Thomas M. Wade, Jr., et al., petitioners, *v.* R. D. Mackintosh et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 528. Frederick P. Wall, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 531. John R. Cranor, Superintendent of the Washington State Penitentiary at Walla Walla, Washington, petitioner, *v.* Albert Gonzales. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 532. Margot von Opel, as Receiver and Sequestrator of the Property of Fritz von Opel, petitioner, *v.* Uebersee Finanz-Korporation, A. G., Liestal, Switzerland, et al. Petition for writ of certiorari to the United States 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. 534. Ira Coleman Roberts, Billy O'Neil Hughes, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 536. Lady Nelson, Ltd., and Canadian National (West Indies) Steamships, Ltd., petitioners, *v.* Creole Petroleum Corporation and Barge 75-8. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 540. Adele Weiss, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 541. Brockman Building Corporation, Inc., a Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 542. Joseph A. Baxter, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 546. Mario Mercado e Hijos, petitioner, *v.* Manuel Francisco Lluberias Pasarell et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 549. Caroline McDonald Wismiller, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 472. Productive Inventions Incorporated, a Corporation, petitioner, *v.* Trico Products Corporation, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 500. Societe Internationale Pour Participations Industrielles et Commerciales, S. A., etc., petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, as Successor to the Alien Property Custodian, et al. Petition for writ of certiorari to the United States 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. 513. United States of America, ex rel. Justin K. McCarthy, petitioner, *v.* Harold H. Cook, Lt. Col., U. S. A., Commanding Officer, United States Air Force, etc., et al. The motion to substitute Wilber M. Brucker, present Secretary of the United States Army, as a party respondent in the place and stead of Robert T. Stevens, resigned, is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 538. Glenn L. Martin Company, petitioner, *v.* Northwest Airlines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Black and Mr. Justice Douglas would grant the petition for certiorari. Mr. Justice Burton took no part in the consideration or decision of this application.

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No. 60. Louis Berra, petitioner, *v.* United States of America;

No. 112. Amos Reece, petitioner, *v.* State of Georgia;

No. 165. Evelyn Leadman, petitioner, *v.* The Greyhound Corporation;

No. 348. David Rines, Individually and as Administrator of Estate of Lucy L. Rines, appellant, *v.* The Honorable Justices of the Superior Court of the Commonwealth of Massachusetts, et al.;

No. 385. Dunn Bros., Incorporated, appellant, *v.* A. H. Stone, Chairman, State Tax Commission, etc.;

No. 390. John Syres, Louis J. Warrick and Local 254, Oil Workers International Union, C. I. O., petitioners, *v.* Oil Workers International Union, Local #23, et al.;

No. 400. The Atchison, Topeka and Santa Fe Railway Company et al., appellants, *v.* United States of America et al.;

No. 409. W. H. Wilson, Executor of the Estate of Birdine Fletcher, Deceased, and Sisters of St. Francis, a Corporation, petitioners, *v.* A. J. Simler;

No. 415. C. E. Owens, Mrs. C. E. Owens, O. O. Owens and Nabob Oil Company, appellants, *v.* Oklahoma Turnpike Authority;

No. 431. Irving E. Morris, petitioner, *v.* United States of America ;  
No. 436. Raymond G. Cahill, petitioner, *v.* The New York, New Haven and Hartford Railroad Company ;

No. 466. George H. Brasier, petitioner, *v.* United States of America, H. V. Higley, Administrator of Veteran Affairs, etc., et al. ; and

No. 249, Misc. Grayce Golding, petitioner, *v.* Sinclair Weeks, Secretary of Commerce. Petitions for rehearing denied.

No. 257. Southern Pacific Company, petitioner, *v.* Charles M. Gileo et al. ; and

No. 345. Randall Sterling, petitioner, *v.* Local 438, Liberty Association of Steam and Power Pipe Fitters and Helpers Association, etc., et al. Motions for leave to file petitions for rehearing denied.

No. 20. Corn Products Refining Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this petition.

No. 474. Winston M. Reynolds, petitioner, *v.* United States of America. The application for a stay referred to the entire Court by Mr. Justice Black is denied. The petition for rehearing is also denied.

No. 31, Misc. Clifford Bramble, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this petition.

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No. 16, Misc. John Tipton and Jeanette Marie Tipton, petitioners, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Third District, denied.

No. 45, Misc. Ernest Herring, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 101, Misc. Herman Devorse, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 104, Misc. Wyman Graeber and Bluford McDonald, petitioners, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 106, Misc. Gordon Schindler, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 115, Misc. Luther L. Anderson, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 136, Misc. Lonnie Brinkley, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 144, Misc. Lawrence Carrado, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 157, Misc. Sebastian John Intersimone, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 181, Misc. William A. Neigut, petitioner, *v.* Hon. J. O. Kearney, Warden, Federal Correctional Institution, Texarkana, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 211, Misc. Robert E. Lipscomb, petitioner, *v.* Paul J. Madigan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 213, Misc. United States of America *ex rel.* Donald H. Lilyroth, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 227, Misc. Billy G. Woody, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 237, Misc. Judith Morgan, petitioner, *v.* The City of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 260, Misc. Howard Dale Foston, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 264, Misc. Joe Hendrex, petitioner, *v.* The State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 285, Misc. John G. O'Brien, petitioner, *v.* State of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 287, Misc. Wilmer J. O'Brien, petitioner, *v.* Hurley. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 291, Misc. Mike Riola, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 292, Misc. Edward Satchell, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 296, Misc. Philip Scasserra, petitioner, *v.* Captain James F. Maroney, Acting Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 298, Misc. Devandlis Wiggins, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 302, Misc. Lewis M. Meek, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 305, Misc. Clarence Mahurin, petitioner, *v.* The State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 306, Misc. Elmo Horton, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 308, Misc. Everett Rheim, petitioner, *v.* Robert E. Murphy, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 310, Misc. Montgomery Wright, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Circuit Court of St. Joseph County, Indiana, denied.

No. 314, Misc. Charles N. Lambert, petitioner, *v.* Lawrence Delmore, Jr., Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 316, Misc. Anthony Baerchus, petitioner, *v.* Charles G. Day, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 318, Misc. Vincent Joseph Lamb, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 319, Misc. United States of America, ex rel. Arlington Helinger, petitioner, *v.* C. G. Day, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 322, Misc. James I. Caviness, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 323, Misc. Raymond E. Tilghman, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 325, Misc. Leslie Holloway, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 326, Misc. United States of America, ex rel. Sidney L. Cundiff, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 331, Misc. People of the State of Illinois, ex rel. Philip J. Petress, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 332, Misc. William H. Jackson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 333, Misc. Lawrence J. Johnson, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 347, Misc. Johnnie Diamond, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 348, Misc. Clarence Mahurin, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Prison and State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 349, Misc. Eugene Wright, petitioner, *v.* Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 350, Misc. James M. Hackett, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 354, Misc. Johnnie Diamond, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

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No. 133, Misc. Ex parte Robert E. Lipscomb, petitioner;

No. 168, Misc. Ex parte Joe Doyle Banning, petitioner;

No. 179, Misc. Charles Skinner, petitioner, *v.* The People of the State of Illinois;

No. 196, Misc. In re Harry Dwight Smith, petitioner;

No. 299, Misc. James Colemon, petitioner, *v.* Joseph E. Ragen, Warden;

No. 320, Misc. The United States of America, ex rel. Benjamin F. Berry, petitioner, *v.* Walter B. Martin, Warden;

No. 321, Misc. United States of America, ex rel. Homer Thomas, petitioner, *v.* Commonwealth of Pennsylvania and Frank C. Johnston, Warden;

No. 327, Misc. Gordon A. Shepherd, petitioner, *v.* Herbert A. Brownell, Jr., Attorney General;

No. 340, Misc. Noah Hamilton Elkins, Jr., petitioner, *v.* E. B. Swope, Warden, New Mexico State Penitentiary; and

No. 343, Misc. John W. McGuinn, petitioner, *v.* P. F. Pagelow, Superintendent, District of Columbia Reformatory, et al. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 337, Misc. William P. Martin, petitioner, *v.* United States of America; and

No. 338, Misc. Clemmy Davis, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of habeas corpus and certiorari denied.

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No. 149, Misc. Frederick Griffin, Sr., petitioner, *v.* U. S. District Court for the Southern District of Texas, et al.;

No. 289, Misc. James M. Smith, petitioner, *v.* Leo A. Rover, Esquire, United States Attorney;

No. 335, Misc. Truman McDowell, Jr., petitioner, *v.* Henry N. Graven, Judge of U. S. District Court for Northern District of Iowa and United States of America; and

No. 369, Misc. John E. Welch, petitioner, *v.* Criminal District Court of Reeves County, Texas, Pecos, Texas. Motions for leave to file petitions for writs of mandamus denied.

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No. 300, Misc. Clarence Mahurin, petitioner, *v.* Ralph N. Eidson, Warden; and

No. 334, Misc. Filadelfio Jose Alcorta Lopez, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of certiorari denied.

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No. 324, Misc. Joseph Uttal, petitioner, *v.* Dr. Leo P. O'Donnell, Director of Harlem Valley State Hospital. Application denied.

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#### ORDER

The Court will take a recess from today until Monday, January 16, next.

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Adjourned until Monday, January 16, next, at 12, o'clock.

The day call for Monday, January 16, will be as follows: Nos. 66, 72, and 79.

MONDAY, JANUARY 16, 1956

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Genoa S. Washington, of Chicago, Ill., Archibald J. Carey, Jr., of Chicago, Ill., Malcolm Irving Berman, of Houlton, Maine, and Dayton Wendell Countryman, of Nevada, Iowa, on motion of Mr. Solicitor General Simon E. Sobeloff; Maurice Rosenfield, of Chicago, Ill., on motion of Mr. Philip B. Kurland; Walter R. Gambill, of Richmond, Va., William Henry Martin, Jr., of Richmond, Va., and James Madison Minor, Jr., of Richmond, Va., on motion of Mr. J. Vaughan Gary; Charles Augustine Case, Jr., of Abilene, Kans., on motion of Mr. Edward Herbert Rees; Floyd M. Sprague, of St. Joseph, Mo., on motion of Mr. E. Fontaine Broun; Mark Hopkins Clayton, of Glenview, Ill., on motion of Mr. Charles L. Sturtevant; Burke Marshall, of Washington, D. C., on motion of Mr. Charles F. Barber; Charles V. Wehner, of Kingwood, W. Va., on motion of Mr. Walter Biddle Saul; Lewis Wardlaw Perrin, Jr., of Spartanburg, S. C., and Edward Patterson Perrin, of Spartanburg, S. C., on motion of Mr. Fleming B. Bomar; A. Phillip Burton, of San Francisco, Calif., on motion of Mr. Brice Wilson Rhyne; James B. Hovis, of Yakima, Wash., on motion of Mr. Paul M. Niebell; Fred B. Smith, of Ripley, Miss., on motion of Mr. Jamie L. Whitten; Harlan Wayne Martin, of Jackson, Tenn., on motion of Mr. Albert Dudley McCollum; Henry W. Howard, of San Francisco, Calif., and Woollen H. Walshe, of New Orleans, La., on motion of Mr. Hugh C. Fullerton; John K. Skaggs, Jr., of Louisville, Ky., on motion of Mr. Mac Asbill; Dwight Eugene Ogier, of Jacksonville, Fla., on motion of Mr. Fred Stewart Gilbert, Jr.; Harold Orlo Payne, of Needles, Calif., on motion of Mr. Robert M. Vaughan; Andrew J. Meara, of Passaic, N. J., Irving Gross, of Newark, N. J., Sidney Birnbaum, of Hillside, N. J., William Gural, of Hillside, N. J., Inez M. Stanziale, of Newark, N. J., Harry Silverstein, of Millburn, N. J., Bernard Salbin, of Newark, N. J., Thomas C. D'Avella, of Newark, N. J., Salvatore Muscato, of Irvington, N. J., William R. Ferlanti, of Montclair, N. J., Michael J. O'Connor, Jr., of Newark, N. J., Philip E. Gordon, of Newark, N. J., G. George Addonizio, of Newark, N. J., Neil G. Duffy, of South

Orange, N. J., Joseph W. Jantausch, of Short Hills, N. J., Milton C. Yarrow, of Newark, N. J., Achilles J. Grassano, of Newark, N. J., William J. Tamburri, of Newark, N. J., V. William Di Buono, of Newark, N. J., and Seymour B. Jacobs, of Newark, N. J., on motion of Mr. Aristo Dallavalle; Richard H. Ward, of Cincinnati, Ohio, Joshua M. Fiero III, of Yonkers, N. Y., Marvin S. Stone, of Bedford Village, N. Y., Franklyn L. Lowenthal, of Yonkers, N. Y., Frank A. Lowry, of Long Beach, Calif., Charles M. Fox, of New York, N. Y., Stanley H. Nason, of New York, N. Y., Maynard F. Amann, of Richmond Hill, N. Y., Gerard G. McTigue, of New York, N. Y., John L. Spalding, of Covington, Ky., Robert C. Porter, of Cincinnati, Ohio, Howard T. Keiser, of Cincinnati, Ohio, Harry Z. Berger, of Seaford, N. Y., Golden R. Bennett, of Placentia, Calif., Morton H. Zucker, of White Plains, N. Y., Warren D. Lauterbach, of Yonkers, N. Y., and Mitchell M. Bailey, of New York, N. Y., on motion of Mr. Reginald Carl Harmon; Edward P. Vignone, of Union City, N. J., Luke F. Binetti, of Fairview, N. J., William J. Bozzuffi, of West New York, N. J., Theodore E. Provost, of Mountain Lakes, N. J., George R. Blaney, of Jersey City, N. J., Benjamin Nessonbaum, of Bayonne, N. J., Philip G. Nessonbaum, of Bayonne, N. J., Lester Miller, of Union City, N. J., Joseph H. Warner, of Newark, N. J., J. Edward Bennett, of Bayonne, N. J., John F. X. Landrigan, of Bayonne, N. J., John J. McCole, of Bayonne, N. J., George B. Kedersha, of West New York, N. J., John Tomasin, of West New York, N. J., Francis Sorin, of Jersey City, N. J., Anthony J. Cioffi, of Jersey City, N. J., Joseph C. Dunn, of Hoboken, N. J., Stephen K. Sullivan, Jr., of Weehawken, N. J., Victor P. Mullica, of Union City, N. J., Edward J. Lynch, of Union City, N. J., Abner A. Farber, of Union City, N. J., Barkave G. Elian, of West New York, N. J., Samuel Schwartz, of Teaneck, N. J., Alfred E. Shultz, of Jersey City, N. J., Antranig Aslanian, of Jersey City, N. J., William Ward Wimmer, of Kearny, N. J., John J. Manley, of Kearny, N. J., Felix Bigotto, of West New York, N. J., John W. Yengo, of Jersey City, N. J., James F. Ryan, of Jersey City, N. J., Alfred J. Napier, of Bayonne, N. J., Edward J. Donohue, Jr., of Jersey City, N. J., Joseph G. Barbieri, of Elizabeth, N. J., Theodore S. Chazin, of Jersey City, N. J., Harry D. Field, of Bayonne, N. J., Harold J. Field, of Bayonne, N. J., Abraham Chazin, of Jersey City, N. J., Herbert J. Shulman, of Bayonne, N. J., Nicholas A. Panepinto, of Bayonne, N. J., Charles N. Kors, of Jersey City, N. J., Jack Feinberg, of Bayonne, N. J., Arthur L. McHale, of North Bergen, N. J., Thomas F. Norton, of North Bergen, N. J., James V. Convery, of Paterson, N. J., Dominic J. Hart, of Jersey City, N. J., Herman Willner, of Jersey City, N. J., Frederick E. Riethmuller, of Jersey City, N. J., Louis K. Wilder, of Jersey City, N. J., George Clott, of Jersey City, N. J.,

Saul Mendelson, of Jersey City, N. J., Anthony P. Peduto, of Jersey City, N. J., John V. Behrmann, of Jersey City, N. J., Michael R. Perrella, of Bayonne, N. J., Vincent T. Dee, of Bayonne, N. J., Joseph V. Riggio, of Bayonne, N. J., Edward F. Zampella, of Jersey City, N. J., Quentin J. De Fazio, of New York, N. Y., Charles De Fazio, Jr., of Hoboken, N. J., and M. Edward De Fazio, of Hoboken, N. J., on motion of Mr. T. James Tumulty, were admitted to practice.

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No. 49. Norman C. Bernhardt, petitioner, *v.* Polygraphic Company of America, Inc. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of the Court of Appeals reversed with costs and case remanded to the United States District Court for the District of Vermont for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Burton.

No. 30. Dantan George Rea, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment reversed and case remanded to the United States District Court for the District of New Mexico for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan in which Mr. Justice Reed, Mr. Justice Burton, and Mr. Justice Minton join.

No. 35. United States of America, petitioner, *v.* Abraham Minker. On writ of certiorari to the United States Court of Appeals for the Third Circuit; and

No. 47. Salvatore Falcone and Joseph Falcone, petitioners, *v.* Harold E. Barnes, Officer in Charge of Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of the Court of Appeals in No. 35 affirmed and case remanded to the United States District Court for the Eastern District of Pennsylvania. Judgments of Court of Appeals in No. 47 reversed and case remanded to the United States District Court for the Northern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Douglas.

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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. 504. State Farm Mutual Automobile Insurance Company, a Corporation, petitioner, *v.* Audra H. Palmer. 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. *Hoiness v. United States*, 335 U. S. 297; *United States v. Ellicott*, 223 U. S. 524.

No. 525. Alfred J. Baudhuin, appellant, *v.* State of Wisconsin, ex rel. James R. Mattison. Appeal from the Supreme Court of Wisconsin. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 28, Misc. Albert R. House, petitioner, *v.* Edwin L. Swope, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Appeals for consideration in light of new information.

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No. 460. Earl P. Greenwood, petitioner, *v.* United States of America. It is ordered that William J. Burrell, Esquire, of Kansas City, Missouri, be appointed to serve as counsel for the petitioner in this case.

No. 13, Original. State of Wisconsin, plaintiff, *v.* State of Tennessee. This case is set for hearing during the week of January 23d on the motion for leave to file the complaint. The case is placed on the summary calendar.

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No. 485. United States Gypsum Company, appellant, *v.* National Gypsum Company et al. Appeal from the United States District Court for the District of Columbia. In this case probable jurisdiction is noted. Mr. Justice Clark took no part in the consideration or decision of this question.

No. 547. Oleta O'Connor Yates, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case assigned for hearing immediately following Nos. 308, 309, and 310.

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No. 533. The Western Union Telegraph Company, petitioner, *v.* Bertha Kaufman. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 535. United States of America, petitioner, *v.* Frank Luther, Trustee of the Garden Grain and Seed Co., Inc., Bankrupt. Petition

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

No. 539. Charles M. Weber, Individually, Doing Business Under the Firm Name and Style of Weber-Millican & Company, petitioner, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 544. A. J. Jackson, as Trustee in Bankruptcy of Dale R. Peterson & Co., Inc., petitioner, *v.* E. Fermin Flohr et al., d/b/a Flohr & Co., Metal Fabricators. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 551. Wells Fargo Bank & Union Trust Company, as Executor of the Estate of Ivey L. Borden, Deceased, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 552. R. A. Haberman, Jr., Independent Executor of the Estate of Elizabeth H. Gravis, Deceased, petitioner, *v.* The Equitable Life Assurance Society of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 554. Bernard Bloch, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 561. National Airlines, Inc., a Corporation, petitioner, *v.* Civil Aeronautics Board, Eastern Air Lines, Inc., and Colonial Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 571. Ona C. Keiper, as Administratrix of the Estate of Ralph J. Keiper, Deceased, petitioner, *v.* Northwestern Pacific Railroad Company, a Corporation. Petition for writ of certiorari to the District Court of Appeal of California, Third Appellate District, denied.

No. 576. Gilbert P. Simons, as Executor of the Last Will and Testament of Kate R. Simons, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 577. Ellis Walker Howard and Ellen Newman Howard, petitioners *v.* Mildred Drain Wheeler and R. H. Wheeler. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

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No. 138, Misc. John D. Hines and James Warren Thompson, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 146, Misc. T. W. Wade and Jerry Wade, by next friend Juanita Wade, petitioners, *v.* Conasauga River Lumber Co. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 160, Misc. Robert E. Carter, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 172, Misc. Donald Bowman, petitioner, *v.* R. W. Alvis, Warden of Ohio State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 225, Misc. John March, 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, Second Judicial Department, denied.

No. 261, Misc. Leonardo Salemi, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 297, Misc. Michael Timothy Cavanaugh, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 328, Misc. Aubry Williams, petitioner, *v.* State of Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 330, Misc. Arthur Thomas, petitioner, *v.* State of Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 341, Misc. I. H. Spears, petitioner, *v.* Transcontinental Bus System, Inc., a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 345, Misc. People of the State of Illinois, ex rel. Alonzo Smith, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 351, Misc. Joseph Mullins, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 353, Misc. Andrew Jackson, petitioner, *v.* The New York State Parole Board and the Superintendent of Great Meadow Correctional Institution. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 355, Misc. Edward Clute, petitioner, *v.* State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 356, Misc. Thaddius Farnham, petitioner, *v.* William H. Bannan, Warden of Michigan Southern State Prison. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 357, Misc. Louis S. Horn, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 359, Misc. Edwin T. Gwyther, petitioner, *v.* Harold E. Talbott, Secretary of the Air Force, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 360, Misc. Edward Bukorsky, petitioner, *v.* E. J. Uffelman, Superintendent, Illinois Security Hospital, Menard, Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 362, Misc. Earl L. Jordan, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the County Court of Wyoming County, New York, denied.

No. 395, Misc. Fred A. Estep, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

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No. 303, Misc. George McGahan, petitioner, *v.* R. W. Alvis, Warden, Ohio Penitentiary. Motion for leave to file petition for writ of certiorari and habeas corpus denied.

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No. 304, Misc. Eugene Tramaglino, petitioner, *v.* The Attorney General of the United States et al.;

No. 358, Misc. Willard M. Robinson, petitioner, *v.* United States of America; and

No. 367, Misc. Paul F. Grimm, petitioner, *v.* People of the State of Washington. Motions for leave to file petitions for writs of mandamus denied.

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No. 315, Misc. E. Haydon Bozell, petitioner, *v.* Henry M. Lindsay et al. Motion for leave to file petition for writ of injunction or mandamus denied.

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No. 317, Misc. Allen Eason, petitioner, *v.* O. B. Ellis, General Manager, State Penitentiary of Texas;

No. 364, Misc. Linton Alvin, petitioner, *v.* William H. Bannan, Warden, State Prison of Southern Michigan; and

No. 373, Misc. James Francis Hill, petitioner, *v.* United States of America et al. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 339, Misc. William E. Howell, petitioner, *v.* United States of America. Motion for leave to file petition for writ of coram nobis denied.

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No. 346, Misc. Thomas C. Queen, petitioner, *v.* United States District Court for the Western District of Tennessee; and

No. 361, Misc. In the Matter of Ivan Guy De Merit. Applications denied.

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No. 66. Riverbank Laboratories, a Corporation, petitioner, *v.* Hardwood Products Corporation. Argued by Mr. Maurice Rosenfield for the petitioner and by Mr. David A. Fox for the respondent.

No. 72. Frank Costello, petitioner, *v.* United States of America. Argument commenced by Mr. Osmond K. Fraenkel for the petitioner, continued by Mr. Marvin E. Frankel for the respondent and continued by Mr. Morris Shilensky for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 17, will be as follows: Nos. 72, 79, 82, and 156.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Robert L. Randall, of Washington, D. C., James O. Moore, Jr., of Buffalo, N. Y., and Sidney Kelly, Jr., of Albany, N. Y., on motion of Mr. John Lord O'Brian; Paul M. Lipkin, of Norfolk, Va., and Samuel Goldblatt, of Norfolk, Va., on motion of Mr. Samuel F. Beach; William Crosby Pegues, Jr., of Baton Rouge, La., on motion of Mr. Mason Mahin; Leon Singer, of New York, N. Y., on motion of Mr. John A. Selby; Frederic P. Houston, of New York, N. Y., on motion of Mr. Aaron Rosen; William P. Cooper, Jr., of Los Angeles, Calif., and Truman M. Hobbs, of Montgomery, Ala., on motion of Mr. Mac Asbill, Jr.; Herbert G. Homme, Jr., of Grafton, N. Dak., on motion of Mr. Joseph H. Lesh; and Louis J. Weinschenker, of Harriman, N. Y., on motion of Mr. Max Goldweber, were admitted to practice.

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No. 72. Frank Costello, petitioner, *v.* United States of America. Argument concluded by Mr. Morris Shilensky for the petitioner.

No. 79. National Labor Relations Board, petitioner, *v.* Coca-Cola Bottling Co. of Louisville, Inc. Argued by Mr. David P. Findling for the petitioner, by Mr. Arthur J. Goldberg for the American Federation of Labor and Congress of Industrial Organizations, as *amicus curiae*, with the consent of petitioner, and by Mr. John K. Skaggs, Jr., for the respondent.

No. 82. International Harvester Credit Corporation et al., appellants, *v.* Allen J. Goodrich et al., Constituting the State Tax Commission of the State of New York. Argument commenced by Mr. John Lord O'Brian for the appellant and continued by Mr. James O. Moore, Jr., for the appellees.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 18, will be as follows: Nos. 82, 156, 170, and 150.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Herman G. Nami, of San Antonio, Tex., on motion of Mr. Paul J. Kilday; James C. Rogers, of Lakeland, Fla., on motion of Mr. Brice Wilson Rhyne; Charles Fairman, of Cambridge, Mass., on motion of Mr. Archibald King; John Lawrence Kelly, of New York, N. Y., on motion of Mr. Peter W. Rodino, Jr.; Malcolm Miller, of Wichita, Kans., and Carl T. Smith, of Wichita, Kans., on motion of Mr. Andrew F. Schoepel; Bernard T. Levin, of Washington, D. C., and Charles Jay Pilzer, of Washington, D. C., on motion of Mr. Lewis Jacobs; Jack J. Kraizman, of Detroit, Mich., and Allen H. Dropkin, of Chicago, Ill., on motion of Mr. John R. Benney; Bryant H. Croft, of Salt Lake City, Utah, on motion of Mr. John W. Cragun; Jules Fink, of Washington, D. C., on motion of Mr. Fred I. Simon; and William R. Kearney, of Detroit, Mich., and Edwin Collier, of Silver Spring, Md., on motion of Mr. Samuel J. L'Hommedieu, Jr., were admitted to practice.

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No. 82. International Harvester Credit Corporation et al., appellants *v.* Allen J. Goodrich et al., Constituting the State Tax Commission of the State of New York. Argument continued by Mr. James O. Moore, Jr., for the appellees and concluded by Mr. John Lord O'Brian for the appellants.

No. 156. Elmer F. Remmer, petitioner, *v.* United States of America. Argued by Mr. Leslie C. Gillen for the petitioner and by Mr. John R. Benney for the respondent.

No. 170. General Stores Corporation, petitioner, *v.* Max Shlensky, Securities and Exchange Commission, Creditors Committee and Wage Claimants. Argued by Mr. Aaron Rosen and Mr. Frederic P. Houston for the petitioner, by Mr. Max Goldweber for the respondent, Wage Claimants, by Mr. Leon Singer for the respondent, Creditors Committee, by Mr. William H. Timbers for the respondent, Securities and Exchange Commission, and by Mr. A. Alan Reich for the respondent Shlensky.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 19, will be as follows: Nos. 150, 134, and 281.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Donald Eugene Lasater, of St. Louis, Mo., on motion of Mr. Edward W. Garnholz; Carroll W. Hayes, of New York, N. Y., on motion of Mr. Albert L. Vreeland; Seymour Morton Waldman, of New York, N. Y., and Martin Markson, of New York, N. Y., on motion of Mr. Louis Waldman; Earl P. Staten, of Salt Lake City, Utah, on motion of Mr. John W. Cragun; Alexander George Hardy, of Wayland, Mass., on motion of Mr. Richard A. Fitzgerald; and J. Robert McClure, of Tallahassee, Fla., on motion of Mr. Richard W. Ervin, were admitted to practice.

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No. 150. W. A. Shields, petitioner, *v.* Atlantic Coast Line Railroad Company. Argued by Mr. Truman M. Hobbs for the petitioner and by Mr. Norman C. Shepard for the respondent.

No. 134. Clark Squire, Collector of Internal Revenue for the District of Washington, petitioner, *v.* Horton Capoeman and Emma Capoeman, his wife. Argued by Mr. Charles F. Barber for the petitioner and Mr. John W. Cragun for the respondents.

No. 281. United States of America, petitioner, *v.* Joseph P. Ryan. Argued by Mr. Oscar H. Davis for the petitioner and by Mr. Louis Waldman for the respondent.

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Adjourned until Monday, January 23, next, at 12 o'clock.

The day call for Monday, January 23, will be as follows: Nos: 13 Orig., 227, 286, and 287.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Ethel P. Kanov, of Jersey City, N. J., Leon M. Rosen, of Jersey City, N. J., Morris M. Gitman, of Dayton, Ohio, and Herbert C. Hardy, of Portland, Oreg., on motion of Mr. Solicitor General Simon E. Sobeloff; Harold Kolovsky, of North Bergen, N. J., on motion of Mr. Donald O. Lincoln; Richard C. Keenan, of New Orleans, La., on motion of Mr. John L. Pitts; John Larkins, Jr., of Trenton, N. C., on motion of Mr. Hugh Q. Alexander; Joseph T. Sneed, of Austin, Tex., on motion of Mr. Gray Thoron; Horace B. Van Valkenburgh, of Denver, Colo., on motion of Mr. Gordon L. Allott; William S. Fulton, Jr., of Albuquerque, N. Mex., on motion of Mrs. Beatrice Dailey Offutt; William Louis Beecher, of Waterloo, Iowa, on motion of Mr. Harry M. Reed; Lorne Dale MacIver, of Duluth, Minn., on motion of Mr. Miles Lord; John E. Bowler, of Valley Stream, N. Y., on motion of Mr. Cyril Francis Brickfield; Arthur H. Von Thaden, of Short Hills, N. J., on motion of Mr. Guilford Stanley Jameson; Irving Abramson, of New York, N. Y., on motion of Mr. David E. Feller; George W. Sullivan, of New York, N. Y., on motion of Mr. Donald Cefaratti, Jr.; Robert J. Patch, of Washington, D. C., on motion of Mr. Townsend F. Beaman; Angus N. MacLeod, of Charlotte, Mich., on motion of Miss Mary Di Dio; W. Virgil Bean, of San Francisco, Calif., on motion of Mr. Harry R. Horrow; Waldemar J. Lach, of Newington, Conn., James D. Mirabile, of East Hartford, Conn., Peter C. Pietrucha, of Newark, N. J., Peter W. Mitchell, of Caldwell, N. J., John K. Best, of Glen Head, N. Y., Hulet C. Hornbeck, of Madison, N. J., Joseph V. Impara, of Garden City, N. Y., Harold Smith Haller, of Saltsburg, Pa., Ralph Dyer McKee, Jr., of Pittsburgh, Pa., and Davis G. Yohe, of Monongahela, Pa., on motion of Mr. Reginald Carl Harmon; James M. Glasgow, of Dresden, Tenn., on motion of Mr. Knox Bigham; and Vernon W. Thomson, of Richland Center, Wis., and Roy G. Tulane, of Madison, Wis., on motion of Mr. Stewart G. Honeck, were admitted to practice.

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No. 21. United States of America, petitioner, *v.* Twin City Power Company and William P. Dauchy, its Mortgagee. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

Judgments reversed and case remanded to the United States District Court for the Western District of South Carolina for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Frankfurter, Mr. Justice Minton, and Mr. Justice Harlan join.

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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. 100. Jack Lansky and Sylvia Shandloff, petitioners, *v.* Joseph Savoretti, District Director of the United States Immigration and Naturalization Service, Miami, Florida. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *United States v. Minker*, No. 35, October Term, 1955, decided January 16, 1956.

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No. 555. Robert V. H. Sugden and Jean S. Sugden, his wife, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 553. The United States, petitioner, *v.* Alfred C. Bergh et al. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary calendar.

No. 559. The United States, petitioner, *v.* The Western Pacific Railroad Company et al. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary calendar.

No. 560. United States of America, petitioner, *v.* The Chesapeake & Ohio Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case transferred to the summary calendar.

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No. 322. Frances Vivian, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 563. Simon J. Nash, Individually, etc., petitioner, *v.* Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 537. Claude E. Spriggs, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of

Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 550. James Arena, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. The Chief Justice took no part in the consideration or decision of this application.

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No. 10, Original. State of Arizona, plaintiff, *v.* State of California et al. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 484. Vaughn C. Payne, Sr., Individually, et al., petitioners, *v.* Gus F. Koehler, District Director of Internal Revenue. Motion for leave to file petition for rehearing denied.

No. 32. John Michel, petitioner, *v.* State of Louisiana;

No. 36. Clifton Alton Poret and Edgar Labat, petitioners, *v.* State of Louisiana;

No. 379. Bausch and Lomb Optical Company, petitioner, *v.* Dean A. Lyon;

No. 393. Bennie Lazarov, Jacob Carl Epstein, petitioners, *v.* United States of America;

No. 458. Dr. Henry L. Peckham, Jr., petitioner, *v.* United States of America;

No. 461. Drawdy Investment Company, a Corporation, appellant, *v.* William J. Leonard and Mildred Leonard, his wife; and

No. 282, Misc. Francisco Cepero, petitioner, *v.* Pan American Airways, Inc. Petitions for rehearing denied.

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No. 377, Misc. Carl E. Owens, petitioner, *v.* Edwin B. Swope, Irwin Moise, Wayne Collins, et al. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 383, Misc. Jack Middleton, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 394, Misc. Lloyd Thompson, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 398, Misc. Robert Manaro, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 401, Misc. Gene R. Richardson, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 406, Misc. George Kirk, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

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No. 387, Misc. George Hice, petitioner, *v.* Frank C. Johnston, Warden, Western State Penitentiary; and

No. 393, Misc. Jose D. Castellanos, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of certiorari denied.

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No. 404, Misc. George T. Jordan, petitioner, *v.* Paul F. Pegelow, Superintendent, District of Columbia Reformatory. Motion for leave to file petition for writs of mandamus and prohibition denied.

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ORDER

The Court will take a recess from Monday, January 30, until Monday, February 27, next.

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No. 13, Original. State of Wisconsin, plaintiff, *v.* State of Tennessee. Argued on the motion for leave to file complaint by Mr. Vernon W. Thomson for the plaintiff and by Mr. Knox Bigham for the defendant. Supplemental memoranda to come by Thursday.

No. 227. United Mine Workers of America et al., petitioners, *v.* Arkansas Oak Flooring Company. Argued by Mr. Crampton Harris for the petitioners and by Mr. John L. Pitts for the respondent.

No. 286. Commissioner of Internal Revenue, petitioner, *v.* Southwest Exploration Company, a Corporation. Argument commenced by Mr. Hilbert P. Zarky for the petitioner and continued by Mr. Melvin D. Wilson for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 24, will be as follows: Nos. 286, 287, 105, 110, and 213.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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William J. Burrell, of Kansas City, Mo., on motion of Mr. Monte Appel; Vincent J. Convery, of Trenton, N. J., and Frank Thompson, Jr., of Trenton, N. J., on motion of Mr. Peter W. Rodino, Jr.; Andrew K. Forthmann, of Los Angeles, Calif., on motion of Mr. William P. McClure; Basil R. Pollitt, of New York, N. Y., on motion of Mr. Daniel Hubbard Pollitt; Ralph Shapiro, of New York, N. Y., on motion of Mr. Charles E. Ford; Joseph P. Murphy, of Washington, D. C., and David Shapiro, of Washington, D. C., on motion of Mr. Samuel M. Greenbaum; Martin E. Field, of San Francisco, Calif., on motion of Mr. E. K. Gubin; Sarino R. Costanzo, of Miami, Fla., on motion of Mr. Allan Y. Cole; Will O. Murrell, Jr., of Orlando, Fla., on motion of Mr. Eliot C. Lovett; Guy Farmer, of Washington, D. C., and William P. Nottingham, of Washington, D. C., on motion of Mr. I. Martin Leavitt; Julius Kwalick, of Elizabeth, N. J., Edward Cohn, of Elizabeth, N. J., Albert L. Kessler, of Elizabeth, N. J., Harry J. Weiner, of Elizabeth, N. J., Kenneth C. Hand, of Elizabeth, N. J., Jacob Pfeferstein, of Elizabeth, N. J., and Matthew Grayson, of Elizabeth, N. J., on motion of Mr. Donald H. McLean; and Seymour M. Chase, of Washington, D. C., on motion of Mr. Paul M. Segal, were admitted to practice.

