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8500

OCTOBER TERM, 1948

STATISTICS

	Original	Appellate	Miscel- laneous	Total
Number of cases on dockets.....	14	889	702	1, 605
Cases disposed of.....	1	747	686	1, 434
Remaining on dockets.....	13	142	16	171

Cases disposed of—Original and Appellate Dockets:

By final order.....	1
By written opinions.....	137
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SUPREME COURT OF THE UNITED STATES

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

Francis Aloysius Pedlow, of Albany, N. Y.; Paul A. Porter, of Winchester, Ky.; Luis Negrón Fernandez, of San Juan, P. R.; David Stein, of New York City; Walton H. Hamilton, of Washington, D. C.; Dick Young, of Houston, Tex.; Carlos Santana Becerra, of San Juan, P. R.; Joseph Auerbach, of Franklin, N. H.; James Edwin Harper, of Augusta, Ga.; Cyrus Bernstein, of Washington, D. C.; Thorpe Nesbit, of Philadelphia, Pa.; George Gilman Kelly, of Chicago, Ill.; John J. Kelly, Jr., of Chicago, Ill.; Eugene J. Brahm, of Chicago, Ill.; Norvill B. Arnold, of Bethesda, Md.; L. E. Melrin, of Minneapolis, Minn.; Margaret Frances Luers, of Washington, D. C.; Betty Stockvis, of Washington, D. C.; Walter L. Collins, of Albany, N. Y.; Lawrence Agnew Myers, Jr., of Washington, D. C.; Robert Leonard Larson, of Iowa City, Iowa; Kirtland F. Snyder, of Kingston, N. Y.; Ralph Atkinson, of Salem, Ohio; Samuel B. Huffman, of Indianapolis, Ind.; James McKown, Jr., of Orange, N. J.; Max A. Weston, of Rockford, Ill.; Arthur R. Heckerman, of Cincinnati, Ohio; Jesse E. Baskette, of Washington, D. C.; and Meyer Weinberg, of Chicago, Ill., were admitted to practice.

The Chief Justice said:

"I announce with profound regret the death on Friday, August 27, 1948, of Charles Evans Hughes, retired Chief Justice of the United States.

"Seldom does it fall to the lot of any man to render distinguished service in so many fields as did Chief Justice Hughes. He was an eminent lawyer, Governor of the State of New York, Associate Justice of the Supreme Court of the United States, nominee of his party for the Presidency, Secretary of State of the United States, and Chief Justice of the United States—a record unique in our Nation's history. His place is high among the outstanding jurists of the world.

"At an appropriate time, the Court will receive the Resolutions of the Bar in tribute to his memory."

No. — Lyndon B. Johnson, in his individual capacity, et al., petitioners, *v.* Coke R. Stevenson. Motion to vacate stay order and to dismiss the proceedings submitted by Mr. Samuel H. Horne in behalf of counsel for the respondent.

No. — Lyndon B. Johnson, in his individual capacity, et al., petitioners, *v.* Coke R. Stevenson. Supplemental motion for a stay submitted by Mr. Abe Fortas for the petitioners.

Adjourned until Monday, October 11, next, at 12 o'clock.

The day call for Monday, October 11, will be as follows: Nos. 1 (and 2), 3, 5, 6, 9, 10, 36, 13, 30, and 19.

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SUPREME COURT OF THE UNITED STATES

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

No. —. Lyndon B. Johnson, in his individual capacity, et al., petitioners, *v.* Coke R. Stevenson. On consideration of the supplemental motion for stay submitted by counsel for the petitioners, it is ordered by this Court that the motion to expand the order of Mr. Justice Black of September 29, 1948, be, and it is hereby, denied. Mr. Justice Murphy took no part in the consideration or decision of this motion.

No. —. Lyndon B. Johnson, in his individual capacity, et al., petitioners, *v.* Coke R. Stevenson. On consideration of the motion of counsel for Coke R. Stevenson to vacate the order of Mr. Justice Black of September 29, 1948, and to dismiss the proceedings, it is ordered by this Court that the said motion be, and it is hereby, denied. Mr. Justice Murphy took no part in the consideration or decision of this motion.

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SUPREME COURT OF THE UNITED STATES

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

Samuel Strong Pharr, of Memphis, Tenn.; Gerald F. Finley, of New York City; Seymour Kleinman, of New York City; Arnold B. Elkind, of New York City; Harry Clifford Alder, Jr., of Washington, D. C.; Francis J. Sullivan, of Saint Louis, Mo.; Gaylord S. Gilbert, of Louisville, Ky.; Charles E. Ford, of Washington, D. C.; Samuel Gottesman, of New York City; William H. Klein, of Wilmette, Ill.; F. J. Perez-Almiroty, of San Juan, P. R.; Claude E. Sowers, of Wichita, Kans.; Robert Dade Hudson, of Tulsa, Okla.; Quince B. Boydston, of Fort Gibson, Okla.; Conrad Noll, Jr., of Springfield, Ill.; Elbridge Bancroft Pierce, of Chicago, Ill.; Leon Epstein, of Miami, Fla.; and Donovan N. Hoover, of Santa Fe, N. Mex., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 87. Willis Brand, appellant, *v.* Milwaukee County, William J. McCauley, District Attorney of Said County, et al. Appeal from the Supreme Court of Wisconsin. *Per curiam*: The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied.

No. 89. The United States of America, appellant, *v.* Maryland & Virginia Milk Producers Association, Incorporated, et al. Appeal from the United States District Court for the District of Columbia. *Per curiam*: The motions to transfer are granted and the case is remanded to the United States Court of Appeals for the District of Columbia Circuit pursuant to Title 18, United States Code, Sec. 3731. *United States v. Swift & Co.*, 318 U. S. 442; *United States v. Wayne Pump Co.*, 317 U. S. 200.

No. 97. Manuel Munoz, appellant, *v.* Neal Polk, Sheriff of Harris County, Texas. Appeal from the Court of Criminal Appeals of Texas. *Per curiam*: The appeal is dismissed for want of a properly presented federal question.

No. 189. Robert W. Morris, appellant, *v.* Ford Motor Company. Appeal from the Supreme Court of Michigan. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 249. T. B. Holliday et al., appellants, *v.* The Governor of the State of South Carolina et al. Appeal from the United States District Court for the Western District of South Carolina. *Per curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 259. Theophile O. Hotard and Allen H. Johness, appellants, *v.* City of New Orleans et al. Appeal from the Supreme Court of Louisiana. *Per curiam*: The motion for leave to file supplemental statement opposing jurisdiction, motion to dismiss or affirm and motion for damages is granted. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 265. North American Company, appellant, *v.* William K. Koerner, Judge of the Circuit Court of the City of St. Louis. Appeal from the Supreme Court of Missouri. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

The Chief Justice said:

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

No. 182. Joseph Giboney, Harold Hackell, Paul Mandalia, et al., appellants, *v.* Empire Storage and Ice Company; and

No. 244. Lionel G. Ott, Commissioner of Public Finance and Ex Officio City Treasurer of the City of New Orleans, et al., appellants, *v.* Mississippi Valley Barge Line Company, American Barge Line Company and Union Barge Line Corporation. In these cases probable jurisdiction is noted.

No. 53. Clyde Wilkerson, petitioner, *v.* Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company. Petition for writ of certiorari to the Supreme Court of Utah granted.

No. 54. Howard F. Coray, Ancillary Administrator of the Estate of William Frank Lucas, Deceased, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the Supreme Court of Utah granted.

No. 63. Kimball Laundry Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit granted.

No. 65. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, et al., petitioners, *v.* Acme Fast Freight, Inc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 83. Commissioner of Internal Revenue, petitioner, *v.* Margaret R. Phipps. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit granted.

No. 84. Commissioner of Internal Revenue, petitioner, *v.* Pelham G. Wodehouse. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit granted.

No. 88. Nathan D. Leiman and Samuel Marion, petitioners, *v.* Alexander Guttman, George Geller and Arthur Bainton, etc., et al. Petition for writ of certiorari to the Court of Appeals of New York granted.

No. 91. Foley Bros., Inc., and Spencer, White & Prentis, Inc., petitioners, *v.* Frank Paul Filardo. Petition for writ of certiorari to the Supreme Court of New York, New York County, granted.

No. 92. H. P. Hood & Sons, Inc., petitioner, *v.* C. Chester DuMond, Commissioner of Agriculture and Markets of the State of New York. Petition for writ of certiorari to the Supreme Court of New York, Albany County, granted.

No. 109. Federal Power Commission et al., petitioners, *v.* Interstate Natural Gas Company, Incorporated, et al.;

No. 188. Public Service Commission of the State of Missouri, petitioner, *v.* Interstate Natural Gas Company, Incorporated, et al.;

No. 209. Memphis Light, Gas & Water Division, petitioner, *v.* Interstate Natural Gas Company et al.; and

No. 212. Illinois Commerce Commission et al., petitioners, *v.* Interstate Natural Gas Company et al. Petitions for writs of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 110. William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, petitioner, *v.* Jacksonville Paper Company et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 121. Black Diamond Steamship Corp., petitioner, *v.* Robert Stewart & Sons, Ltd., et al.; and

No. 130. The United States of America, petitioner, *v.* Robert Stewart & Sons, Ltd., et al. Petitions for writs of certiorari to the Court of Appeals for the Second Circuit granted.

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

No. 196. William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor, petitioner,

v. The Farmers Reservoir and Irrigation Company. Petitions for writs of certiorari to the Court of Appeals for the Tenth Circuit granted.

No. 129. William T. Urie, petitioner, *v. Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.* Petition for writ of certiorari to the Supreme Court of Missouri granted.

No. 132. The United States, petitioner, *v. Richard S. Cors.* Petition for writ of certiorari to the Court of Claims granted.

No. 151. National Carbide Corporation, petitioner, *v. Commissioner of Internal Revenue;*

No. 152. Air Reduction Sales Company, petitioner, *v. Commissioner of Internal Revenue;* and

No. 153. Pure Carbonic, Inc., petitioner, *v. Commissioner of Internal Revenue.* Petition for writs of certiorari to the Court of Appeals for the Second Circuit granted.

No. 179. Lillian A. Weade. Frederick M. Weade and Roberta L. Stinemeyer, petitioners, *v. Dichman, Wright & Pugh, Incorporated.* Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit granted.

No. 184. Graver Tank & Mfg. Co., Inc., et al., petitioners, *v. The Linde Air Products Company;* and

No. 185. Graver Tank & Mfg Co., Inc., et al., petitioners, *v. The Linde Air Products Company.* Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit granted.

No. 90. Lipe Henslee, Individually, Now Residing in Davidson County, Tennessee, Collector of Internal Revenue, District of Tennessee, petitioner, *v. Union Planters Bank & Trust Company, a National Bank at Memphis, Tennessee, et al.* On petition for writ of certiorari to the Court of Appeals for the Sixth Circuit; and

No. 116. Sam Hanna Fogel, petitioner, *v. The United States of America.* On petition for writ of certiorari to the Court of Appeals for the Fifth Circuit. The petitions for writs of certiorari in these cases are granted and the cases are transferred to the summary docket.

No. 118. Albert Ralph Petti, petitioner, *v. The United States of America.* The motion to dispense with the printing of the record is granted. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 143. Alvin Krulewitch, petitioner, *v. The United States of America.* Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted limited to question "3" presented by the petition for the writ.

No. 168. The City of New York, petitioner, *v. Lewis H. Saper, as Trustee in Bankruptcy of Spotlight Productions, Inc.* Petition for

writ of certiorari to the Court of Appeals for the Second Circuit granted and the case transferred to the summary docket.

No. 191. Superior Court of the State of California In and For the County of Los Angeles and Farmer Bros. Co., petitioners, *v.* Gay Lilleflore et al. Petition for writ of certiorari to the Supreme Court of California granted and the case assigned for hearing immediately following **No. 182.**

No. 197. National Labor Relations Board, petitioner, *v.* Crompton-Highland Mills, Inc. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted and the case transferred to the summary docket.

No. 200. State of New York, petitioner, *v.* Leonard H. Carter, as Trustee in Bankruptcy; and

No. 201. The United States of America, petitioner, *v.* Leonard H. Carter, Trustee of Union Fabrics, Inc., Bankrupt. Petitions for writs of certiorari to the Court of Appeals for the Second Circuit granted and the cases assigned for hearing immediately following **No. 168.**

No. 216. Algoma Plywood and Veneer Company, petitioner, *v.* Wisconsin Employment Relations Board. Petition for writ of certiorari to the Supreme Court of Wisconsin granted and the case assigned for hearing immediately following Nos. 38 and 39 which are assigned for hearing immediately following Nos. 14 and 15.

No. 223. Joy Oil Company, Ltd., petitioner, *v.* State Tax Commission. Petition for writ of certiorari to the Supreme Court of Michigan granted and the case transferred to the summary docket.

No. 55. Max M. Lesser, petitioner, *v.* Sertner's, Inc., Murray Sertner and Paul Sertner, Trading as Renofab Products Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 57. Alberto Vargas, petitioner, *v.* Esquire, Inc. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 60. Kammerer Corporation and Baash-Roos Tool Company, petitioners, *v.* Ira J. McCullough. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 61. Turner Dairy Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 62. Harold Spina, Edward Heyman, Walter Hannan, et al., petitioners, *v.* Carl E. Ring. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 64. The United States, petitioner, *v. C. B. Ross Company, Inc.* Petition for writ of certiorari to the Court of Claims denied.

No. 66. W. L. Sandstrom, petitioner, *v. California Horse Racing Board, Lloyd Wright et al., Members of the California Horse Racing Board.* Petition for writ of certiorari to the Supreme Court of California denied.

No. 67. Horace A. Young, Betty Jean Gilbert, and Patsy Marie Gilbert, Minors, etc., et al., petitioners, *v. Asa C. Garrett et al.* Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 68. The United States, petitioner, *v. Bloedel Donovan Lumber Mills, a Corporation.* Petition for writ of certiorari to the Court of Claims denied.