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No. 286. Commissioner of Internal Revenue, petitioner, *v.* South-west Exploration Company, a Corporation. Argument concluded by Mr. Melvin D. Wilson for the respondent.

No. 287. The United States, petitioner, *v.* Huntington Beach Company, a Corporation. Argued by Mr. Hilbert P. Zarky for the petitioner and by Mr. Harry R. Horrow for the respondent.

No. 105. William Thompson, petitioner, *v.* Coastal Oil Company. Argued by Mr. Charles A. Ellis for the petitioner and by Mr. Michael E. Hanrahan for the respondent.

No. 110. Harold I. Cammer, petitioner, *v.* United States of America. Argued by Mr. Charles E. Ford for the petitioner and by Mr. Gray Thoron for the respondent. Memorandum to come from the United States.

No. 213. United States of America, petitioner, *v.* Ettore Zucca, also known as Mario Sarni, also known as Ettore Sarni Zucca. Argument commenced by Mr. J. F. Bishop for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 25, will be as follows: Nos. 213, 460, 250, 251, and 422.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Morris Kanfer, of Washington, D. C., on motion of Mr. Solicitor General Simon E. Sobeloff; Leonard Ziskie, of Hamtramck, Mich., on motion of Mr. Thaddeus M. Machrowicz; Russell Rice, of Jackson, Tenn., on motion of Mr. James B. Frazier, Jr.; William P. Jones, of New York, N. Y., on motion of Mr. John Forrest Floberg; Francis G. Stapleton, of Los Angeles, Calif., on motion of Mr. Linton M. Collins; Howard Kenneth Hutchinson, of Los Angeles, Calif., on motion of Mr. Robert Lee McCarty; John Parker Dowling, of New Orleans, La., on motion of Mr. Donald H. Dalton; Frank J. Wideman, Jr., of West Palm Beach, Fla., on motion of Mr. Paul G. Rogers; David L. Hartigan, of Chicago, Ill., on motion of Mr. Charles A. Boyle; Eugene B. Schwartz, of Cleveland, Ohio, and Vernon Jay Einhart, of Cleveland, Ohio, on motion of Mr. Karl H. Mueller; George A. Purvis, of Indianapolis, Ind., on motion of Mr. David Claudius Murchison; George J. Meiburger, of Washington, D. C., on motion of Mr. Richard J. Connor; Adolph E. Schonberger, of New York, N. Y., on motion of Mr. Stanley Walter Jones; John F. McCanna, of Oak Park, Ill., on motion of Mr. William Wallace Cochran; Charles W. Brown, of Schenectady, N. Y., on motion of Mr. Brice Wilson Rhyne; Edward Silver, of New York, N. Y., on motion of Mr. Howard J. Lichtenstein; Charles Raymond Fowler, of Washington, D. C., on motion of Mr. Roy C. Frank; Robert J. Woolsey, of Tulsa, Okla., on motion of Mr. Samuel Clammer; Howard B. Gliedman, of New York, N. Y., and Alfred P. O'Hara, of Brewster, N. Y., on motion of Mr. Leonard P. Moore, were admitted to practice.

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No. 213. United States of America, petitioner, *v.* Ettore Zucca, also known as Mario Sarni, also known as Ettore Sarni Zucca. Argument continued by Mr. Orrin G. Judd for the respondents and concluded by Mr. J. F. Bishop for the petitioner. Memoranda to come.

No. 460. Earl P. Greenwood, petitioner, *v.* United States of America. Argued by Mr. William J. Burrell for the petitioner and by Mr. Solicitor General Sobeloff for the respondent.

No. 250. National Labor Relations Board, petitioner, *v.* The Babcock and Wilcox Company. Argued by Mr. Dominick L. Manoli for the petitioner and by Mr. O. B. Fisher for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 26, will be as follows: Nos. 251 and 422.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Frank L. Harlor, of Indianapolis, Ind., and Thomas Atherton Hendrickson, of Indianapolis, Ind., on motion of Mr. George A. Purvis; and Frank Jordan, of Chicago, Ill., on motion of Mr. Clarence G. Pechacek, were admitted to practice.

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No. 251. National Labor Relations Board, petitioner, *v.* Seamprufe, Inc. (Holdenville Plant). Argued by Mr. Dominick L. Manoli for the petitioner and by Mr. Karl H. Mueller for the respondent.

No. 422. Ranco, Incorporated, petitioner, *v.* National Labor Relations Board. Argued by Mr. Eugene B. Schwartz for the petitioner and by Mr. Dominick L. Manoli for the respondent.

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Adjourned until Monday, January 30, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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John C. Newell, Jr., of Peoria, Ill., Eugene M. Friedman, of Dover, N. J., and Donald F. Potter, of Rochester, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Christ D. Lillions, of Seattle, Wash., on motion of Mr. Harold Irving Baynton; John M. Lawrence III, of Bryan, Tex., on motion of Mr. Price Daniel; Duncan L. McKay, of Bend, Oreg., on motion of Mr. Walter Norblad; Silas Grady Henry, Jr., of Albuquerque, N. Mex., on motion of Mr. William S. Fulton, Jr.; John F. Ray, Jr., of Cleveland, Ohio, and Francis J. Talty, of Cleveland, Ohio, on motion of Mr. Thomas V. Moore; Carl E. Enggas, of Kansas City, Mo., on motion of Mr. Elton L. Marshall; Gordon Samuelsen, of Madison, Wis., on motion of Mr. Stewart G. Honeck; Rowland B. Porch, of Pitman, N. J., Fred A. Gravino, of Woodbury, N. J., Albert J. Zamal of Woodbury, N. J., Wellford H. Ware, of Woodbury, N. J., and Guy Lee, Jr., of Woodbury, N. J., on motion of Mr. Wadsworth Cresse, Jr.; C. Severin Buschmann, Jr., of Indianapolis, Ind., and George H. Buschmann, of Washington, D. C., on motion of Mr. C. Severin Buschmann; Dawson Taylor, of Detroit, Mich., on motion of Mr. Edward G. Hudon; Lee J. Beaudry, of Tucson, Ariz., on motion of Mr. Arthur A. Steffan; Irving D. Friedman, of New York, N. Y., on motion of Mr. Sol Friedman; Robert J. Spahr, of Chicago, Ill., on motion of Mr. Martin L. Friedman; Frank M. Rosson, of San Antonio, Tex., on motion of Mr. Franz Otto Willenbacher; Ruth Joyce Hens, of Washington, D. C., and Jeanne L. Dobres, of Washington, D. C., on motion of Miss Catherine B. Kelly; Clarence Steele Bowen, of Greenville, S. C., on motion of Mr. Norbert John Heubusch; Thaddeus Buczko, of Salem, Mass., Paul A. Carbone, of Boston, Mass.; Frederick L. Corcoran, Jr., of Arlington, Mass., John F. Dargin, Jr., of Boston, Mass., Lawrence H. Miller, of Cambridge, Mass., John T. Lenahan O'Connell, of Boston, Mass., Emidio Di Loreto, of Winchester, Mass., Samuel Riaf, of Newtonville, Mass., Francis J. Good, of Cambridge, Mass., Carl D. Eisenman, of Bridgeport, Conn., and Manuel S. Lato, of Boston, Mass., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

No. 22. Morris Steiner, Harry Lightman, Mitchell Magid, et al., etc., petitioners, *v.* James P. Mitchell, Secretary of Labor, United States Department of Labor. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed and case remanded to the United States District Court for the Middle District of Tennessee. Opinion by Mr. Chief Justice Warren.

No. 39. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* King Packing Company. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and cause remanded to the United States District Court for the District of Idaho for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

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The Chief Justice announced the following orders of the Court:

No. 13, Original. State of Wisconsin, plaintiff, *v.* State of Tennessee. *Per Curiam*: The motion for leave to file the complaint is denied. Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 105. William Thompson, petitioner, *v.* Coastal Oil Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit. *Per Curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Harlan took no part in the consideration or decision of this case.

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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. 41. United States of America, petitioner, *v.* Virginia Electric and Power Company. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeals for further consideration in the light of *United States v. Twin City Power Company*, No. 21, October Term, 1955, decided January 23, 1956.

No. 209. United States of America, petitioner, *v.* Twin City Power Company of Georgia et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *United States v. Twin City Power Company*, No. 21, October Term, 1955, decided January 23, 1956. Mr. Justice Frankfurter, Mr. Justice Burton, Mr. Justice Minton, and Mr. Justice

Harlan dissent for the reasons stated in Mr. Justice Burton's dissent in Case No. 21, *United States v. Twin City Power Company*, announced January 23, 1956.

No. 494. Charles T. Crowder and George H. Ellis, appellants, *v.* Commonwealth of Virginia, at the relation of the State Corporation Commission. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

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No. 244. Raphael Konigsberg, petitioner, *v.* The State Bar of California and the Committee of Bar Examiners of the State Bar of California. The motion for leave to file brief of National Lawyers Guild et al., as *amici curiae*, is denied.

No. 451. Railway Employes' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. The motions of the State of Texas, the Commonwealth of Virginia, and M. E. Sandsberry, Jr., et al., for leave to appear and present oral argument, as *amici curiae*, are denied.

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No. 530. United Automobile, Aircraft and Agricultural Implement Workers of America, etc., appellant, *v.* Wisconsin Employment Relations Board and Kohler Co., a Wisconsin Corporation. Appeal from the Supreme Court of Wisconsin. In this case probable jurisdiction is noted.

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No. 570. Jack Rabin, Doing Business as Jack Rabin Farms, petitioner, *v.* Lake Worth Drainage District, a General Drainage District. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 572. Traders & General Insurance Company, a Corporation, petitioner, *v.* Martha Champ, Helen Claassen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 574. William E. Ward, petitioner, *v.* Charles S. Thomas, Secretary of the Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 582. Tidewater Associated Oil Company, a Corporation, petitioner, *v.* Vance W. Williams. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 592. George Light, petitioner, *v.* Angelina E. Murphy, Guardian for Thomas J. Murphy. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 567. Charles H. Albers, Frances M. Blakely, C. W. Boden, et al., petitioners, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor, et al.; and

No. 568. Missouri Pacific Railroad Company 5¼% Secured Serial Bondholders Committee, et al., petitioners, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of these applications.

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No. 120. Leo A. Zientek, petitioner, *v.* Reading Company. Motion for leave to file petition for rehearing denied.

No. 395. Mrs. Josie Kate Gianfala, Widow of Oscar J. Martin, et al., petitioners, *v.* The Texas Company. Petition for rehearing denied.

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No. 516, Misc. Carlisle Cooper, petitioner, *v.* United States of America. Application for bail denied.

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Adjourned until Monday, February 27, next, at 12 o'clock.

The day call for Monday, February 27, will be as follows: Nos. 54, 56, 60, 34, and 76.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Charles R. Renda, of Chicago, Ill., Stewart Lee Smith, of Washington, D. C., Wilford E. Neier, of Roslyn, N. Y., Paul Edwin Kast, of Freeport, N. Y., Bertram B. Daiker, of Roslyn Heights, N. Y., James F. Mulcahy, of Merrick, N. Y., Robert L. Mulcahy, of Wantagh, N. Y., Frederic E. Crist, of Roslyn Heights, N. Y., Max J. Levy, of Wantagh, N. Y., Patrick I. Flannelly, of Hempstead, N. Y., Joseph J. Catania, of Roslyn Heights, N. Y., William W. Seiffert, of Oceanside, N. Y., Karl A. Kohn, of Rockville Center, N. Y., Walter J. Korpacz, of Elmont, N. Y., John Guastella, of Roosevelt, N. Y., Walter F. Bucalos, of Massapequa, N. Y., John W. Wydler, of Garden City, N. Y., Nathan Zausmer, of Glen Cove, N. Y., Joseph Jaspán, of Woodmere, N. Y., Joseph L. Callahan, of Huntington, N. Y., James E. Smith, Jr., of Freeport, N. Y., Irving E. Fromer, of New York, N. Y., Lester H. Baumann, of Freeport, N. Y., Raymond Harrington, of East Rockaway, N. Y., Frederick Schrank, of New Hyde Park, N. Y., Alexander Eltman, of New York, N. Y., Anthony J. Scuderi, of Lynbrook, N. Y., Everett A. Rosenblum, of East Meadow, N. Y., Herbert J. Krohn, of East Meadow, N. Y., Esau J. Mishkin, of Roslyn Heights, N. Y., Paul Burlant, of Hicksville, N. Y., George Danzig Levine, of Port Washington, N. Y., Fred M. Ahern, of Brooklyn, N. Y., Nathan P. Zablow, of Freeport, N. Y., Thos. E. Fagan, of New York, N. Y., George E. Maccaro, of Wantagh, N. Y., Julius L. Birgenthal, of Freeport, N. Y., Morris L. Zausmer, of Glen Cove, N. Y., Bernard Morris, of Bellmore, N. Y., Suzanne O'N. Scanlan, of New York, N. Y., Daniel F. Scanlan, of New York, N. Y., James T. McQuade, of Wantagh, N. Y., Peter Alpern, of Long Beach, N. Y., James P. Griffin, of Wantagh, N. Y., Joseph F. Abruzzo, of Malverne, N. Y., William J. Fontanetta, of Brooklyn, N. Y., Sidney Goodstein, of East Meadow, N. Y., Louis G. Turen, of New York, N. Y., Edward M. Miller, of Levittown, N. Y., Aaron B. Cohen, of Glen Cove, N. Y., Biagio F. Ginquinto, of Rockville Center, N. Y., Maurice Albert Bendes, of Woodmere, N. Y., David J. Weinblatt, of Freeport, N. Y., Kenneth J. Lucey, of New York, N. Y., Irwin Klein, of New York, N. Y., Max Tachna, of New York, N. Y., Ruth C. Tachna, of New York, N. Y., Paul Bauman, of

Harrison, N. Y., Edward R. Yamin, of Freeport, N. Y., Benjamin Zipper, of Syosset, N. Y., Harold L. Goerlich, of Lynbrook, N. Y., Samuel H. Forman, of Baldwin, N. Y., Melvin Block, of Massapequa Park, N. Y., Rita Allen, of Baldwin, N. Y., and Sherwin E. Allen, of Baldwin, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; John F. Clancy, of Bridgeport, Conn., and James F. Kenney, of Bridgeport, Conn., on motion of Mr. Wayne Lyman Morse; Frank Stanlis, of Wickenburg, Ariz., on motion of Mr. Stewart L. Udall, E. Bruce Votaw, of Beaumont, Tex., on motion of Mr. Price Daniel; David J. Vann, of Birmingham, Ala., on motion of Mr. John Sparkman; Carl G. Moore, of Maynardville, Tenn., on motion of Mr. Howard H. Baker; Emilie Eisenhauer, of Portland, Oreg., on motion of Mr. Guy Corden; Frank M. Padden, of Chicago, Ill., on motion of Mr. Charles A. Boyle; Harvey Boyd Otterman, Jr., of West Topsham, Vt., on motion of Mr. Harvey B. Otterman; Lawrence P. Hansen, of Dell Rapids, S. Dak., on motion of Mr. George S. Prugh, Jr.; Carl Thomas Fetterly, of Hollywood, Calif., on motion of Mr. Byron Nicholson Scott; G. Kent Yowell, of Chicago, Ill., on motion of Mr. John J. Yowell; Edward Isaac Rothschild, of Chicago, Ill., on motion of Mr. John Paul Stevens; Joseph H. Teperman, of New York, N. Y., on motion of Mr. Louis Paul Haffer; Eugene C. Carusi, of Washington, D. C., on motion of Mr. Ross O'Donoghue; Max Sherman, of Springfield, N. J., and Henry C. McMullen, of Springfield, N. J., on motion of Mr. Kahl K. Spriggs; Albert G. Besser, of West Orange, N. J., on motion of Mr. Joseph H. Lesh; Thomas B. Scott, of Washington, D. C., on motion of Mr. Lawrence J. Simmons; Harold Bernard Foner, of Brooklyn, N. Y., Sidney Bernard Levitt, of Brooklyn, N. Y., Irvin Sully Boyar, of Brooklyn, N. Y., and Albert Boyar, of Massapequa, N. Y., on motion of Mr. Isidore H. Wachtel; James H. Manns, of Springfield, Ill., Alfred F. Newkirk, of Springfield, Ill., Robert C. Hemphill, of Jacksonville, Ill., Robert Emmet Commins, of Denver, Colo., John B. Wright, of Jacksonville, Ill., Theodore C. Rammelkamp, of Jacksonville, Ill., Gerard John Ochs, of Minneapolis, Minn., Frank C. Wierman, of Decatur, Ill., Franklin P. Gibbs, Jr., of Sioux Falls, S. Dak., Acie William Matthews, of Sioux Falls, S. Dak., Jack L. Smith, of Fort Walton Beach, Fla., James Snyder Hocker, of Miami, Fla., John Mead Beasom, of Sioux Falls, S. Dak., LeRoy S. Lassegard, of Mitchell, S. Dak., Laird Rasmussen, of Sioux Falls, S. Dak., and Donald A. Haggard, of Sioux Falls, S. Dak., on motion of Mr. Reginald Carl Harmon; Maurine Howard Abernathy, of Washington, D. C., on motion of Miss Ruth Joyce Hens; Harry H. Oshrin, of New York, N. Y., on motion of Mr. Sol Friedman; Karl Applbaum, of Jamaica, N. Y., on motion of Mr. Bertram

Schwartz; William E. MacGregor, Jr., of Minneapolis, Minn., on motion of Mr. Bruce Charles Stone; Robert A. Doyle, of Pittsburgh, Pa., on motion of Mr. Clair Vincent Duff; Francis George Naughten, of Washington, D. C., on motion of Mr. Michael Francis Xavier Dolan; Gregory S. Dolgorukov, of Detroit, Mich., on motion of Mr. Clair L. Stout; Frank A. Steinhilper, of Rochester, N. Y., on motion of Mr. Edward S. Irons; Simeon Frederick House, of Washington, D. C., on motion of Mr. Hamilton W. Kenner; Joseph A. De Grandi, of Washington, D. C., on motion of Mr. Francis C. Brown; Francis J. Ward, of Toms River, N. J., F. William Sutton, of Toms River, N. J., J. Lester Yoder, Jr., of Toms River, N. J., Leonard G. Lomell, of Toms River, N. J., William Henry Mee, of Toms River, N. J., William H. Huber, of Toms River, N. J., Robert F. Novins, of Toms River, N. J., and Henry H. Wiley, of Toms River, N. J., on motion of Mr. Jerome James Doherty; Dorothy Fillius Green, of Washington, D. C., on motion of Mr. William E. Foley; Walter W. Gehringer, of Hackensack, N. J., Robert S. Krause, of Hackensack, N. J., and Joseph E. Fish, of Garfield, N. J., on motion of Mr. Carl Layton Shipley; Andrew Kerr McColpin, of Corsicana, Tex., on motion of Mr. Clarence M. Fisher; Lee F. Hanan, of New York, N. Y., and Martin J. McHugh, of New York, N. Y., on motion of Mr. William B. Jones; William P. Roberts, of Springfield, Ill., and Schaefer O'Neill, of Alton, Ill., on motion of Mr. Arthur M. Fitzgerald; William Joslin, of Raleigh, N. C., on motion of Mr. Louis F. Oberdorfer; Fulton Brooks Flick, of Pittsburgh, Pa., and Julian Miller, of Pittsburgh, Pa., on motion of Mr. Jo. Baily Brown; and Leo Francis O'Brien, of Kansas City, Mo., on motion of Mr. Howard H. Brandenburg, were admitted to practice.

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No. 17. United Gas Pipe Line Company, petitioner *v.* Mobile Gas Service Corporation and Federal Power Commission; and

No. 31. Federal Power Commission, petitioner, *v.* Mobile Gas Service Corporation. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of Court of Appeals affirmed. Opinion by Mr. Justice Harlan.

No. 51. Federal Power Commission, petitioner, *v.* Sierra Pacific Power Company; and

No. 53. Pacific Gas and Electric Company, petitioner, *v.* Sierra Pacific Power Company. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and case remanded to the Court of Appeals with instructions to remand the case to the Federal Power Commission for such further proceedings, not inconsistent with the opinion of this Court,

as the Commission may deem desirable. Opinion by Mr. Justice Harlan.

No. 150. W. A. Shields, petitioner *v.* Atlantic Coast Line Railroad Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of Court of Appeals reversed with costs and judgment of District Court reinstated. The case is remanded to the United States District Court for the Middle District of Alabama. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Frankfurter and Mr. Justice Burton join. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 281. United States of America, petitioner, *v.* Joseph P. Ryan. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of 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 Clark. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 286. Commissioner of Internal Revenue, petitioner, *v.* Southwest Exploration Company, a Corporation. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit; and

No. 287. The United States, petitioner, *v.* Huntington Beach Company, a Corporation. On writ of certiorari to the United States Court of Claims. Judgment in No. 286 reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Judgment in No. 287 affirmed. Opinion by Mr. Justice Clark. Mr. Justice Douglas dissents. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 19. Mastro Plastics Corp. and French-American Reeds Manufacturing Co., Inc., petitioners, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Minton and Mr. Justice Harlan join.

No. 79. National Labor Relations Board, petitioner, *v.* Coca-Cola Bottling Co. of Louisville, Inc. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 42. Victor D. Gibson, petitioner, *v.* Lockheed Aircraft Service, Inc. On writ of certiorari to the United States Court of Appeals

for the Fifth Circuit. Judgment of Court of Appeals reversed with costs and judgment of the District Court reinstated. The case is remanded to the United States District Court for the Northern District of Texas. Opinion *per curiam* announced by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Frankfurter.

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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. 558. The Mac Investment Company, appellant, *v.* The United States of America. Appeal from the United States District Court for the Eastern District of Michigan. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 578. Bessie Dopcus, appellant, *v.* City of West Palm Beach, Florida, et al. Appeal from the Supreme Court of Florida. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 589. V. P. Serodino, Inc., appellant, *v.* United States of America and Interstate Commerce Commission, et al. Appeal from the United States District Court for the Southern District of Ohio. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. Mr. Justice Black and Mr. Justice Douglas would note probable jurisdiction and set the case for argument.

No. 22, Misc. Edward B. Bishop, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the District Court for a hearing on the sanity of the petitioner at the time of his trial.

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No. 345. Randall Sterling, petitioner, *v.* Local 438, Liberty Association of Steam and Power Pipe Fitters and Helpers Association, etc., et al. The motion for leave to file petition for writ of mandamus is denied.

No. 451. Railway Employes' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. The motions of the State of Utah and Chamber of Commerce of the United States for leave to appear and present oral argument, as *amici curiae*, are denied.

No. 548. Alfred E. Butler, appellant, *v.* State of Michigan. Appeal from the Recorder's Court of the City of Detroit, Michigan. In this case probable jurisdiction is noted.

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No. 579. Bank of America National Trust and Savings Association, petitioner, *v.* Gilbert S. Parnell; and

No. 580. Bank of America National Trust and Savings Association, petitioner, *v.* First National Bank in Indiana. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 616. The Leiter Minerals, Inc., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 622. Honorable Walter J. La Buy, petitioner, *v.* Howes Leather Company, Inc. and Montgomery Ward & Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 625. James C. Rogers, petitioner, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, a Corporation. Petition for writ of certiorari to the Supreme Court of Missouri granted.

No. 601. Herbert Brownell, Jr., Attorney General of the United States, as Successor to the Alien Property Custodian, petitioner, *v.* The Chase National Bank of the City of New York, as Trustee Under Indenture, etc., et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Department, granted. Mr. Justice Clark and Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 610. Max Putnam and Elizabeth Putnam, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted and case transferred to the summary calendar.

No. 621. Martha C. Reed, petitioner, *v.* Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. The case is transferred to the summary calendar and advanced and assigned for argument immediately following No. 257.

No. 137, Misc. Thomas E. Pollard, petitioner, *v.* United States of America. Motion for leave to proceed in forma pauperis and petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted. The case is transferred to the appellate docket and placed on the summary calendar.

No. 557. Poncet Davis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 564. Edward S. Canton, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 569. E. H. Risser, et al., petitioners, *v.* City of Little Rock, Arkansas, et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 583. Eileen June McDonald Thompson, Executrix of the Estate of D. G. McDonald, Deceased, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 586. Louis J. O'Malley, Joseph Moffie, et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 588. Leonard J. Moore et al., petitioners, *v.* Capital Transit Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 590. Richard Franklin Bird, petitioner, *v.* Sarah Ellen Bird. Petition for writ of certiorari to the Circuit Court for the County of Washtenaw, Michigan, denied.

No. 591. Joseph Iacullo, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 593. Lovell Manufacturing Company, petitioner, *v.* Nicholas L. Etten and Chamberlain Corporation; and

No. 594. Nicholas L. Etten and Chamberlain Corporation, petitioners, *v.* Walter L. Kauffman II and Lovell Manufacturing Company. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 595. Leo Sanders and Jessie H. Sanders, petitioners, *v.* Commissioner of Internal Revenue et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 597. Frank De Marie, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 599. John Lee, petitioner, *v.* E. B. Swope, Warden, United States Penitentiary, Alcatraz, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 600. The Grand International Brotherhood of Locomotive Engineers, petitioner, *v.* W. H. Mount. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 602. Ashland Oil & Refining Company, petitioner, *v.* Carlton Beal. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 605. Pacific Affiliate, Inc., a Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 607. Richland Irrigation District, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 608. Scott Publishing Company, a Corporation, and Glenn Lee, petitioners, *v.* Harvey Owens. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 609. Kelley, Glover and Vale, Inc., Trustee, petitioner, *v.* McM. Coffing, Trustee, Peter L. Evans, Successor Indenture-Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 611. Mallonee, Bucklin, and Fergus, Shareholders' Protective Committee, et al., petitioners, *v.* Federal Home Loan Bank of San Francisco et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 612. William Hilliard Claypoole, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 615. Jules Garrison, petitioner, *v.* Warner Brothers Pictures, Inc., a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 617. L & M Realty Corporation, a Virginia Corporation, Alleged Bankrupt, petitioner, *v.* Rena C. Leo, Executrix of the Estate of Dr. Louis S. Leo, Deceased, Petitioning Creditor. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 618. The City of Los Angeles, a Municipal Corporation, et al., petitioners, *v.* National Schools and Radio-Television Training School, Inc. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 619. Herbert Brownell, Jr., Attorney General of the United States, petitioner, *v.* Wong Kay Suey, Wong Poo Sing and Emily Wong. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 623. The Travelers Insurance Company, petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 628. Housing Authority of the City of Los Angeles, California, a Public Body Corporate and Politic, petitioner *v.* Jim C. Cordova and Ramona Cordova. Petition for writ of certiorari to the Superior Court of California, Appellate Department, denied.

No. 575. Algemeenē Kunstzijde Unie N. V., a Corporation Organized Under the Laws of the Netherlands, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 604. Reynolds Metals Company, petitioner, *v.* Multnomah County, Terry D. Schrunck, as Sheriff and Tax Collector of Multnomah County, et al. Petition for writ of certiorari to the Supreme Court of Oregon denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 298. Union Trust Company et al., petitioners, *v.* Eastern Air Lines, Inc. On consideration of the petition for rehearing the order of December 5, 1955, is reopened and is modified by directing that the case be remanded to the Court of Appeals to permit that court to pass upon the several issues left undecided by our reversal of its judgment.

No. 432. October Term, 1952. Robert H. Kenney, petitioner, *v.* Wabash Railroad Company. Motion for leave to file petition for rehearing denied. The Chief Justice and Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 500. Societe Internationale Pour Participations Industrielles et Commerciales S. A., etc., petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, as Successor to the Alien Property Custodian, et al. Petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 538. Glenn L. Martin Company, petitioner, *v.* Northwest Airlines, Inc., et al. Petition for rehearing denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 33. Local Union No. 25 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al., petitioners, *v.* The New York, New Haven and Hartford Railroad Company;

No. 501. Cammie B. Holman, appellant, *v.* Guerdon M. Matthews, Commissioner of Banks;

No. 502. Omri E. Daniels, Jr., Barge Hiskey and Bentley M. McMullin, petitioners, *v.* C. Sewell Thomas;

No. 506. Gulf, Mobile and Ohio Railroad Company, petitioner, *v.* Illinois Central Railroad Company;

No. 518. Helen M. Kiefer, petitioner, *v.* United States of America;

No. 524. May Terry, petitioner, *v.* Keith L. Seegmiller;

No. 525. Alfred J. Baudhuin, appellant, *v.* State of Wisconsin, *ex rel.* James R. Mattison;

No. 540. Adele Weiss, petitioner, *v.* United States of America;

No. 546. Mario Mercado e Hijos, petitioner, *v.* Manuel Francisco Lluberias Pasarell *et al.*;

No. 554. Bernard Bloch, petitioner, *v.* United States of America;

No. 136. Misc. Lonnie Brinkley, petitioner, *v.* State of Texas;

No. 237. Misc. Judith Morgan, petitioner, *v.* The City of New York;

No. 290. Misc. Bernard M. Shotkin, appellant, *v.* Trustees of the Internal Improvement Fund of Florida, *etc.*;

No. 328. Misc. Aubry Williams, petitioner, *v.* State of Georgia;

No. 341. Misc. I. H. Spears, petitioner, *v.* Transcontinental Bus System, Inc., a Corporation;

No. 359. Misc. Edwin T. Gwyther, petitioner, *v.* Harold E. Talbott, Secretary of the Air Force, *et al.*;

No. 367. Misc. Paul F. Grimm, petitioner, *v.* People of the State of Washington; and

No. 369. Misc. John E. Welch, petitioner, *v.* Criminal District Court of Reeves County, Texas, Pecos, Texas. Petitions for rehearing denied.

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No. 18. Misc. Howard Dulany Mitchell, petitioner, *v.* State of Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 69. Misc. Raymond Norman, petitioner, *v.* State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 156. Misc. Shelby Franklin, Jr., petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 203. Misc. Gentlee Hollman, petitioner, *v.* Hon. Thomas J. Clary, Judge, U. S. District Court, Eastern District of Pennsylvania, *et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 236. Misc. James Otis Frierson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 253, Misc. Harriet Dow, Administratrix of the Estate of Paul Dow, Deceased, petitioner, *v.* Carnegie-Illinois Steel Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 284, Misc. Leroy White, petitioner, *v.* The State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 344, Misc. George L. Parker, petitioner, *v.* O. B. Ellis, Gen. Mgr. Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 374, Misc. Percy William Herman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 376, Misc. John McGlone, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 379, Misc. Robert E. Lipscomb, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 381, Misc. Bernard H. Tabor, petitioner, *v.* William Hardwick, Warden, U. S. Penitentiary, Atlanta, Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 382, Misc. Louis Baruchas, 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, Second Judicial Department, denied.

No. 396, Misc. William Ross Mahar, petitioner, *v.* Percy A. Lainson, Warden, Iowa State Penitentiary. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 399, Misc. Henry E. Bush, petitioner, *v.* Lawrence Delmore, Jr., as Superintendent of the Washington State Penitentiary at Walla Walla, Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 407, Misc. William Rice, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 408, Misc. Donald Peck, petitioner, *v.* Joseph E. Ragen, Warden, and People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 411, Misc. Louis Cuomo, 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, Second Judicial Department, denied.

No. 412, Misc. William Kemmerer, petitioner, *v.* Edmund E. Shepherd, Solicitor General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 414, Misc. Richard Paul Bergeron, petitioner, *v.* Maurice H. Sigler, Warden. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 416, Misc. Charles Frisco, petitioner, *v.* R. W. Alvis, Warden, Ohio Penitentiary. Petition for writ of certiorari to the District Court of Appeals of Ohio, Second District, Franklin County, denied.

No. 417, Misc. Earl Fleming and Doris Fleming, petitioners, *v.* Wyndham M. Manning, Superintendent. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 418, Misc. Olin Kitchin, petitioner, *v.* State of Missouri, R. N. Eidson, Warden, Missouri State Penitentiary. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 419, Misc. Carter Caldwell, petitioner, *v.* The State of Michigan. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 421, Misc. Glenn Armstrong, petitioner, *v.* State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 422, Misc. Woodrow Nor Woods, petitioner, *v.* Harley O. Teets, Warden, San Quentin, California. Petition for writ of certiorari to the District Court of Appeal of California, First District, and Supreme Court of California denied.

No. 424, Misc. Verne Alfred Braasch and Melvin Leroy Sullivan, petitioners, *v.* State of Utah. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 425, Misc. Joseph Bert Richardson, petitioner, *v.* L. Delmore, Jr., Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 427, Misc. Melvin K. Sikes, petitioner, *v.* The People of the Commonwealth of Pennsylvania. Petition for writ of certiorari to the County Court of McKean County, Pennsylvania, denied.

No. 429, Misc. Raymond Jack Hall, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 430, Misc. Thomas O. Spampinato and Jane B. Spampinato, petitioners, *v.* M. Breger & Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 432, Misc. James Heards, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 434, Misc. Daniel Ahearn, petitioner, *v.* J. Vernel Jackson, Warden, Clinton Prison. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 435, Misc. Ralph John Duran, petitioner, *v.* Joseph E. Ragen, Warden, et al. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 436, Misc. Floyd Dunne, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 437, Misc. Fred Jenkins, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 438, Misc. Jack Perrin, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 440, Misc. Edward Satchell, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 441, Misc. In the Matters of James T. Aspbury, an Attorney, David G. McCullough, an Attorney, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 442, Misc. Harold L. Lewis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 449, Misc. People of the State of Illinois ex rel. Francis Haines, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 450, Misc. Clarence Mahurin, petitioner, *v.* Henry G. Morris, Attorney. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 453, Misc. Dupree Poe, petitioner, *v.* Clarence T. Gladden, Warden, Oregon State Penitentiary. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 454, Misc. David Darrin, petitioner, *v.* Capital Transit Company, a Body Corporate, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 462, Misc. James Cahill, 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, Second Judicial Department, denied.

No. 464, Misc. John W. Morton, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 467, Misc. Joseph Jazorek, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 469, Misc. John DeSimone, petitioner, *v.* James F. Maroney, Acting Warden, Western State Penitentiary, Pittsburgh, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 472, Misc. Nick Allen Klubnikin, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 473, Misc. Mary Agnes Trusty, Harry P. Trusty and Trusty Air-Cargo Conveyor Co., a Corporation, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 479, Misc. Gordon Sayre Little, petitioner, *v.* State of Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 481, Misc. Russell Sell, petitioner, *v.* Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 482, Misc. John R. Watson, petitioner, *v.* Charles G. Day, Warden, State Penitentiary, Graterford, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 483, Misc. Robert M. Crowe, petitioner, *v.* People of the State of Illinois, Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 150, Misc. Henry Thomas, petitioner, *v.* Harley O. Teets, Warden, etc. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of these applications.

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No. 204, Misc. Jesse Hill, petitioner, *v.* United State of America;

No. 388, Misc. Sol Newstead, petitioner, *v.* State of Missouri;

No. 402, Misc. Ex parte Albert F. Levy, petitioner;

No. 403, Misc. Ex parte Edward Emanuel, petitioner;

No. 409, Misc. Elmer S. Lenz, petitioner, *v.* C. H. Looney, Warden, et al.;

No. 413, Misc. Commodore Perry Sam, petitioner, *v.* Lawrence Delmore, Jr., Warden, Washington State Penitentiary;

No. 423, Misc. Arther Arion Binkley, petitioner, *v.* Ralph W. Alvis, Warden, Ohio State Penitentiary;

No. 476, Misc. Charles R. Chapman, petitioner, *v.* Daniel Gallagher, Sheriff, San Francisco County;

No. 477, Misc. Jesse W. Connor, petitioner, *v.* Nathan Mayo, as Custodian of Florida State Prison; and

No. 478, Misc. Francis Benton, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 415, Misc. Oscar A. Harrison, petitioner, *v.* Orel J. Skeen, Warden. Application for injunction and motion for leave to file petition for writ of mandamus denied.

No. 420, Misc. Excell Washington, petitioner, *v.* United States of America and James V. Bennett. Motion for leave to file petition for writ of mandamus denied.

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No. 447, Misc. Jack Yacht, petitioner, *v.* Thomas F. Murphy, Judge of the United States District Court for the Southern District of New York, et al. Petition for mandatory writ of injunction denied.

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No. 475, Misc. Herman W. Bryant, petitioner, *v.* Honorable Lee B. Mailler, Chairman of the New York State Parole Board, et al. Application denied.

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No. 484, Misc. Vernon Eugene Goodson, petitioner, *v.* Commonwealth of Virginia. Motion for leave to file petition for declaratory judgment denied.

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No. 336, Misc. In the Matter of Disbarment of Orille C. Gaudette. It having been reported to the Court that Orille C. Gaudette, of Washington, D. C., has been disbarred from the practice of the law by the United States District Court for the District of Columbia, and this Court by order of December 12, 1955, having suspended the said Orille C. Gaudette from the practice of the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the rule to show cause was duly issued and served upon the respondent, and that the time within which to file a return to the rule has expired;

It is ordered that the said Orille C. Gaudette be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

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No. 54. United States of America, appellant, *v.* Jack Green and General Laborers' Local 397 of Granite City, Illinois, etc. Argued by Mr. Oscar H. Davis for the appellant and by Mr. A. M. Fitzgerald for the appellees.

No. 56. Murdock Acceptance Corporation, petitioner, *v.* United States of America. Argued by Mrs. Elizabeth Hulen Grayson for the petitioner and by Mr. John F. Davis for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, February 28, will be as follows: Nos. 34, 76, 94, and 102.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Frederic H. Sturdy, of Los Angeles, Calif., and Milo V. Olson, of Los Angeles, Calif., on motion of Mr. Stanley N. Barnes; Charles W. Barrow, of San Antonio, Tex., on motion of Mr. Price Daniel; Oliver S. Delery, of New Orleans, La., on motion of Mr. Hale Boggs; William Austin Meehan, of Philadelphia, Pa., Charles V. Stoelker, Jr., of Philadelphia, Pa., and Lawrence Jarvis Richette, of Philadelphia, Pa., on motion of Mr. Hugh D. Scott, Jr.; Norman Kauila Chung, of Honolulu, T. H., on motion of Mr. Joseph C. O'Mahoney; Hyman Goldberg, of Philadelphia, Pa., on motion of Mr. Charles Samenow; William H. Pavitt, Jr., of Dayton, Ohio, on motion of Mr. Richard Whiting; John D. Calhoun, of New York, N. Y., on motion of Mr. Albert R. Connelly; Ben Schwartz, of Chicago, Ill., Errett O. Graham, of Chicago, Ill., John A. McElligott, of Chicago, Ill., and Alphonsus A. Seibutis, of Chicago, Ill., on motion of Mr. William Creighton Wines; Malcolm T. Dungan, of San Francisco, Calif., on motion of Mr. Herman H. Phleger; Arthur J. Schissel, of Washington, D. C., and John Anthony Rhomberg, of Dubuque, Iowa, on motion of Mr. Thomas H. Carolan; Douglas Roy Gardner, of Miami, Fla., on motion of Mr. Thomas H. King; Louelle Miller Berg, of Washington, D. C., on motion of Mrs. Julia Benton Hopkins; Allen A. Lauterbach, of Chicago, Ill., on motion of Mr. Milton Carl Denbo; Harvey B. Cox, of St. Louis, Mo., Dallas W. Cox, of St. Louis, Mo., Harvey B. Cox, Jr., of St. Louis, Mo., and William A. Moffitt, Jr., of St. Louis, Mo., on motion of Mr. J. Bruce Kellison; Morris Ebenstein, of New York, N. Y., on motion of Mr. Fulton M. Brylawski; Ronald Wilson Meier, of Seattle, Wash., on motion of Mr. Lawrence A. Knapp; and E. Willard Hyde, of Washington, D. C., and Mario Saavedra Romero, of Laredo, Tex., on motion of Mr. Alan Y. Cole, were admitted to practice.

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No. 34. Sears, Roebuck and Co., a New York Corporation, petitioner, *v.* Bruce A. Mackey, Individually, and Time Saver Tools, Inc., an Illinois Corporation. Argued by Mr. Walter J. Rockler for the petitioner and by Mr. Edward I. Rothschild for the respondents.

No. 76. The Cold Metal Process Company and the Union National Bank of Youngstown, Ohio, Trustee, petitioners, *v.* United Engineering & Foundry Company. Argued by Mr. William H. Webb for the petitioners and by Mr. Jo. Baily Brown for the respondent.

No. 94. United States of America and Federal Communications Commission, petitioners, *v.* Storer Broadcasting Company. Argument commenced by Mr. Warren E. Baker for the petitioners and continued by Mr. Albert R. Connelly for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 29, will be as follows: Nos. 94, 102, 129, and 278.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

The Chief Justice said:

“The Court recognizes with pleasure the presence in the Courtroom of His Excellency Giovanni Gronchi, President of the Italian Republic, and Signora Gronchi.”

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Burton G. Hackney, of Brownfield, Tex., on motion of Mr. Price Daniel; R. Gerald Barr, of Port Huron, Mich., on motion of Mr. Jesse P. Wolcott; C. Roger Nelson, of Washington, D. C., on motion of Mr. Ganson Purcell; George E. Bodle, of Los Angeles, Calif., on motion of Mr. Thurman W. Arnold; Landon Gerald Dowdey, of Washington, D. C., on motion of Mr. William A. Kehoe, Jr.; George Charles Williams, of New York, N. Y., on motion of Mr. Charles William Cooper; Lemuel Cleaves Manning, of Portsmouth, Va., Terrence Edward Hallett, of Swanton, Ohio, and Norman Flicker, of New York, N. Y., on motion of Mr. Edward N. Logan, were admitted to practice.

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No. 94. United States of America and Federal Communications Commission, petitioners, *v.* Storer Broadcasting Company. Argument continued by Mr. Albert R. Connelly for the respondent and concluded by Mr. Warren E. Baker for the petitioners.

No. 102. United States of America and Interstate Commerce Commission, appellants, *v.* Contract Steel Carriers, Inc. Argued by Mr. Charles F. Barber for the appellants and by Mr. Robert N. Burchmore for the appellee.

No. 129. George W. Doud et al., Doing Business as Bondified Systems and Eugene Derrick, appellants, *v.* Orville Hodge, Auditor of Public Accounts of the State of Illinois, et al. Argued by Mr. John J. Yowell for the appellants and by Mr. William C. Wines for the appellees.

No. 278. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joseph T. Budd, Jr., and Florence

W. Budd, Co-Partners, Doing Business as J. T. Budd, Jr., and Company. Argument commenced by Miss Bessie Margolin for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 1, will be as follows: Nos. 278 and 255.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Newton B. Jaslow, of New York, N. Y., on motion of Mr. William C. Levy; Wm. Snow Frates, of Miami, Fla., on motion of Mr. Paul G. Rogers; Dane Critchfield, of Pittsburgh, Pa., on motion of Mr. Robert W. Ginnane; Donald W. VanArtsdalen, of Doylestown, Pa., on motion of Mr. Hilbert P. Zarky; Fred W. Batemen, of Warwick, Va., Richard Marshall, of Warwick, Va., and William E. Allaun, Jr., of Newport News, Va., on motion of Mr. Matthew Trimble Sawtelle; and George J. Mahanna, of Boston, Mass., on motion of Mr. Lawrence J. Simmons, were admitted to practice.

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No. 278. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joseph T. Budd, Jr., and Florence W. Budd, Co-Partners, Doing Business as J. T. Budd, Jr., and Company. Argument continued by Miss Bessie Margolin for the petitioner, by Mr. Milton C. Denbo for the respondents J. T. Budd, Jr. and Company and King Edward Tobacco Company, by Mr. Mark F. Hughes for respondent May Tobacco Company, and concluded by Miss Bessie Margolin for the petitioner. Briefs (from 3 parties) to come within 1 week.

No. 255. Millinery Center Building Corp., petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Bernard Weiss for the petitioner and by Mr. Hilbert P. Zarky for the respondent.

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Adjourned until Monday, March 5, next, at 12 o'clock.

The day call for Monday, March 5, will be as follows: Nos. 351, 201, and 63.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Henrietta Mary Bain, of Cincinnati, Ohio, Olive L. Holmes, of Cincinnati, Ohio, and Ralph Clayton Clontz, Jr., of Charlotte, N. C., on motion of Mr. Solicitor General Simon E. Sobeloff; William B. Murrish, of Los Angeles, Calif., on motion of Mr. Harry Clabaugh Lambertson; Louise Snow Phinney, of Dallas, Tex., on motion of Mr. Price Daniel; Verne O. Warner, of San Diego, Calif., and Bertrand L. Comparet, of San Diego, Calif., on motion of Mr. James B. Utt; Robert E. Maxwell, of Elkins, W. Va., on motion of Mr. Matthew Mansfield Neely; Jack C. Hodgkins, Jr., of Atlanta, Ga., on motion of Mr. John Wilson Ellis; C. Arthur Sullivan, of Jackson, Miss., on motion of Mr. Jamie L. Whitten; Bruce L. Carson, of Chicago, Ill., on motion of Mr. Thomas G. Meeker; Philip C. Pack, of Lansing, Mich., on motion of Mr. Louis George Meader; John J. McGlew, of New York, N. Y., on motion of Mr. Miles Dorwin Pillars; John J. Burchell, of Omaha, Nebr., on motion of Mr. Harry C. Barron; John W. Maddox, of Rome, Ga., Albert W. Stubbs, of Columbus, Ga., and Morgan S. Cantey, of West Point, Ga., on motion of Mr. Henry L. Bowden; Raymond C. Jopling, Jr., of Oklahoma City, Okla., on motion of Mr. Paul Lewis Gomory; Frederick J. Gassert, Jr., of Harrison, N. J., David D. Furman, of Bernardsville, N. J., Richard Lewis Amster, of Newark, N. J., and Lawrence E. Stern, of Jersey City, N. J., on motion of Mr. Harold Kolovsky; Thomas F. Moore, Jr., of New York, N. Y., on motion of Mr. Frederic P. Lee; Daniel Anthony Checki, of Coral Gables, Fla., on motion of Mr. John J. O'Keefe; Jerome Powell, of Bethesda, Md., on motion of Mr. John F. Lane; Carl William Belcher, of Cave City, Ky., on motion of Mr. Lewis Andrew Carroll; John Joseph Hall, of Los Angeles, Calif., on motion of Mr. John W. Pehle; Leon H. Murray, of New York, N. Y., on motion of Mr. Maurice R. Weeks; Ralph E. Gott, of Boston, Mass., on motion of Mr. John C. Herberg; Henry Rose, of Buffalo, N. Y., on motion of Mr. Henry Geller; Ronald A.

Capone, of Arlington, Va., on motion of Mr. Robert E. Kline, Jr.; John H. Lashly, of St. Louis, Mo., on motion of Mr. Samuel D. McIlwain; C. Maurice Flinn, of La Plata, Md., on motion of Mr. Harry Tyson Carter; Eugene M. Solimine, of New York, N. Y., Jerome S. Cohn, of Chicago, Ill., Robert A. Thiessen, of Wichita, Kans., Norman G. Maben, of Wichita, Kans., Calvin Mitchell George, of Naperville, Ill., Owen L. Doss, of Chicago, Ill., Colin Olney Higgins, of Naperville, Ill., Robert Oliver Case, of Chicago, Ill., Clifford L. Malone, of Wichita, Kans., Robert F. Bailey, of Wichita, Kans., John E. Lacy, of Kansas City, Mo., John C. Wasson, of Dayton, Tenn., Omar S. Bruner, Jr., of Indianapolis, Ind., Bernard E. Frizzie, of Santa Ana, Calif., and Horace E. Perry, of Beverly Hills, Calif., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

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**No. 74.** United States of America, petitioner, *v.* Leslie Salt Co. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed and case remanded to the United States District Court for the Northern District of California. Opinion by Mr. Justice Harlan.

**No. 156.** Elmer F. Remmer, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of the Court of Appeals vacated and case remanded to the United States District Court for the District of Nevada with directions to grant a new trial. Opinion by Mr. Justice Minton. Mr. Chief Justice Warren and Mr. Justice Harlan took no part in the consideration or decision of this case.

**No. 460.** Earl P. Greenwood, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Missouri. Opinion by Mr. Justice Frankfurter. Mr. Justice Harlan took no part in the consideration or decision of this case.

**No. 72.** Frank Costello, petitioner, *v.* 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 Black. Concurring opinion by Mr. Justice Burton. Mr. Justice Clark and Mr. Justice Harlan 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. 587. The Board of Trustees of the University of North Carolina et al., appellants, *v.* LeRoy Benjamin Frasier, Jr., et al. Appeal from the United States District Court for the Middle District of North Carolina. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 613. Pacific Gas and Electric Company, a Corporation, appellant, *v.* State Board of Equalization, an Agency of the State of California. Appeal from the District Court of Appeal of California, First Appellate District; and

No. 627. Elsie S. Fullerton and Walter A. Fullerton, Jr., appellants, *v.* City of Schenectady. Appeal from the Court of Appeals of New York. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for want of a substantial federal question.

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No. 373. Commissioner of Internal Revenue, petitioner, *v.* Philip J. LoBue. The motion for leave to file brief of Raymond G. Lochiel, as *amicus curiae*, is denied.

No. 451. Railway Employes' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. The motion to remove this case from the summary calendar is denied.

No. 714. Thomas E. Pollard, petitioner, *v.* United States of America. It is ordered that Bennett Boskey, Esq., of Washington, D. C., a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case.

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No. 657. Massachusetts Bonding and Insurance Company et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 596. Clinton E. Jencks, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted limited to Questions 1 to 5 inclusive and Question 7 presented by the petition for the writ.

No. 643. Paul Deemer Johnston and John Sokol, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the summary calendar.

No. 704. United States of America, petitioner, *v.* Dudley A. Paterson. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case transferred to the summary calendar.

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No. 57. Bridal Veil Lumber Company, petitioner, *v.* Union Pacific Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 185. Wagner Iron Works, petitioner, *v.* National Labor Relations Board et al.; and

No. 381. International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (CIO), petitioner, *v.* Wagner Iron Works. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 343. United Electrical, Radio and Machine Workers of America (UE), Local 1113, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 581. Ohio Transport, Inc., petitioner, *v.* Public Utilities Commission of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 603. Ennio Ducci, petitioner, *v.* Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 630. Conley Trigg Fields, Luther Compton, and Kirby Smith, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 631. Margaret K. Holt, petitioner, *v.* Commissioner of Internal Revenue and Harold Holt. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 632. Eli B. Castleman, Marion V. Castleman, Louis Feuerman, petitioners, *v.* Howard R. Hughes et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 634. Hidalgo County Water Control and Improvement District No. 7, et al., petitioners, *v.* Wyatt C. Hedrick et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 648. Charles W. Leeper, I. P. Farrar, Sadler S. Gladden, et al., petitioners, *v.* Charlotte Park and Recreation Commission, a Municipi-

pal Corporation et al. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

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No. 39. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* King Packing Company. Petition for rehearing denied.

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No. 21, Misc. Mary Turcich, Administratrix of the Estate of John Zvanja, petitioner, *v.* The Liberty Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 313, Misc. United States of America, ex rel. Roger Touhy, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 273, Misc. Frank Lee, alias Alfred Minutolo, petitioner, *v.* J. Vernel Jackson, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied. The Chief Justice took no part in the consideration or decision of this application.

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The Court will take a recess from Monday, March 12, until Monday, March 26, next.

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No. 351. R. V. Archawski et al., petitioners, *v.* Basil Hanioti, etc. Argued by Mr. Harry D. Graham for the petitioners and by Mr. Israel Convisser for the respondent. Memorandum by respondent to come by Tuesday evening. Memorandum by petitioner to come by Thursday.

No. 201. David Hyun, petitioner, *v.* Herman R. Landon, District Director, Immigration and Naturalization Service. Argued by Mr. William B. Murrish for the petitioner and by Miss Beatrice Rosenberg for the respondent.

No. 63. Werner Machine Company, Inc., appellant, *v.* Director of Division of Taxation, Department of the Treasury, State of New Jersey. Argument commenced by Mr. Charles Goodwin, Jr., for the appellant.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 6, will be as follows: Nos. 63, 442, 373, and 410.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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William K. Dickey, Jr., of Collingswood, N. J., on motion of Mr. Chas. A. Wolverton; Laura Page Knudson, of Harlowton, Mont., on motion of Mr. James E. Murray; David D. Weinberg, of Omaha, Nebr., on motion of Mr. James A. Murray; Norris Shealy, of Columbus, Ga., on motion of Mr. J. L. Searles; Robert M. Kroger, of Indianapolis, Ind., John E. Gardis, of Indianapolis, Ind., and William J. Regas, of Indianapolis, Ind., on motion of Mr. Peter N. Chumbris; Joseph H. Maddux, of Santa Rosa, Calif., on motion of Mr. James B. Utt; Gerard A. Rault, of New Orleans, La., on motion of Mr. Herbert A. Bergson; Richard F. Barrett, of Boston, Mass., on motion of Mr. Lipman Redman; Philip Dalton Kennedy, Jr., of Charlotte, N. C., on motion of Mr. Robert Vernon Smith; Thomas L. Franklin, of Rutherford, N. J., on motion of Mr. Harold Kolovsky; Neil E. Mac Millan, of Delray Beach, Fla., on motion of Mr. Paul G. Rogers; Dorsey E. Lane, of Washington, D. C., on motion of Mr. George M. Johnson; Elmer I. Schwartz, of Cleveland, Ohio, on motion of Mr. Louis Pabst Poulton; Virgil Homer Redwine, Jr., of Sandy Hook, Ky., and Grandison Greer Allen, of Hopkinsville, Ky., on motion of Mr. M. H. Thatcher; George Romney Stewart, of Washington, D. C., on motion of Mr. Wendell E. Cable; Harrison A. Williams, Jr., of Westfield, N. J., John L. McGuire, of Elizabeth, N. J., Philip Dean Cohen, of Elizabeth, N. J., Benj. H. Priest, of Elizabeth, N. J., Ralph De Vita, of Elizabeth, N. J., Robert L. Sheldon, of Roselle Park, N. J., and Steven J. Bercik, of Elizabeth, N. J., on motion of Mr. Donald H. McLean, were admitted to practice.

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**No. 63.** Werner Machine Company, Inc., appellant, *v.* Director of Division of Taxation, Department of the Treasury, State of New Jersey. Argument continued by Mr. Charles Goodwin, Jr., for the appellant, by Mr. Harold Kolovsky for the appellee, and concluded by Mr. Charles Goodwin, Jr., for the appellant.

**No. 442.** Kendrick M. Cole, petitioner, *v.* Philip Young et al. Argued by Mr. David I. Shapiro for the petitioner and by Mr. Donald B. Mac Guineas for the respondents.

No. 373. Commissioner of Internal Revenue, petitioner, *v.* Philip J. LoBue. Argued by Mr. Philip Elman for the petitioner and by Mr. Richard F. Barrett for the respondent.

No. 410. American Airlines, Incorporated, petitioner, *v.* North American Airlines, Incorporated. Argument commenced by Mr. Howard C. Westwood for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 7, will be as follows: Nos. 410, 469, and 158 (159, 160, 161, 162, 163, and 164).

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Harold H. Velde, of Pekin, Ill., on motion of Mr. Everett McKinley Dirksen; Victor M. Harding, of Milwaukee, Wis., on motion of Mr. Frank Joseph Delany; and R. Everette Kreeger, of Atlanta, Ga., on motion of Mr. Austin Leonard Roberts, Jr., were admitted to practice.

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No. 410. American Airlines, Incorporated, petitioner, *v.* North American Airlines, Incorporated. Argument continued by Mr. Howard C. Westwood for the petitioner, by Mr. Walter J. Derenberg for the respondent, and concluded by Mr. Howard C. Westwood for the petitioner.

No. 469. John M. Petrowski, Grace Ringle, a Minor, by Ervin Ringle, Her Guardian Ad litem, Francis Gelhar, et al., petitioners *v.* Hawkeye-Security Insurance Company. Argued by Mr. Richard P. Tinkham, Jr., for the petitioners and by Mr. Victor M. Harding for the respondent.

No. 158. Frozen Food Express, appellant, *v.* United States and Interstate Commerce Commission;

No. 159. Interstate Commerce Commission, appellant *v.* Frozen Food Express, et al.;

No. 160. American Trucking Associations et al., appellants, *v.* Frozen Food Express et al.;

No. 161. Akron, Canton and Youngstown Railroad Company et al., appellants, *v.* Frozen Food Express et al.;

No. 162. East Texas Motor Freight Lines, Inc., et al., appellants, *v.* Frozen Food Express, Secretary of Agriculture of the United States, et al.;

No. 163. Interstate Commerce Commission, appellant, *v.* Frozen Food Express et al.; and

No. 164. Akron, Canton and Youngstown Railroad Company et al., appellants, *v.* Frozen Food Express et al. Argued by Mr. Robert W. Ginnane for the Interstate Commerce Commission, by Mr. David G.

Macdonald for the East Texas Motor Freight Lines, et al., by Mr. Carl L. Phinney for the Frozen Food Express, by Mr. Charles H. Weston for the United States and Secretary of Agriculture, and submitted by Mr. Charles P. Reynolds and Mr. Carl Helmetag, Jr., for the appellant Railroads.

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Adjourned until Monday, March 12, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Victor R. Koche, of Philadelphia, Pa., Reuben Levine, of Philadelphia, Pa., H. Dale Cook, of Oklahoma City, Okla., James Russell Moore, of Richmond, Va., and Joseph Alderman, of Fairfax, Va., on motion of Mr. Solicitor General Simon E. Sobeloff; Edward S. Grodin, of Milwaukee, Wis., on motion of Mr. Henry S. Reuss; Elmore G. Crowe, of Jefferson City, Mo., on motion of Mr. Morgan M. Moulder; Bertrand D. Gerber, of Elmhurst, N. Y., on motion of Mr. Alan Y. Cole; Marlin Hewitt Shirley, of Pomona, Calif., and James Steele Baker, of Pomona, Calif., on motion of Mr. Craig Hosmer; Patricia Pacetti Warren, of Jacksonville, Fla., and Samuel Intrater, of Silver Spring, Md., on motion of Mr. Albert Brick; Elwyn Linton Middleton, of Palm Beach, Fla., and John Myron Farrel, of West Palm Beach, Fla., on motion of Mr. Paul G. Rogers; Donald F. McMahon, of Oklahoma City, Okla., on motion of Mr. Robert L. Bryant; Philip J. Close, of Kansas City, Mo., on motion of Mr. Albert L. Reeves, Jr.; Tilford A. Jones, of Washington, D. C., on motion of Mr. William Simon; Frank Kennard Lewis, of East Stroudsburg, Pa., on motion of Mr. Cyril Francis Brickfield; John F. Edell, of Kansas City, Mo., on motion of Mr. Roland Rice; James P. Harrelson, of Walterboro, S. C., on motion of Mr. Harlan Wood; Harold Ungar, of Washington, D. C., on motion of Mr. Abraham S. Goldstein; Henry Hall Waller, Jr., of Lebanon, Tenn., on motion of Mr. Claude E. Reitzel, Jr.; Oliver W. Folmar, of Tavernier, Fla., on motion of Mr. James R. Golden; Richard T. Laughlin, of Washington, D. C., on motion of Mr. Raymond Underwood; Marvin Walter Weinstein, of Washington, D. C., on motion of Mr. Arnold Raum; Robert L. Park, of Arlington, Va., on motion of Mr. Oral D. Ozment; Anthony B. Akers, of New York, N. Y., on motion of Mr. Arthur Murray Preston; Harriet Spiller Daggett, of Baton Rouge, La., and DeVan Damon Daggett, of New Orleans, La., on motion of Mr. Yelverton Cowherd; Israel Goldberg, of St. Louis, Mo., on motion of Mr. Jerome J. Dick; Fred Ornstein, of Shaker Heights, Ohio, on motion of Mr. Donald A. Gardiner; Walton E. Cronan, of West Haven, Conn., on motion of Mr. John F. Anderson; Bernard B. Cohen, of Los Angeles, Calif., on motion of Mr. Henry Hornor Snelling; Paul Russell Shy, of Chillicothe, Mo., Joseph L. Flynn, of St. Joseph, Mo., Robert E.

Zimmerman, of Kansas City, Mo., William D. Cosgrove, of Kansas City, Mo., Arnold Morton Gold, of Detroit, Mich., Carl L. Rhoads, of Ecorse, Mich., Herbert F. Miller, of Estes Park, Colo., Jack Zachary Krigel, of Kansas City, Mo., Elias J. Candell, of Lakewood, Colo., Thomas M. Costello, of Royal Oak, Mich., William David Ford, of Dearborn, Mich., Vincent Mosser Dunn, of Detroit, Mich., Albert L. Hencke, of Kansas City, Mo., James E. Brown, of Joplin, Mo., James L. Muller, of Kansas City, Mo., Robert L. Shirkey, of Kansas City, Mo., Jack N. Bohm, of Kansas City, Mo., Richard L. Epstein, of Kansas City, Mo., George Herbert Meyer, of Detroit, Mich., Max Denny Alcorn, of Detroit, Mich., Harold A. Dewey, Jr., of Detroit, Mich., Fred C. Vowell, of Martin, Tenn., Andrew J. Belanger, Jr., of Detroit, Mich., Allan D. Chisholm, of Detroit, Mich., and James W. Benjamin, of Kansas City, Mo., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

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No. 110. Harold I. Cammer, petitioner, *v.* United States of America. 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 Black. Mr. Justice Reed concurs in the judgment solely on the ground that the circumstances leading to the enactment of this statute dictate the Court's otherwise unique reading of the term "officers of the court." Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 102. United States of America and Interstate Commerce Commission, appellants, *v.* Contract Steel Carriers, Inc. Appeal from the United States District Court for the Northern District of Indiana. Judgment affirmed. Opinion, *per curiam*, announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Harlan joins.

No. 624. The State of Florida, *ex rel.* Virgil D. Hawkins, petitioner, *v.* The Board of Control et al. Petition for writ of certiorari to the Supreme Court of Florida denied. Order of May 24, 1954, in No. 9, October Term, 1953, *Florida ex rel. Hawkins v. Board of Control of Florida*, 347 U. S. 971, vacated and the following order entered in lieu thereof.

*Per Curiam:* The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded on the authority of the Segregation Cases decided May 17, 1954, *Brown v. Board of Education*, 347 U. S. 483. As this case involves the admission of a Negro to a graduate professional school, there is no reason for delay. He is

entitled to prompt admission under the rules and regulations applicable to other qualified candidates. *Sweatt v. Painter*, 339 U. S. 629; *Sipuel v. Board of Regents of the University of Oklahoma*, 332 U. S. 631; cf. *McLaurin v. Oklahoma State Regents for Higher Education*, 339 U. S. 637."

Opinion, *per curiam*, announced by Mr. Chief Justice Warren.

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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. 584. Frank Gentles, Don F. Gates, Randolph Caldwell, et al., appellants, *v.* F. Britton McConnell, as Insurance Commissioner of the State of California, etc., et al.; and

No. 585. The Pacific Mutual Life Insurance Company of California, a California Corporation, et al., appellants, *v.* F. Britton McConnell, as Insurance Commissioner of the State of California, etc., et al. Appeals from the Supreme Court of California. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed. Treating the papers whereon the appeals were taken as petitions for writs of certiorari, certiorari is denied. The Chief Justice and Mr. Justice Reed took no part in the consideration or decision of these cases.

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No. 9, Original. The State of Texas, plaintiff, *v.* The State of New Mexico et al. The request of the United States that it be permitted to defer until November 15, 1956, the submission of a statement of its views regarding its indispensability as a party to this suit is granted.

No. 201. David Hyun, petitioner, *v.* Herman R. Landon, District Director, Immigration and Naturalization Service. The motion for leave to file brief of James C. Baker, et al., as *amici curiae*, is denied.

No. 366. Ham Say Naim, appellant, *v.* Ruby Elaine Naim. The motion to recall the mandate and to set the case down for oral argument upon the merits, or in the alternative, to recall and amend the mandate is denied. The decision of the Supreme Court of Appeals of Virginia of January 18, 1956, in response to our order of November 14, 1955, 350 U. S. 891, leaves the case devoid of a properly presented federal question.

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No. 105. William Thompson, petitioner, *v.* Coastal Oil Company. The petition for rehearing is granted. The judgment entered January 30, 1956, is vacated and the case is restored to the docket for reargument. Mr. Justice Harlan took no part in the consideration or decision of the petition for rehearing.

No. 701. Curtis Reid, Superintendent of the District of Columbia Jail, appellant, *v.* Clarice B. Covert. Appeal from the United States District Court for the District of Columbia. Further consideration of the question of the jurisdiction of this Court in this case and of the motion to dismiss or affirm is postponed to the hearing of the case on the merits. The case is transferred to the summary calendar.

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No. 241. National Labor Relations Board, petitioner, *v.* Lion Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted and case transferred to the summary calendar.

No. 713. Nina Kinsella, Warden of the Federal Reformatory for Women, Alderson, West Virginia, petitioner, *v.* Walter Krueger. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted. Case transferred to the summary calendar and assigned for argument with No. 701.

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No. 254. Francis R. Smith, Collector of Internal Revenue, petitioner, *v.* The Curtis Publishing Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 337. Thomas W. Banks, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 598. Leona Holcomb, Individually, Leona Holcomb, as Guardian of the Person and Estate of Donald George Fleming, a Minor, et al., petitioners, *v.* Aetna Life Insurance Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 606. Panhandle Eastern Pipe Line Company, petitioner, *v.* Michigan Consolidated Gas Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 620. The Delaware and Hudson Company, petitioner, *v.* The New York, New Haven and Hartford Railroad Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 629. Harlan Blackburn, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 633. Sears, Roebuck and Co., a Corporation, petitioner, *v.* Ry-Lock Company, Ltd., a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 637. John D. Myers, petitioner, *v.* John B. Hollister, Director, International Cooperation Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 638. Avco Manufacturing Corporation and the Harry Alter Company, Inc., petitioners, *v.* Hazeltine Research, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 640. Henry L. DeBusk, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 642. Students Book Company, petitioner, *v.* Washington Law Book Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 644. Sylvania Electric Products, Inc., petitioner, *v.* Irene Barker, Executrix. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 645. Robert Lambert, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 646. Andrew Terrasi, petitioner, *v.* South Atlantic Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 649. Antoine Songy, George Englad, Norbert Tassin, Jr., et al., petitioners, *v.* Godchaux Sugars, Inc. Petition for writ of certiorari to the Twenty-ninth Judicial District Court of Louisiana, in and for the Parish of St. John the Baptist, denied.

No. 650. Fred Fredericks, petitioner, *v.* American Export Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 652. United States of America, petitioner, *v.* Chamberlain Wholesale Grocery Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 655. Doris Sylvia Grey, Infant, and Howard Martin Grey, Infant, etc., petitioners, *v.* American Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 656. Billie P. Jones, Formerly Billie P. Schellenberger, Administratrix of the Estate of Ralph D. Schellenberger, Deceased, petitioner, *v.* James A. Schellenberger. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 669. Atlantic Coast Line Railroad Company, a Corporation, petitioner, *v.* Wilbur C. King et al., as Members of Florida Railroad

and Public Utilities Commission, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

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No. **437**. Boston and Providence Railroad Corporation Stockholders, appellants, *v.* The New York, New Haven and Hartford Railroad Company, Interstate Commerce Commission and the United States. The petition for rehearing, the motion to clarify the order of January 9th, and the petition for reconsideration of the judgment as to costs are denied.

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Adjourned until Monday, March 26, next, at 12 o'clock.

The day call for Monday, March 26, will be as follows: Nos. **60**, **231**, and **233**.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Stanley Denlinger, of Akron, Ohio, and Leonard Lyons, of New York, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Charles Robinson Holland, of Rock Springs, Wyo., on motion of Mr. Frank A. Barrett; Charles J. Miller, of Bridgeton, N. J., Bennett A. Robbins, of Jersey City, N. J., Malcolm J. Robbins, of Jersey City, N. J., Ellis A. Lecitov, of Jersey City, N. J., Maurice M. Krivit, of Jersey City, N. J., and William Reger, of Jersey City, N. J., on motion of Mr. T. James Tumulty; Russell Floyd Searer, of South Bend, Ind., on motion of Mr. Shepard J. Crumpacker, Jr.; Robert S. Goldenhersh, of St. Louis, Mo., on motion of Mr. Stanley M. Rosenblum; John G. Pidgeon, of Bisbee, Ariz., and Wesley E. Polley, of Bisbee, Ariz., on motion of Mr. Stewart L. Udall; Harold Barefoot Sanders, Jr., of Dallas, Tex., on motion of Mr. Joe M. Kilgore; William V. Kastler, of Roswell, N. Mex., on motion of Mr. J. Reuel Armstrong; Saul T. Winston, of Chicago, Ill., on motion of Mr. Laurence A. Kusek; Robert L. Hansen, of Des Moines, Iowa, M. Talbert Dick, of Des Moines, Iowa, Robert R. Collins, of Des Moines, Iowa, Isadore J. Newman, of Hammond, Ind., Thomas Joseph Krauska, of St. Louis, Mo., Lee S. Tennyson, of Evanston, Ill., Franklin Albert Steele, of Pittsburgh, Pa., Vincent M. Hanrahan, of Des Moines, Iowa, Leo H. Karn, of Des Moines, Iowa, Dixon G. Adams, of Bellevue, Nebr., Frederick S. Cassman, of Omaha, Nebr., Robert Lloyd Jeffrey, of Lincoln, Nebr., Miles W. Johnston, of Lincoln, Nebr., Emory L. Langdon, of Boscobel, Wis., Claude Mason Raley, of Rosebud, Tex., Carl E. Burget, of Edmond, Okla., and William Frederic Walsh, of Houston, Tex., on motion of Mr. Reginald Carl Harmon; James Campbell Bigler, of Washington, D. C., on motion of Mr. Myron G. Ehrlich; George Fingold, of Concord, Mass., and Henry F. O'Connell, of Winthrop, Mass., on motion of Mr. Marvin C. Taylor; S. George Berkley, of Miami Beach, Fla., on motion of Mr. Michael Mitchell Gould; Alvin Liebling, of Rockford, Ill., on motion of Mr. Saul Richard Gamer; Joseph F. Gall, of Nashua, N. H., and George Faulkner Nelson, of Milford, N. H., on motion of Mr. Joseph A. Nacrelli; Alfred Robert Belinkie, of Bridgeport, Conn., on motion of Mr. Charles Tignor Duncan; David Bennett Bliss, of Appleton, Wis., on motion of Mr. Henry J. Fox; Edward Mosk, of Los Angeles,

Calif., on motion of Mr. Mortimer Kollender; F. C. Lowell Head, of Los Angeles, Calif., on motion of Mr. Walter A. Slowinski; Franklin E. Spafford, of Dallas, Tex., on motion of Mr. Ernest Schein; Philip Rosenblatt, of Brooklyn, N. Y., on motion of Mr. Herman Sternstein; Emmett E. Cook, Jr., of Plains, Ga., on motion of Mr. Eugene G. Parker; Andrew G. Bucaro, of New Orleans, La., and Barry M. Woodmansee, of Beverly Hills, Calif., on motion of Mr. Stewart French; Kyle Z. Grainger, of Los Angeles, Calif., on motion of Mr. Philip F. Dodson; Edwin Beauchamp, of Phoenix, Ariz., on motion of Mr. John P. Frank; Richard Lee Brown, of Fort Worth, Tex., on motion of Mr. Oliver Bassuener; W. Horace Jewell, of Little Rock, Ark., on motion of Mr. Edwin D. Dupree, Jr.; Joseph W. Lewis, Jr., of St. Louis, Mo., on motion of Mr. Howard C. Westwood; Frank O. Barnes, of Houston, Tex., George L. Walker, of Houston, Tex., J. F. Womack, of Houston, Tex., Robert H. McCanne, of Houston, Tex., John Nacu, of Woonsocket, R. I., David Young, of Sapulpa, Okla., Glenn A. Young, of Sapulpa, Okla., Paul X. Williams, of Booneville, Ark., Rex McEntire, of Fort Worth, Tex., W. T. Kendall, of Houston, Tex., Ted Musick, of Houston, Tex., Wm. E. Ford, of Houston, Tex., Horace G. Nebeker, of Corpus Christi, Tex., James H. Fox, of Homestead, Fla., Joseph Lev Hunt, of Corpus Christi, Tex., Penrose Lucas Albright, of Wichita, Kans., Robin D. Thompson, of Palo Alto, Calif., Willard Irwin Boss, of Houston, Tex., Gordon Duval Gary, of Beaumont, Tex., Donald Howard Yarborough, of Houston, Tex., Jacob William Metzler, Jr., of Houston, Tex., and J. David McNeill, of New Orleans, La., on motion of Mr. Edward N. Logan, were admitted to practice.

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No. 129. George W. Doud et al., Doing Business as Bondified Systems and Eugene Derrick, appellants, *v.* Orville Hodge, Auditor of Public Accounts of the State of Illinois, et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment vacated with costs and case remanded to the United States District Court for the Northern District of Illinois for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton.