No. 69. J. H. Allison & Company, petitioner, *v. National Labor Relations Board.* Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 70. Clifford L. Rein, on Behalf of Himself and All Other Persons Similarly Situated, petitioner, *v. Ray C. Johnson, as Auditor of Public Accounts of the State of Nebraska et al.* Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 72. The Texas & Pacific Railway Company, petitioner, *v. Jessie A. Kilpatrick; and*

No. 73. The Texas & Pacific Railway Company, petitioner, *v. L. M. Parker.* Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 74. St. Regis Paper Company, petitioner, *v. The United States.* Petition for writ of certiorari to the Court of Claims denied.

No. 77. Trans-Pacific Corporation et al., petitioners, *v. George T. Goggin, Trustee in Bankruptcy.* Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 79. The E. C. Schroeder Company, petitioner, *v. Virgil Clark, for Himself and as Agent of Jack Richardson et al.* Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 80. International Brotherhood of Teamsters and Chauffeurs, Local Union Number 179, American Federation of Labor, et al., petitioners, *v. Leo John Dinoffria et al.* Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 81. Lide Thompson, Mattie Thompson, Mary Tukes, et al., petitioners, *v. Luther Thompson and H. H. Patton, Executors of the Estate of Dr. S. A. Thompson, Deceased.* Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 82. John H. Criner and Mary E. Criner, petitioners, *v.* V. S. Parham et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 85. The Baltimore and Ohio Railroad Company, petitioner, *v.* Buzzy Skidmore. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 86. Air Line Pilots Association, International, petitioner, *v.* Civil Aeronautics Board and National Air Lines, Inc. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 93. Ed W. Ebensberger and Ella Ebensberger, petitioners, *v.* Sinclair Refining Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 94. Celestino Iriarte, Jr., et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 95. C. M. Tingle et al., petitioners, *v.* Anderson-Tully Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 96. W. E. Hedger Transportation Corporation, petitioner, *v.* Ira S. Busby & Sons, Inc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 99. Mattie McElroy, nee Harjo, petitioner, *v.* W. M. Pegg, Charles S. Szenasi and Lenna Szenasi, his Wife, et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 100. Phillips Petroleum Company, petitioner, *v.* Shell Oil Company, Incorporated. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 101. Mark A. Freeman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 105. O. Phil Nordling and Gill Nordling, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 106. Mose Hightower and Celestine Morris, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 108. Graham Flying Service, a Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 112. E. E. Gentry, petitioner, *v.* The State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 113. Bath Mills, Inc., petitioner, *v.* Theodore Odom. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 114. Best & Co., Inc., petitioner, *v.* Sadie S. Miller, Doing Business Under the Name and Style of Miller's Lilliputian Shoppe. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 119. Kathleen B. Nash Durant, petitioner, *v.* Helen Hironimus, Warden, Federal Reformatory for Women, Alderson, West Virginia. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 120. R. Q. Black, Doing Business as Superior Trucking Company, petitioner, *v.* Interstate Commerce Commission. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 122. Georgie Reagon, petitioner, *v.* Guy J. D'Antonio. Petition for writ of certiorari to the Court of Appeal of Louisiana, Parish of Orleans, denied.

No. 123. Carter Carburetor Corporation, petitioner, *v.* Lawrence C. Kingsland, Commissioner of Patents. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 124. Pauline Rinn, as Executrix of the Estate of Walter P. Rinn, Deceased, et al., petitioners, *v.* Broadway Trust and Savings Bank et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 125. Andrew De Grazia, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 126. New York Life Insurance Company, petitioner, *v.* Nana M. Cooper and Mary Cooper. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 127. Port Gibson Veneer & Box Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 131. Floyd Fitzsimmons, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 133. George J. Leeds et al., Executors of the Estate of Adolf W. E. B. Leewitz, Deceased, petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 136. Crules R. Cheek, Trustee in Bankruptcy of West Beverly Corporation, Bankrupt, petitioner, *v.* Division of Labor Law Enforcement, State of California. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 137. Bloomfield Ranch, by James A. Clayton & Co., Managing Partner, Operator and Co-Owner Thereof, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 138. Paul W. Sampsell, as Trustee in Bankruptcy for the Estate of C. A. Reed Furniture Company, a Corporation, Bankrupt, petitioner, *v.* Lawrence Warehouse Company. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 139. Alanda Nemours, petitioner, *v.* J. F. Hickey et al., Individually and as Agents of Moorlands Addition. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 140. Federal Broadcasting System, Inc., petitioner, *v.* American Broadcasting Co., Inc., and Mutual Broadcasting System. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 141. Stanley H. Borak, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 142. Cesario Campa, alias Cesar Campa, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 144. A. J. Tristani, Sucrs., Inc., petitioner, *v.* Rafael Buscaglia, Treasurer, et al.; and

No. 145. R. Santaella & Brother, Inc., petitioner, *v.* Rafael Buscaglia, Treasurer, et al. Petitions for writs of certiorari to the Court of Appeals for the First Circuit denied.

No. 146. Texas State Life Insurance Company et al., petitioners, *v.* Sebe J. Houghton, Jr. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 148. Guy A. Thompson, Trustee for Missouri Pacific Railway Company, et al., petitioners, *v.* Joseph L. Spearmon, Samuel J. Rhodes, and G. T. Holmes. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 149. James C. Titus, Renata Titus, Renata M. Russell, et al., petitioners, *v.* The Spitzer-Rorick Trust & Savings Bank, et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 154. New Amsterdam Casualty Company, petitioner, *v.* Mrs. Camay Ardion Soileau, Tutrix, for the Use and Benefit of Her Minor Son, Joseph C. Soileau. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 157. Edward M. Winston, petitioner, *v.* County of Cook, a Municipal Corporation of the State of Illinois, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 158. Edith Matthews and Agnes Billings, petitioners, *v.* Mary Woody et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 159. Pacific Coast Wholesalers Association, petitioner, *v.* Clover Leaf Freight Lines, Inc., Interstate Dispatch, Inc., et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 160. In the Matter of Samuel Rose, petitioner. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 161. Chicago Pneumatic Tool Company, petitioner, *v.* Independent Pneumatic Tool Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 162. Excel Auto Radiator Company, petitioner, *v.* The Bishop and Babcock Manufacturing Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 163. Edward J. Miller, d/b/a Perma-Stone Company, petitioner, *v.* Emil P. Zaharias, Chester Polanis, d/b/a Lincoln Home Builders, et al.; and

No. 164. Edward J. Miller, d/b/a Perma-Stone Company, petitioner, *v.* Emil P. Zaharias, Chester Polanis, d/b/a Lincoln Home Builders, et al. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 165. James A. Akers and Lela Akers, His Wife, petitioners, *v.* Frank Scofield, Individually and as Collector of Internal Revenue for the First District of Texas. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 166. J. Howard Johnson, etc., et al., petitioners, *v.* John M. Smith, County Treasurer of the County of Albany, et al. Petition for writ of certiorari to the Supreme Court of New York, Albany County, denied.