No. 170. General Stores Corporation, petitioner, *v.* Max Shlensky, Securities and Exchange Commission, Creditors Committee and Wage Claimants. 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 Douglas. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 278. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joseph T. Budd, Jr., and Florence W. Budd, Co-Partners, Doing Business as J. T. Budd, Jr., and Company, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgments of the Court of Appeals reversed and those of the District Court affirmed and cases remanded to the United States District Court for the Northern District of Florida. Opinion by Mr. Justice Douglas.

No. 58. William Ludwig Ullmann, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of the Court of Appeals affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Frankfurter. Mr. Justice Reed concurs in the opinion and judgment of the Court except as to the statement that no constitutional guarantee enjoys preference. *Murdock v. Pennsylvania*, 319 U. S. 105, 115; *Thomas v. Collins*, 323 U. S. 516, 530; cf. *Kovacs v. Cooper*, 336 U. S. 77, 78. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

No. 255. Millinery Center Building Corp., petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of the Court of Appeals affirmed. Opinion by Mr. Justice Frankfurter.

No. 54. United States of America, appellant, *v.* Jack Green and General Laborers' Local 397 of Granite City, Illinois, etc. Appeal from the United States District Court for the Southern District of Illinois. Order in arrest of judgment reversed and cause remanded to the United States District Court for the Southern District of Illinois for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Black concur.

No. 56. Murdock Acceptance Corporation, petitioner, *v.* 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 reversed and cause remanded to the United States District Court for the Eastern District of Louisiana for further proceedings not inconsistent with the opinion of this Court. Opinion, *per curiam*, announced by Mr. Chief Justice Warren. Mr. Justice Frankfurter dissents.

No. 63. Werner Machine Company, Inc., appellant, *v.* Director of Division of Taxation, Department of the Treasury, State of New Jersey. Appeal from the Supreme Court of New Jersey. Judgment affirmed. Opinion, *per curiam* announced by Mr. Chief Justice Warren.

No. 469. John M. Petrowski, Grace Ringle, a Minor, by Ervin Ringle, Her Guardian Ad litem, Francis Gelhar, et al., petitioners, *v.* Hawkeye-Security Insurance Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment of the Court of Appeals reversed with costs and case remanded to that Court for further proceedings in conformity with the opinion of this Court. Opinion, *per curiam*, announced by Mr. Chief Justice Warren.

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The Chief Justice announced the following order of the Court:

No. 201. David Hyun, petitioner, *v.* Herman R. Landon, District Director, Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *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.

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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. 15, Original. United States of America, plaintiff, *v.* State of Louisiana. The motion for leave to file the complaint is granted and the defendant is allowed 30 days within which to answer. The Chief Justice took no part in the consideration or decision of this motion.

No. 451. Railway Employees' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. The motion of the State of Nebraska for leave to appear and present oral argument, as *amicus curiae*, is granted and 30 minutes is allowed for that purpose.

No. 451. Railway Employees' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. The motion of the National Right to Work Committee for leave to appear and present oral argument, as *amicus curiae*, is denied.

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No. 626. Junius Irving Scales, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case assigned for argument immediately following Nos. 308, 309, 310, 547, and 566.

No. 661. Claude Mack Lightfoot, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case assigned for

argument immediately following Nos. 308, 309, 310, 547, 566, and 626.

No. 664. Orlando Delli Paoli, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

No. 676. Charles Rowoldt, petitioner, *v.* J. D. Perfetto, Acting Officer in Charge, Immigration and Naturalization Service, Department of Justice, St. Paul, Minnesota. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 378, Misc. William Earl Fikes, petitioner, *v.* State of Alabama. Motion for leave to proceed in forma pauperis and petition for writ of certiorari to the Supreme Court of Alabama granted and case transferred to the appellate docket.

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No. 543. Irving M. Rubenstein, a/k/a Irving M. Ruby, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 614. Clarence A. Zacher, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 641. Anne M. Evans, petitioner, *v.* St. Louis Housing Authority, the City of St. Louis, a Municipal Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 647. Joseph Starr, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 653. C. F. Click, petitioner, *v.* Jacksonville Terminal Company, a Corporation. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 654. Edith Neuman De Vegvar, petitioner, *v.* Whitney Gilliland, Pearl Carter Pace and Henry J. Clay, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 659. Taft Moody, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 660. Bill G. Blunt, petitioner, *v.* Employers Mutual Liability Insurance Company of Wisconsin. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 663. Elmo T. Christianson and Herman Paster, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 665. Jack M. Chesbro, Carl Silverstein, Morris Silverstein, and Smiling Jack Chesbro, Inc., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 666. Carl E. Freeman, petitioner, *v.* The Sussin Corporation, a Corporation, Alleged Bankrupt, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 668. Cash Cole, Individually and as an Officer and Director of Bayview Realty, Inc., an Alaskan Corporation, et al., petitioners, *v.* Fairview Development, Inc., an Alaskan Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 670. Herbert C. McVay, petitioner, *v.* Commonwealth of Pennsylvania, ex rel. Marion C. McVay. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 671. John E. Dwyer, Jr., et al., Trustees of the Estate of the Bankrupt, Majestic Radio and Television Corporation, petitioners, *v.* Curtis Franklin. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 673. Squirrel Brand Company, petitioner, *v.* Barnard Nut Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 674. Rose Alexander, petitioner, *v.* Irving Trust Company as Executor Under the Last Will and Testament of Clarence P. Oberndorf, Deceased, and Columbia University Press. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 678. Mark J. Hammett, petitioner, *v.* Times-Herald, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 679. James Robert Palmer and Lenore Palmer, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 680. Armand Valdez, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 681. Southside Virginia Telecasting Corporation, petitioner, *v.* Federal Communications Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 683. Louise McGrew Moffett, as an Individual and Executrix of the Estate of Thomas S. Moffett, Deceased, petitioner, *v.* Commerce Trust Company, a Corporation. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 685. Alpha Beta Food Markets, Inc., a Corporation, et al., petitioners, *v.* Retail Clerks Union Local No. 770, an Unincorporated Voluntary Association, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 687. William Estep and Dora Estep, petitioners, *v.* J. E. (Bill) Decker, Sheriff of Dallas County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 688. Anne M. Evans, petitioner, *v.* Martha Buente et al., The City of St. Louis, et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 700. A. E. Hoss and Sullens & Hoss, Inc., a Corporation, petitioners, *v.* C. G. (Jim) Purinton. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 726. The Order of Railroad Telegraphers, petitioner, *v.* New Orleans, Texas and Mexico Railway Company, Debtor, Guy A. Thompson, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 672. The Balian Ice Cream Co., Inc., a Corporation, et al., petitioners, *v.* Arden Farms Co., a Corporation, et al. The motion for leave to file brief of Dee C. Blythe and Lynell G. Skarda, as *amici curiae*, is denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 682. Covington Mills, Alabama Mills, Inc., et al., petitioners, *v.* James P. Mitchell, Secretary of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 505. Joel A. Maloy, petitioner, *v.* City of Mulberry, a Municipal Corporation; and

No. 379, Misc. Robert E. Lipscomb, petitioner, *v.* United States of America. Petitions for rehearing denied.

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No. 58, Misc. Thomas Ray Taylor, petitioner, *v.* H. E. Moore, Warden, Texas State Penitentiary. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 63, Misc. Buell Sherman Shaw, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 89, Misc. Coleman J. Sepe, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 329, Misc. Donald Bryce Lawrence, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 352, Misc. Herbert LeBeau, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 365, Misc. Kenneth LeRoy Kester, petitioner, *v.* The People of the State of California and Harley O. Teets, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 370, Misc. Herschel Branch, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 375, Misc. Mariano Fili, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 389, Misc. C. D. Eckford, petitioner, *v.* Ross V. Randolph, Warden, Illinois State Penitentiary, Menard, Illinois. Petition for writ of certiorari to the Circuit Court of St. Clair County, Illinois, denied.

No. 397, Misc. Ralph McNutt, petitioner, *v.* Lawrence L. Delmore, Jr., as Superintendent of the Washington State Penitentiary at Walla Walla, Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 400, Misc. S. Leon Levy, petitioner, *v.* Carlton Hayward, Louis Levine, Leo A. Rover, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 410, Misc. Millard Ford, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Pulaski County, Illinois, denied.

No. 443, Misc. Robert Lee Breeding, petitioner, *v.* Warden of the Minnesota State Prison. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 448, Misc. Harry R. Malmberg, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 451, Misc. Gehard Edward Stelter, petitioner, *v.* Joseph E. Ragen, Warden, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 456, Misc. B. Lowery, petitioner, *v.* H. C. McLeod, Warden, Oklahoma State Penitentiary. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 457, Misc. Charley Spry, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 461, Misc. George Nottage, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 463, Misc. Levi Sheard, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 465, Misc. Jerry Lee Bonsor, petitioner, *v.* The Court of Criminal Appeals of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 470, Misc. David D. Bocock, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 480, Misc. Thomas W. May, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Criminal Court of Marion County, Indiana, denied.

No. 486, Misc. United States of America, ex rel. William M. Evans, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 489, Misc. Ex parte Lacy Wingfield, petitioner. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 490, Misc. Thomas C. Livesay, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 491, Misc. Oppie Edwards, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 493, Misc. Lovell Landers, Jr., petitioner, *v.* The People of the State of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 495, Misc. Clarence Henderson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 496, Misc. William Mitchell, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 498, Misc. Joseph Cullen, petitioner, *v.* The State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 499, Misc. Cleo Murray, petitioner, *v.* Robert A. Heinze, Warden of the State Prison at Represa, California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 500, Misc. Tony Garcia, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 503, Misc. Amedio Cianci, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 508, Misc. Ernest A. Spencer, petitioner, *v.* William H. Bannan, Warden, State Prison of Southern Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 512, Misc. Richard M. Didier, petitioner, *v.* State of Washington et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 514, Misc. Michael Petrucelli, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 519, Misc. Edward Lee Aull, petitioner, *v.* C. H. Looney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 521, Misc. Joseph Frey, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 522, Misc. Henry F. Reddington, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 524, Misc. Elbert Riddle, petitioner, *v.* H. C. McLeod, Warden, Oklahoma State Penitentiary. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 527, Misc. Arthur Jerome Watson, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 530, Misc. United States of America, ex rel. Fred Ledbetter, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the County Court of Kings County, New York, denied.

No. 532, Misc. William Stone, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 536, Misc. Sims Richardson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 537, Misc. Peter Kadio, petitioner, *v.* State of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 540, Misc. Frank Luzzi, petitioner, *v.* Court of Quarter Sessions of Oyer and Terminer, County of Berks, Reading, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 543, Misc. Stanley Seltenrich, petitioner, *v.* Maurice H. Sigler, Warden, Louisiana State Penitentiary, Angola, La. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

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No. 293, Misc. Louis G. B. Bilbao, petitioner, *v.* United States of America ;

No. 311, Misc. Harry Morris Sherman, petitioner, *v.* United States of America ; and

No. 506, Misc. Mario Green, petitioner, *v.* The People of the State of New York. Motions for leave to file petitions for writs of certiorari denied.

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No. 385, Misc. Clarence Beard, petitioner, *v.* State of Ohio ; and

No. 487, Misc. Joseph Godfrey Moore, petitioner, *v.* People of the State of California. Applications denied.

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No. 391, Misc. Irving R. Cherry and Floyd Fisher, petitioners, *v.* Curtis Reid, Superintendent, District of Columbia Jail ;

No. 497, Misc. George B. Minton, petitioner, *v.* The Criminal District Court Reporter of San Jacinto County, Texas ; and

No. 502, Misc. Edward Bukorsky, petitioner, *v.* The People of the State of Illinois, E. J. Uffelman, Superintendent, Illinois Security Hospital. Motions for leave to file petitions for writs of mandamus denied.

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No. 488, Misc. John H. Lee, petitioner, *v.* State of Rhode Island ;

No. 504, Misc. Jerome Alexander Blake, petitioner, *v.* Warden, New York State Penitentiary, Auburn, New York ;

No. 507, Misc. William J. Hamel, petitioner, *v.* R. N. Eidson, Warden, State Prison;

No. 520, Misc. In the Matter of Joseph Uttal, petitioner;

No. 531, Misc. Ex parte Joe Doyle Banning, petitioner; and

No. 553, Misc. Gertrude MacDonald, petitioner, *v.* Robert Jerome Dunne, Judge of the Probate Court of Cook County, Illinois. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 602, Misc. Lonnie Brinkley, petitioner, *v.* The State of Texas. Motion for leave to file petition for writ of error coram nobis denied.

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No. 60. Louis Berra, petitioner, *v.* United States of America. Argued by Mr. Stanley M. Rosenblum for the petitioner and by Mr. Philip Elman for the respondent.

No. 231. Bill Hatahley et al., petitioners, *v.* United States of America. Argument commenced by Mr. Norman M. Littell for the petitioners.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 27, will be as follows: Nos. 231, 233, 282, and 320.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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John P. Jellico, of Charleston, S. C., on motion of Mr. William R. Orlandi; Leonard L. Roth, of Monroeville, Ala., on motion of Mr. Joseph Millenson; Richard Konrad Fliss, of Washington, D. C., on motion of Mr. George Morris Fay; Milton Garber, of Hoboken, N. J., on motion of Mr. Nathan Baker; Joseph Levinson, of Chicago, Ill., on motion of Mr. Sheldon E. Bernstein; David Goldman, of Miami, Fla., on motion of Mr. Matthew Hale; P. Z. Jones, of Jackson, Miss., on motion of Mr. Edward Donald Moseley; John George Sevcik, of Chicago, Ill., Plummer M. Shearin, of Silver Spring, Md., and James D. Conway, of Hastings, Nebr., on motion of Mr. Robert E. Redding; J. Norman Stone, of Sheridan, Wyo., on motion of Mr. Allan L. Kamerow; Myles H. Knowles, of Washington, D. C., and Mrs. Elizabeth Knowles, of Washington, D. C., on motion of Mr. Miles H. Knowles; Maurice Washer, of Chicago, Ill., on motion of Mr. Julian Robert Wilhelm; Frank R. Eslinger, of Washington, D. C., on motion of Mr. Joseph A. Nacrelli; John R. Kewer, of Boston, Mass., on motion of Mr. John J. Finn; and Arnold Rivkin, of Brooklyn, N. Y., on motion of Mr. Henry S. Reuss, were admitted to practice.

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No. 231. Bill Hatahley et al., petitioners, *v.* United States of America. Argument continued by Mr. Roger P. Marquis for the respondent and concluded by Mr. Norman M. Littell for the petitioners.

No. 233. Dixie Carriers, Inc., Coyle Lines Incorporated, et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al. Argued by Mr. Nuel D. Belnap for the appellants, by Mr. Daniel M. Friedman for the United States, by Mr. Samuel R. Howell for the Interstate Commerce Commission, and by Mr. John A. Daily for New York Central Railroad Company et al.

No. 282. Alma Schulz, Administratrix of the Estate of August M. Schulz, petitioner, *v.* The Pennsylvania Railroad Company. Argument commenced by Mr. Nathan Baker for the petitioner and continued by Mr. Joseph P. Allen for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 28, will be as follows: Nos. 282, 320, 383, and 523.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Bruce Paul Badley, of Lander, Wyo., on motion of Mr. Frank A. Barrett; Stephen Wycoff, of Santa Cruz, Calif., on motion of Mr. Gray Thoron; Roger Martin Dougherty, of Falls Church, Va., on motion of Mr. Harold Appleby Kennedy; Carl A. Chadwick, of Natchez, Miss., on motion of Mr. Edward Donald Moseley; John B. Bates, of San Francisco, Calif., on motion of Mr. Hugh T. Fullerton; and Robert D. Douglas, Jr., of Greensboro, N. C., and J. Archie Cannon, Jr., of Greensboro, N. C., on motion of Mr. Robert M. Scott, were admitted to practice.

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No. 282. Alma Schulz, Administratrix of the Estate of August M. Schulz, petitioner, *v.* The Pennsylvania Railroad Company. Argument continued by Mr. Joseph P. Allen for the respondent and concluded by Mr. Nathan Baker for the petitioner. Leave granted petitioner to file exhibits.

No. 320. George B. Parr, petitioner, *v.* United States of America. Argument commenced by Mr. Everett L. Looney for the petitioner, continued by Mr. Gray Thoron for the respondent and concluded by Mr. Abe Fortas for the petitioner.

No. 383. General Box Company, petitioner, *v.* United States of America. Argument commenced by Mr. Edward Daniel Moseley for the petitioner, continued by Mr. S. Billingsley Hill for the respondent and concluded by Mr. Ross R. Barnett for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 29, will be as follows: Nos. 523, 380, and 486.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Alfred P. Stuart, of Marshall, Mich., on motion of Mr. Louis George Meader; Russell L. Stevens, of Agana, Guam, on motion of Mr. I. Henry Kutz; Willis H. Holmes, of Little Rock, Ark., on motion of Mr. Edwin D. Dupree, Jr.; Walter E. Hiner, of Indianapolis, Ind., on motion of Mr. John W. Shields; Louis Andre Fernandez, of Tampa, Fla., on motion of Mr. James R. Golden; Stephen M. Pierson, of Fort Wayne, Ind., on motion of Mr. Loren K. Olson; and John R. Davison, of Elsmere, N. Y., on motion of Mr. Frazer Frost Hilder, were admitted to practice.

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No. 523. Joan Greenway Collins, Widow, et al., petitioners, v. American Buslines, Inc., Respondent Employer, et al. Argued by Mr. John P. Frank for the petitioners and by Mr. John R. Franks for the respondent, The Industrial Commission of Arizona. No appearance for respondent, American Buslines, Inc.

No. 380. Edwin B. Covey, Committee of the Person and Property of Nora Brainard, an Incompetent, appellant, v. Town of Somers. Argued by Mr. Samuel M. Sprafkin for the appellant, by Mr. Otto E. Koegel for the appellee and by Mr. John R. Davison for the State of New York, as *amicus curiae*, with the consent of counsel for the appellee.

No. 486. National Labor Relations Board, petitioner, v. Truitt Manufacturing Company. Argued by Mr. David P. Findling for the petitioner and by Mr. R. D. Douglas, Jr., for the respondent.

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Adjourned until Monday, April 2, next, at 12 o'clock.

The day call for Monday, April 2, will be as follows: No. 489.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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William Ramsey Clark, of Dallas, Tex., Walter Dreifuss, of New York, N. Y., Murray J. Diamond, of New York, N. Y., William V. Simpson, of Port Huron, Mich., Edward R. FitzSimons, of Berkeley, Calif., Hugh E. Mahanes, of Oceana, Va., and Ben D. Worcester, of Arlington, Va., on motion of Mr. Solicitor General Simon E. Sobeloff; Mary Vance Guinn, of El Paso, Tex., and Ernest Guinn, of El Paso, Tex., on motion of Mr. Price Daniel; Charles B. Fulton, of West Palm Beach, Fla., on motion of Mr. Paul G. Rogers; Neal P. Rutledge, of Miami, Fla., on motion of Mr. Reeves Bowen; H. B. Jones, Jr., of Seattle, Wash., on motion of Mr. H. B. Jones; Harry George Weissenberger, of Dalton, Ga., on motion of Mr. Frederick Bernays Wiener; Terence J. Smyth, of Ossining, N. Y., and Daniel G. Levin, of Ossining, N. Y., on motion of Mr. Stanley B. Frosh; William D. Patton, of Johnstown, Pa., on motion of Mr. Ralph D. Pittman; Morton Witkin, of Philadelphia, Pa., on motion of Mr. Brice Wilson Rhyne; Harry C. Kinne, Jr., of McHenry, Ill., on motion of Mr. George E. Reed; Keith J. Leenhouts, of Royal Oak, Mich., on motion of Mr. Frank G. Millard; Robert Howard Schnacke, of San Francisco, Calif., on motion of Mr. Joseph H. Lesh; Dan Chappell, of Miami, Fla., on motion of Mr. John L. Ingoldsby, Jr.; John D. Lane, of Norwalk, Conn., on motion of Mr. Thomas Gardiner Corcoran; Arthur L. Price, Jr., of Champaign, Ill., John Richardson Mackay, of Wheaton, Ill., and William St. John, of Ossining, N. Y., on motion of Mr. William Pitt Shattuck; Augustin J. San Filippo, of New York, N. Y., on motion of Mr. Alvin Olaf West; William H. Horr, of Portsmouth, Ohio, on motion of Mr. James Davies Williams, Jr.; Samuel Schoenberg, of Chicago, Ill., on motion of Mr. Joel David Wolfsohn; Francisco Coll Moya, of San Juan, P. R., on motion of Mr. Philip F. Herrick; Tom L. Yates, of Chicago, Ill., on motion of Mr. Clifford R. Stearns; Roswell B. Perkins, of New York, N. Y., on motion of Mr. Paul F. Perkins; and Sidney Krieger, of Newark, N. J., and Leo C. Zucker, of Newark, N. J., on motion of Mr. Joseph M. Bonuso, were admitted to practice.

No. 10. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson. On writ of certiorari to the Supreme Court of Pennsylvania, Western District. Judgment affirmed. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton and Mr. Justice Minton join.

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The Chief Justice announced the following order of the Court:

No. 66. Riverbank Laboratories, a Corporation, petitioner, *v.* Hardwood Products Corporation. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The Court is of the opinion that the District Court correctly found there was proper service upon the defendant in this case. Accordingly, the judgment of the Court of Appeals is reversed and the case is remanded to the District Court for further proceedings. Mr. Justice Harlan took no part in the consideration or decision of this case.

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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. 316. The Raymond Bag Company, appellant, *v.* Stanley J. Bowers, Tax Commissioner of Ohio. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction.

No. 736. In the Matter of the Application of Eugene Burwell; and

No. 737. In the Matter of the Application of James Alonzo Rogers. On certificates from the United States Court of Appeals for the Ninth Circuit. Certificates dismissed. Memorandum opinion filed with the Clerk.

No. 625. James C. Rogers, petitioner, *v.* Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, a Corporation. The motion to substitute Missouri Pacific Railroad Company as the party respondent in the place and stead of Guy A. Thompson, Trustee, etc., is granted.

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No. 690. National Labor Relations Board, petitioner, *v.* Textile Workers Union of America, CIO, and its Agents Earl McGrew, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 702. Allen I. Nilva, petitioner, *v.* United States of America. Petition or writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 667. Tractor Training Service, a Corporation, et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 677. Floyd Johnson, petitioner, *v.* State of Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 684. Michigan Wisconsin Pipe Line Company, petitioner, *v.* Phillips Petroleum Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 686. Anthony Tonty, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Superior Court and the Supreme Court of Pennsylvania, Western District, denied.

No. 689. Pinellas Broadcasting Company, petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 696. Wilbur A. Sale, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 698. United States of America ex rel. Tony Marino, petitioner, *v.* Ralph H. Holton, District Director, Immigration and Naturalization Service, Chicago, Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 705. Norvin Rieser, Milton S. Koblitz, George S. Champlin, et al., petitioners, *v.* The Baltimore & Ohio Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 709. David Pleason, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 711. Board of Education of Hillsboro, Ohio, a Body Corporate, et al., petitioners, *v.* Joyce Marie Clemons, an Infant, by Gertrude Clemons, her Mother, and Next Friend, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 717. Efco Manufacturing, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 756. Esther M. Kromer and Edward L. Kromer and Stayon Products, Inc., an Illinois Corporation, petitioners, *v.* Riegel Textile Corporation, a Delaware Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 21. United States of America, petitioner, *v.* Twin City Power Company and William P. Dauchy, its Mortgagee; and

No. 209. United States of America, petitioner, *v.* Twin City Power Company of Georgia et al.;

No. 589. V. P. Serodino, Inc., appellant, *v.* United States of America and Interstate Commerce Commission, et al.;

No. 396, Misc. William Ross Mahar, petitioner, *v.* Percy A. Lains-son, Warden, Iowa State Penitentiary; and

No. 430, Misc. Thomas O. Spampinato and Jane B. Spampinato, petitioners, *v.* M. Breger & Co., Inc. Petitions for rehearing denied.

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No. 392, Misc. Theodore Malcolm Kramer, petitioner, *v.* Ralph W. Alvis, Warden, Ohio Penitentiary. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 444, Misc. William Raymond Lindsey, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 452, Misc. Raymond Leary, Jr., petitioner, *v.* Charles G. Day, Warden, State Penitentiary, Graterford, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 455, Misc. Charles D. Hatfield, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 459, Misc. George Sessions, Jr., petitioner, *v.* Wyndham Manning, Sr., Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 485, Misc. Francis J. Hilderbrand, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 505, Misc. People of the State of Illinois, ex rel. Charles R. Winston, petitioner, *v.* Ross V. Randolph, Warden, Illinois State Penitentiary, Menard. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 518, Misc. Mrs. Nancy Ellen Gilbert Acker, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 544, Misc. Joseph Ortega, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Prison. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 550, Misc. Joseph W. Di Silvestro, petitioner, *v.* United States Veterans Administration et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 561, Misc. Edward Tillman, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 562, Misc. Maurice Francis Mercer, Jr., petitioner, *v.* People of the State of New York et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 567, Misc. Robert E. Lea, petitioner, *v.* State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 585, Misc. Clarence Mahurin, petitioner, *v.* Warden, Missouri State Prison and the State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 587, Misc. George Grieshaber, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 604, Misc. Andrew Mikka, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 445, Misc. Henry H. Stevens, petitioner, *v.* Walter B. Martin, Warden, Attica State Prison. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 557, Misc. John Collins, petitioner, *v.* Robert A. Heinze, Warden of California State Prison at Folsom. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Motion for leave to file petition for writ of habeas corpus also denied.

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No. 12, Misc. Ralph J. Bindrim, petitioner, *v.* Joseph E. Ragen, Warden;

No. 426, Misc. Ray Schrader, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois;

No. 433, Misc. William John Johnson, petitioner, *v.* Warden, Eastern State Penitentiary, Philadelphia, Pa.; and

No. 589, Misc. Howard W. Davis, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of habeas corpus denied.

No. 428, Misc. Ruth Boyce, petitioner, *v.* The People of the State of California. Application denied.

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No. 431, Misc. Bernard M. Shotkin, appellant, *v.* Board of Education of Florida. Petition for allowance of appeal denied.

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No. 511, Misc. Monroe Rex Bell, petitioner, *v.* United States of America. Motion for leave to file petition for writ of mandamus denied.

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ORDER

The Court will take a recess from today until Monday, April 9, and from that day until Monday, April 23, next.

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No. 489. Dan Durley, petitioner, *v.* Nathan Mayo, Custodian, Florida State Prison. Argued by Mr. Neal P. Rutledge for the petitioner and by Mr. Reeves Bowen for the respondent.

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Adjourned until Monday, April 9, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Charles S. Burdell, of Seattle, Wash., Edward D. Flaherty, of Buffalo, N. Y., Maurice S. Meyer, of Newark, N. J., and Paul James Maxwell, of Atlanta, Ga., on motion of Mr. Solicitor General Simon E. Sobeloff; W. H. Parker, of Los Angeles, Calif., and Helen VanGulpen Harris, of Oakland, Calif., on motion of Mr. Warren Olney III; Dorothea Mesny, of Los Angeles, Calif., and Mildred Murphy, of Los Angeles, Calif., on motion of Miss M. Vashti Burr; Charles C. Chesnut, of Miami, Okla., on motion of Mr. Edmond A. Edmondson, Jr.; Frank E. Diston, of Salt Lake City, Utah, and John Farr Larson, of Salt Lake City, Utah, on motion of Mr. William A. Dawson; Cecil L. Hurley, of Oklahoma City, Okla., Eugene C. Wohlhorn, of Bellaire, N. Y., Gerald P. Siegel, of Boston, Mass., and Warren Eugene Banks, Jr., of Hot Springs, Ark., on motion of Mr. Richard B. Berryman; John P. Cox, of Buffalo, N. Y., on motion of Mr. Vernon C. Kohlhaas; Robert W. Griffith, of Little Rock, Ark., and Floyd Lee Williams, Jr., of Fayetteville, Ark., on motion of Mr. Edwin D. Dupree, Jr.; James T. McNelis, of Washington, D. C., on motion of Mr. Timothy V. A. Dillon; Stanley C. Lagerlof, of Los Angeles, Calif., on motion of Mr. Robert Lee McCarty; William J. Schmid, of Cincinnati, Ohio, and Carl Bernard Rubin, of Cincinnati, Ohio, on motion of Mr. Charles Watson Hover; Cyril Porter Dickson, of Denver, Colo., on motion of Mr. Lee I. Park; George M. St. Peter, of Fond du Lac, Wis., on motion of Mr. John E. Powell; Warren Harrison Biscailuz, of Santa Monica, Calif., on motion of Mr. Byron Nicholas Scott; Theodore J. Breitwieser, of Brooklyn, N. Y., on motion of Mr. William Leavenworth Colby; Robert Arthur Diemer, of Washington, D. C., on motion of Mr. Ross G. Porter; Paul Aaroe, of Washington, N. J., on motion of Mr. Carl Layton Shipley; John Arnold Cannon, of Washington, D. C., on motion of Mr. M. H. Thatcher; Joseph Robert Walsh, of Washington, D. C., on motion of Mr. Joseph Leo McGroary; Eugene Leroy Rogers, of Washington, D. C., and William Harold Bailey, of Washington, D. C., on motion of Mr. Pleasant Baxter Davis; and Cooley Clayton Berry of Spartanburg, S. C., Johnnie R. Peebles, of Decatur, Ga., Donald B. Wiley, of Atlanta, Ga., Theodore Spahr Fair, of Waco, Tex., John M. Royall,

Jr., of Decatur, Ga., George R. Creedle, of Park Ridge, Ill., Arthur Philip Wilson, Jr., of Dallas, Tex., Robert W. Spence, of Austin, Tex., and Reuben P. Allen, Jr., of Yorktown, Tex., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

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No. 38. Raymond C. Armstrong, petitioner, *v.* Mary R. Armstrong, General Motors Corporation, et al. On writ of certiorari to the Supreme Court of the State of Ohio. Judgment affirmed. Opinion by Mr. Justice Minton. Separate opinion by Mr. Justice Frankfurter joining the opinion of the Court. Concurring opinion by Mr. Justice Black in which The Chief Justice, Mr. Justice Douglas, and Mr. Justice Clark join.

No. 23. Harry Slochower, appellant, *v.* The Board of Higher Education of the City of New York. Appeal from the Court of Appeals of the State of New York. Judgment reversed with costs and cause remanded to the Court of Appeals of New York for further proceedings not inconsistent with the opinion of the Court. Opinion by Mr. Justice Clark. Mr. Justice Black and Mr. Justice Douglas join the Court's judgment and opinion, but also adhere to the views expressed in their dissents in *Adler v. Board of Education*, and *Garner v. Los Angeles Board* and to their concurrences in *Wieman v. Updegraff*. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton and Mr. Justice Minton join. Dissenting opinion by Mr. Justice Harlan.

No. 82. International Harvester Credit Corporation et al., appellants, *v.* Allen J. Goodrich et al., Constituting the State Tax Commission of the State of New York. Appeal from the Court of Appeals of the State of New York. Judgment affirmed. Opinion by Mr. Justice Burton. Mr. Justice Black concurs in the result. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Douglas concurs. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 351. R. V. Archawski et al., petitioners, *v.* Basil Hanioti, etc. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed with costs and case remanded to the United States Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 523. Joan Greenway Collins, Widow, et al., petitioners, *v.* American Buslines, Inc., Respondent Employer, et al. On writ of certiorari to the Supreme Court of the State of Arizona. Judgment reversed with costs and case remanded to the Supreme Court of Arizona for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Frankfurter.

No. 282. Alma Schulz, Administratrix of the Estate of August M. Schulz, petitioner, *v.* The Pennsylvania Railroad Company. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Mr. Justice Reed, Mr. Justice Burton, and Mr. Justice Minton dissent. Dissenting opinion by Mr. Justice Frankfurter.

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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. 675. J. Frank Rothwell and Dorothea D. Rothwell, appellants, *v.* Samuel O. Linzell, Director of Highways. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 699. United States of America, petitioner, *v.* White Bear Brewing Co., Inc., and Chicago Title and Trust Company, as Trustee, et al. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Harlan concurs.

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No. 66. Riverbank Laboratories, a Corporation, petitioner, *v.* Hardwood Products Corporation. The order entered in this case on April 2, 1956, is amended to provide for a remand of the case to the United States Court of Appeals for the Seventh Circuit.

No. 92. Mabel Black and T. Y. Wulff, etc., et al., petitioners, *v.* Cutter Laboratories, a Corporation. The motion to continue this case to the next term is denied.

No. 451. Railway Employes' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. The motion of the State of South Dakota for leave to appear and present oral argument, as *amicus curiae*, is denied.

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No. 718. United States of America, petitioner, *v.* Paul E. Plesha et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 639. Forrest L. Moe and Edith B. Moe, petitioners, *v.* Hugh H. Earle, Former Collector of Internal Revenue at Portland, Oregon. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 651. The Greyhound Corporation, petitioner, *v.* G. C. Martin. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 697. Oscar L. Grant et al., petitioners, *v.* Ezra Taft Benson, Secretary of Agriculture of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 708. Luella Dube et al., petitioners, *v.* City of Chicago. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 712. August Faucetta, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 715. Tommy Deskin, petitioner, *v.* Arthur Pazan, d/b/a Pazan Motor Freight, Michigan Unemployment Compensation Commission, et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 725. Marathon Foundry and Machine Company, a Corporation, Debtor, petitioner, *v.* Joseph Schwartz and Francis J. Curtis, Trustees of Marathon Foundry and Machine Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 730. Orren Hulett, petitioner, *v.* Emmitt L. Brinson. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 740. Lorentz Ludvigsen, petitioner, *v.* Commercial Stevedoring Co., Inc., and A/S L. J. Mowinckels Rederi. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 703. Ernest King Bramblett, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice and Mr. Justice Burton took no part in the consideration or decision of this application.

No. 710. Allentown Broadcasting Corporation, petitioner, *v.* Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 42. Victor D. Gibson, petitioner, *v.* Lockheed Aircraft Service, Inc.;

No. 598. Leona Holcomb, Individually, Leona Holcomb, as Guardian of the Person and Estate of Donald George Fleming, a Minor, et al., petitioners, *v.* Aetna Life Insurance Company, a Corporation;

No. 454, Misc. David Darrin, petitioner, *v.* Capital Transit Company, a Body Corporate, et al.; and

No. 484, Misc. Vernon Eugene Goodson, petitioner, *v.* Commonwealth of Virginia. Petitions for rehearing denied.

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No. 405, Misc. Nicholas Smereka, Theodore Smith, and Orville Defoe, petitioners, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 492, Misc. H. Dulany Mitchell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 539, Misc. Francis Haines, petitioner, *v.* Latham Castle, Attorney General of Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 547, Misc. George N. Mas and Frank M. Mas, petitioners, *v.* Owens-Illinois Glass Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 551, Misc. Ernest Ingenito, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 555, Misc. Howard Dulany Mitchell, petitioner, *v.* State of Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 559, Misc. William Lynn Stroup, petitioner, *v.* John G. Fox, Attorney General of West Virginia, et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 574, Misc. Willie Allen, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 592, Misc. George H. Smith, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Ill. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

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No. 577, Misc. Thomas James Dunn, petitioner, *v.* United States of America;

No. 598, Misc. Morris W. Gordon, petitioner, *v.* United States of America; and

No. 638, Misc. Theodore Wulsch, petitioner, *v.* People of the State of Illinois and Ross Randolph, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 546, Misc. John Edward Baldwin, petitioner, *v.* United States of America. Motion for leave to file petition for writ of mandamus denied.

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No. 624, Misc. William B. Donnell, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Motion for leave to file petition for writ of certiorari denied.

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#### ORDER

*Ordered:*

1. That Rules 41 (a), 46 (a) (2), 54 (a) (1), and 54 (c) of the Rules of Criminal Procedure for the United States District Courts be, and they hereby are, amended as hereinafter set forth.

2. That The Chief Justice be authorized to report these amendments to Congress in accordance with the provisions of Title 18, U. S. C., sec. 3771.

“RULE 41 (a).

“(a) AUTHORITY TO ISSUE WARRANT. A search warrant authorized by this rule may be issued by a judge of the United States or of a state, commonwealth, or territorial court of record or by a United States commissioner within the district wherein the property sought is located.

“RULE 46 (a) (2).