No. 167. Railway Express Agency, Inc., petitioner, *v.* Glynn C. Mallory. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 169. Frank A. Thompson, Trustee for the St. Louis-San Francisco Railway Company, Debtor, petitioner, *v.* Louise Camp, Admin-

istratrix of the Estate of Ervin (Irving) Camp, Deceased. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 171. Mary Louise Reinold, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 172. Jerry Spagnuolo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 173. Harvey DeWaters, petitioner, *v.* Macklin Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 174. The United States of America, petitioner, *v.* Reuben D. Silliman. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 175. Ecco High Frequency Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 177. J. R. Mason, petitioner, *v.* Paradise Irrigation District. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 180. Mario Mercado Riera, Accounting as Executor of the Estate of Marie Mercado Montalvo, petitioner, *v.* Adrian Mercado Riera and Maria Luisa Mercado Riera De Belaval. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 181. William L. Chesbrough and Mildred J. Chesbrough, petitioners, *v.* The Western and Southern Life Insurance Company et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 183. Remington Rand, Inc., petitioner, *v.* Royal Typewriter Company, Inc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 186. Marion A. Hart, Frank C. Hart, Jr., et al., petitioners, *v.* The Mutual Benefit Life Insurance Company of Newark, New Jersey. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 190. Dr. Arnold M. Landsborough, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 192. Hugh Namon Rakes, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 194. Central Investment Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 199. Chicago and North Western Railway Company, petitioner, *v.* Betty Matsumoto. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 202. Euterpe Economos, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 203. Philip Paris, Miles A. Rogers, Herman Meyrich, et al., etc., petitioners, *v.* Metropolitan Life Insurance Company et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 207. Welton Ladner and Lander Necaise, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 208. Atlantic Coast Line Railroad Company, petitioner, *v.* Stanley T. McCready. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 210. Mrs. Woodrow Virginia Stone, petitioner, *v.* Strickland Transportation Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 211. W. R. Kelley, petitioner, *v.* Union Tank and Supply Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 213. Bank of America National Trust and Savings Association, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 215. United Services Life Insurance Company, petitioner, *v.* Richard H. Boye and Lucy Bautz Boye. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 217. E. F. Horner, petitioner, *v.* The County of Winnebago and A. R. Carter. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 220. A. F. Whitney, petitioner, *v.* T. M. Madden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 222. Railway Employes' Department of the American Federation of Labor et al., petitioners, *v.* Northern Pacific Railway Company. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 224. Charles E. Austin, Inc., petitioner, *v.* Harry F. Kelly, Secretary of State. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 230. Minnesota Mining & Manufacturing Company, petitioner, *v.* Industrial Tape Corporation. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 239. Pennsylvania-Central Airlines Corporation, petitioner, *v.* Marjorie Shoaf Duskin, Executrix of the Last Will and Testament of Delmar D. Duskin, Jr., Deceased. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 78. Joseph M. Taussig, petitioner, *v.* Honorable John P. Barnes, United States District Judge for the Northern District of Illinois. The motion of Mural J. Winstin and Horace A. Young for leave to file brief as *amici curiae* granted. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 102. People of the State of Illinois, ex rel. Paysoff Tinkoff, Individually and as Father and Next Friend of Paysoff Tinkoff, Jr., and Paysoff Tinkoff, Jr., petitioners, *v.* Northwestern University, an Illinois Corporation, et al. The motion for leave to proceed on mimeographed copies of the petition and record granted. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 103. Frank Lobaido, petitioner, *v.* The People of the State of Michigan. On petition for writ of certiorari to the Recorder's Court of the City of Detroit, State of Michigan; and

No. 104. Frank Lobaido, petitioner, *v.* The People of the State of Michigan. On petition for writ of certiorari to the Supreme Court of Michigan. The motion to dispense with the printing of the record of the Recorder's Court granted. Petition for writs of certiorari denied.

No. 147. William M. Lindenfeld, petitioner, *v.* The United States of America. The motion to dispense with the printing of the record granted. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 155. Massachusetts Mutual Life Insurance Company, petitioner, *v.* Selene R. Smith. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 156. Margaret C. Donovan, petitioner, *v.* Queensboro Corporation, Garden Housing Corporation et al.; and

No. 49, Misc. Margaret C. Donovan, petitioner, *v.* Queensboro Corporation et al. In No. 156 the petition for writ of certiorari to the Court of Appeals for the Second Circuit is denied. In No. 49,

Misc., the motion for leave to file petition for writ of certiorari is denied.

No. 176. George C. Reining, petitioner, *v.* The United States of America. The motion for leave to amend the petition for writ of certiorari granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 195. Robert L. McClendon, petitioner, *v.* L. F. Utecht, as Warden of Minnesota State Prison. The motion to dispense with the printing of the petition, brief, and record granted. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 49, October Term, 1947. William Shapiro, petitioner, *v.* The United States of America;

No. 97, October Term, 1947. The United States of America, appellant *v.* James Hoffman;

No. 74, October Term, 1947. A. V. Pownall, Grace M. Pownall, and Hennes-Morgan Machinery Company, Ltd., petitioners, *v.* The United States of America;

No. 95, October Term, 1947. Alexander Wool Combing Company, petitioner, *v.* The United States of America;

No. 415, October Term, 1947. Earl J. Toomer, Joseph A. Cesaroni, Joseph DeGracia, et al., appellants, *v.* J. M. Witsell, Edward E. Burroughs, E. L. Sweat, et al.;

No. 432, October Term, 1947. The United States of America, petitioner, *v.* Tillie Zazove;

No. 451, October Term, 1947. Andrew W. Comstock, a Holder of Missouri Pacific Railroad Company 5¼% Secured Serial Gold Bonds, etc., petitioner, *v.* Group of Institutional Investors, etc., et al.;

No. 541, October Term, 1947. Francis Joseph Gryger, petitioner, *v.* C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania;

No. 584, October Term, 1947. The United States of America, ex rel. Hans Ackermann, petitioner, *v.* J. L. O'Rourke, Officer in Charge of Alien Internment Camp at Crystal City, Texas and

No. 585, October Term, 1947. The United States of America, ex rel. Frieda Ackermann, petitioner, *v.* J. L. O'Rourke, Officer in Charge of Alien Internment Camp at Crystal City, Texas;

No. 723, October Term, 1947. Kurt G. W. Ludecke, petitioner, *v.* W. Frank Watkins, as District Director of Immigration;

No. 764, October Term, 1947. Michael Downs, petitioner, *v.* Commissioner of Internal Revenue;

No. 775, October Term, 1947. C. E. Eubanks, petitioner, *v.* Guy A. Thompson, Receiver or Trustee of the Missouri Pacific Railroad Company; and

No. 796, October Term, 1947. J. R. Mason, petitioner, *v.* Merced Irrigation District. The petitions for rehearing in these cases are severally denied.

No. 366, October Term, 1947. Bay Ridge Operating Co., Inc., petitioner, *v.* James Aaron, Albert Alston, James Philip Brooks, et al.; and

No. 367, October Term, 1947. Huron Stevedoring Corp., petitioner, *v.* Leo Blue, Nathaniel Dixon, Christian Elliott, et al. The motions of International Longshoremen's Association, New York Shipping Association, Waterfront Employees Association, and American Federation of Labor for leave to file briefs as *amici curiae* are granted. The petition for rehearing is denied. Mr. Justice Douglas took no part in the consideration or decision of these applications. Mr. Justice Frankfurter, Mr. Justice Jackson, and Mr. Justice Burton are of opinion the petition for rehearing should be granted.

No. 470, October Term, 1947. William Clark, petitioner, *v.* The United States. The petition for rehearing is denied. Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 489, October Term, 1947. Mary Morton West, Osage Allottee No. 192, appellant, *v.* Oklahoma Tax Commission. The motion to extend time to file petition for rehearing is denied.

No. 532, October Term, 1947. Irwin Kott, Israel Neddleman and Harry Weiner, petitioners, *v.* The United States of America. The motion for reconsideration of petition for rehearing or, in the alternative, for leave to file a second petition is denied.

No. 697, October Term, 1947. Harry J. Alker, Jr., and Mamie DuBan, Individually and as Executrix of the Estate of Alfred A. DuBan, petitioners, *v.* Federal Deposit Insurance Corporation. The motion for leave to file a second petition for rehearing and supplement thereto is denied.

No. 210, Misc., October Term, 1947. Morgan Easter, petitioner, *v.* People of the State of Illinois;

No. 387, Misc., October Term, 1947. Hilliard Sanders, petitioner, *v.* James A. Johnston, Warden;

No. 416, Misc., October Term, 1947. W. E. Montgomery and Eugene Thomas Booth, petitioners, *v.* The United States of America;

No. 447, Misc., October Term, 1947. Henry L. Wilson, petitioner, *v.* People of the State of Illinois;

No. 476, Misc., October Term, 1947. Allen Dixon, petitioner, *v.* People of the State of Illinois;

No. 480, Misc., October Term, 1947. Gene McCann, petitioner, *v.* Tom C. Clark, Attorney General;

No. 490, Misc., October Term, 1947. In the Matter of Homer E. Bodenmiller, petitioner;

No. 504, Misc., October Term, 1947. Jack Gibson Moss, petitioner, *v.* Walter A. Hunter, Warden;

No. 507, Misc., October Term, 1947. Fred Tate, petitioner, *v.* Robert A. Heinze, Warden;

No. 510, Misc., October Term, 1947. Lawson Odell, petitioner, *v.* R. H. Hudspeth, Warden;

No. 515, Misc., October Term, 1947. Roy M. Johnson, petitioner, *v.* Ben B. Stewart, Warden;

No. 518, Misc., October Term, 1947. Gilbert Asbell, petitioner, *v.* Ben B. Stewart, Warden;

No. 540, Misc., October Term, 1947. Ralph O. Lucas, petitioner, *v.* State of Texas;

No. 551, Misc., October Term, 1947. Joseph A. Farrell, petitioner, *v.* Francis J. W. Lanagan, Warden;

No. 553, Misc., October Term, 1947. Herbert H. Hall, petitioner, *v.* The United States of America and

No. 554, Misc., October Term, 1947. Joe M. Gray, petitioner, *v.* The United States of America;

No. 559, Misc., October Term, 1947. Bernard M. Shotkin, etc., et al., petitioners, *v.* Thomas A. Edison, Inc.; and

No. 561, Misc., October Term, 1947. Bernard M. Shotkin, petitioner *v.* Albert D. Kaplan et al. The petitions for rehearing in these cases are severally denied.

No. 306, Misc., October Term, 1947. John Harry McGough, petitioner, *v.* The United States of America. The petition for reconsideration of order denying rehearing is denied.

No. 226, Misc., October Term, 1947. Rocco Taurisano, petitioner, *v.* People of the State of New York. The motion for leave to withdraw the record is denied.

No. 5, Misc. William Totten, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 6, Misc. Lester A. Samman, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 8, Misc. Cecil C. Crebs, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

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

No. 13, Misc. Emanuel Cannady, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 14, Misc. Roger Touhy, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 16, Misc. Phillip McMullen, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 18, Misc. Samuel D. Collins, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 21, Misc. James Duane, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the District Court of Appeal, 3d Appellate District, State of California, denied.

No. 23, Misc. Walter Engle, petitioner, *v.* Ben B. Stewart, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 24, Misc. Forest Wall, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 25, Misc. Roy Thompson, petitioner, *v.* Ralph E. Benson, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 26, Misc. Keese Milford, 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, First Judicial Department, denied.

No. 27, Misc. Arthur J. Felton, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 31, Misc. George Blaha, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 33, Misc. Richard Hartnett, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 36, Misc. Sandy Wilson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois, denied.

No. 37, Misc. Ed. Williams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois, denied.

No. 38, Misc. Howell Cobb, petitioner, *v.* Walter A. Hunter, Warden. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 40, Misc. Johnnie Allen, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 42, Misc. Roy Eaton, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 43, Misc. Dewey Gooch, petitioner, *v.* L. E. Wilhite, Presiding Judge. Petition for writ of certiorari to the Circuit Court of Scott County, State of Illinois, denied.

No. 44, Misc. Sam Hryciuk, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 45, Misc. David W. Townsend, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 46, Misc. Cecil Swain, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 51, Misc. Harold L. Lawrence, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 52, Misc. Earl Reno, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 56, Misc. Alexander St. John, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois, denied.

No. 58, Misc. Vincent Clark, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Hancock County, State of Illinois, denied.

No. 59, Misc. Harris Bailey, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois, denied.

No. 60, Misc. Calvin Barnett, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 62, Misc. Everett Lee, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 64, Misc. Joseph Saunders, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 65, Misc. R. B. Sanner, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 66, Misc. Julius Edward Epple, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 68, Misc. John Brown, petitioner, *v.* State of South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 69, Misc. Clarence Murray, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of McLean County, State of Illinois, denied.

No. 71, Misc. Joseph Devito and Anthony Tommasone, petitioners, *v.* State of New Jersey. Petition for writ of certiorari to the Court of Errors and Appeals of New Jersey denied.

No. 74, Misc. David Flannigan, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 75, Misc. Joe Washington, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 76, Misc. Casmere Jurczynsyn, petitioner, *v.* Michigan Parole Board. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 77, Misc. Jay Paul Shelton, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 81, Misc. Bruce Pierce, petitioner, *v.* Tom Smith, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 82, Misc. Robert Frazier, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 83, Misc. John Slobodion, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 85, Misc. Edward O. Saxton, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 89, Misc. Henry Williams and Maxwell Bowie, petitioners, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 91, Misc. Chester F. Hibbs, petitioner, *v.* State of Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 92, Misc. Paul Yankowski, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of General Sessions, New York County, State of New York, denied.

No. 94, Misc. William Stewart, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 95, Misc. Frank Riley, petitioner, *v.* The Citizens National Bank of Waco. Petition for writ of certiorari to the Court of Civil Appeals, 10th Supreme Judicial District, State of Texas, denied.