“(2) UPON REVIEW. Bail may be allowed pending appeal or certiorari unless it appears that the appeal is frivolous or taken for delay. Pending appeal to a court of appeals, bail may be allowed by the trial judge, by the court of appeals, or by any judge thereof or by the circuit justice, to run until final termination of the proceedings in all courts. Pending appeal or certiorari to the Supreme Court, bail may be allowed by the court of appeals or by any judge thereof or by the Supreme Court or by a Justice thereof. Any Court or any judge or justice authorized to grant bail may at any time revoke the order admitting the defendant to bail.

“RULE 54 (a) (1).

“(1) *Courts.* These rules apply to all criminal proceedings in the United States District Courts, which include the District Court for the Territory of Alaska, the District Court of Guam, and the Dis-

trict Court of the Virgin Islands; in the United States Courts of Appeals; and in the Supreme Court of the United States; except that all offenses shall continue to be prosecuted in the District Court of Guam and in the District Court of the Virgin Islands by information as heretofore except such as may be required by local law to be prosecuted by indictment by grand jury. The rules governing proceedings after verdict or finding of guilt or plea of guilty apply in the United States District Court for the District of the Canal Zone.

“RULE 54 (c).

“(c) APPLICATION OF TERMS. As used in these rules the term ‘State’ includes District of Columbia, Puerto Rico, territory and insular possession. ‘Law’ includes statutes and judicial decisions. ‘Act of Congress’ includes any act of Congress locally applicable to and in force in the District of Columbia, in Puerto Rico, in a territory or in an insular possession. ‘District court’ includes all district courts named in subdivision (a), paragraph (1) of this rule. ‘Civil action’ refers to a civil action in a district court. ‘Oath’ includes affirmations. ‘Attorney for the government’ means the Attorney General, an authorized assistant of the Attorney General, a United States Attorney, an authorized assistant of a United States Attorney, and when applicable to cases arising under the laws of Guam means the Attorney General of Guam or such other person or persons as may be authorized by the laws of Guam to act therein. The words ‘demurrer,’ ‘motion to quash,’ ‘plea in abatement,’ ‘plea in bar,’ and ‘special plea in bar,’ or words to the same effect, in any act of Congress shall be construed to mean the motion raising a defense or objection provided in Rule 12.”

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Adjourned until Monday, April 23, next, at 12 o'clock.

The day call for Monday, April 23, will be as follows: Nos. 117 (118, 119, 332, 333, and 334) and 342.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Richard Alan Anderson, of Lake Charles, La., Nicholas E. Conley, of Boston, Mass., Harry Auslander, of Cleveland, Ohio, Malvin Englander, of Miami Beach, Fla., Irving Sommer, of New York, N. Y., Ida G. May, of Boston, Mass., Esther G. Saloman, of Brookline, Mass., Robert Gray Woolf, of Boston, Mass., William V. Breslin, of Englewood, N. J., Matthew Steinberg, of Chicago, Ill., and Alice Emily Miller, of Huntington, W. Va., on motion of Mr. Solicitor General Simon E. Sobeloff; Manuel Louis Port, of Chicago, Ill., on motion of Mr. Charles A. Boyle; John G. W. Robertson, of New Orleans, La., on motion of Mr. Hale Boggs; Frank J. V. Gimino, of Jersey City, N. J., Frederick T. Law, of Kearny, N. J., E. Gioia Cipriano-Marciano, of Orange, N. J., Samuel L. Marciano, of Hoboken, N. J., and Thomas P. Calligy, of Hoboken, N. J. on motion of Mr. T. James Tumulty; Samuel Blair Ross, of Miami, Fla., on motion of Mr. Thurman W. Arnold; Winchester Kelso, Jr., of San Antonio, Tex., on motion of Mr. Joe M. Kilgore; John P. Campbell, of New York, N. Y., on motion of Mr. John H. Pickering; Paul Ziffren, of Los Angeles, Calif., on motion of Mr. Philip B. Perlman; Janna Tucker, of Bradenton, Fla., John Burnam Taylor, of Louisville, Ky., James E. Driver, of Madison, Wis., Robert H. Kinker, of Frankfort, Ky., George J. Long, of Louisville, Ky., Joseph E. Rose, of Louisville, Ky., Gerald Robin Griffin, of Lexington, Ky., Joseph J. Fitzhenry, Jr., of Webster Groves, Mo., Arthur H. Slonim, of University City, Mo., Robert L. Sweney, of St. Louis, Mo., Daniel Eli Henderson, Jr., of San Antonio, Tex., Lucian Montgomery Ferguson, of Richmond, Va., Sherwood R. Volkman, of St. Louis, Mo., John Edward Bardgett, Sr., of St. Louis, Mo., Charles N. Goodman, of St. Louis, Mo., Gordon W. Neilson, of St. Louis, Mo., Lorenz Joseph Roedl, of Cleveland, Ohio, LeRoy Coyle Brown, of South Bend, Ind., Merle L. Silverstein, of St. Louis, Mo., John J. Donnelly, of St. Louis, Mo., Paul Harvey Chavaux, of St. Louis, Mo., and Robert E. Wieland, of St. Louis, Mo., on motion of Mr. Reginald Carl Harmon; Robert L. Simpson, of Olympia, Wash., on motion of Mr. Bert L. Overcash; Q. R. Schulte, of Stanley, N. Dak., on motion of Mr. Fred J. Fredrickson; Charles D. Marshall, of New Orleans,

La., on motion of Mr. I. Martin Leavitt; Eugene M. Jones, of Chicago, Ill., on motion of Mr. Ernest C. Dickson; Louis A. Reale, of Kansas City, Mo., on motion of Mr. Richard H. Brown; Thad Tisdale, of Little Rock, Ark., on motion of Mr. Edwin D. Dupree, Jr.; Thomas J. McDowell, of Cleveland, Ohio, on motion of Mr. Almon S. Nelson; Harold Charles Weitzen, of Washington, D. C., on motion of Mr. Roger Martin Dougherty; Bernard Chazen, of Ridgefield, N. J., on motion of Mr. Francis X. Byrn; James S. Klein, of Trenton, N. J., on motion of Miss Elsie Rand; Arthur J. Cerra, of Washington, D. C., on motion of Mr. Raymond C. Cushwa; John E. Bailey, of Houston, Tex., and William F. Erwin, Jr., of Houston, Tex., on motion of Mr. Joseph Hall Sperry; Ira S. Siegler, of Washington, D. C., on motion of Mr. Jerome J. Dick; Robert Lloyd Richardson, Jr., of Saginaw, Mich., and Timothy M. Green, of St. John, Mich., on motion of Mr. Milton Carl Denbo; Eugene Stanley Davis, of St. Louis, Mo., on motion of Mr. William M. Moloney; Louis V. Granger, of Cleveland, Ohio, on motion of Mr. Felix A. Russell; William McKinley, of White Plains, N. Y., and Vincent Del Tufo, of White Plains, N. Y., on motion of Mr. James P. Gerety; Roy Finch, Jr., of Little Rock, Ark., on motion of Mr. Floyd Lee Williams; Robert Sumner O'Shea, of Springfield, Ill., on motion of Mr. Franklin M. Schultz; Edward M. Carmouche, of Lake Charles, La., on motion of Mr. Jack P. F. Cremillion; Max Fink, of Los Angeles, Calif., on motion of Mr. Morris Kanfer; Thomas L. Croft, of St. Louis, Mo., on motion of Mr. Samuel D. McIlwain; Barnett Berr, of Passaic, N. J., on motion of Mr. William Pitt Shattuck; Kurt L. Hanslowe, of Detroit, Mich., and Redmond H. Roche, Jr., of Detroit, Mich., on motion of Mr. Harold Alfred Cranefield; Charles S. Colden, of Whitestone, N. Y., Lester Holtzman, of New York, N. Y., Edward Sharf, of Flushing, N. Y., Julius A. Hellenbrand, of Brooklyn, N. Y., D. Vincent Tuohy, of Brooklyn, N. Y., James A. Phillips, Jr., of Middle Village, N. Y., Samuel A. Goldstein, of Jamaica, N. Y., Joseph Michael Wise, of Forest Hills, N. Y., Harvey B. Ehrlich, of New York, N. Y., Isidore Levine, of New York, N. Y., Paul Philip Henkel, of Baldwin, N. Y., Joseph Guberman, of New York, N. Y., James M. FitzSimons, of New York, N. Y., Charles J. Heaney, of New York, N. Y., Donald J. White, of Jamaica, N. Y., Edward V. Walsh, Jr., of Jamaica, N. Y., Glen D. Webster, Jr., of New York, N. Y., George Jerome Wallace, of Mineola, N. Y., Albert J. Sicree, of New York, N. Y., John W. Williams, of New York, N. Y., Anthony M. O'Donnell, of New York, N. Y., Francis X. Smith, of Woodside, N. Y., Benjamin J. Taruskin, of New York, N. Y., Sidney Howard Bishop, of Lynbrook, N. Y., George Rifkin, of Belle Harbor, N. Y., Eugene Victor, of New York, N. Y., Thomas J. Finnegan, of New York, N. Y., M. Michael Potoker, of New York, N. Y., Ira J.

Lefton, of Jamaica, N. Y., Milton M. Karpel, of Jamaica, N. Y., Alvin Leonard Korngold, of Roslyn Heights, N. Y., Joseph Karow, of New York, N. Y., Nat. H. Hentel, of New York, N. Y., and Henry Albert, of New York, N. Y., on motion of Mr. William B. Groat, Jr., were admitted to practice.

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No. 410. American Airlines, Incorporated, petitioner, *v.* North American Airlines, Incorporated, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed with costs and case remanded to the Court of Appeals for further proceedings in the light of the opinion of this Court. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Reed joins.

No. 227. United Mine Workers of America et al., petitioners, *v.* Arkansas Oak Flooring Company. On writ of certiorari to the Supreme Court of the State of Louisiana. Judgment reversed with costs and case remanded to the Supreme Court of Louisiana for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Frankfurter. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 158. Frozen Food Express, appellant, *v.* United States and Interstate Commerce Commission;

No. 159. Interstate Commerce Commission, appellant, *v.* Frozen Food Express et al.;

No. 160. American Trucking Associations et al., appellants, *v.* Frozen Food Express et al.; and

No. 161. Akron, Canton and Youngstown Railroad Company et al., appellants, *v.* Frozen Food Express et al. Appeals from the United States District Court for the Southern District of Texas. Judgment reversed and cases remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan.

No. 162. East Texas Motor Freight Lines, Inc., et al., appellants, *v.* Frozen Food Express, Secretary of Agriculture of the United States, et al.;

No. 163. Interstate Commerce Commission, appellant, *v.* Frozen Food Express et al.; and

No. 164. Akron, Canton and Youngstown Railroad Company et al., appellants, *v.* Frozen Food Express et al. Appeals from the United States District Court for the Southern District of Texas. Judgment affirmed. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Frankfurter, Mr. Justice Minton, and Mr. Justice Harlan join.

No. 233. Dixie Carriers, Inc., Coyle Lines, Incorporated, et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Southern District of Texas. Judgment reversed and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 95. Judson Griffin and James Crenshaw, petitioners, *v.* People of the State of Illinois. On writ of certiorari to the Supreme Court of the State of Illinois. Judgment of the Supreme Court of Illinois vacated and cause remanded to that court for further action not inconsistent with the next to last paragraph of the opinion and judgment delivered by Mr. Justice Black. Mr. Justice Frankfurter joins in this disposition of the case. Mr. Justice Black announced the judgment of the Court and opinion in which The Chief Justice, Mr. Justice Douglas, and Mr. Justice Clark join. Opinion by Mr. Justice Frankfurter concurring in the judgment. Dissenting opinion by Mr. Justice Burton and Mr. Justice Minton in which Mr. Justice Reed and Mr. Justice Harlan join. Dissenting opinion by Mr. Justice Harlan.

No. 134. Clark Squire, Collector of Internal Revenue for the District of Washington, petitioner, *v.* Horton Capoeman and Emma Capoeman, his wife. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Washington. Opinion by Mr. Chief Justice Warren. Dissenting: Mr. Justice Reed. Mr. Justice Harlan took no part in the consideration or decision of this case.

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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. 511. South Carolina Electric and Gas Company, a Corporation, appellant, *v.* Sarah Mae Flemming. Appeal from the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The appeal is dismissed. *Slaker v. O'Connor*, 278 U. S. 188.

No. 707. The New York, Chicago and St. Louis Railroad Company, appellant, *v.* Helen L. Skiba, Administratrix. Appeal from the Court of Appeals of Cuyahoga County, Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction.

No. 751. Amere Gas Utilities Company, appellant, *v.* Public Service Commission of West Virginia. Appeal from the Supreme Court of Appeals of West Virginia. *Per Curiam*: The appeal is dismissed for want of a substantial federal question.

No. 277, Misc. Joseph Jakalski, petitioner, *v.* Kenneth J. Carrick, Clerk. *Per Curiam*: The motions for leave to proceed in forma pauperis and for leave to file petition for writ of mandamus are granted. The petition for writ of mandamus is granted and the Clerk of the United States Court of Appeals for the Seventh Circuit is directed to docket petitioner's appeal.

No. 371, Misc. John Francis Noto, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. The judgment is reversed and the case is remanded to the District Court for the entry of an order enlarging petitioner upon bail, pending trial, in the sum of \$10,000.

No. 390, Misc. Herbert W. Peters, appellant, *v.* The State of New York. Appeal from the Court of Appeals of New York. *Per Curiam*: The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

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No. 451. Railway Employes' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. The motion to continue this case to the next term is denied.

No. 545. In the Matter of the Petition for a Writ of Habeas Corpus for Harry A. Groban and Nathan Groban, appellants. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. Rule 16 (4). The parties are requested to discuss in their briefs and oral arguments this Court's jurisdiction to consider any questions raised by the possible applicability of *In re Murchison*, 349 U. S. 133, and *In re Oliver*, 333 U. S. 257 to the proceedings involved in this case.

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No. 692. Alleghany Corporation et al., appellants, *v.* Breswick & Co., et al., as Common Stockholders of Alleghany Corporation, etc. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction is noted. The motions of Adelaide Neuwirth and Joseph S. Gruss et al. for leave to join in the jurisdictional statement of Alleghany Corporation are granted. The motions to advance are denied.

No. 744. United States of America, appellant, *v.* International Union United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO). Appeal from the United States

District Court for the Eastern District of Michigan. In this case probable jurisdiction is noted. The motion to advance is denied.

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No. 723. Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, etc., petitioner, *v.* National Labor Relations Board and Lannom Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 741. John W. Webb, petitioner, *v.* Illinois Central Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 743. Herbert Brownell, Jr., Attorney General of the United States, petitioner, *v.* Tom We Shung. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted and case transferred to the summary calendar.

No. 745. Rayonier Incorporated, a Corporation, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 747. Virgil Herdman, petitioner, *v.* Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar.

No. 749. Arthur A. Arnhold et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 6, Misc. Paul H. Breithaupt, petitioner, *v.* Morris Abram. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of New Mexico granted and case transferred to the appellate docket.

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No. 662. National Dryer Manufacturing Corporation et al., petitioners, *v.* The National Drying Machinery Company; and

No. 729. The National Drying Machinery Company, petitioner, *v.* National Dryer Manufacturing Corporation et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 706. Everett V. Cooper and George Gale Cooper, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 716. Harry H. Winer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 719. Richfield Oil Corporation, a Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 724. The State of Texas, petitioner, *v.* Reconstruction Finance Corporation and Federal Facilities Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 727. Margaret Priest, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 733. Western Maryland Railway Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 734. Robert Jules Tatincloux and Roger Georges Guy, petitioners, *v.* The Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 735. W. Ralph Davis et al., Individually and as Officers of Belle Haven Citizens' Association, a Corporation, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 738. A. A. Brooks, petitioner, *v.* Jack's Cookie Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 742. Kansas City Southern Railway Company, a Corporation, petitioner, *v.* James H. Cagle. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 746. David Nickola and Mary D. Nickola, petitioners, *v.* United States Government Post Office Department et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 753. Duluth Steamship Company, petitioner, *v.* Allied Chemical & Dye Corporation—Semet Solvay Division. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 762. Charles F. Dally and Sarafrancis Dally, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 767. Andrew J. Easter, petitioner, *v.* Dwight D. Eisenhower,

President of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 695. Consolidated Edison Company of New York, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 755. The Allendale Co. et al., petitioners, *v.* James P. Mitchell, Secretary of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 72. Frank Costello, petitioner, *v.* United States of America. The motion for leave to file petition for enlargement of the scope of review in the order granting certiorari is denied. The petition for rehearing is also denied. Mr. Justice Clark and Mr. Justice Harlan took no part in the consideration or decision of these applications.

No. 343. United Electrical, Radio and Machine Workers of America (UE), Local 1113, petitioner, *v.* National Labor Relations Board;

No. 557. Poncet Davis, petitioner, *v.* United States of America;

No. 581. Ohio Transport, Inc., petitioner, *v.* Public Utilities Commission of Ohio;

No. 624. The State of Florida, ex rel. Virgil D. Hawkins, petitioner, *v.* The Board of Control et al.; and

No. 633. Sears, Roebuck and Co., a Corporation, petitioner, *v.* Ry-Lock Company, Ltd., a Corporation. Petitions for rehearing denied.

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No. 609. Kelley, Glover and Vale, Inc., Trustee, petitioner, *v.* McM. Coffing, Trustee, Peter L. Evans, Successor Indenture-Trustee, et al.; and

No. 472, Misc. Nick Allen Klubnikin, petitioner, *v.* United States of America. Motions for leave to file petitions for rehearing denied.

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No. 116, Misc. Louis E. Wade, petitioner, *v.* George A. Cummings, Warden. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 201, Misc. Vicente Navarrette-Navarrette, petitioner, *v.* H. R. Landon, District Director of Immigration, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 342, Misc. Charles Robert Jones, petitioner, *v.* Nathan Mayo, as Prison Custodian of the State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 366, Misc. Selvie W. Wells, petitioner, *v.* Paul J. Madigan, Warden, U. S. Penitentiary, Alcatraz, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 368, Misc. Charles S. Nelson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 386, Misc. Arthur Warner, petitioner, *v.* State of California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 460, Misc. Jettie I. Biggs, Administratrix of the Estate of Lee Vester Biggs, Deceased, petitioner, *v.* Keitt Smith. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 494, Misc. Sara Erickson, Administratrix of the Estate of Peter Erickson, Deceased, petitioner, *v.* Manual Machado Medina. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 510, Misc. Volney Davis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 517, Misc. Graham O'Hara, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 523, Misc. Glenn Dale Atkins, petitioner, *v.* O. B. Ellis, General Manager of the Texas Prison System. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 534, Misc. Peter DiPalermo, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 548, Misc. Steve Ratcliff, petitioner, *v.* Honorable Robert L. Larson, Judge of the Supreme Court of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 554, Misc. Robert Odell Pruitt, petitioner, *v.* People of the State of Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 556, Misc. Everett Wesley Davis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 560, Misc. Buddy Edmond Spears, petitioner, *v.* Orel J. Skeen, Warden, West Virginia Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 564, Misc. Charles Woodrow Burns, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 566, Misc. William B. Neal, petitioner, *v.* People of the State of Illinois, R. C. Stock, Superintendent, Anna State Hospital, Anna, Illinois. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 568, Misc. Anthony Paqua, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 570, Misc. Thomas E. Young and Margaret Rita Young, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 575, Misc. Leo Bentley, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 576, Misc. In the Matter of the Application of Henry Oakley, petitioner. Petition for writ of certiorari to the Supreme Court of California denied.

No. 580, Misc. Marlin Bland Turner, petitioner, *v.* O. B. Ellis, General Manager of the Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 582, Misc. Marvin L. Wilhelm, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 583, Misc. Commonwealth of Pennsylvania, ex rel. Russell Moore, petitioner, *v.* Walter Tees, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 584, Misc. James Clyde Meeks, petitioner, *v.* P. A. Lainson, Warden, Iowa State Penitentiary. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 586, Misc. Joseph Marnin, petitioner, *v.* The State of New Jersey et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 588, Misc. Commonwealth of Pennsylvania, ex rel. Charles J. Dion, petitioner, *v.* Walter Tees, Warden, Eastern State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 593, Misc. Steve Ratcliff, petitioner, *v.* State of Iowa et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 595, Misc. Judith Morgan, petitioner, *v.* Douglass P. Null, Perry Lichtenstein, Lewis I. Sharp, et al. Petition for writ of certi-

orari to the United States Court of Appeals for the Second Circuit denied.

No. 601, Misc. Andrew J. McDonald, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 605, Misc. Clifford V. Jones and Tyrus E. Milton, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 618, Misc. Ernest Edward Lewis, petitioner, *v.* Vernon L. Peppersack, Warden, Maryland State Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 625, Misc. Joseph Johnson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 628, Misc. Dennis Cronin, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 629, Misc. Alvin S. Randall, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 630, Misc. Vernon Carrington, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 633, Misc. Eugene V. Spears, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 637, Misc. Ralph L. Hickox, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 639, Misc. James Bishop Banks, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 288, Misc. Harry C. Steinmetz, petitioner, *v.* California State Board of Education, Roy E. Simpson, et al. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted. The Chief Justice took no part in the consideration or decision of this application.

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No. 608, Misc. John P. Kampmeyer, petitioner, *v.* United States of America; and

No. 620, Misc. Saul Henry Davis, Jr., petitioner, *v.* United States of America. Motions for leave to file petitions for writs of certiorari denied.

No. 626, Misc. Richard N. Gonzalez, petitioner, *v.* Richard A. McGee et al.; and

No. 627, Misc. Carl J. Hall, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 117. The Denver & Rio Grande Western Railroad Company, appellant, *v.* Union Pacific Railroad Company et al.;

No. 118. Union Pacific Railroad Company et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 119. United States of America, Interstate Commerce Commission and Secretary of Agriculture, appellants, *v.* The Union Pacific Railroad Company et al.;

No. 332. Washington Public Service Commission, Public Utilities Commissioner of Oregon, et al., appellants, *v.* The Denver and Rio Grande Western Railroad Company et al.;

No. 333. Union Pacific Railroad Company, Chicago and North Western Railway Company, et al., appellants, *v.* The Denver and Rio Grande Western Railroad Company et al.; and

No. 334. United States of America and Interstate Commerce Commission, appellants, *v.* The Denver and Rio Grande Western Railroad Company et al. Three hours allowed for oral argument. Argument commenced by Mr. Frank E. Holman for the Denver and Rio Grande Western RR. Co., et al., and continued by Mr. Elmer B. Collins for the Union Pacific RR. Co. et al., by Mr. Robert L. Simpson for the State of Washington, by Mr. Bert L. Overcash for the State of Nebraska, and by Mr. Robert W. Ginnane for the Interstate Commerce Commission et al.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 24, will be as follows: Nos. 117 (118, 119, 332, 333, and 334), 342, 530, and 555.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Daniel D. Wozniak, of St. Paul, Minn., Peter S. Popovich, of St. Paul, Minn., and Robert Earl Short, of Minneapolis, Minn., on motion of Mr. Estes Kefauver; J. Wesley Reed, of Altadena, Calif., on motion of Mr. Henry P. Chandler; Byron Ray Tinsley, of Orange, Tex., and Frank M. Adams, of Beaumont, Tex., on motion of Mr. Jack B. Brooks; Nathan J. Kaplan, of Chicago, Ill., and Joseph D. Teitelbaum, of Chicago, Ill., on motion of Mr. Charles A. Boyle; Mary Madden Persinger, of Falls Church, Va., on motion of Mr. J. Warren Madden; Mark Wilmer, of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Eugene P. Kealy, of Chicago, Ill., on motion of Mr. Murdaugh Stuart Madden; Charles M. Conway, of Texarkana, Ark., and Robert M. Lowe, of Texarkana, Ark., on motion of Mr. Floyd Lee Williams; Max Thelen, Jr., of San Francisco, Calif., on motion of Mr. Tom Killefer; Benjamin B. Durfee, of Toledo, Ohio, and Lewis P. Summers III, of Arlington, Va., on motion of Mr. Edward N. Logan; William J. Hartrampf, of Atlanta, Ga., and Curtis McCay Cook, of Atlanta, Ga., on motion of Mr. Edgar Watkins, Jr.; Samuel B. Ross, of Washington, D. C., on motion of Mr. Leonard J. Emmerglick; Lyman C. Conger, of Kohler, Wis., and William F. Howe, of Bethesda, Md., on motion of Mr. Jerome Powell; John Scyster Throop, Jr., of Water Valley, Miss., on motion of Mr. Samuel D. McIlwain; Donald D. Stark, of Corona, Calif., and Edgar Spurgeon Rothrock, of Corona, Calif., on motion of Mr. Preston B. Kavanagh; Alanson C. Schwarz, Jr., of Bethesda, Md., on motion of Mr. Gordon S. Parker; James T. Haynes, of Memphis, Tenn., on motion of Mr. Kenneth Dodson Miller; Edward M. Sullivan, of Minneapolis, Minn., on motion of Mr. Robert M. Vaughan; and Thomas E. Stanton, Jr., of San Francisco, Calif., on motion of Mr. Gardiner Johnson, were admitted to practice.

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No. 117. The Denver & Rio Grande Western Railroad Company, appellant, *v.* Union Pacific Railroad Company et al.;

No. 118. Union Pacific Railroad Company et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 119. United States of America, Interstate Commerce Commission, and Secretary of Agriculture, appellants, *v.* The Union Pacific Railroad Company et al.;

No. 332. Washington Public Service Commission, Public Utilities Commissioner of Oregon, et al., appellants, *v.* The Denver and Rio Grande Western Railroad Company et al.;

No. 333. Union Pacific Railroad Company, Chicago and North Western Railway Company, et al., appellants, *v.* The Denver and Rio Grande Western Railroad Company et al.; and

No. 334. United States of America and Interstate Commerce Commission, appellants, *v.* The Denver and Rio Grande Western Railroad Company et al. Argument continued by Mr. Robert W. Ginnane for the Interstate Commerce Commission et al., by Mr. Frank E. Holman for Denver & Rio Grande Western RR. Co. et al., and concluded by Mr. Elmer R. Collins for The Union Pacific RR. Co. et al. Memoranda to come.

No, 342. Blazey Czaplicki, petitioner, *v.* The Vessel "SS. Hoegh Silvercloud", Her Boilers, Engines, Tackle, etc., et al. Argued by Mr. Bernard Chazen for the petitioner and by Mr. James M. Estabrook for the respondent, "SS. Hoegh Silvercloud" et al., and by Mr. Arthur J. Phelan for the respondent, Hamilton Marine Contracting Co., Inc.

No. 530. United Automobile, Aircraft and Agricultural Implement Workers of America, etc., appellant, *v.* Wisconsin Employment Relations Board and Kohler Co., a Wisconsin Corporation. Argument commenced by Mr. Kurt L. Hanslowe for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 25, will be as follows: Nos. 530, 555, 529, and 92.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Baron H. Asher, Jr., of Atlanta, Ga., on motion of Mr. Jas. C. Davis; Orville B. Entenman, of Papillion, Nebr., on motion of Mr. Roman L. Hruska; Henry Newton Williams, of Dickson, Tenn., on motion of Mr. John F. Davis; Richard Stuart Weber, of Detroit, Mich., on motion of Mr. Albert L. Vreeland; Francis Donald Partlan, of Chicago, Ill., on motion of Mr. Wilmer A. Hill; Eddy Sol Feldman, of Los Angeles, Calif., on motion of Mr. Stewart French; Harry Adelman, of Chicago, Ill., on motion of Mr. Robert L. Stern; Gay E. Milius, Jr., of White Plains, N. Y., on motion of Mr. J. Fielding Jones; Otis Mark Waters, of New York, N. Y., on motion of Mr. Simon Fleischman; Irving E. Chenoweth, of Hubbard, Iowa, on motion of Mr. Austin Leonard Roberts, Jr.; Ann Fagan Ginger, of Brooklyn, N. Y., on motion of Mr. Joseph Forer; John H. Cleary, Jr., of New York, N. Y., on motion of Mr. Theodore Kiendl, Jr.; William Calvin Hill, of Washington, D. C., on motion of Mr. Paul F. Mickey; Frank L. Seamans, of Pittsburgh, Pa., on motion of Mr. John Stephen Nolan; Harry W. Malm, of Chicago, Ill., on motion of Mr. Charles A. Boyle; Chris H. Nanz, of Larchmont, N. Y., on motion of Mr. Alanson C. Schwarz, Jr.; and Gordon Thompson Jeffers, of Los Angeles, Calif., on motion of Mr. Frazer Frost Hilder, were admitted to practice.

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No. 530. United Automobile, Aircraft, and Agricultural Implement Workers of America, etc., appellant, *v.* Wisconsin Employment Relations Board and Kohler Co., a Wisconsin Corporation. Argument continued by Mrs. Beatrice Lampert for the appellee, Wisconsin Employment Relations Board, by Mr. Jerome Powell for the appellee, Kohler Co., and concluded by Mr. Kurt L. Hanslowe for the appellant.

No. 555. Robert V. H. Sugden and Jean S. Sugden, his wife, petitioners, *v.* United States of America. Argued by Mr. Mark Wilmer for the petitioners and by Mr. John F. Davis for the respondent.

No. 529. Marie DeSylva, petitioner, *v.* Marie Ballentine, as Guardian of the Estate of Stephen William Ballentine. Argument commenced by Mr. Theodore Kiendl for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 26, will be as follows: Nos. 529, 92, and 404.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Richard D. Walker, of Fort Worth, Tex., and Edwin T. Phillips, Jr., of Fort Worth, Tex., on motion of Mr. Price Daniel; John P. Thompson, of Denver, Colo., on motion of Mr. Gordon L. Allott; Charles P. Grahl, of Buffalo Center, Iowa, on motion of Mr. Frederick Bernays Wiener; Louis A. Holmes, of Grand Island, Nebr., on motion of Mr. Philip F. Herrick; Robert Martin Kilgore, of Washington, D. C., on motion of Mr. Robert Barnes Young; Robert Ziemer Hawkins, of Reno, Nev., on motion of Mr. Alan Bible; John J. King, of Philadelphia, Pa., on motion of Mr. Colbert Coldwell McClain; Robert L. Saloschin, of New York, N. Y., on motion of Mr. Gerald L. Krassa; Robert R. Boyd, of Clarksville, Va., Charles J. Williams, of Hillside, N. J., and William J. Bateman, of Akron, Ohio, on motion of Mr. Kenneth H. Tuggle; Claude Carpenter, Jr., of Little Rock, Ark., on motion of Mr. Floyd Lee Williams; Eugene B. Cochran, of Louisville, Ky., on motion of Mr. Neville Miller; Edward Mishell Garlock, of New York, N. Y., on motion of Mr. David Ferber; and Mark R. Mohler, of San Francisco, Calif., on motion of Mr. William Britton Moore, were admitted to practice.

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No. 529. Marie DeSylva, petitioner, *v.* Marie Ballentine, as Guardian of the Estate of Stephen William Ballentine. Argument concluded by Mr. Max Fink for the respondent.

No. 92. Mabel Black and T. Y. Wulff, etc., et al., petitioners, *v.* Cutter Laboratories, a Corporation. Argued by Mr. Joseph Forer for the petitioners and by Mr. Gardiner Johnson and Mr. Thomas E. Stanton, Jr., for the respondent.

No. 404. Offutt Housing Company, a Corporation, petitioner, *v.* County of Sarpy and Robert M. Eby, Treasurer of County of Sarpy, Nebraska. Argument commenced by Mr. Robert L. Stern for the petitioner.

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Adjourned until Monday, April 30, next, at 12 o'clock.

The day call for Monday, April 30, will be as follows: Nos. 404, 448, 257, and 621.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Abraham S. Wilk, of New York, N. Y., Carrol A. Muccia, of New York, N. Y., Sol Masch, of New York, N. Y., Philip S. Birnbaum, of New York, N. Y., James P. Durante, of New York, N. Y., Morris S. Hirschhorn, of New York, N. Y., Benjamin L. Tenzer, of New York, N. Y., Aaron E. Nowack, of New York, N. Y., George Nims Raybin, of New York, N. Y., Pearl A. Merrill, of Brooklyn, N. Y., Irving Frank, of New York, N. Y., David A. Gelber, of Hackensack, N. J., Milton H. Adler, of New York, N. Y., Alfred H. Adler, of New York, N. Y., William J. Kramer, of Brooklyn, N. Y., Laurence Feldman, of New York, N. Y., John Ryder Rose, of Newark, N. J., Lester W. Rubin, of New York, N. Y., Martha Gibbell, of New York, N. Y., Abraham S. Rauch, of New York, N. Y., Morris B. Kessler, of New York, N. Y., Herman C. Emer, of New York, N. Y., Cornelius F. Gustav, of New York, N. Y., Sam Leonard Simon, of New York, N. Y., Jacob Hirsch, of New York, N. Y., Robert Bershaql, of New York, N. Y., Jacob I. Lefkowitz, of New York, N. Y., Jerome S. Heller, of New York, N. Y., Nathan G. Krasner, of Brooklyn, N. Y., Sidney C. Winton, of New York, N. Y., Morton Birnbaum, of New York, N. Y., Morris Lifschitz, of New York, N. Y., Hyman Lifschitz, of New York, N. Y., Henry Creidy, of New York, N. Y., Abraham Markhoff, of New York, N. Y., Philip S. Garozzo, of New York, N. Y., Jay J. Lehrman, of New York, N. Y., Abraham Schatzman, of Brooklyn, N. Y., Ascher Katz, of New York, N. Y., Milton M. Rosenberg, of New York, N. Y., Alexander Berley, of New York, N. Y., David O. Kuh, of New York, N. Y., Frank W. Porcaro, of Brooklyn, N. Y., Eleonore Beth, of New York, N. Y., Hazel B. Mack, of New York, N. Y., Eugene O. Cobert, of New York, N. Y., Julius J. Venusti, of New York, N. Y., John J. Gussak, of New York, N. Y., Herman Weinkrantz, of New York, N. Y., Hyman Bravin, of New York, N. Y., Ralph T. Masters, of Brooklyn, N. Y., J. Norman Lewis, of New York, N. Y., Joseph Dale, of Prentiss, Miss., Albert B. Luckey, Jr., of Miami Beach, Fla., Eugene W. Sulzberger, of Miami Beach, Fla., and Earl R. Wilson, of Prentiss, Miss., on motion of Mr. Solicitor General Simon E. Sobeloff; A. J. Folley, of

Amarillo, Tex., and Vester T. Hughes, Jr., of Mertzon, Tex., on motion of Mr. Price Daniel; Ralph L. Loeb, of Beverly Hills, Calif., and Samuel Dean Robbins, of Beverly Hills, Calif., on motion of Mr. Patrick J. Hillings; Louis Damarin Bannon, of Portsmouth, Ohio, on motion of Mr. Thomas J. Jenkins; Robert Murray Summitt, of Chattanooga, Tenn., on motion of Mr. James B. Frazier, Jr.; Reinhart L. Gideon, of Hartford, Conn., on motion of Mr. Thomas J. Dodd, Jr.; Norman King Parsells, of Fairfield, Conn., on motion of Mr. Fraser Frost Hilder; Leonard S. Saxe, of New York, N. Y., on motion of Mr. John Lord O'Brian; John W. Vardaman, of Aniston, Ala., on motion of Mr. Merton Roland Nachman, Jr.; Wiley H. Higuchi, of Chicago, Ill., on motion of Mr. Thomas Tomokazu Kawahara; Dean Laurence, of Jackson, Miss., on motion of Mr. John S. Roberts, Jr.; William D. Eberle, of Boise, Idaho, on motion of Mr. Carl Layton Shipley; Thomas C. Perkins, of Sacramento, Calif., on motion of Mr. Clifton Hildebrand; Mamoru Sakuma, of Sacramento, Calif., on motion of Mr. Nathaniel S. Colley; Floyd Charles Crow, of Hope, Ark., on motion of Mr. Floyd Lee Williams, Jr.; Ernest Harley Cox, Jr., of Prescott, Ark., on motion of Mr. Edwin D. Dupree, Jr.; William Ernest Christen, of Kansas City, Mo., on motion of Mr. Richard H. Brown; Clifton B. Carter, of Fort Worth, Tex., on motion of Mr. John Grindle, Jr.; Louis L. Phelps, of San Francisco, Calif., Theodore Voorhees, of Philadelphia, Pa., and Gordon W. Gerber, of Philadelphia, Pa., on motion of Mr. Arthur B. Dunne; Robert H. Cooke, of Burbank, Calif., on motion of Mr. Arthur J. Dixon; Joseph P. Fallon, Jr., of San Francisco, Calif., on motion of Mr. Lambert O'Donnell; Burroughs Borgan Anderson, of Seattle, Wash., on motion of Mr. C. Frank Reifsnnyder; C. Edward Dahlin, of Chicago, Ill., on motion of Mr. Robert Meade Gray; Harry C. Mabry, of Los Angeles, Calif., on motion of Mr. David Walker Richmond; James Lawrence Purcell, of New York, N. Y., on motion of Mr. Franklin M. Schultz; William L. Brach, of Newark, N. J., and Robert D. Greenburg, of Brooklyn, N. Y., on motion of Mr. Henry Geller; Theodore Crowell, of Tulsa, Okla., William Howard O'Bryan, Jr., of Oklahoma City, Okla., Gerald N. Wilson, of Oklahoma City, Okla., James Stuart Tunnell, of Houston, Tex., Raymond L. Britton, of Houston, Tex., Omar Don Crites, Jr., of Houston, Tex., William R. Archer, Jr., of Houston, Tex., Lee Preston Ward, Jr., of Houston, Tex., Harry Mims McMillan, of Bristow, Okla., Tony Jack Lyons, of Pryor, Okla., Alvin Boyd, of Dallas, Tex., Jack Holt, Jr., of Little Rock, Ark., Richard M. Hart, of Little Rock, Ark., William V. Counts, of Dallas, Tex., Landon T. Carlson, of Dallas, Tex., Decatur J. Holcombe III, of Houston, Tex., Lewis A. Schiller, of Houston, Tex., Harold M. Schultz, Jr., of Tulsa,

Okla., and Gene C. Howard, of Tulsa, Okla., on motion of Mr. Reginald Carl Harmon; Samuel M. Goodman, of Newark, N. J., Samuel F. Shatz, of Cedar Grove, N. J., Ernest C. Gerardo, of Orange, N. J., Louis Weiss, of Newark, N. J., Albert L. Cohen, of Montclair, N. J., John F. Woods, Jr., of Lyndhurst, N. J., Harry J. Coleman, of Irvington, N. J., James E. Abrams, of Newark, N. J., Ferdinand J. Biunno, of Newark, N. J., Bando J. Caruso, of Montclair, N. J., Edward G. Gerardo, of Orange, N. J., Carl F. Barbato, of Montclair, N. J., John M. Saccone, of Newark, N. J., Anthony E. Russo, of Union, N. J., Paul Policastro, of Newark, N. J., Harry A. Pine, of Newark, N. J., Max Klayman, of Newark, N. J., Irving H. Hellman, of Newark, N. J., Bertram C. Bland, of Newark, N. J., Maurice H. Pressler, of Newark, N. J., and Joseph P. Piscopo, of Bloomfield, N. J., on motion of Mr. Aristo Dallavalle; and Robert B. Gaston, of Washington, D. C., on motion of Mr. John B. Murphy, were admitted to practice.