No. 97, Misc. James Gates, petitioner, *v.* Circuit Court of Hancock County, Illinois. Petition for writ of certiorari to the Circuit Court of Hancock County, State of Illinois, denied.

No. 105, Misc. Lord Merrymood, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 107, Misc. James Montgomery, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Lake County, State of Illinois, denied.

No. 108, Misc. James Garcia, petitioner, *v.* State of New York. Petition for writ of certiorari to the County Court of Broome County, State of New York, denied.

No. 110, Misc. Kenneth Vaughn, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Williamson County, State of Illinois, denied.

No. 111, Misc. Ernest J. Rogers, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 112, Misc. Herbert Mezo, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Williamson County, State of Illinois, denied.

No. 113, Misc. Joseph Cossentino, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 17, Misc. Ray F. Harris, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois, denied. The motion for leave to file petition for mandamus also denied.

No. 20, Misc. Wallace B. Craig, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied. The motion for leave to file petition for writ of habeas corpus also denied.

No. 22, Misc. Harry Eyer, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied. The motion for leave to file petition for writ of habeas corpus also denied.

No. 35, Misc. Israel White, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied. The motion for leave to file petition for writ of habeas corpus also denied.

No. 70, Misc. Sam Buford, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied. The motion for leave to file petition for writ of habeas corpus also denied.

No. 34, Misc. William H. Jackson, petitioner, *v.* W. H. Hiatt, Warden;

No. 63, Misc. Salvatore Didato, petitioner, *v.* Francis C. Shaw, Director;

No. 72, Misc. Chester Richardson, petitioner, *v.* State of Missouri;

No. 79, Misc. Ex parte Percy A. Whistler, petitioner;

No. 84, Misc. Ex parte Paulo Caruso, petitioner;

No. 87, Misc. Carl Joseph Zell, petitioner, *v.* J. Leroy Wright, Warden of the Maryland House of Correction;

No. 101, Misc. Wade H. Langford, petitioner, *v.* Nathan Mayo, as State Prison Custodian; and

No. 104, Misc. Samuel White, petitioner, *v.* Federal Correctional Institution, Milan, Michigan. The motions for leave to file petitions for writs of habeas corpus in these cases are severally denied.

No. 28, Misc. In the Matter of Franz Karl Statmann, petitioner;

No. 39, Misc. In the Matter of Walter Hohler, petitioner;

No. 93, Misc. In the Matter of Franz Weiss, petitioner; and

No. 103, Misc. In the Matter of Erich Wentzel, petitioner. Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*,

332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that motions for leave to file should be granted and that the cases should be set for argument forthwith. Mr. Justice Jackson took no part in the consideration or decision of these applications.

No. 11, Misc. William Fraser, petitioner, *v. The United States of America*; and

No. 12, Misc. William Fraser et al., petitioners, *v. The United States of America*. The motion for leave to withdraw the petitions for writs of mandamus is granted.

No. 61, Misc. Earnest W. Howell, petitioner, *v. Tom Clark, Attorney General*; and

No. 96, Misc. Daisy D. Wilson, petitioner, *v. Ralph S. Hinman et al.* The motions for leave to file petitions for writs of mandamus are denied.

No. 7, Misc. In the Matter of Whitla Stinson, petitioner;

No. 15, Misc. James Medlock, petitioner, *v. Joseph E. Ragen, Warden*;

No. 29, Misc. Arthur R. Harper, petitioner, *v. People of the State of Michigan*; and

No. 57, Misc. Walter Mitchell, petitioner, *v. Joseph E. Ragen, Warden*. Petitions denied.

No. 48, Misc. In the Matter of William M. Lee, petitioner. Application denied.

No. 80, Misc. E. R. Jackson, petitioner, *v. State of Oklahoma*. Petition for appeal denied.

No. 88, Misc. Silas S. McKain, petitioner, *v. State of Louisiana*. Application denied.

No. 58. The United States of America, ex rel. Stanley Joseph Pasela, petitioner, *v. Frank W. Fenno, Jr., Captain of the United States Navy, Commanding Officer of the United States Naval Submarine Base*. Writ of certiorari to the Court of Appeals for the Second Circuit dismissed per stipulation of counsel.

No. 9. Charles Kovacs, appellant, *v. Albert Cooper, Jr., Judge of the First District Police Court of Trenton*. Submitted by Mr. George Pellettieri for the appellant and by Mr. Louis Josephson for the appellee.

No. 1. Ford Motor Company, appellant, *v. The United States of America*; and

No. 2. Commercial Investment Trust Corporation et al., appellants, *v. The United States of America*. Three hours allowed for oral argu-

ment. Argued by Mr. Charles E. Hughes, Jr., for the appellants, and by Mr. Albert Holmes Baldrige for the appellee.

No. 3. Estate of Sidney M. Spiegel, Deceased, Katherine J. Spiegel, et al., Surviving Executors, etc., petitioners, *v.* Commissioner of Internal Revenue. Reargument commenced by Mr. Herbert A. Friedrich for the petitioners and continued by Mr. Arnold Raum for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 12, will be as follows: Nos. 3, 5, 6, 10, 36, 13, 30, 19, 16, and 23.

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SUPREME COURT OF THE UNITED STATES

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

James Carter Todd, of Tulsa, Okla.; James L. Coburn, of Elizabeth, Ill.; Joseph J. Lutin, of Nashville, Tenn.; Leonard Widman, of Asbury Park, N. J.; Dudley T. Shearer, of San Francisco, Calif.; Charles W. Johnson, of Sacramento, Calif.; John S. Atkins, of Kerrville, Tex.; Edmund Hatfield, of Chicago, Ill.; Patrick Healey, of Waterbury, Conn.; and Drennan J. Slater, of Chicago, Ill., were admitted to practice.

No. 3. Estate of Sidney M. Spiegel, Deceased, Katherine J. Spiegel, et al., Surviving Executors, etc., petitioners, v. Commissioner of Internal Revenue. Reargument concluded by Mr. Arnold Raum for the respondent.

No. 5. Commissioner of Internal Revenue, petitioner, v. Estate of Francois L. Church, Deceased, Edward E. Black, Executor. Reargued by Mr. Arnold Raum for the petitioner and by Mr. William W. Owens for the respondent.

No. 6. Grand River Dam Authority, a Public Corporation, petitioner, v. Grand-Hydro, a Private Corporation. Argument commenced by Mr. Robert L. Davidson for the petitioner; continued by Mr. Howard E. Wahrenbrock for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Robert Dade Hudson for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 13, will be as follows: Nos. 6, 10, 36, 13, 30, 19, 16, 23, 22, and 44.

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SUPREME COURT OF THE UNITED STATES

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

Gordon X. Richmond, of Orange, Calif.; Stone Wells, of Houston, Tex.; Fortunato Porotto, of Washington, D. C.; and David Previant, of Milwaukee, Wis., were admitted to practice.

No. 348. Curtis D. MacDougall et al., appellants, *v.* Dwight H. Green, Individually and as Governor of the State of Illinois, et al. Motion to advance and expedite hearing and disposition submitted by Mr. Edmund Hatfield for the appellants.