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No. 60. Louis Berra, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed and case remanded to the United States District Court for the Eastern District of Missouri. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

No. 48. Communist Party of the United States of America, petitioner, *v.* Subversive Activities Control Board. 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 with directions to remand to the Subversive Activities Control Board for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Clark in which Mr. Justice Reed and Mr. Justice Minton join.

No. 250. National Labor Relations Board, petitioner, *v.* The Babcock and Wilcox Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit;

No. 251. National Labor Relations Board, petitioner, *v.* Seamprufe, Inc. (Holdenville Plant). On writ of certiorari to the United States Court of Appeals for the Tenth Circuit; and

No. 422. Ranco, Incorporated, petitioner, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgments in Nos. 250 and 251 affirmed. Judgment in No. 422 reversed and case remanded to the United States Court of Appeals for the Sixth Circuit for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice

Reed. Mr. Justice Harlan took no part in the consideration or decision of these cases.

No. 213. United States of America, petitioner, *v.* Ettore Zucca, also known as Mario Sarni, also known as Ettore Sarni Zucca. 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. Chief Justice Warren. Dissenting opinion by Mr. Justice Clark in which Mr. Justice Reed and Mr. Justice Minton join.

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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. 555. Robert V. H. Sugden and Jean S. Sugden, his wife, petitioners, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The judgment is affirmed. Mr. Justice Black, Mr. Justice Frankfurter, and Mr. Justice Douglas dissent.

No. 731. Long Beach Federal Savings and Loan Association et al., appellants, *v.* Federal Home Loan Bank of San Francisco et al. Appeal from the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 757. Peter Antonio and Virginia F. Antonio, appellants, *v.* Commonwealth of Massachusetts; and

No. 758. Massachusetts Chiropractic Laymen's Association, Inc., et al., appellants, *v.* George Fingold, Attorney General of the Commonwealth of Massachusetts, et al. Appeals from the Supreme Judicial Court of Massachusetts. *Per Curiam*: The appeals are dismissed for want of a substantial federal question.

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No. 345. Randall Sterling, petitioner, *v.* Local 438, Liberty Association of Steam and Power Pipe Fitters and Helpers Association, etc., et al. The motion for leave to file petition for writ of prohibition is denied.

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No. 752. United States of America for the Benefit and on behalf of Harry Sherman et al., petitioners, *v.* Donald G. Carter, Individually, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 760. Jose Soriano, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary calendar.

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No. 750. Elly Swaab Behrens, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 754. O. K. Armstrong, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 759. Joe McMullans, M. R. Edwards and E. W. Pate, petitioners, *v.* Kansas, Oklahoma and Gulf Railway Company, Incorporated, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 764. Marco Reginelli, petitioner, *v.* United States of America. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 766. Milwaukee Electric Tool Corporation, a Wisconsin Corporation, petitioner, *v.* Albert S. Johann. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 770. Beaumont Broadcasting Corporation, petitioner, *v.* The Enterprise Company and Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 776. Roscoe Wagner, d/b/a Wagner Transportation Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 778. Leo Potishman, Julian Scott, Transit Grain Company and Charles J. Winters, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 787. Cordell Hull McPeak, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 799. Clint W. Murchison, Jr., et al., petitioners, *v.* Mark Dotenheim. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 658. North American Aircoach Systems, Inc., et al., petitioners, *v.* North American Aviation, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

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

No. 765. City and County of San Francisco, a Municipal Corporation, et al., petitioners, *v.* Trans World Airlines, Inc., a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Reed took no part in the consideration or decision of this application.

No. 748. Tankport Terminals, Inc., petitioner, *v.* Wills Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. The motion for leave to file petition for writ of mandamus is also denied.

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No. 611. Mallonee, Bucklin and Fergus, Shareholders' Protective Committee, et al., petitioners, *v.* Federal Home Loan Bank of San Francisco et al.;

No. 69, Misc. Raymond Norman, petitioner, *v.* State of New York;  
No. 329, Misc. Donald Bryce Lawrence, petitioner, *v.* People of the State of California; and

No. 557, Misc. John Collins, petitioner, *v.* Robert A. Heinze, Warden of California State Prison at Folsom. Petitions for rehearing denied.

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No. 538, Misc. Fred Kinnie, alias Fred Watts, petitioner, *v.* The State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 571, Misc. Joseph R. Ramberg, petitioner, *v.* Warden of Maryland House of Correction. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 606, Misc. William Bell, Jr., petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 612, Misc. Joe French, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

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ORDER

It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the arguments in the cases listed for hearing this week.

## ORDER

The Court will take a recess from Monday, May 7, until Monday, May 14, next.

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No. 404. Offutt Housing Company, a Corporation, petitioner, *v.* County of Sarpy and Robert M. Eby, Treasurer of County of Sarpy, Nebraska. Argument continued by Mr. Dixon G. Adams and Mr. Orville Entenman for the respondents and concluded by Mr. Robert L. Stern for the petitioner.

No. 448. United States of America, appellant, *v.* McKesson and Robbins, Incorporated. Argued by Mr. Ralph S. Spritzer for the appellant and by Mr. John P. McGrath for the appellee.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, May 1, will be as follows: Nos. 257, 621, 323, and 451.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Albert D. Crenshaw, of Atlanta, Ga., on motion of Mr. Jas. C. Davis; Kenneth N. Sanborn, of Mount Clemens, Mich., and Frank E. Howard, of Mount Clemens, Mich., on motion of Mr. Jesse P. Wolcott; Ovid J. Colalillo, of Orange, N. J., and Sam E. Goldner, of Orange, N. J., on motion of Mr. Peter W. Rodino, Jr.; Ernest D. Grinnell, Jr., of St. Louis, Mo., on motion of Mr. James T. Lyon; Peter P. Price, of Grand Rapids, Mich., on motion of Mr. Oscar W. Giesi; Justin R. Wolf, of Omaha, Nebr., on motion of Mr. Richard J. Connor; Alfred W. Newman, of Vallejo, Calif., on motion of Mr. John I. Appell; Robert Feinerman, of Beverly Hills, Calif., on motion of Mr. Henry P. Chandler; Walter T. Skallerup, Jr., of McLean, Va., on motion of Mr. Bennett Boskey; Felix E. Cristofane, of Bladensburg, Md., on motion of Mr. John M. Lynham; Glenn Hunter, of Morgantown, W. Va., on motion of Mr. I. Martin Leavitt; Albert Schlefer, of Brooklyn, N. Y., and Harry Krauss, of Mount Vernon, N. Y., on motion of Mr. Louis J. Altkrug; and William Young Akerman, of Orlando, Fla., on motion of Mr. Matthew Hale, were admitted to practice.

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No. **257**. Southern Pacific Company, petitioner, *v.* Charles M. Gileo et al. Argued by Mr. Arthur B. Dunne for the petitioner, by Mr. Clifton Hildebrand for respondents Gileo and Eelk, by Mr. Thomas C. Perkins for respondent Eufrazia, and by Mr. Nathaniel S. Cooley for the respondents Moreno and Aranda.

No. **621**. Martha C. Reed, petitioner, *v.* Pennsylvania Railroad Company. Argued by Mr. Joseph S. Lord III for the petitioner and by Mr. Theodore Voorhees for the respondent.

No. **323**. United States of America, *ex rel.* David Darcy, petitioner, *v.* Earl D. Handy, Warden of Bucks County Prison, et al. Argument commenced by Mr. Charles J. Margiotti for the petitioner and continued by Mr. Frank P. Lawley, Jr., for the respondents.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, May 2, will be as follows: Nos. **323**, **451**, **643**, **704**, and **503**.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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James Arthur Powers, of Portland, Oreg., on motion of Mr. Walter Norblad; Aaron H. Priebe, of Highland Park, Mich., Thomas Owen Roberts, of Brookhaven, Miss., and David M. Anderson, Jr., of Raymond, Miss., on motion of Mr. William C. Hamilton, Jr.; John Davenport, of Austin, Tex., on motion of Mr. John Ben Shepperd; C. George Niebank, Jr., of Chicago, Ill., on motion of Mr. Jonathan C. Gibson; Stafford E. Andrews, of Houston, Tex., and Charles R. Cravens, Jr., of Arlington, Va., on motion of Mr. Cyrus Pfeiffer Trowbridge; Ralph Herman Deckelbaum, of Washington, D. C., on motion of Mr. Bernard Margolius; Lester E. Barrett, of St. Louis, Mo., on motion of Mr. Donald J. Foulis; and John Caughlan, of Seattle, Wash., on motion of Mr. Joseph A. Fanelli, were admitted to practice.

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No. **323**. United States of America, ex rel. David Darcy, petitioner, *v.* Earl D. Handy, Warden of Bucks County Prison, et al. Argument continued by Mr. Frank P. Lawley, Jr. for the respondents and concluded by Mr. Charles J. Margiotti for the petitioner.

No. **451**. Railway Employes' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. Argued by Mr. Lester P. Schoene for the appellants, by Mr. Edson Smith for the appellees and by Mr. Robert A. Nelson for the State of Nebraska, amicus curiae, by special leave of Court.

No. **643**. Paul Deemer Johnston and John Sokol, petitioners, *v.* United States of America; and

No. **704**. United States of America, petitioner, *v.* Dudley A. Patte-son. Argument commenced by Mr. Hayden C. Covington for Johnston et al., and continued by Mr. Carl H. Imlay for the United States.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, May 3, will be as follows: Nos. **643**, **704**, **503**, and **701** (and **713**).

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Mary E. Waters, of Los Angeles, Calif., Thomas J. Cunningham, of Berkeley, Calif., Frank Joseph Waters, of Los Angeles, Calif., and Robert Argyle Keller, of San Marino, Calif., on motion of Mr. Stanley N. Barnes; Clement J. Murphy, of Riverton, Wyo., on motion of Mr. Frank A. Barrett; Adam Richmond, of Bethesda, Md., and John T. Fey, of Washington, D. C., on motion of Mr. Frederick Bernays Wiener; Herbert Bass, of Cincinnati, Ohio, on motion of Mr. Oscar H. Davis; Augustin M. Prentiss, of Hartford, Conn., on motion of Mr. James Austin Stone; James C. Sweeney, Jr., of Cincinnati, Ohio, on motion of Mr. Robert Allen McGinnis; Gordon McLean Callow, of Seattle, Wash., on motion of Mr. Charlie H. Johns, Jr.; Donald K. King, of Arlington, Va., on motion of Mr. William R. Kearney; Gilbert L. Klein, of Milwaukee, Wis., on motion of Mr. Thomas E. Shroyer; Thomas N. Dowd, of Washington, D. C., on motion of Mr. Vernon C. Kohlhaas; James B. Magnor, of New York, N. Y., Matthew L. Danahar, of New York, N. Y., and Elmer C. Maddy, Jr., of New York, on motion of Mr. Robert E. Kline, Jr., were admitted to practice.

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No. 643. Paul Deemer Johnston and John Sokol, petitioners, *v.* United States of America; and

No. 704. United States of America, petitioner, *v.* Dudley A. Patten. Argument continued by Mr. Carl H. Inlay for the United States and concluded by Mr. Hayden C. Covington for Johnston et al.

No. 503. Cecil Reginald Jay, petitioner, *v.* John P. Boyd, District Director, Immigration and Naturalization Service. Argued by Mr. Will Maslow and Mr. John Caughlan for the petitioner and by Mr. John V. Lindsay for the respondent.

No. 701. Curtis Reid, Superintendent of the District of Columbia Jail, appellant, *v.* Clarice B. Covert; and

No. **713**. Nina Kinsella, Warden of the Federal Reformatory for Women, Alderson, West Virginia, petitioner, *v.* Walter Krueger. Argued by Mr. Marvin E. Frankel for the appellant in No. **701** and petitioner in No. **713** and by Mr. Frederick Bernays Wiener for the appellee in No. **701** and respondent in No. **713**.

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

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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John S. Samson, of Omaha, Nebr., Harry J. Ragen, of San Diego, Calif., Meyer Rothwacks, of Passaic, N. J., Kevin T. Maroney, of Washington, D. C., Thomas K. Hall, of New York, N. Y., William F. O'Donnell III, of Washington, D. C., Genevieve H. Pennington, of Cincinnati, Ohio, and Richard H. Pennington, of Cincinnati, Ohio, on motion of Mr. Solicitor General Simon E. Sobeloff; Clifford R. Hope, of Garden City, Kans., on motion of Mr. Edward Herbert Rees; Vincent A. Ross, of Cheyenne, Wyo., on motion of Mr. Frank A. Barrett; Lewis J. Bicking, of Tulsa, Okla., on motion of Mr. Page Belcher; Robert Bugdanowitz, of Denver, Colo., on motion of Mr. Byron G. Rogers; Charles F. Prael, of San Francisco, Calif., William L. Diedrich, Jr., of San Francisco, Calif., and Robert W. Morrison, of San Francisco, Calif., on motion of Mr. Hugh T. Fullerton; Louis E. Barden, of Detroit, Mich., Ben Z. Nudelman, of Chicago, Ill., and Henry S. Smulevitz, of East Chicago, Ind., on motion of Mr. Archie H. Cohen; Dale Alan Wright, of Washington, D. C., on motion of Mr. Harry J. Lippman; Edward Rothman, of New York, N. Y., and Alfred Geza Graf, of Washington, D. C., on motion of Mr. Earl M. Dollak; William Holmes Cook, of Carbondale, Ill., on motion of Mr. John W. Gwynne; Maxwell P. Keith, of San Francisco, Calif., on motion of Mr. Robert L. Randall; Alfred M. Klein, of Los Angeles, Calif., on motion of Mr. Plato Ernest Papp; Harry A. Mazzer, of Stockton, Calif., on motion of Mr. Garrett Fuller; Samuel Morgan, of Chicago, Ill., on motion of Mr. Martin Warren Bell; Charles David Maley, of Highland Park, Ill., on motion of Mr. William Pitt Shattuck; Waller Taylor II, of Los Angeles, Calif., and Atherton Macondrey Phleger of San Francisco, Calif., on motion of Mr. Herman H. Phleger; William Dohrmann Evers, of San Francisco, Calif., on motion of Mr. Thomas G. Meeker; Chauncey Robbins, of Houlton, Maine, on motion of Mr. Fred C. Scribner, Jr.; Harry Phillip Jarvis, of Houston, Tex., on motion of Mr. Arthur C. Perry; William Kay, of Milwaukee, Wis., and Paul L. Moskowitz, of Milwaukee, Wis., on motion of Mr. Solomon Dimond; Raymond A. Rodeno, of Cleveland, Ohio, on motion of Mr. Albert E. Reitzel; and Albert O. Scafuro, of Allendale, N. J., on motion of Mr. Carl Layton Shipley, were admitted to practice.

No. 231. Bill Hatahley et al., petitioners, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. That part of the judgment of the Court of Appeals dissolving the injunction is affirmed. The remainder of the judgment is reversed with costs and the case is remanded to the United States District Court for the District of Utah for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark.

No. 383. General Box Company, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Louisiana. Opinion by Mr. Justice Reed. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Harlan concurs.

No. 486. National Labor Relations Board, petitioner, *v.* Truitt Manufacturing Company. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment of Court of Appeals reversed and case remanded to that court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Opinion by Mr. Justice Frankfurter concurring in part and dissenting in part in which Mr. Justice Clark and Mr. Justice Harlan join.

No. 380. Edwin B. Covey, Committee of the Person and Property of Nora Brainard, an Incompetent, appellant, *v.* Town of Somers. Appeal from the Court of Appeals of the State of New York. Judgment reversed with costs and cause remanded to the Court of Appeals for proceedings not inconsistent with the opinion of this Court. Opinion of Mr. Chief Justice Warren. Separate opinion by Mr. Justice Frankfurter.

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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. 721. Southern Kansas Greyhound Lines, Inc., appellant, *v.* United States of America and Interstate Commerce Commission et al. Appeal from the United States District Court for the Western District of Missouri. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

No. 732. The Board of the Black River Regulating District, appellant, *v.* Adirondack League Club. Appeal from the Court of Appeals of New York. *Per Curiam*: The Motion to dismiss is granted and the appeal is dismissed on the ground that the judgment rests on an adequate non-federal basis. Rule 16 (b) of the rules of this Court.

No. 779. Sigmund Reiss, appellant, *v.* The People of the State of New York. Appeal from the County Court of the County of Nassau, New York. *Per Curiam*: The appeal is dismissed. Mr. Justice Black and Mr. Justice Douglas would note probable jurisdiction.

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No. 731. Long Beach Federal Savings and Loan Association et al., appellants, *v.* Federal Home Loan Bank of San Francisco et al. The order entered in this case on April 30, 1956, is amended to read as follows: "The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction."

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No. 728. Amalgamated Meat Cutters and Butcher Workmen of North America, Local No. 427, AFL, et al., petitioners, *v.* Fairlawn Meats, Inc. Petition for writ of certiorari to the Supreme Court of Ohio granted and case transferred to the summary calendar. The Solicitor General is invited to file a brief in this case on behalf of the National Labor Relations Board.

No. 785. San Diego Building Trades Council et al., petitioners, *v.* J. S. Garmon et al. Petition for writ of certiorari to the Supreme Court of California granted and case transferred to the summary calendar. The Solicitor General is invited to file a brief in this case on behalf of the National Labor Relations Board.

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No. 492. National Labor Relations Board, petitioner, *v.* Monsanto Chemical Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 720. The Atchison, Topeka and Santa Fe Railway Company, Great Northern Railway Company, Northern Pacific Railway Company, et al., petitioners, *v.* Arthur E. Summerfield, Postmaster General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 722. Wesley Coffman, petitioner, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 763. Paul M. Brophy, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 768. Dean Liakas, petitioner, *v.* State of Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 769. Wayne Hugh Easley Trust, W. H. Easley, Trustee, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ

of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 777. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, et al., petitioners, *v.* Alexander P. Tureaud, Jr., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 780. David Klapholz and Paula Klapholz, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 781. Sidney Sarner et al., petitioners, *v.* Norman P. Mason, Commissioner of the Federal Housing Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 783. Harold Thomas Hermansen, alias Ford Hermansen, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 784. Peter Corrado, also known as Pietro Corrado, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 786. E. D. Woodlock et al., petitioners, *v.* City of Abilene. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Eleventh Supreme Judicial District, denied.

No. 788. Sture V. Sigfred, petitioner, *v.* Pan American World Airways, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 789. The Pennsylvania Railroad Company, petitioner, *v.* William Kelly. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 792. Union Producing Company, petitioner, *v.* Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 796. Mary and George H. Brasier, petitioners, *v.* United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 803. Mrs. Katie Lyons Byrd, petitioner, *v.* The Napoleon Avenue Ferry Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 805. Dulien Steel Products, Inc., petitioner, *v.* Elbert B. Connell. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 810. Patricia Thurnau, as Administratrix of the Estate of Philip George Thurnau, Deceased, petitioner, *v.* Alcoa Steamship

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

No. 825. Philco Television Broadcasting Corporation et al., petitioners, *v.* Albert Ettore. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 839. The Board of County Commissioners of Wyandotte County, Kansas, petitioner, *v.* William J. Howard, Inc., a Corporation Organized under the Laws of the State of Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 496. National Lawyers Guild, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States. Petition for writ of certiorari to the United States 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.

No. 782. William O. Royalty, George Slaughter, et al., petitioners, *v.* Harry Chucuales et al. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

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No. 201. David Hyun, petitioner, *v.* Herman R. Landon, District Director, Immigration and Naturalization Service. Petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 248. Hamish Scott MacKay, petitioner, *v.* John P. Boyd, District Director of Immigration and Naturalization Service, United States Department of Justice, and Roy J. Norene. The motion for leave to file petition for rehearing is denied.

No. 505. Joel A. Maloy, petitioner, *v.* City of Mulberry, a Municipal Corporation. The motion for leave to file a second petition for rehearing is denied.

No. 58. William Ludwig Ullmann, petitioner, *v.* United States of America;

No. 316. The Raymond Bag Company, appellant, *v.* Stanley J. Bowers, Tax Commissioner of Ohio;

No. 523. Joan Greenway Collins, Widow, et al., petitioners, *v.* American Buslines, Inc., Respondent Employer, et al.;

No. 672. The Balian Ice Cream Co., Inc., a Corporation, et al., petitioners, *v.* Arden Farms Co., a Corporation, et al.;

No. 683. Louise McGrew Moffett, as an Individual and Executrix of the Estate of Thomas S. Moffett, Deceased, petitioner, *v.* Commerce Trust Company, a Corporation;

No. 12, Misc. Ralph J. Bindrim, petitioner, *v.* Joseph E. Ragen, Warden;

No. 400, Misc. S. Leon Levy, petitioner, *v.* Carlton Hayward, Louis Levine, Leo A. Rover, et al.;

No. 431, Misc. Bernard M. Shotkin, appellant, *v.* Board of Education of Florida;

No. 550, Misc. Joseph W. DiSilvestro, petitioner, *v.* United States Veterans Administration et al.;

No. 602, Misc. Lonnie Brinkley, petitioner, *v.* The State of Texas; and

No. 624, Misc. William B. Donnell, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petitions for rehearing denied.

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No. 552, Misc. Dykes Askew Simmons, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 664, Misc. Earl A. Brogan, petitioner, *v.* Frank G. Martin, Warden, Eastern State Penitentiary, Philadelphia, Pa. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 674, Misc. Robert Lee Braden, petitioner, *v.* The State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

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ORDER

The Clerk is authorized to transfer to the National Archives the manuscript records and miscellaneous papers filed in cases docketed in this Court up to the year 1832.

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

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Lyman Brownfield, of Columbus, Ohio, and Everett Burdette Boileau, of Pomona, Calif., on motion of Mr. Vice President Richard M. Nixon; Jacob D. Fuchsberg, of New York, N. Y., Arnold Williamson, Jr., of East Providence, R. I., Robert B. Wolf, of Philadelphia, Pa., Werner Goldman, of Syracuse, N. Y., John R. Marshall, of Norwich, N. Y., and Samuel H. Holland, of Chicago, Ill., on motion of Mr. Solicitor General Simon E. Sobeloff; Leonard W. Pipkin, Jr., of Topeka, Kans., on motion of Mr. Andrew F. Schoeppel; Lauris George Petersen, of Winona, Minn., on motion of Mr. August H. Andresen; Arthur E. Abney, of Springfield, Ill., on motion of Mr. L. Welch Pogue; Gladys Irene White, of Miami, Fla., on motion of Mr. Matthew Hale; Charles S. Harley, of Little Rock, Ark., on motion of Mr. W. F. Norrell; Walter B. Fincher, of Atlanta, Ga., on motion of Mr. John Wilson Ellis; Russell Kruppenbacher, of Ridgewood, N. Y., on motion of Mr. Stewart L. Udall; William J. Ball, of San Francisco, Calif., on motion of Mr. Hugh T. Fullerton; Louis J. Lefkowitz, of New York, N. Y., on motion of Mr. John V. Lindsay; Earl A. Everett, of Los Angeles, Calif., on motion of Mr. William B. Barton; William V. Chappell, Jr., of Ocala, Fla., on motion of Mr. James R. Golden; Jacob Leonhard Bernheim, of Milwaukee, Wis., on motion of Miss Helen F. Humphrey; James Neumann Lafferty, of Philadelphia, Pa., on motion of Mr. Arthur P. Drury; Joe Day, Jr., of Fort Worth, Tex., on motion of Mr. Fritz G. Lanham; George F. Wood, of Mobile, Ala., on motion of Mr. Warren W. Grimes; Jerome Strauss, of Park Forest, Ill., on motion of Mr. Laurence A. Kusek; Richard Lipsitz, of Buffalo, N. Y., and John Silard, of Washington, D. C., on motion of Mr. Joseph L. Rauh, Jr.; Dale I. Stoops, of Oakland, Calif., on motion of Mr. Philip Redmond Monahan; John L. Roach, of Chicago, Ill., on motion of Mr. Austin Leonard Roberts, Jr.; Lawrence Arnold Bernstein, of Boston, Mass., on motion of Mr. Solomon Dimond; Thomas J. O'Connell, of Washington, D. C., on motion of Mr. Ross O'Donoghue; Wayne E. Babler, of St. Louis, Mo., on motion of Mr. Stephen H. Fletcher; Harvey W. Peters, of Milwaukee, Wis., on motion of Mr. Joseph E. McAndrews; Kingdon Gould, Jr., of Laurel,

Md., on motion of Mr. Guy R. Martin; Jack J. Schumacher, of Shawano, Wis., on motion of Mr. Frederick Bernays Wiener; Robert J. Webb, of Omaha, Nebr., on motion of Mr. Frederick S. Hill; J. Leo McCormick, Jr., of Baltimore, Md., on motion of Mr. Arthur J. Cerra; and Jay A. Schiller, Jr., of Chicago, Ill., on motion of Mr. Jay Arthur Schiller, were admitted to practice.

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No. 436. Raymond G. Cahill, petitioner, *v.* The New York, New Haven and Hartford Railroad Company. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Motion of respondent to recall and amend the judgment of this Court in this case is granted. It is ordered that the certified copy of the judgment sent to the District Court be recalled and that the judgment be amended so as to provide for a remand of the cause to the United States Court of Appeals for the Second Circuit for further proceedings. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Black in which the Chief Justice, Mr. Justice Douglas and Mr. Justice Clark join.

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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. 802. Union Oil Company of California, a Corporation, 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 of California. *Per Curiam*: The motion for leave to file brief of Air Pollution Control Association, as *amicus curiae*, is denied. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 599, Misc. Joseph H. Whitley, petitioner, *v.* Warden, Maryland House of Correction. Appeal from and petition for writ of certiorari to the Court of Appeals of Maryland. *Per Curiam*: The appeal is dismissed and the petition for writ of certiorari is denied.

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No. 48. Communist Party of the United States of America, petitioner, *v.* Subversive Activities Control Board. The motion of the respondent to issue the mandate forthwith is granted.

No. 664. Orlando Delli Paoli, petitioner, *v.* United States of America. The motion for leave to proceed further herein in forma pauperis is granted.

No. 636. Gerald D. Nelson et al., as Successor Trustees Under the Will of William Nelson, Deceased, and Helen D. Moller, appellants, *v.* The City of New York. Appeal from the Court of Appeals of New York. In this case probable jurisdiction is noted.

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No. 821. Pennsylvania Railroad Company and Brotherhood of Railroad Trainmen, petitioners, *v.* N. P. Rychlik, Individually and on behalf of and as Representative of Other Employees of the Pennsylvania Railroad. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. The Solicitor General is invited to file a brief, as *amicus curiae*.

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No. 772. Nevada-Pacific Development Corporation et al., petitioners, *v.* Harley W. Gustin. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 797. Lindsay B. Shafer, Lewis Shafer, Joseph Shafer, and Lewis Shafer, Sr., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 798. Clyde Stone and wife Ruby Stone, and John Ed Stone and wife Mary Stone, Interested Parties, petitioners, *v.* Joe D. Huffstutler, Referee in Bankruptcy. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 806. Paul Edward Rowton, Charles Freelan Wheeler, and Reuben Jones Stepp, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 807. Orval Care, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 812. John Sincerbeaux, petitioner, *v.* Frank T. Hanlon, Commissioner of Public Safety of the City of White Plains, New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 813. Clarence I. Justheim et al., petitioners, *v.* Douglas McKay, Secretary of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 814. Ernest P. Wilson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 815. Donald C. Barnes, Trustee in Dissolution for Engineers Public Service Company, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 823. Ryan Consolidated Petroleum Corporation, petitioner, *v.* W. L. Pickens et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 892. William F. Adams, petitioner, *v.* Autherine J. Lucy and Polly Anne Myers. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 691. United States of America, petitioner, *v.* Umberto Anastasio, also known as Albert Anastasia. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 811. Fay M. Whitsell, petitioner, *v.* Ernest B. Alexander et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 682. Covington Mills, Alabama Mills, Inc., et al., petitioners, *v.* James P. Mitchell, Secretary of Labor, et al. Petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 10. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson;

No. 278. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joseph T. Budd, Jr., and Florence W. Budd, Co-Partners, Doing Business as J. T. Budd, Jr., and Company, et al.;

No. 637. John D. Myers, petitioner, *v.* John B. Hollister, Director, International Cooperation Administration, et al.;

No. 667. Tractor Training Service, a Corporation, et al., petitioners, *v.* Federal Trade Commission;

No. 697. Oscar L. Grant et al., petitioners, *v.* Ezra Taft Benson, Secretary of Agriculture of the United States, et al.; and

No. 459, Misc. George Sessions, Jr., petitioner, *v.* Wyndham Manning, Sr., Superintendent. Petitions for rehearing denied.

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No. 466, Misc. John Hooks, petitioner, *v.* William H. Hardwick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 578, Misc. Edward J. Konetzke, petitioner, *v.* People of the State of Illinois et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 591, Misc. Ernest M. Friesen, petitioner, *v.* Industrial Accident Commission of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 603, Misc. Charles Skinner, petitioner, *v.* Ross V. Randolph, Warden of the Menard Branch of the Illinois State Penitentiary at Menard, Illinois. Petition for writ of certiorari to the Circuit Court of Lee County, Illinois, denied.

No. 609, Misc. Clifton Blakeney, petitioner, *v.* The State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 614, Misc. Robert Marion Boykin, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, Huntsville, Texas, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 632, Misc. Clyde Roosa, alias John Jones, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 654, Misc. Elesano Troiani, petitioner, *v.* The State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 658, Misc. People of the State of Illinois, ex rel. Basil Banghart, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

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No. 558, Misc. Fernando Hernandez Solsona, petitioner, *v.* C. H. Looney, Warden, U. S. Penitentiary, Leavenworth, Kansas;

No. 572, Misc. Johnnie Alvarez, petitioner, *v.* William F. Steiner, Warden of Maryland House of Correction;

No. 581, Misc. Robert Anderson, petitioner, *v.* People of the State of California; and

No. 649, Misc. Earl L. Jordan, petitioner, *v.* Commissioners of New York State Parole Board and Walter B. Martin, Warden of Attica Prison, Attica, New York. Motions for leave to file petitions for writs of habeas corpus denied.

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The Court will take a recess from today until Monday, May 21, next.

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

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Clovis Auteene Brown, of Galveston, Tex., Edgar Foy Norton II, of Austin, Tex., and Robert H. Amidon, of Washington, D. C., on motion of Mr. Price Daniel; Joseph Fishberg, of Trenton, N. J., and Nathan Nelson Schildkraut, of Trenton, N. J., on motion of Mr. Frank Thompson, Jr.; Clarence L. Young, of Lovelock, Nev., on motion of Mr. Clarence Clifton Young; James Ellsworth Noland, of Indianapolis, Ind., and Raymond W. Hilgedag, of Indianapolis, Ind., on motion of Mr. Ray J. Madden; Margaret Scottino Fenton, of Dallas, Tex., and Edmund Dinis, of New Bedford, Mass., on motion of Mr. Elmore Whitehurst; Milton A. Melville, of Fillmore, Utah, on motion of Mr. William A. Dawson; Harold M. Street, of Muskegon, Mich., on motion of Mr. Louis George Meader; Irvin H. Yackness, of Detroit, Mich., on motion of Mr. Joseph B. McGrath; Kenneth Edward Peery, of Emporia, Kans., on motion of Mr. Edward Herbert Rees; Davis Grant, of Bryan, Tex., on motion of Mr. Joe M. Kilgore; Andrew Grant Conlyn, of Washington, D. C., and C. Marvin Ward, Jr., of Washington, D. C., on motion of Mr. Chester H. Gray; Charles Harrison Weintraub, of Washington, D. C., on motion of Mr. Jacob I. Karro; Harold F. Porter, Jr., of New York, N. Y., on motion of Mr. Theodore Ellenbogen; Eleanor Uris, of New York, N. Y., and Ralph Ober, of New York, N. Y., on motion of Mr. Jacob Padawer; Ben C. Cohen, of Beverly Hills, Calif., on motion of Mr. Warren E. Miller; Julian B. Wilkins, of Chicago Ill., on motion of Mr. J. Ernest Wilkins; H. Lee Kanter, of Norfolk, Va., on motion of Mr. Elliott H. Moyer; Robert S. Rody, of Baltimore, Md., on motion of Mr. Robert Thomas Bryan, Jr.; Joseph P. Sullivan, of Indianapolis, Ind., on motion of Mr. Homer R. Miller; Vermont Hatch, of New York, N. Y., Nicholas Atlas, of New York, N. Y., Oscar L. Dumford, of Bethel, Ohio, Jac M. Wolff, of New York, N. Y., George Clinton Fogwell, Jr., of Philadelphia, Pa., and Alan J. Swotes, of Philadelphia, Pa., on motion of Mr. Oscar H. Davis; Robert A. Bridges, of Washington, D. C., and Melvin L. Rowland, of Jackson, Tenn., on motion of Mr. James R. Billingsley; John Joseph Dempsey, Jr., of Wilkes-Barre, Pa., on motion of Mr. George Morris Fay; Victor H. Blanc, of Philadelphia, Pa., on motion of Mr. Philip Werner Amram; Allen S. Pierce,

of Chicago, Ill., and Morris Goldman, of Chicago, Ill., on motion of Mr. Jerome Harvey Simonds; Harry I. Young, of St. Petersburg, Fla., and Frank D. McDevitt, of St. Petersburg, Fla., on motion of Mr. James R. Golden; Raymond Lester Hanson, of San Francisco, Calif., on motion of Mr. Michael Francis Xavier Dolan; Samuel L. Zeligson, of Tulsa, Okla., on motion of Mr. Jerome J. Dick; Carol Cox, of Waynesboro, Ga., on motion of Miss Sylvia S. Ellison; Thomas P. McMahon, of Buffalo, N. Y., on motion of Mr. David E. Feller; Frederic T. Suss, of Springfield, Mass., on motion of Mr. Harlan L. Kays, Jr.; Gilbert LeRoy Duckworth, Jr., of Renton, Wash., and Charles Patrick Moriarty, Jr., of Seattle, Wash., on motion of Mr. Ira S. Siegler; Moise S. Steeg, Jr., of New Orleans, La., on motion of Mr. Norman J. Morrisson; Richard D. Shewmaker, of St. Louis, Mo., on motion of Mr. Joseph J. Smith, Jr.; Francis Smith, of St. Joseph, Mo., on motion of Mr. Richard H. Brown; Mary Jane Karem, of Louisville, Ky., and Fred J. Karem, of Louisville, Ky., on motion of Mr. M. H. Thatcher; John Milton Flatten, of Lincoln, Nebr., and August C. Carlson, of Oklahoma City, Okla., on motion of Mr. Donald R. Simpson; Kurt Wellisch, of Miami, Fla., on motion of Mr. Rolland G. Lamensdorf; Thomas Price Littlepage, Jr., of Washington, D. C., on motion of Mr. Walter E. Barton; Milton Mollen, of New York, N. Y., and John V. Connorton, of New York, N. Y., on motion of Mr. Peter Campbell Brown; Kent P. Kratz, of Lincoln, Nebr., on motion of Mr. William H. Cooke; Bernal E. Dobell, of Oakland, Calif., on motion of Mr. Arthur B. Hanson; Emmett E. Tucker, Jr., of Alexandria, Va., on motion of Mr. Elisha Hanson; Donald Colt Fitch, Jr., of Dallas, Tex., on motion of Mr. Frederick A. Ballard; and Julius Block, of Brooklyn, N. Y., Henry Anton Slaughter, of New York, N. Y., Charles N. Aicher, of New York, N. Y., James C. Moffett, of New York, N. Y., Kenneth W. O'Hare, of New York, N. Y., William J. Trenkle, of Jamaica, N. Y., John Baehr, of New York, N. Y., Jacob Friedland, of Maspeth, N. Y., James Vincent Masone, of Maspeth, N. Y., John Timothy Landers, of Maspeth, N. Y., Herbert Prosper Giorgio, of Locust Valley, N. Y., Paul Joachim, of Jamaica, N. Y., Adam Christmann, of Hempstead, N. Y., George J. Schneider, of Glendale, N. Y., Henry Locke, of Ridgewood, N. Y., John N. Mollica, of Brooklyn, N. Y., Leonard J. Mazzarisi, of Brooklyn, N. Y., Peter D. Visco, of Elmhurst, N. Y., Otto M. Gabler, of Ridgewood, N. Y., Robert J. Gabler, of Ridgewood, N. Y., Benjamin H. Fischler, of Jamaica, N. Y., Arthur E. McGrother, of Flushing, N. Y., Lester C. Ringe, of Ridgewood, N. Y., Gabriel Slovak, of Ridgewood, N. Y., Gerald T. Grady, of Jamaica, N. Y., Elliott Klein, of Ridgewood, N. Y., Robert S. Joachim, of Jamaica, N. Y., Albert A. Lustig, of New York, N. Y., John Kikel, of Ridgewood, N. Y., Jeremiah J. Sullivan, of Ridgewood, N. Y., William A. Schauer, of Ridgewood, N. Y., and Jacob

Leiman, of Maspeth, N. Y., on motion of Mr. William Koch, were admitted to practice.

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No. 451. Railway Employes' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson et al. Appeal from the Supreme Court of the State of Nebraska. Judgment reversed with costs and case remanded to the Supreme Court of Nebraska for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Frankfurter.

No. 94. United States of America and Federal Communications Commission, petitioners, *v.* Storer Broadcasting Company. 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 further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Mr. Justice Douglas concurs in the result. Opinion by Mr. Justice Harlan concurring in part and dissenting in part. Dissenting opinion by Mr. Justice Frankfurter.

No. 643. Paul Deemer Johnston and John Sokol, petitioners, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Third Circuit; and

No. 704. United States of America, petitioner, *v.* Dudley A. Patteson. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment in No. 643 affirmed and case remanded to the United States District Court for the Eastern District of Pennsylvania. Judgment in No. 704 reversed and case remanded to the United States District Court for the District of Kansas for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Black concur.

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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. 693. William J. Kraus, a Taxpayer on behalf of the City of Cleveland, appellant, *v.* City of Cleveland et al. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion for leave to file brief of the Christian Science Board of Directors, as *amicus curiae*, is denied. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 694. Saxony Construction Company, appellant, *v.* Board of Supervisors of Marple Township. Appeal from the Court of Quar-

ter Sessions of Delaware County of Pennsylvania. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 207, Misc. Robert Arthur Chick, appellant, *v.* State of Texas. Appeal from the Court of Criminal Appeals of Texas. *Per Curiam*: The appeal is dismissed and the motion for leave to file petition for writ of habeas corpus is denied.

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No. 827. Albert Roviario, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 831. Henry Ferguson, petitioner, *v.* Moore-McCormack Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 244. Raphael Konigsberg, petitioner, *v.* The State Bar of California and the Committee of Bar Examiners of the State Bar of California. Petition for writ of certiorari to the Supreme Court of California granted. In addition to the merits, counsel are invited to consider, in their briefs and upon oral argument, the following questions relating to the jurisdiction of this Court:

(1) Were petitioner's claims under the United States Constitution duly raised before the Supreme Court of California?

(2) Was the Supreme Court of California's denial of a petition for a writ of review merely a refusal by that court to exercise its discretionary jurisdiction or is it to be deemed a disposition, "in the nature of a review," *Salot v. State Bar*, 3 Cal. 2d 615, 617, and as such a final judgment within the meaning of 28 U. S. C., § 1257?

(3) Assuming the latter, was the determination of the Supreme Court of California based upon a rejection of claims arising under the 14th amendment of the Constitution of the United States, and more particularly, upon an evaluation of the constitutional significance of the evidence summarized under "1" on page 5 through the top of page 8 of the brief filed by the respondents on December 8, 1955, in opposition to the petition for the writ of certiorari herein?

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No. 761. Olin Mathieson Chemical Corporation, a Corporation, petitioner, *v.* The Western States Cutlery and Manufacturing Company, a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 817. Roy Dixon, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 819. Knudsen Creamery Co. of California, petitioner, *v.* John Oosten. Petition for writ of certiorari to the Supreme Court of California denied.

No. 820. Lillian V. Robinson, as Administratrix of the Goods, Chattels, and Credits of Frank Wallis Robinson, Deceased, petitioner, *v.* Northeastern Steamship Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 822. The Martin Brothers Box Company, a Corporation, petitioner, *v.* Interstate Commerce Commission and Southern Pacific Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 824. Buck Wilcoxson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 828. Myrtle Fannin, Administratrix of the Estate of Zeb Fannin, Deceased, petitioner, *v.* Honorable Paul Jones, Judge of the United States District Court for the Northern District of Ohio, Eastern Division. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 829. Clarence P. Berkhiser, petitioner, *v.* Honorable Paul Jones, Judge of the United States District Court for the Northern District of Ohio, Eastern Division. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 830. Philip F. Boynton, petitioner, *v.* Rea Forhan Pedrick, as Administratrix of the Estate of William J. Pedrick, Deceased, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 832. Sidney Stein, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 833. Glenn Jones, Trustee of Independent Plow, Inc., Bankrupt, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 834. Virgil Floyd, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 841. Henry P. White, and Estate of Nancy A. White, Deceased, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 846. City Chevrolet Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 847. G. J. Amshoff et al., petitioners, *v.* United States and Ezra Taft Benson, Secretary of Agriculture. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 848. United States of America, petitioner, *v.* United States Vanadium Corporation and Electro Metallurgical Company; and

No. 849. Electro Metallurgical Sales Corporation, a Corporation, petitioner, *v.* United States of America. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 862. The Commercial Travelers Mutual Accident Association of America, a Corporation, etc., petitioner, *v.* J. C. Schutt, Administrator of the Estate of John P. Bell, Deceased, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 866. Lyle E. Hernandez, Paul B. Porter, et al., petitioners, *v.* Ethyl Corporation et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 880. Buch Express, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 899. Joseph F. Elward, J. Patrick Lannan, Ora Mary Lannan, et al., petitioners, *v.* William J. Friedman et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

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No. 584. Frank Gentles, Don F. Gates, Randolph Caldwell, et al., appellants, *v.* F. Britton McConnell, as Insurance Commissioner of the State of California, etc., et al.; and

No. 585. The Pacific Mutual Life Insurance Company of California, a California Corporation, et al., appellants, *v.* F. Britton McConnell, as Insurance Commissioner of the State of California, etc., et al. Petition for rehearing denied. The Chief Justice and Mr. Justice Reed took no part in the consideration or decision of this application.

No. 38. Raymond C. Armstrong, petitioner, *v.* Mary R. Armstrong, General Motors Corporation, et al.; and

No. 547, Misc. George N. Mas and Frank M. Mas, petitioners, *v.* Owens-Illinois Glass Company. Petitions for rehearing denied.

No. 565, Misc. Richard H. Clinton, petitioner, *v.* The Greyhound Corporation, a Delaware Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 600, Misc. Santiago Gonzalez Castro et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 615, Misc. Claude Roberts, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, State of Texas, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 622, Misc. In re Preston Lavern Howard, petitioner. Petition for writ of certiorari to the Supreme Court of California denied.

No. 623, Misc. Salvatore Oddo, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 635, Misc. William H. Engling, petitioner, *v.* The State of Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 641, Misc. James Dento, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 647, Misc. Dennis J. Pennenga, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 652, Misc. Robert McCollum, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 660, Misc. Charles Harlan Bales, petitioner, *v.* Percy A. Lainsen, Warden, Iowa State Penitentiary. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 661, Misc. Harold R. Kennedy, petitioner, *v.* Thomas J. Gough, Warden, Rhode Island State Prison. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 663, Misc. Jesus Rodriguez, petitioner, *v.* Cosmos Footwear Corporation, etc. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 667, Misc. Vernon Turner, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 668, Misc. Robert Johnson, petitioner, *v.* State of Ohio and Ralph W. Alvis, Warden, Ohio Penitentiary. Petition for writ of certiorari to the Franklin County Court of Appeals of Ohio denied.

No. 673, Misc. Luther C. Hanson, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 679, Misc. Ernest Morse, petitioner, *v.* Lawrence Delmore, Jr., Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 686, Misc. Gerald C. Musser, petitioner, *v.* D. N. Myers, Acting Warden, State Penitentiary, Graterford, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 688, Misc. Louis Cuomo, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 690, Misc. Gene A. Krupnick, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 707, Misc. Robert Keagle, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 11, Misc. Bruce T. Reichelderfer, petitioner, *v.* C. G. Day, Warden, State Penitentiary, Graterford, Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 579, Misc. Emil Reck, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court.

No. 613, Misc. United States of America, *ex rel.* John Norman Clark, petitioner, *v.* Robert A. Heinze, Warden, California State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. The Chief Justice took no part in the consideration or decision of this application.

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No. 513, Misc. Bernard M. Shotkin, etc., petitioner, *v.* William A. Black, Dr. Charles A. Rymer, General Electric Co., et al. Petition for an appeal denied.

No. 671, Misc. James Clyde Meeks, petitioner, *v.* P. A. Lainson, Warden, Iowa State Penitentiary;

No. 677, Misc. Charles Campiglia, petitioner, *v.* Edward M. Fay, Warden, Green Haven Prison, Stormville, New York;

No. 693, Misc. Donald MacGregor, petitioner, *v.* State of Florida and Nathan Mayo, Custodian, Florida State Prison; and

No. 695, Misc. Herman Devorse, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Motions for leave to file petitions for writs of habeas corpus denied.

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The Court will take a recess from today until Monday, May 28, next.

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Adjourned until Monday, May 28, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Walter J. St. M. LeBreton, of New Orleans, La., Gordon Rosenmeier, of Little Falls, Minn., James L. O'Donnell, of Williston Park, N. Y., Jesse Moss, of New York, N. Y., Albert J. Gennarelli, of Brooklyn, N. Y., and Walter C. Sadler, of Ann Arbor, Mich., on motion of Mr. Solicitor General Simon E. Sobeloff; Harry Stitle Manchester, of Youngstown, Ohio, Robert G. Farmer, Jr., of Columbus, Ohio, William E. Minshall, Jr., of Cleveland, Ohio, Wilmore Brown, of Columbus, Ohio, and Grover Jack Crites, of Columbus, Ohio, on motion of Mr. John W. Bricker; Eva B. Adams, of Reno, Nev., on motion of Mr. Alan Bible; John M. Kuykendall, Jr., of Jackson, Miss., Will A. Hickman, of Oxford, Miss., and Jefferson Davis, of Atlanta, Ga., on motion of Mr. Jamie L. Whitten; Alfred S. Gainsley, of Los Angeles, Calif., on motion of Mr. John Chisman Hanes; Loyd Earl Wright, Jr., of Los Angeles, Calif., Dudley Kingsbury Wright, of Los Angeles, Calif., and Walter A. Johnson, of Los Angeles, Calif., on motion of Mr. Loyd Wright; Gartner S. Thomas, of Albany, Calif., on motion of Mr. John J. Allen, Jr.; Edmund P. Russo, of Coral Gables, Fla., John L. McWhorter, of Miami, Fla., Joseph Hillary Walker, Jr., of Ripley, Tenn.; Wilbur Gordon Silberman, of Birmingham, Ala., John C. Payne, of Tuscaloosa, Ala., E. Dwight Morgan, of Tuscaloosa, Ala., Samuel Alston Beatty, of Tuscaloosa, Ala., Herbert B. Moriarty, Jr., of Memphis, Tenn., James Marnen Craven, of Memphis, Tenn., Robert L. Derrick, of Rockwood, Tenn., Frank C. Byrd, of Memphis, Tenn., Glenn L. Millar, Jr., of Memphis, Tenn., Hamilton Shaw Foster, of Miami, Fla., Carl Goldschlager, of New Rochelle, N. Y., George J. Schweizer, Jr., of Greenville, Miss., Samuel B. Ray, Jr., of Barnwell, S. C., Eugene F. Rogers, of Columbia, S. C., Philip Wittenberg, of Columbia, S. C., Edward H. Swanko, of Coral Gables, Fla., Thomas Devine Smith, Jr., of San Antonio, Tex., Roy M. Mueller, of San Antonio, Tex., and Jack Garrott Morgan, of Decatur, Tex., on motion of Mr. Reginald Carl Harmon; Gilford G. Rowland, of Sacramento, Calif., Walter H. Stammer, of Fresno, Calif., and James Emmet Brenner, of Palo Alto, Calif., on motion of Mr. W. R. Sheeley; Thomas Gibbs Gee, of Austin, Tex., and

James W. Wilson, of Austin, Tex., on motion of Mr. Gray Thoron; John J. Campbell, of Cedarhurst, N. Y., and Daniel F. O'Connell, of New York, N. Y., on motion of Mr. Joseph Tumulty, Jr.; John B. Henderson, of Alexandria, Va., on motion of Mr. Franklin M. Schultz; Sam A. Myar, Jr., of Memphis, Tenn., on motion of Mr. George Cabell Busick; Charles D. Bonnershine, of Monticello, Ind., on motion of Mr. Earl W. Kintner; John J. Larkin, of Lexington, Ky., on motion of Mr. Gene W. Reardon; Michael Philip Drenzo, of New York, N. Y., on motion of Mr. Mordecai M. Merker; Thomas G. Morgan, of Canton, N. C., on motion of Mr. Edward N. Logan; Joseph V. Gibbia, of New York, N. Y., on motion of Mr. James F. Hart; Cornelius Brooks Thurmond, Jr., of Augusta, Ga., Glenn Bertrand Hester, of Augusta, Ga., and Carl Edward Sanders, of Augusta, Ga., on motion of Mr. John Wilson Ellis; Edward Gordon Coleman, of Springfield, Ill., on motion of Mr. Alfred Long Scanlan; Harry W. Day, of Toledo, Ohio, and Lewis W. Combest, of Toledo, Ohio, on motion of Mr. John Holt Myers; George W. Bricker, Jr., of Wilton, Conn., on motion of Mr. Chauncey P. Carter, Jr.; Edward Raiden, of Los Angeles, Calif., on motion of Mr. Thomas M. Cooley II; William I. Purifoy, of Camden, Ark., on motion of Mr. Floyd Lee Williams; Clark W. Toole, Jr., of Jacksonville, Fla., and Louis Kurz, Jr., of Jacksonville, Fla., on motion of Mr. Louis Kurz; A. Judson Hill, of Miami, Fla., on motion of Mr. Matthew Hale; Franklin M. (Dyke) Brown, of San Francisco, Calif., and Vernon L. Goodin, of San Francisco, Calif., on motion of Mr. Lloyd N. Cutler; Herbert Emerson Forrest, of Washington, D. C., on motion of Mr. Edward P. Morgan; Edwin Stallman, of Teaneck, N. J., on motion of Mr. William M. Burkhalter; Melvin B. Lewis, of Chicago, Ill., on motion of Mr. Lawrence A. Kusek; Elizabeth Little McGilvray, of Sacramento, Calif., on motion of Mr. Kenneth G. McGilvray; John Marvin Ericson, of Corpus Christi, Tex., on motion of Mr. Robert F. Sutphin; Marshall Edmund Leahy, of San Francisco, Calif., and John F. O'Dea, of San Francisco, Calif., on motion of Mr. Bernard I. Nordlinger; Israel Moses, of Warwick, R. I., on motion of Mr. David P. Doyle; Theodore J. Carlson, of New York, N. Y., and Morrell S. Lockhart, of New York, N. Y., on motion of Mr. William R. Joyce, Jr.; Burton W. Kanter, of Chicago, Ill., on motion of Mr. Marvin Walter Weinstein; Anthony J. Iacobo, of Lawrence, Mass., on motion of Mr. Franklin Joseph Healy; Marion Edward Popiel, of Pittsburgh, Pa., on motion of Mr. Aaron Cohen; Ovid C. Bianchi, of Orange, N. J., on motion of Mr. Joseph M. Bonuso; Louis Frank Cainkar, of Chicago, Ill., on motion of Mr. William B. Jones; Walter Wesley Woodside, of Washington, D. C., and Thomas Morse Murphy, of Saginaw, Mich., on motion of Mr. Leonard Raum; Melvin Spaeth, of New York,

John Keely Clifford, of Rochester, N. Y., and Gerald B. Greenwald, of Chicago, Ill., on motion of Mr. Arthur M. Becker; Shirley H. Mokotoff, of New York, N. Y., and Milton Mokotoff, of New York, N. Y., on motion of Mr. Donald S. Dawson; Phyllis Dolvin Schoedel, of Spokane, Wash., on motion of Mr. Joseph R. Gorman; Walter J. Monacelli, of Pittsburgh, Pa., on motion of Mr. Francis C. Browne; Arthur Murray Marshall, of Springfield, Mass., on motion of Mr. John (Jack) Reid Turney, Jr.; Joseph L. Sturge, of Hempstead, N. Y., on motion of Mr. Hugh T. Fullerton; Albert K. Scheidenhelm, of Indianapolis, Ind., on motion of Mr. J. Sinclair Armstrong; Francis Bourne Upham III, of New York, N. Y., on motion of Mr. Thomas G. Meeker; Robert L. Brock, of Los Angeles, Calif., on motion of Mr. Joseph Forer; and John Rodgers Murphy, of Kansas City, Mo., William Shephard Harrison, of Minneapolis, Minn., Wilfred John Bouquet, of Minneapolis, Minn., Raymond J. Wilson, Jr., of Cincinnati, Ohio, Kenneth Ashton McGaw, Jr., of Chicago, Ill., Gerald M. Stevens, of St. Paul, Minn., Syrus S. Kouri, of Minneapolis, Minn., Jerome G. Raidt, of Minneapolis, Minn., George N. Guttmann, of Minneapolis, Minn., Elbert Marion Beauneir, of St. Paul, Minn., B. Clarence Hart, of St. Paul, Minn., G. A. Hatfield, of Minneapolis, Minn., Norman A. Stansberry, of Minneapolis, Minn., Samuel Hubbard Hertogs, of Hastings, Minn., Edward Dorwart Clapp, of St. Paul, Minn., and Orem Olford Robbins, of Minneapolis, Minn., on motion of Mr. Robert Lynn Lancefield, were admitted to practice.

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No. 404. Offutt Housing Company, a Corporation, petitioner, *v.* County of Sarpy and Robert M. Eby, Treasurer of County of Sarpy, Nebraska. On writ of certiorari to the Supreme Court of the State of Nebraska. Judgment affirmed. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Reed, Mr. Justice Burton, and Mr. Justice Harlan concur.

No. 373. Commissioner of Internal Revenue, petitioner, *v.* Philip J. LoBue. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the Court of Appeals with directions to remand to the Tax Court for further proceedings. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter and Mr. Justice Clark. Opinion by Mr. Justice Harlan concurring in part and dissenting in part in which Mr. Justice Burton joins.

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. 794. State of South Carolina, ex relatione, S. C. Public Service Commission, appellant, *v.* United States of America, Interstate Commerce Commission, Atlantic Coast Line Railroad Company, et al. Appeal from the United States District Court for the Eastern District of South Carolina. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

No. 650, Misc. John Naumo, appellant, *v.* The State of New York. Appeal from the Appellate Division of the Supreme Court of New York, First Judicial Department. *Per Curiam*: The appeal is dismissed.

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No. 15, Original. United States of America, plaintiff, *v.* State of Louisiana. The State of Louisiana is given until June 4, 1956, to reply to the motion of the United States for an injunction. In the meantime the parties are invited to express their views as to maintenance of the status quo pending final disposition of the cause here. The Chief Justice took no part in the consideration or decision of this question.

No. 51. Federal Power Commission, petitioner, *v.* Sierra Pacific Power Company; and

No. 53. Pacific Gas and Electric Company, petitioner, *v.* Sierra Pacific Power Company. The respondent's motion to amend the opinion in this case is denied without prejudice to the future determination of any issues that may arise as to the right of Sierra to restitution of the excess payments made pursuant to the Commission's invalid order. The Chief Justice, Mr. Justice Black, and Mr. Justice Douglas would grant the motion.

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No. 793. Leslie Miller, Inc., appellant, *v.* State of Arkansas. Appeal from the Supreme Court of Arkansas. In this case probable jurisdiction is noted and the case is transferred to the summary calendar.

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No. 826. Boyd Leedom et al., as Members of the National Labor Relations Board, petitioners, *v.* International Union of Mine, Mill and Smelter Workers. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. The case is transferred to the summary calendar and assigned for argument immediately following No. 723 which is also placed on the summary calendar.

No. 845. Robert W. Jaffke, petitioner, *v.* William C. Dunham, Trustee of the Estate of Robert L. Knetzer, Bankrupt. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 853. Jacob Senko, petitioner, *v.* LaCrosse Dredging Corporation. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, granted and case transferred to the summary calendar.

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No. 517. Edwin Courtney Hudson et al., petitioners, *v.* Atlantic Coast Line Railroad Company, International Association of Machinists, et al. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 573. Chicago and North Western Railway Company, petitioner, *v.* Department of Revenue of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 835. Robert Vasquez, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 836. The Aetna Freight Lines, Inc., etc., petitioner, *v.* Stanley Clayton, Individually and as President of Freight Drivers, Helpers and Dockmen, Local Union #375, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 840. Richard W. Davis and J. W. Clements, petitioners, *v.* The Buck-Jackson Corporation and H. L. Buck, Jr., and A. E. Jackson, Jr., d/b/a Buck and Jackson. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 842. Sim L. Nichols, petitioner, *v.* United States Steel Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 843. Bethlehem Steel Company, petitioner, *v.* Frank A. Cardillo, Deputy Commissioner, United States Department of Labor, Bureau of Employees' Compensation, Second Compensation District. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 844. Carl H. Williams et al., petitioners, *v.* Pacific Royalty Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 850. John Charles Aurianne and Henry Aurianne, et al., petitioners, *v.* The Board of Levee Commissioners of the Orleans Levee

District. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 855. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* Frank Cereste. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 856. E. R. Daugherty, Jr., Eugene Stith, William B. Stith, et al., petitioners, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 857. Lidgerwood Manufacturing Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 860. In the Matter of Theodore W. Miller, an Attorney, petitioner. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 864. John F. Morgan, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 867. Louisiana and Arkansas Railway Company, petitioner, *v.* Mrs. Irene Booth Moore. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 870. Michael Conforti, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the County Court of Putnam County of New York denied.

No. 871. Anthony Angelet and William Angelet, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 879. Pacific Intermountain Express Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 881. Harold D. Rogers, petitioner, *v.* State of Connecticut. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 900. T. E. Goodin, Sr., petitioner, *v.* Clinchfield Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 914. Ferriell M. Barnett, petitioner, *v.* Terminal Railroad Association of St. Louis, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 795. Roy Purselley, petitioner, *v.* United States of America. The motion to dispense with the printing of the petition is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 851. John W. Hadzima, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 808. George C. Wicks and Phillip F. Jensen, petitioners, *v.* Brotherhood of Maintenance of Way Employees, Southern Pacific Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. The motion for leave to file petition for writ of mandamus is also denied.

No. 854. J. T. Lott, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 868. Schering Corporation, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, as Successor to the Alien Property Custodian. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

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No. 23. Harry Slochower, appellant, *v.* The Board of Higher Education of the City of New York. *Per Curiam*: The petition for rehearing is denied. The petition calls our attention to the following comment in our opinion: "It appears that neither the Subcommittee nor Slochower was aware that his claim of privilege would *ipso facto* result in his discharge, and would bar him permanently from holding any position either in the city colleges or in the city government." 350 U. S. 554, lines 13-18. This observation was based on the printed record then before us. The Board now presents for the first time additional portions of the official transcript of the proceedings before the United States Senate Internal Security Subcommittee which cast doubt on its accuracy. Since the comment was in no wise controlling of our decision we believe its deletion from the opinion would serve the interests of accuracy.

It is so ordered.

No. 312. The United States, petitioner, *v.* The Ohio Power Company. The motion for leave to file a second petition for rehearing is denied.

No. 95. Judson Griffin and James Crenshaw, petitioners, *v.* People of the State of Illinois;

No. 679. James Robert Palmer and Lenore Palmer, petitioners, *v.* United States of America;

No. 699. United States of America, petitioner, *v.* White Bear Brewing Co., Inc., and Chicago Title and Trust Company, as Trustee, et al.; and

No. 564, Misc. Charles Woodrow Burns, petitioner, *v.* United States of America. Petitions for rehearing denied.

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No. 380, Misc. John Joseph Uckele, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 384, Misc. John J. McCorkle, petitioner, *v.* Frank G. Martin, Warden, Eastern State Penitentiary, Philadelphia, Pa. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 458, Misc. James Jackson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 526, Misc. Pershing Mills, petitioner, *v.* Joseph O. Kearney, Warden, Federal Correctional Institution, Texarkana, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 563, Misc. Paul E. Goodman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 597, Misc. Claudio Gonzalez, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 616, Misc. Joe Parsons, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 617, Misc. Dr. Edward J. Norwood, petitioner, *v.* Norman B. Parenteau et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 619, Misc. Hilliard Sanders, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 621, Misc. Anna Marie Holland, petitioner, *v.* Capital Transit Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 634, Misc. Earl Louis Goodchild, Jr., petitioner, *v.* State of Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 636, Misc. Raymond E. Hall, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 640, Misc. Candalario A. Aguilar, petitioner, *v.* United States of America and Frances G. Aguilar. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 642, Misc. George Alvarez, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 644, Misc. Jasper Veal, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 645, Misc. Leslie E. Rockwell, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 651, Misc. Joseph (GIO) Giordano, petitioner, *v.* State of Ohio et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 662, Misc. Paul Eugene Kollen, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 665, Misc. Nathan Johnson, petitioner, *v.* Orel J. Skeen, Warden, West Virginia Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 669, Misc. State of Tennessee, ex rel. J. R. Johnson, petitioner, *v.* Frank Llewelyn, Warden, Brushy Mountain Prison, Petros, Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 675, Misc. Commonwealth of Pennsylvania, ex rel. Daniel Young, petitioner, *v.* David Myers, Acting Warden, State Penitentiary, Graterford, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 678, Misc. Alfreddie Henderson, petitioner, *v.* Charles F. Thompson, Presiding Judge, Boone County Circuit Court at Lebanon, Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 684, Misc. John L. Heirman, petitioner, *v.* Fidelity and Casualty Co. of New York, and Omar L. Schnatmeier, United States Marshal. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 685, Misc. Albert F. Eckert, petitioner, *v.* The People of the State of Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 687, Misc. Eugene E. Lemasters, petitioner, *v.* Orel J. Skeen, Warden, West Virginia Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 691, Misc. Troy Hall, petitioner, *v.* The State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 694, Misc. Theodore Paul Barrick, petitioner, *v.* The State of Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 698, Misc. Walter E. Nolan, petitioner, *v.* State of Missouri et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 700, Misc. Sidney Strassman, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Onondaga County Court of New York denied.

No. 701, Misc. Winfred Williams, petitioner, *v.* L. Delmore, Jr., Superintendent of the Washington State Penitentiary at Walla Walla, Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 704, Misc. Sol Newstead, petitioner, *v.* The State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 705, Misc. Sol Newstead, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 708, Misc. James Kendall, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 709, Misc. Charles Wood, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 710, Misc. J. B. Johnson, petitioner, *v.* The State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 711, Misc. The People of the State of New York, *ex rel.* Paul King, petitioner, *v.* John F. McNeill, Director, Matteawan State Hospital, Beacon, New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 712, Misc. Edward Sieg, petitioner, *v.* Joseph E. Ragen, Warden of the Illinois State Penitentiary, Joliet, Ill. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 717, Misc. In the Matter of the Petition of Billy Thompson, petitioner. Petition for writ of certiorari to the Wyoming County Court of Warsaw of New York denied.

No. 718, Misc. Bert W. John, petitioner, *v.* Harley O. Teets, Warden, San Quentin, California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 719, Misc. Arthur Garrett, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 734, Misc. Robert E. Weaver, petitioner, *v.* Commonwealth of Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 657, Misc. Anthony J. Arcieri, petitioner, *v.* Ralph W. Alvis, Warden, Ohio State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 720, Misc. McGruder H. Price and Andrew J. Price, petitioners, *v.* United States of America. Motion for a stay denied. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

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No. 643, Misc. Frank A. Barnes, petitioner, *v.* Mildred R. Mendez; and

No. 735, Misc. Charles Shane, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, et al. Motions for leave to file petitions for writs of certiorari denied.

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No. 655, Misc. Hughes R. Hilliard, petitioner, *v.* F. T. Wilkinson, Warden, United States Penitentiary, Atlanta, Ga.;

No. 689, Misc. In re: The Regent of California, petitioner;

No. 699, Misc. Monroe Robinson, petitioner, *v.* William H. Bannan, Warden, State Prison of Southern Michigan;

No. 723, Misc. In the Matter of Rayford M. Medlin, petitioner;

No. 725, Misc. Grover Wesley Cain, petitioner, *v.* Nathan Mayo, Custodian, Florida State Prison;

No. 727, Misc. In the Matter of E. L. Parker, petitioner;

No. 731, Misc. Ellsworth L. Pritchard, petitioner, *v.* The Warden, Maryland House of Correction;

No. 742, Misc. Leroy Carroll, petitioner, *v.* Vernon Pepersack, Warden of the Maryland Penitentiary;

No. 744, Misc. Charles Van Newkirk, petitioner, *v.* John F. McNeill, Superintendent, Matteawan State Hospital;

No. 749, Misc. Lyndon Carr, petitioner, *v.* Allan L. Robbins, Warden, Maine State Prison; and

No. 755, Misc. Lloyd N. Hockaday, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of habeas corpus denied.

No. 754, Misc. In the Matter of Eugene Hill, petitioner. Motions for leave to file petitions for writs of habeas corpus and mandamus denied.

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No. 672, Misc. Orleans Parish School Board and James F. Redmond, Superintendent, petitioners, *v.* Earl Benjamin Bush et al.;

No. 692, Misc. Ruth Booker, etc., et al., petitioners, *v.* State of Tennessee Board of Education et al.; and

No. 681, Misc. Charles Lawlor and Mitchell Pantzer, etc., petitioners, *v.* The Honorable, The United States Court of Appeals for the Third Circuit, et al. Motions for leave to file petitions for writs of mandamus denied.

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The Court will take a recess from today until Monday, June 4, next.

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Adjourned until Monday, June 4, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Bernard Nelson West, of Bethel, Ohio, Horace Edward Baker, of Westfield, N. J., Kalford K. Miazza, of New Orleans, La., John J. Waldeck, of Canton, Ohio, J. Louis Missall, of Sacramento, Calif., Gerald Sokoloff, of Liberty, N. Y., Walter E. Dillon, of New York, N. Y., John Benedict Lee, of New York, N. Y., Irving Anolik, of New York, N. Y., Irvin Bernard Shaffer, of Baltimore, Md., Grace-Taylor Sanman, of New York, N. Y., Vincent Lo Lordo, of New York, N. Y., Dorothy McCullough Lee, of Portland, Oreg., and George Cochran Doub, of Baltimore, Md., on motion of Mr. Solicitor General Simon E. Sobeloff; Verne M. Laing, of Wichita, Kans., on motion of Mr. Edward Herbert Rees; Gus Thomas Greanias, of Decatur, Ill., on motion of Mr. William Lee Springer; H. Sidney Laughlin, of Los Angeles, Calif., Robert Alan Bicks, of New York, N. Y., Edward J. Harrison, of Streator, Ill., and William C. McPike, of Bedford, Ind., on motion of Mr. Stanley N. Barnes; Joseph M. Cooper, of Madison, Ind., Charles W. Cooper, of Madison, Ind., and Eugene L. Cooper, of Madison, Ind., on motion of Mr. William E. Jenner; Lee Ward, of Paragould, Ark., on motion of Mr. E. C. Gathings; Arthur Meyer, of Nowata, Okla., on motion of Mr. Edmond A. Edmondson, Jr.; Lawrence W. Ryan, of Chicago, Ill., and Thomas J. Wynn, of Chicago, Ill., on motion of Mr. James Cunningham Murray; Wiley S. Messick, of Abbeville, Ala., and James H. Duncan, of Birmingham, Ala., on motion of Mr. George Huddleston, Jr.; Richard White Hobbs, of Hot Springs, Ark., on motion of Mr. W. F. Norrell; Oliver A. Thompson, of Cleveland, Ohio, and Nicholas A. Bucur, Jr., of Cleveland, Ohio, on motion of Mr. William E. Minshall, Jr.; Walter O. Cass, of Denver, Colo., on motion of Mr. Henry P. Chandler; John L. Briggs, of Jacksonville, Fla., and Bruce Griffin Davis, of Tallahassee, Fla., on motion of Mr. Paul G. Rogers; Charles L. Goodson, of Franklin, Ga., on motion of Mr. John James Flynt, Jr.; Charles Patterson Green, of Louisburg, N. C., and Banks Arendell, of Raleigh, N. C., on motion of Mr. Harold Dunbar Cooley; Howard J. Clifton, of Orlando, Fla., James Robert Durden, of Daytona Beach, Fla., Robert W. Olsen, of Orlando, Fla., Mack Duggan Cooley, of Wildwood, Fla., John L. Schober, Jr., of Shreveport, La., Joseph C. LeSage, Jr.,

of Shreveport, La., Joseph M. Snee, of Washington, D. C., James A. Maloney, of Albuquerque, N. Mex., Lonard K. Wells, of Shreveport, La., Charles J. O'Brien, of Orlando, Fla., Leon Hunter Handley, of Orlando, Fla., Herbert James Lindstrum, of Galesburg, Ill., Robert Burnett Booz, of McPherson, Kans., Robert Mackenzie Betz, of Albuquerque, N. Mex., John E. Menig, of Albuquerque, N. Mex., Charles Gowin Davis, of Bellevue, Tex., Charles D. Baxter, of Wichita Falls, Tex., L. Archie Harris, of Sacramento, Calif., French C. Davis of Daytona Beach, Fla., Dan R. Warren, of Daytona Beach, Fla., Leon F. Stewart, of Daytona Beach, Fla., Lawrence J. Gross, of New York, N. Y., William Joseph Shumpes, of Chicago, Ill., Calvin C. Magleby, of Las Vegas, Nev., and Herbert M. Jones, of Las Vegas, Nev., on motion of Mr. Reginald Carl Harmon; William M. Chanson, of New York, N. Y., on motion of Mr. Leonard Raum; John C. Sheehan, of Springfield, Ill., on motion of Mr. Robert C. McConnell; Edward Douglas Downing, of Elkhart, Ind., on motion of Mr. Valentine B. Deale; Robert J. Leonard, of Alexandria, Va., on motion of Mr. Nicholas F. Lopes; Vincent A. Whelan, of San Diego, Calif., on motion of Mr. Ralph F. Berlow; Paul J. Fox, of Virginia Beach, Va., on motion of Mr. Louis Pabst Poulton; Sol I. Kroll, of New York, N. Y., Charles J. Garbarini, of New York, N. Y., and Anthony D. Sutera, of New York, N. Y., on motion of Mr. Sidney Kocin; John R. Brasel, of Washington, D. C., on motion of Mr. Jack C. Davis; Ellsworth T. Simpson, of Washington, D. C., on motion of Mr. Frank J. Kelly; Paul N. Herdman, of Lebanon, Ohio, on motion of Mr. John K. Pickens; Monroe J. Winsten, of New York, N. Y., on motion of Mr. Louis H. Samuels; Harold Joseph Nussbaum, of Washington, D. C., on motion of Mr. Nathan M. Lubar; George Joseph Lyons, of Berkeley, Calif., on motion of Mr. Alan Johnstone, Jr.; Murray Sprung, of New York, N. Y., on motion of Mr. Thos. C. Fisher; Roland A. Dexter, of Williamstown, Mass., on motion of Mr. Alvin Browdy; William J. Routsis, of New York, N. Y., on motion of Mr. William A. Kehoe, Jr.; Claude Stephen Eddleman, Jr., of Louisville, Ky., on motion of Mr. William Brecht Hanback; W. Barrett McDonnell, of Washington, D. C., on motion of Mr. William E. Foley; Joseph Lester Carr, of Los Angeles, Calif., on motion of Mr. Frederick Oliver Graves; W. Stuart McCloy, of Memphis, Tenn., on motion of Mr. George Cabell Busick; Meyer Linnick, of Newark, N. J., and Samuel L. Steiner, of Newark, N. J., on motion of Mr. Earl Hubert Davis; James R. Worsley, Jr., of Greenville, N. C., on motion of Mr. Paul Daniel; James Lawrence Dooley, of Petersburg, Va., and G. Galt Bready, of Falls Church, Va., on motion of Mr. Allen Kirkpatrick III; Julius S. Christensen, of New York, N. Y., and John C. Avery, of New York, N. Y., on motion of Mr. Frederick S. Hill;

David R. Warner, of South Sioux City, Nebr., on motion of Mr. Perry William Morton; Robert C. Thomson, Jr., of Westfield, N. J., on motion of Mr. Lawrence C. Moore; Michael C. Rainone, of Philadelphia, Pa., on motion of Mr. Richard B. McEntire; Lois Lamb, of San Francisco, Calif., on motion of Mr. Walter Raymond Williams; Walter C. Foster, of Los Angeles, Calif., on motion of Mr. Dickinson Thatcher; Alfred Olsen, of New York, N. Y., on motion of Mr. Neil Tolman; Irving L. Schuh, of Jamaica, N. Y., and Arthur M. Waldman, of Jamaica, N. Y., on motion of Mr. Paul H. Tannenbaum; Harry B. Lader, of Jamaica, N. Y., and William Roth, of Jamaica, N. Y., on motion of Mr. Max Goldweber; B. J. Dryer, of Woodward, Ala., on motion of Mr. Jerome Powell; Irving Morris, of Wilmington, Del., on motion of Mr. Mac Asbill; John Allan Marshall, of San Francisco, Calif., on motion of Mr. Frederick Stueck; Richard Jesse Goldman, of New York, N. Y., and I. Frank Miller, of New York, N. Y., on motion of Mr. Eugene F. Mullin, Jr.; and Ethan B. Stroud, of Dallas, Tex., Gaynor Kendall, of Austin, Tex., and William L. Kerr, of Midland, Tex., on motion of Mr. Gray Thoron, were admitted to practice.