No. 6. Grand River Dam Authority, a Public Corporation, petitioner, *v.* Grand-Hydro, a Private Corporation. Argument continued by Mr. Robert Dade Hudson for the respondent; by Mr. S. Frank Fowler for the respondent; and concluded by Mr. Robert L. Davidson for the petitioner.

No. 10. Alexandesus Bellaskus, petitioner, *v.* L. D. Crossman, Officer in Charge, United States Immigration and Naturalization Service. Argued by Mr. Philip R. Monahan for the respondent and case submitted by Mr. Charles F. Tucker for the petitioner.

No. 36. Earl H. McDonald and Joseph F. Washington, petitioners, *v.* The United States of America. Argued by Mr. John Lewis Smith, Jr., and Mr. Charles E. Ford for the petitioners, and by Mr. Frederick Bernays Wiener for the respondent.

No. 13. The United States of America, petitioner, *v.* Fred Urbeteit, Claimant of 16 Articles of Devices More or Less, Labeled "Sinuoothermic," etc. Argument commenced by Mr. Solicitor General Perlman for the petitioner, and continued by Mr. H. O. Pemberton for the respondent.

No. 149, Misc. Etta Williams, petitioner, *v.* Clinton T. Duffy, Warden. The motion for a stay of execution is denied. The petition for writ of certiorari to the Supreme Court of California is denied.

No. 348. Curtis D. MacDougall et al., appellants, *v.* Dwight H. Green, Individually and as Governor of the State of Illinois, et al. The motion of appellants to advance and expedite the hearing of this case is granted and it is ordered that the time for filing statement op-

posing jurisdiction be reduced to three days; that briefs be filed by October 16; that the case be set for oral argument on October 18; and that the case be heard on the typewritten short record certified to this Court by the Clerk of the District Court. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 14, will be as follows: Nos. 13, 30, 19, 16, 23, 22, 44, 1 Misc., 12, and 21.

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SUPREME COURT OF THE UNITED STATES

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

Novak N. Marku, of Canton, Ohio; Bernard D. Levinson, of Boston, Mass.; Earl Smith, of Mason City, Iowa; C. Frederick Beck, of Mason City, Iowa; M. Edward Buckley, Jr., of Washington, D. C.; Mary E. Ramier, of Indianapolis, Ind.; and Melvin F. Wingsky, of Chicago, Ill., were admitted to practice.

No. 13. The United States of America, petitioner, *v.* Fred Urbeteit, Claimant of 16 Articles of Device More or Less, Labeled "Sinuo-thermic," etc. Argument concluded by Mr. H. O. Pemberton for the respondent.

No. 30. Lelord Kordel, petitioner, *v.* The United States of America. Argued by Mr. Arthur D. Herrick for the petitioner, and by Mr. Solicitor General Perlman for the respondent.

No. 19. Alfred S. Penn, petitioner, *v.* Chicago and North Western Railway Company. Argued by Mr. Royal W. Irwin for the petitioner, and by Mr. Drennan J. Slater for the respondent.

No. 16. Mandel Brothers, Inc., petitioner, *v.* John H. Wallace, Jr. Argued by Mr. Leonard S. Lyon for the petitioner, and by Mr. Charles J. Merriam for the respondent.

No. 23. Solomon Michelson, petitioner, *v.* The United States of America. Argument commenced by Mr. Louis J. Castellano for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, October 15, will be as follows: Nos. 23, 22, 44, 348, 1 Misc., 12, 21, 17 (and 18), 1389 October Term 1946, and 42.

SUPREME COURT OF THE UNITED STATES

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

Gerald B. Tjoflat, of Cincinnati, Ohio; and James W. Pearce, of Cincinnati, Ohio, were admitted to practice.

No. 23. Solomon Michelson, petitioner, *v.* The United States of America. Argument continued by Mr. Louis J. Castellano for the petitioner and concluded by Mr. Joseph M. Howard for the respondent.

No. 22. Vermilya-Brown Company, Inc., et al., petitioners, *v.* John Joseph Connell et al. Argued by Mr. Charles Fahy for the petitioners and by Mr. Sol L. Firstenberg for the respondents.

No. 44. Robert Frazier, petitioner, *v.* The United States of America. Argued by Mr. M. Edward Buckley, Jr., for the petitioner and by Mr. Robert W. Ginnane for the respondent.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, October 18, will be as follows: Nos. 348, 1 Misc., 12, 21, 17 (and 18), 1389 October Term 1946, 42, 26, 20, and 11.

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SUPREME COURT OF THE UNITED STATES

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

Leon Alvah Bradbury, of Hartford, Conn.; Gordon Nash, of Chicago, Ill.; Richard Frye Watt, of Chicago, Ill.; Isadore Albert Lehrer, of Hartford, Conn.; Claude L. Schenck, of Kansas City, Mo.; Peter B. Collins, of Wilmington, Del.; John W. Porter, Jr., of Muskogee, Okla.; Philip Hornbein, of Denver, Colo.; Helge Thomsen, of Tyler, Minn.; William M. Serbine, of Saint Paul, Minn.; Ellsworth Hall, Jr., of Macon, Ga.; Robert W. Thompson, Jr., of Gulfport, Miss.; Donald M. Shere, of Denver, Colo.; Warren E. Hall, Jr., of Atlanta, Ga.; James Schilly Redmond, of Bluefield, W. Va.; Lloyd S. Adams, of Humboldt, Tenn.; and Donald R. Mote, of North Manchester, Ind., were admitted to practice.

The Chief Justice announced the following order of the Court:

No. 10. *Alexandesus Bellaskus*, petitioner, *v.* L. D. Crossman, Officer in Charge, United States Immigration and Naturalization Service. On writ of certiorari to the Court of Appeals for the Fifth Circuit. *Per curiam*: Upon suggestion of the Solicitor General and consideration of the record, the judgment of the Court of Appeals is reversed and the cause is remanded to the District Court with directions to vacate its order discharging the rule to show cause and dismissing the petition for a writ of habeas corpus.

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. 24. Frank Hynes, Regional Director, Fish and Wildlife Service, Department of the Interior, petitioner, *v.* Grimes Packing Co., Kadiak Fisheries Company, Libby, McNeill & Libby, et al. The motion for leave to file brief of the Native Village of Karluk et al., as *amici curiae*, is granted.

No. 279. Standard Oil Company of California and Standard Stations, Inc., appellants, *v.* The United States of America; and

No. 287. Interstate Oil Pipe Line Company, appellant, *v.* A. H. Stone, Chairman State Tax Commission. In these cases probable jurisdiction is noted.

No. 117. Hermoine P. Rice, petitioner, *v.* Lillian P. Rice. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut granted.

No. 231. United States of America, *ex rel.* Harold E. Hirshberg, petitioner, *v.* Captain M. J. Malanaphy, United States Navy, Commanding Officer, U. S. Naval Receiving Station, Brooklyn, New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 237. Wisconsin Electric Power Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted.