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No. 92. Mabel Black and T. Y. Wulff, etc., et al., petitioners, *v.* Cutter Laboratories, a Corporation. On writ of certiorari to the Supreme Court of the State of California. Writ of certiorari dismissed. Opinion by Mr. Justice Clark. Mr. Justice Reed would affirm the judgment below. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Black concur.

No. 489. Dan Durley, petitioner, *v.* Nathan Mayo, Custodian, Florida State Prison. On writ of certiorari to the Supreme Court of the State of Florida. Writ of certiorari dismissed for lack of jurisdiction. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice, Mr. Justice Black, and Mr. Justice Clark concur.

No. 530. United Automobile, Aircraft and Agricultural Implement Workers of America, etc., appellant, *v.* Wisconsin Employment Relations Board and Kohler Co., a Wisconsin Corporation. Appeal from the Supreme Court of the State of Wisconsin. Judgment affirmed. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Black concur.

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No. 565. International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, C.I.O., et al., appellants, *v.* Axel B. Anderson, District Judge, and McQuay, Inc. Appeal from the Supreme Court of Minnesota. *Per Curiam*: The judgment

is affirmed. *United Automobile, Aircraft and Agricultural Implementation Workers of America, etc., v. Wisconsin Employment Relations Board*, No. 530, October Term, 1955, decided this day. The Chief Justice, Mr. Justice Black, and Mr. Justice Douglas dissent.

No. 859. Harry Sears, Trustee, and Nevada Investment and Finance Corporation, a Corporation, appellants, *v. County of Calaveras, State of California, George G. Braddock, et al.* Appeal from the Supreme Court of California; and

No. 869. Gertrude P. Montgomery, appellant, *v. West Basin Municipal Water District and the Metropolitan Water District of Southern California.* Appeal from the Supreme Court of California. *Per Curiam:* The motions to dismiss are granted and the appeals are dismissed for want of a substantial federal question.

No. 885. Bernard P. Calhoun, appellant, *v. The Superior Court of the State of California in and for the County of San Diego et al.* Appeal from the Supreme Court of California. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. The Chief Justice took no part in the consideration or decision of this case.

No. 724, Misc. Warren J. Priester, petitioner, *v. Edward M. Fay, Warden, Green Haven Prison, New York, et al.* Appeal from and petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department. *Per Curiam:* The appeal is dismissed and the petition for writ of certiorari is denied.

No. 774, Misc. Gerald Glen Boyden, appellant, *v. D. M. Heritage, Warden, McNeil Island, Washington, et al.* Appeal from the United States Court of Appeals for the Ninth Circuit. *Per Curiam:* The appeal is dismissed.

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No. 858. Federal Trade Commission, petitioner, *v. National Lead Company et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 863. Libson Shops, Inc., petitioner, *v. Gustave F. Koehler, District Director of Internal Revenue.* Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 893. Delvaille H. Theard, petitioner, *v. United States of America.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary calendar.

No. 656, Misc. Ollie Otto Prince, petitioner, *v. United States of America.* The motion for leave to proceed in forma pauperis and petition for writ of certiorari to the United States Court of Appeals

for the Fifth Circuit granted. The case is transferred to the appellate docket and placed on the summary calendar.

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No. 499. Fort Dix Apartments Corporation, a Corporation, et al., petitioners, *v.* Borough of Wrightstown, a Municipal Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 635. Associated Musicians of Greater New York, Local 802, American Federation of Musicians, AFL, and Al Manuti, its Agent, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 790. National Labor Relations Board, petitioner, *v.* Sales Drivers, Helpers & Building Construction Drivers, Local Union 859, etc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 791. National Labor Relations Board, petitioner, *v.* Business Machine and Office Appliance Mechanics Conference Board, Local 459, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 771. E. A. Taliaferro, petitioner, *v.* Julia Prettner et al. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 773. D. L. Jolly, Sr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 837. Hawaiian Pineapple Company, Ltd., a Corporation, petitioner, *v.* Martin E. Aden et al.; and

No. 838. International Longshoremen's and Warehousemen's Union et al., petitioners, *v.* Hawaiian Pineapple Company, Ltd., a Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 872. United States of America, ex rel. Silvio Dario Durante, petitioner, *v.* Ralph Holton, District Director of Immigration and Naturalization Service, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 873. Adelbert W. Lee, petitioner, *v.* The Aetna Casualty and Surety Co., a Body Corporate, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 874. Optical Workers' Union Local 24859 et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 875. Sun Oil Company, petitioner, *v.* Esso Standard Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 876. Thomas F. Daley, Arthur F. Dunnett, Jr., Louis Frongello, et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 877. National Lead Company et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 882. Gladys Laycock, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 883. In the Matter of the Tax Liability of Norda Essential Oil and Chemical Company, Inc., of the Lower Manhattan District, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 884. Isbrandtsen Company, Inc., petitioner, *v.* Nortuna Shipping Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 887. Eugene F. Evarts, Monrova S. Evarts and Eugene K. Evarts, petitioners, *v.* C. J. Jones et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 888. Gulf Oil Corporation and Gulf Refining Company, petitioners, *v.* Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 889. O. Henry Briggs, Thomas J. Deegan, Jr., Walter W. Foskett, et al., petitioners, *v.* Breswick & Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 890. The Louisiana Land and Exploration Company, petitioner, *v.* State Mineral Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 891. Alice Bradley Fisher, as Executrix of the Estate of Frederick T. Fisher, Deceased, petitioner, *v.* Thomas F. Pierce. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 894. Edward E. Morgan Co., Inc., et al., petitioners, *v.* United States of America for the use of W. O. Pelphrey. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 895. In the Matter of Charges against Wilbert B. McBride for Misconduct as an Attorney, petitioner. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 901. Benjamin Scher, petitioner, *v.* Sinclair Weeks, Secretary of Commerce. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 903. Morgan J. Lewis, petitioner, *v.* Lewis Bokser and Sara L. Bokser. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 905. Leonard J. Shafitz, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 916. Dairy Products Company of Uniontown, petitioner, *v.* Clark K. Sleeth, Health Officer of Monongalia County, West Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 937. Continental Can Company, Inc., petitioner, *v.* Paul Magida, a Stockholder of the Vulcan Detinning Company, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 941. American Steamship Owners Mutual Protection and Indemnity Association. Inc., petitioner, *v.* Trinidad Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 774. Albert Herman Landeros, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court.

No. 809. Walter J. Sawyer, petitioner, *v.* Max A. Barczak, Sheriff, Milwaukee County, Wisconsin. The motion to strike respondent's brief is denied. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 896. Patrick McHugh, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 909. The United States, petitioner, *v.* Aubrey H. Bond. The motion to dispense with the printing of the respondent's brief is

granted. Petition for writ of certiorari to the United States Court of Claims denied.

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No. 227. United Mine Workers of America et al., petitioners, *v.* Arkansas Oak Flooring Company. Petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 13, Misc. William Tensley, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 286, Misc. Gordon Tompkins, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 446, Misc. Lester Bell Scranton, petitioner, *v.* Robert A. Heinze, Warden of the State Prison at Represa, California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 542, Misc. Frank E. Siple, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 569, Misc. Melvin Ray McMorrow, petitioner, *v.* Ralph W. Alvis, Warden, Ohio State Penitentiary. Petition for writ of certiorari to the Court of Appeals of Ohio denied.

No. 590, Misc. James Henderson, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 594, Misc. In the Matter of Charles H. Flasphaler, petitioner. Petitioner for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 596, Misc. Hayes Salmund, petitioner, *v.* Isbrandtsen Company, Inc. and Bethlehem Steel Company. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 610, Misc. Joseph Johnson, alias Joseph Marcial, alias Joseph Marcil, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 653, Misc. William J. Labonte, petitioner, *v.* The New York, New Haven and Hartford Railroad Company. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 659, Misc. People of the State of Illinois, ex rel. Peter Stevens, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary,

Joliet, Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 666, Misc. Marvin R. Ray, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for Fifth Circuit denied.

No. 680, Misc. David V. Yarborough, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 682, Misc. Raymond Cook, petitioner, *v.* The State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 683, Misc. Curtis Redd, petitioner, *v.* The State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 703, Misc. Olive McKinney, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, Los Angeles County, denied.

No. 714, Misc. Harry Lambertson, petitioner, *v.* The People of the State of New York et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 715, Misc. Commonwealth of Pennsylvania, ex rel. Henry Paylor, petitioner, *v.* Frank C. Johnston, Warden, Western State Penitentiary. Petition for writ of certiorari to the Superior Court of Pennsylvania denied.

No. 716, Misc. Lawrence Carroll, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 721, Misc. J. Leon Lazarowitz and Jennie Lazarowitz, petitioners, *v.* Dominick Vitale and Jocelyn Vitale. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 722, Misc. Lolita Lebron, Rafael Cancel Miranda, Andres Figueroa Cordero, et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 726, Misc. William Bela Binder, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 729, Misc. The People of the State of New York, ex rel. Tullio Dellaquila, petitioner, *v.* Walter B. Martin, Warden, Attica State Prison, Attica, New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 730, Misc. Wyman W. Graeber, petitioner, *v.* State of Washington et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 732, Misc. Antonio A. Simeone, petitioner, *v.* Harley O. Teets, Warden, San Quentin, California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 733, Misc. Lloyd H. Maupin, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 736, Misc. James R. Whitmore, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 737, Misc. Virgil Johnson, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System and the State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 738, Misc. Louis Walter Pulley, petitioner, *v.* The People of the State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 739, Misc. James Williams, petitioner, *v.* Vernon L. Peppersack, Warden, Maryland Penitentiary, Baltimore, Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 743, Misc. Joseph Rogers, petitioner, *v.* F. C. Martin, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 745, Misc. Walter Morneau, petitioner, *v.* United States Board of Parole. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 750, Misc. James A. Marshall, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 751, Misc. William J. McNally, petitioner, *v.* Harley O. Teets, Warden, California State Prison at San Quentin, Calif. Petition for writ of certiorari to the Supreme Court of California denied.

No. 752, Misc. Mabel T. Turner, petitioner, *v.* United States of America and Patsy Ruth Magee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 756, Misc. Otto Andrew Atterson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 757, Misc. Irving Morris, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 758, Misc. Lewis M. Horn, petitioner, *v.* A. Ross Pascoe, State of Michigan Parole Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 759, Misc. Robert John Manaro, petitioner, *v.* Max Rosenberg et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 762, Misc. Michael Capano, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 763, Misc. Russell Richter, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 764, Misc. Martin S. Pratt, petitioner, *v.* Department of the Army et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 765, Misc. Ross Cabell Hill, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 766, Misc. Frank Severa, petitioner, *v.* The Salvation Army, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 768, Misc. In the Matter of the Application of Robert Erwin Morgan, petitioner. Petition for writ of certiorari to the Supreme Court of California denied.

No. 773, Misc. Willie Lee Byrd, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 775, Misc. August Kurtz, petitioner, *v.* Dr. John F. McNeill, Superintendent, Matteawan State Hospital, Beacon, New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 776, Misc. Theodore Jones, Real Name Being, Eugene Lucas, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 778, Misc. Austin Kelley, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 783, Misc. Leona Dinwiddie, and Anne Elizabeth Roark, petitioners, *v.* R. J. Brown, Gordon T. West, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 784, Misc. Eddie L. Burdix, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 787, Misc. Minor Sorber, petitioner, *v.* Marvin Wiggins, Superintendent of Mississippi State Penitentiary and E. W. Williams, Sheriff of Sunflower County, Miss. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 790, Misc. United States of America, ex rel. John Cordts, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 791, Misc. Billy Joe Houston, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 793, Misc. Bart Luis Caritativo, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 794, Misc. H. E. Yost, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 713, Misc. Wesley Robert Wells, petitioner, *v.* M. R. King, Superintendent of the California Medical Facility, State of California. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of this application.

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No. 501, Misc. Jay Paul Shelton, petitioner, *v.* Honorable J. Skelly Wright, U. S. District Judge, U. S. District Court, New Orleans, Louisiana. Motion for leave to file petition for writ of mandamus denied.

No. 760, Misc. William A. Smith, petitioner, *v.* Donald Clemmer, Director, District of Columbia Department of Corrections, et al.; and No. 781, Misc. Ex parte Sam Durkin, petitioner. Motions for leave to file petitions for writs of habeas corpus denied.

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The Court will take a recess from today until Monday, June 11, upon which day it will adjourn for the term unless otherwise ordered.

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Adjourned until Monday, June 11, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Jean W. Lopatin, of Elizabeth, N. J., Carroll K. Sellers, of Cranford, N. J., Chester A. Weidenburner, of Linden, N. J., Richard P. Muscatello, of Elizabeth, N. J., H. Russell Morss, Jr., of Summit, N. J., R. Lockwood Jones, of Cordell, Okla., Philip L. Nadler, of New Brunswick, N. J., Victor Van Horn Blackwell, of Covington, La., and John Marshall Harlan, of Richmond, Ind., on motion of Mr. Solicitor General Simon E. Sobeloff; Richard Ives Rudell, of New York, N. Y., on motion of Mr. Irwin D. Davidson; John Earl Henderson, of Cambridge, Ohio, on motion of Mr. Thomas A. Jenkins; Philip A. Joss, of Portland, Oreg., on motion of Mr. Wayne Lyman Morse; Alan D. McArthur, of Broken Bow, Nebr., and Charles Thone, of Lincoln, Nebr., on motion of Mr. Roman L. Hruska; John Felix Ghizzoni, of Washington, D. C., and Audrey Dooling Ghizzoni, of Washington, D. C., on motion of Mr. Frederick Bernays Wiener; Neal King, of Mission, Tex., on motion of Mr. Joe M. Kilgore; Reynolds Newman Cate, of San Antonio, Tex., on motion of Mr. Arthur C. Perry; John Iaconopelli, of Denver, Colo., on motion of Mr. Byron G. Rogers; John G. Clock, of Long Beach, Calif., on motion of Mr. Craig Hosmer; Mitchell Emmett Ward, of Vicksburg, Miss., on motion of Mr. William H. Dorsey, Jr.; Hulen Culbert Callaway, of Los Angeles, Calif., on motion of Mr. Victor R. Hansen; Staton Pender Williams, of Albemarle, N. C., and Hobart Morton, of Albemarle, N. C., on motion of Mr. Hugh Q. Alexander; Ralph W. Currie, of Dallas, Tex., on motion of Mr. Roland Rice; Augustus S. Merrimon, of Sumter, S. C., on motion of Mr. Wilton H. Wallace; John R. Thompson, of Washington, D. C., on motion of Mr. Don V. Harris, Jr.; J. W. Ritchie, of Indianola, Iowa, on motion of Mr. Irving E. Chenoweth; Edgar Davis Kuykendall, Jr., of Greensboro, N. C., on motion of Mr. T. Wade Harrison; Noah L. Lord, of New Orleans, La., on motion of Mr. Edward T. Johnson; John Chivari, of Aurora, Ill., on motion of Mr. John E. McClure; William Daniel Holeman, of Washington, D. C., on motion of Mr. Joseph A. Barry; Morris B. Landau, of St. Louis, Mo., on motion of Mr. Ronald J. Foulis; Charles T. Kappler, of Washington, D. C., on motion of Mr. Warren Emerson Blair; Ford E. Young, Jr., of Washington, D. C., on motion of Mr. David Reich;

John G. Messer, of Los Angeles, Calif., on motion of Mr. Stewart French; Joseph Calderon, of New York, N. Y., on motion of Mr. Norman L. Meyers; Raymond R. Dickey, of Washington, D. C., and Bernard Gordon, of Washington, D. C., on motion of Mr. S. Walter Shine; Langdon Cheves West, Jr., of Arlington, Va., on motion of Mr. Richard H. Brown; Edward J. Fahy, of Rockford, Ill., on motion of Mr. John W. Ahern; William Reback, of Washington, D. C., William Joseph Dixon, of Washington, D. C., Samuel Green, of Washington, D. C., and Dominic Anthony St. Angelo, of Providence, R. I., on motion of Mr. Charles E. Ford; Carl Joseph Morano, of Scranton, Pa., on motion of Mrs. Anna F. Nacrelli; Marvin Greene, of San Francisco, Calif., on motion of Mr. Irving M. Pollack; Charles Patrick DeRoche, of Corpus Christi, Tex., on motion of Mr. Robert T. Murphy; and Perry A. Krohn, of Tulsa, Okla., on motion of Mr. Thomas Albert Stanbury, were admitted to practice.

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No. 320. George B. Parr, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of Texas. Opinion by Mr. Justice Harlan announced by Mr. Justice Burton. Dissenting opinion by Mr. Chief Justice Warren in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Clark join.

No. 202, Misc. George B. Parr, petitioner, *v.* Ben H. Rice, District Judge, et al. The motion for leave to file a petition for writs of mandamus and prohibition is denied.

No. 342. Blazey Czaplicki, petitioner, *v.* The Vessel "SS Hoegh Silvercloud", Her Boilers, Engines, Tackle, etc., et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Southern District of New York for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Harlan announced by Mr. Justice Burton. Concurring opinion by Mr. Justice Frankfurter.

No. 442. Kendrick M. Cole, petitioner, *v.* Philip Young et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the District of Columbia for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Harlan announced by Mr. Justice Burton. Dissenting opinion by Mr. Justice Clark in which Mr. Justice Reed and Mr. Justice Minton join.

No. 529. Marie DeSylva, petitioner, *v.* Marie Ballentine, as Guardian of the Estate of Stephen William Ballentine. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Southern District of California. Opinion by Mr. Justice Harlan announced by Mr. Justice Burton. Concurring opinion by Mr. Justice Douglas in which Mr. Justice Black joins.

No. 257. Southern Pacific Company, petitioner, *v.* Charles M. Gileo et al. On writ of certiorari to the Supreme Court of the State of California. Judgments in *Gileo v. Southern Pacific Co.*, *Aranda v. Southern Pacific Co.*, and *Moreno v. Southern Pacific Co.* affirmed. The writs of certiorari in *Eufrazia v. Southern Pacific Co.* and *Eelk v. Southern Pacific Co.* are dismissed. Opinion by Mr. Justice Minton. Mr. Justice Harlan concurs in the result. Mr. Justice Reed and Mr. Justice Frankfurter agree that the writs in *Southern Pacific Co. v. Eufrazia* and *Southern Pacific Co. v. Eelk* must be dismissed because they were improvidently granted for want of final state court judgments. Regarding *Southern Pacific Co. v. Gileo*, *Southern Pacific Co. v. Aranda*, and *Southern Pacific Co. v. Moreno*, they disagree with the Court's theory in applying the Act of 1939 for the reasons set forth in Mr. Justice Frankfurter's dissent in No. 621, *Reed v. Pennsylvania R. Co.*

No. 621. Martha C. Reed, petitioner, *v.* Pennsylvania Railroad Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton. Mr. Justice Burton dissents for the reasons stated below in the opinion of the Court of Appeals. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed and Mr. Justice Harlan join.

No. 701. Curtis Reid, Superintendent of the District of Columbia Jail, appellant, *v.* Clarice B. Covert. Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting memorandum by Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Douglas. A written dissent will be filed during the next Term of Court. Reservation of Mr. Justice Frankfurter.

No. 713. Nina Kinsella, Warden of the Federal Reformatory for Women, Alderson, West Virginia, petitioner, *v.* Walter Krueger. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment of the District Court affirmed. Opinion

by Mr. Justice Clark. Dissenting memorandum by Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Douglas. A written dissent will be filed during the next Term of Court. Reservation of Mr. Justice Frankfurter.

No. 34. Sears, Roebuck and Co., a New York Corporation, petitioner, *v.* Bruce A. Mackey, Individually, and Time Saver Tools, Inc., an Illinois Corporation. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed and case remanded to the Court of Appeals. Opinion by Mr. Justice Burton. Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Harlan joins.

No. 76. The Cold Metal Process Company and the Union National Bank of Youngstown, Ohio, Trustee, Petitioners, *v.* United Engineering & Foundry Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed and case remanded to the Court of Appeals. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Harlan joins.

No. 323. United States of America, *ex rel.* David Darcy, petitioner, *v.* Earl D. Handy, Warden of Bucks County Prison, *et al.* On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed and case remanded to the United States District Court for the Middle District of Pennsylvania. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Harlan in which Mr. Justice Frankfurter and Mr. Justice Douglas join.

No. 503. Cecil Reginald Jay, petitioner, *v.* John P. Boyd, District Director, Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Western District of Washington. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas.

No. 5. United States of America, appellant, *v.* E. I. du Pont de Nemours and Company. Appeal from the United States District Court for the District of Delaware. Judgment affirmed. Opinion by Mr. Justice Reed. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Chief Justice Warren in which Mr. Justice Black and Mr. Justice Douglas join. Mr. Justice Clark and Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 117. The Denver & Rio Grande Western Railroad Company, appellant, *v.* Union Pacific Railroad Company *et al.* ;

No. 118. Union Pacific Railroad Company et al., appellants, *v.* United States of America, Interstate Commerce Commission et al.; and

No. 119. United States of America, Interstate Commerce Commission, and Secretary of Agriculture, appellants, *v.* The Union Pacific Railroad Company et al. Appeals from the United States District Court for the District of Nebraska; and

No. 332. Washington Public Service Commission, Public Utilities Commissioner of Oregon, et al., appellants, *v.* The Denver and Rio Grande Western Railroad Company et al.;

No. 333. Union Pacific Railroad Company, Chicago and North Western Railway Company, et al., appellants, *v.* The Denver and Rio Grande Western Railroad Company et al.; and

No. 334. United States of America and Interstate Commerce Commission, appellants, *v.* The Denver and Rio Grande Western Railroad Company et al. Appeals from the United States District Court for the District of Colorado. Judgment of the District Court of Colorado is reversed with directions to dismiss the bill. The judgment of the Nebraska District Court affirmed insofar as it affirmed the order of the Interstate Commerce Commission and reversed insofar as the court refused to enforce the Commission's order. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Harlan.

No. 448. United States of America, appellant, *v.* McKesson and Robbins, Incorporated. Appeal from the United States District Court for the Southern District of New York. Judgment of the District Court dismissing the complaint reversed and case remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Harlan in which Mr. Justice Frankfurter and Mr. Justice Burton join.

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The Chief Justice said:

“On behalf of the Court, I announce with regret the retirement of one of its trusted officers. Mr. Harold B. Willey has been an employee of this Court for 32 years and for the last four years the Clerk of the Court. He has served faithfully and well. We all wish for him many years of happiness in the leisure he has earned and continued success in anything he may undertake. Mr. John T. Fey, presently Dean of the George Washington University Law School, will succeed Mr. Willey as Clerk and assume his duties on July 1st.”

The Chief Justice said:

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

No. 861. Sword Line, Inc., petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: Certiorari is granted limited to the question whether admiralty had jurisdiction over the controversy stated in the libel and the judgment is affirmed. The libel, though dependent on a statute, alleges unjust enrichment from a maritime contract. *Archawski v. Hanioti*, 350 U. S. 532. Affirmed.

No. 915. Theodore Trock, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Hoffman v. United States*, 341 U. S. 479.

No. 697, Misc. Bartolomeo Monge, petitioner, *v.* James G. Smyth, Collector of Internal Revenue for the First District of California. Appeal from and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The appeal is dismissed for want of jurisdiction. The petition for writ of certiorari is denied.

No. 780, Misc. Walter Gross, petitioner, *v.* The State of California. Appeal from and petition for writ of certiorari to the Supreme Court of California. *Per Curiam*: The appeal is dismissed. The petition for writ of certiorari is denied.

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No. 10, Original. State of Arizona, plaintiff, *v.* State of California et al. It is ordered by this Court that the compensation of George I. Haight as Special Master for services rendered by him in his lifetime pursuant to the order entered in this cause on June 1, 1954, be and the same is hereby fixed in the sum of \$35,000; and that said sum shall be paid by the parties to Kathleen Haight, Executrix of the Estate of George I. Haight, deceased, in the following proportions: Arizona 25%, California 25%, United States 25%, Nevada 20%, New Mexico 2½%, Utah 2½%. The Chief Justice took no part in the consideration or decision of this question.

No. 15, Original. United States of America, plaintiff, *v.* State of Louisiana.

Upon consideration of the motion of the United States for an injunction or other interlocutory relief in cases involving the controversy pending before this Court in the case of *United States of America v. State of Louisiana*,

It is ordered that Attorney General of the State of Louisiana and others named and others acting with them are enjoined from further prosecuting or taking any proceedings in a certain cause now pending in the Fourteenth Judicial District Court in and for the Parish of Calcasieu, State of Louisiana, entitled *State of Louisiana v. Anderson—Pritchard Oil Corporation, et al.*, Number 38780 on the docket of said court, and from prosecuting any other case or cases involving the controversy before this Court until further order of the Court, and

It is further ordered that the State of Louisiana and the United States of America are enjoined from leasing or beginning the drilling of new wells in the disputed tidelands area pending further order of this Court unless by agreement of the parties filed here.

The Chief Justice took no part in the consideration or decision of this motion.

No. —, Original. State of Arkansas, complainant, *v.* State of Texas, et al. It appearing that the controversy between the parties has been settled and that the State of Arkansas wishes to withdraw its Motion for Leave to File Complaint, the request is granted and the proceeding is dismissed as moot.

No. 151. United States of America, appellant, *v.* E. I. du Pont de Nemours and Company, et al. The motion to schedule this case for argument in December is denied. Mr. Justice Clark and Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 241. National Labor Relations Board, petitioner, *v.* Lion Oil Company. The joint motion to join Monsanto Chemical Co. as a party respondent is granted.

No. 451. Railway Employes' Department, American Federation of Labor, International Association of Machinists, et al., appellants, *v.* Robert L. Hanson, et al. The motion to stay the mandate is denied.

No. 470. United States of America, petitioner, *v.* The Shotwell Manufacturing Company, Byron A. Cain, Frank J. Huebner, et al.; and

No. 471. The Shotwell Manufacturing Company, Byron A. Cain, Frank J. Huebner, et al., petitioners, *v.* United States of America. The motion of the Solicitor General to defer consideration of the petitions for writs of certiorari is granted.

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No. 800. United States of America, appellant, *v.* Ludenia Howard, Trading as Stokes Fish Company. Appeal from the United States District Court for the Southern District of Florida. In this case probable jurisdiction is noted and the case is transferred to the summary calendar.

No. 907. Luis Alvara Ceballos (Y Arboleda), petitioner, *v.* Edward J. Shaughnessy, District Director of the Immigration and Naturalization Service at the Port of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 922. John Gunaca, petitioner, *v.* National Labor Relations Board, on the Relation of Kohler Co. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. The Solicitor General is invited to file a brief expressing the views of the National Labor Relations Board.

No. 917. United States of America, petitioner, *v.* Schneer's Atlanta, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary calendar.

No. 923. The United States, petitioner, *v.* The Allen-Bradley Company. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary calendar.

No. 988. National Lead Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. The case is transferred to the summary calendar and assigned for argument immediately following No. 923.

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No. 312. The United States, petitioner, *v.* The Ohio Power Company: The order of December 5, 1955, denying the petition for rehearing, is vacated and the petition for rehearing is continued.

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No. 510. Gus O. Brown and Oscar Castro, Individually and as Business Agents of Local Union 576, United Furniture Workers of America, C. I. O., etc., petitioners, *v.* Morris Pizer, etc., et al. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 739. Barney French, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 898. Smith-Johnson Steamship Corp., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 906. American Flint Glass Workers' Union of North America, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 912. Stanley Stout and Frances Stout, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 918. Marjorie A. Mullins, petitioner, *v.* The Clinchfield Coal Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 920. Paul L. Marshall, petitioner, *v.* Donald A. Maginnis, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 921. W. Frank Lee, Jr., as Administrator of the Estates of W. Frank Lee, Deceased, et al., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 924. Hudson and Manhattan Railroad Company, petitioner, *v.* William J. Harding Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 926. Theodore F. Otten, petitioner, *v.* Staten Island Rapid Transit Railway Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 928. Dorsey K. Offutt, an Attorney, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 931. The Baltimore and Ohio Railroad Company, a Maryland Corporation, petitioner, *v.* Hon. James C. Connell, Judge of the United States District Court for the Northern District of Ohio, Eastern Division. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 933. James Alvado et al., petitioners, *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 934. American Eastern Corporation, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 942. John N. Lenz, petitioner, *v.* Albert E. Cobo, Mayor of the City of Detroit. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 943. C. W. Caywood, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 945. Coy Burnett and Mel Dar Corporation, petitioners, *v.* Ireland Graves et al., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 946. J. Herschel Hardy, petitioner, *v.* Bankers Life & Casualty Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 950. Gichner Iron Works, Inc., petitioner, *v.* Helen Hanna and Cicero Hanna. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 952. Samuel Sklaroff and Anna Sklaroff, petitioners, *v.* James Skeadas and Catherine Skeadas. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 962. Rosebud County, Montana, petitioner, *v.* May W. Bentley et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 965. Adell C. Carter, alias Ponto and Ronnie Mae Mathis, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 967. Pennsylvania Greyhound Lines, Inc., petitioner, *v.* Marie Rowe et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 984. The Texas and Pacific Railway Company, petitioner, *v.* Walter N. Buckles, Jr. and Silas R. Stanley. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 994. Girard Lodge, No. 100, et al., petitioners, *v.* Grand Lodge, Brotherhood of Railway and Steamship Clerks, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 929. Paul Ginsburg, petitioner, *v.* Loyal H. Gregg, Guardian Ad litem for Bonn Kraus Ginsburg, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. The alternative motion for leave to file petition for writ of mandamus is also denied.

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No. 19. Mastro Plastics Corp. and French-American Reeds Manufacturing Co., Inc., petitioners, *v.* National Labor Relations Board. Petition for rehearing denied. The motion for correction of the opinion is also denied.

No. 222. Preferred Insurance Company, a Corporation, et al., petitioners, *v.* United States of America. The motion for leave to file a petition for rehearing is denied.

No. 383. General Box Company, petitioner, *v.* United States of America;

No. 496. National Lawyers Guild, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States;

No. 761. Olin Mathieson Chemical Corporation, a Corporation, petitioner, *v.* The Western States Cutlery and Manufacturing Company, a Corporation, et al.;

No. 772. Nevada-Pacific Development Corporation et al., petitioners, *v.* Harley W. Gustin;

No. 802. Union Oil Company of California, a Corporation, appellant, *v.* The People of the State of California;

No. 830. Philip F. Boynton, petitioner, *v.* Rea Forhan Pedrick, as Administratrix of the Estate of William J. Pedrick, Deceased, etc.; and

No. 834. Virgil Floyd, petitioner, *v.* United States of America, Petitions for rehearing denied.

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No. 2, Misc. Tony Giarratano, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 4, Misc. Jules Hopkins, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 75, Misc. Joseph Simpson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 174, Misc. John Edward Crockard, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 218, Misc. William DuPont, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 439, Misc. James Stanton, petitioner, *v.* Latham Castle, Attorney General of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 509, Misc. Michael J. Rock, petitioner, *v.* Bert O. Webb, Warden, California State Prison at Soledad, California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 515, Misc. Glen Williams, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 549, Misc. Warner Williams, non compos mentis, etc., petitioner, *v.* United States of America, Owner of the Steamship "Nelson W. Aldrich", and Moore-McCormack Lines, its agent. Petition for

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

No. 573, Misc. James C. Hartfield, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 607, Misc. Kenneth V. Woolridge, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 631, Misc. Robert E. Askins, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 670, Misc. Earnest Taylor, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 676, Misc. Danny Allen Davis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 696, Misc. Raymond Carl Brown and Leonard Frank Hogue, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 702, Misc. Gladys M. Tillotson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 728, Misc. Carmelo Sansone, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 741, Misc. Carl Close, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 769, Misc. Jack Rogers Stokes, petitioner, *v.* The State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 770, Misc. Waverly Richardson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 789, Misc. Chester Davis, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 792, Misc. Francis Stelloh, petitioner, *v.* State of Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 796, Misc. Leona Ethel Legg, petitioner, *v.* United Benefit Life Insurance Company. Petition for writ of certiorari to the Supreme Court of California denied.

No. 797, Misc. John Henry Tune, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 799, Misc. John F. Corbin, petitioner, *v.* The State of Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 772, Misc. Clifford Bramble, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. The Chief Justice took no part in the consideration or decision of this application.

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No. 5, Misc. John Joseph Merkie, petitioner, *v.* Joseph E. Ragen, Warden. Motion for leave to file petition for writ of habeas corpus denied.

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No. 740, Misc. Louis Silas Horn, Jr., petitioner, *v.* Honorable Arthur J. Mellott, District Judge, United States District Court for the District of Kansas. Motion for leave to file petition for writ of mandamus denied.

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No. 788, Misc. Marshall Clark, petitioner, *v.* United States of America. Application denied.

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ORDER

It is ordered that John T. Fey be appointed Clerk of this Court to succeed Harold B. Willey effective at the close of business June 30, 1956, and that he take the oath of office and give bond as required by statute and the order of this Court entered November 22, 1948.

ORDER

It is ordered that Crombie J. D. Garrett be appointed a Deputy Clerk of this Court effective at the close of business June 30, 1956.

The Chief Justice announced the following order of the Court:

‘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 are hereby, continued to the next term.’”

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Adjourned to the time and place appointed by law.

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