No. 115. Aldo Guerrini, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 134. Research Laboratories, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 150. J. W. Kirkland, H. H. Garrison, et al., petitioners, *v.* Atlantic Coast Line Railroad Company, Grand International Brotherhood of Locomotive Engineers, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 214. R. B. Gantt, petitioner, *v.* Felipe Y. Carlos Hurtado & Cia., Ltda. Petition for writ of certiorari to the Supreme Court of New York, New York County, denied.

No. 219. Inez L. Burns, Mabel Spaulding, Myrtle Ramsey, et al., petitioners, *v.* The People of the State of California. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, State of California, denied.

No. 221. Washington Pension Union, petitioner, *v.* The State of Washington, on the Relation of Dana T. Robinson. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 229. E. J. Hounsell, Administrator of the Estate of Nellie Hounsell, deceased, petitioner, *v.* Wisconsin Department of Taxation et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 233. Joan Brodel (Professionally known as Joan Leslie), petitioner, *v.* Warner Bros. Pictures, Inc. (a Corporation). Petition for writ of certiorari to the Supreme Court of California denied.

No. 235. Globe Solvents Company, petitioner, *v. S. S. "California."* Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 236. Bayuk Cigars, Incorporated, petitioner, *v. Commonwealth of Pennsylvania.* Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 240. Central Surety & Insurance Corporation, petitioner, *v. Royal Transit, Inc.* Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 245. The Phoenix Mutual Life Insurance Company, petitioner, *v. National Labor Relations Board.* Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 246. Allen-Bradley Company, petitioner, *v. Square D Company.* Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 250. Frank C. Pabst and Helen R. Pabst, petitioners, *v. John P. Dant Distillery Company, Incorporated.* Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 254. Nick Caseio, petitioner, *v. State of Arkansas.* Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 256. William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, petitioner, *v. Hunt Foods, Inc.* Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 264. Standard Oil Company and Martha Nichols, as Administratrix of the Estate of Ferris Nichols, Deceased, petitioners, *v. William F. Drohan et al., as Trustees for Keeshin Motor Express Co., Inc., etc., et al.* Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 271. In the Matter of the Criminal Contempt Charge Against Robert Caruba, petitioner. Petition for writ of certiorari to the Court of Chancery of New Jersey denied.

No. 232. Allen T. Simmons, petitioner, *v. Federal Communications Commission.* The motion to designate "The WGAR Broadcasting Company" as a party respondent is granted. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is denied.

No. 248. The Wm. Schluderberg-T. J. Kurdle Co., petitioner, *v. Reconstruction Finance Corporation.* The petition for writ of certiorari to the Emergency Court of Appeals is denied. The Chief Justice took no part in the consideration or decision of this application.

No. 19, Misc. Marvin James Tuthill, petitioner, *v.* People of the State of California. The motion to defer consideration is denied. The petition for writ of certiorari to the Supreme Court of California is denied.

No. 67, Misc. Nicholas Cavallucci, petitioner, *v.* C. J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 73, Misc. William Henry Roberts, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 99, Misc. Richard Goodman, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 100, Misc. Robert Tedford, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 114, Misc. In the Matter of John Curtis Barber, petitioner. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 116, Misc. Francis Monaghan, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 123, Misc. Frederick John Byrnes, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 129, Misc. Frank C. Smith, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Stark County, State of Illinois, denied.

No. 130, Misc. Irving C. Dederer, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 132, Misc. Thomas Reed, petitioner, *v.* Walter G. Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois, denied.

No. 135, Misc. Bernard Francis Williams, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 137, Misc. Harry Meyers, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 140, Misc. Robert Wilde, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 141, Misc. Donald Skene, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Kane County, State of Illinois, denied.

No. 142, Misc. Arthur Richardson, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 143, Misc. Emmett Thomas O'Brien, petitioner, *v.* Nathan Mayo, Custodian. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 32, Misc. Charles Lee McIntosh, petitioner, *v.* M. J. Pescor, Warden. The motion for leave to file petition for writ of certiorari is denied.

No. 115, Misc. Elmer C. Webb, petitioner, *v.* People of the State of Illinois and Will County Circuit Court. The petition for injunction is denied.

No. 117, Misc. Otho Bays, petitioner, *v.* Ralph Howard, Warden, Indiana State Prison. The motion for leave to file petition for writ of certiorari is denied.

No. 136, Misc. Francis Stelloh, petitioner, *v.* Warden of the Wisconsin State Prison; and

No. 146, Misc. Thomas Stephenson, petitioner, *v.* The State of New Jersey. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 122, Misc. In the Matter of Dr. Hellmuth Vetter, petitioner;

No. 124, Misc. Georg Eckstein, petitioner, *v.* The United States of America;

No. 125, Misc. In the Matter of Josef Unrecht, petitioner;

No. 126, Misc. In the Matter of Wilhelm Pfeiffer and Albert Landwehr, petitioners;

No. 128, Misc. In the Matter of Heinrich Fulsche, petitioner;

No. 133, Misc. In the Matter of Wilhelm Grill, petitioner; and

No. 145, Misc. In the Matter of Kurt Hans, petitioner. Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that motions for leave to file should be granted and that the cases should be set for argument forthwith. Mr. Justice Jackson took no part in the consideration or decision of these applications.

No. 225. Hyman Y. Josephs, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit dismissed on motion of counsel for the petitioner.

The Court will take a recess from Monday, October 25, until Monday, November 8, next.

No. 348. Curtis D. MacDougall et al., appellants, *v.* Dwight H. Green, Individually and as Governor of the State of Illinois, et al. Argued by Mr. John J. Abt and Mr. Richard F. Watt for the appellants; by Mr. William C. Wines for the appellees, Dwight H. Green, Governor, et al., and by Mr. Melvin F. Wingersky for the appellees, Michael J. Flynn, Clerk of Cook County, Illinois, et al.

No. 1, Misc. Grace D. Adkins, etc., petitioner, *v.* E. I. duPont deNemours & Co., Inc. Argued on the motion for leave to proceed *in forma pauperis* by Mr. John W. Porter, Jr., for the petitioner and by Mr. G. C. Spillers for the respondent.

No. 12. Virgil T. Brinegar, petitioner, *v.* The United States of America. Argument commenced by Mr. Irvine E. Ungerman for the petitioner and continued by Mr. Stanley M. Silverberg for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 19, will be as follows: Nos. 12, 21, 17 (and 18), 1389 October Term 1946, 42, 26, 20, 11, 24, and 28.

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SUPREME COURT OF THE UNITED STATES

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

Eimo G. Funke, of Sacramento, Calif.; William A. McClintock, Jr., of Chicago, Ill.; Joseph G. Tomascik, of Wilkes-Barre, Pa.; Chas. W. Duke, of San Antonio, Tex.; Eli E. Fink, of Chicago, Ill.; John W. Joslyn, of Pasadena, Calif.; and James S. Henderson, of Denver, Colo., were admitted to practice.

No. 12. Virgil T. Brinegar, petitioner, *v.* The United States of America. Argument continued by Mr. Stanley M. Silverberg for the respondent, and concluded by Mr. Irvine E. Ungerman for the petitioner.

No. 21. Merrel P. Callaway, as Trustee of the Property of Central of Georgia Railway Company, Debtor, et al., petitioners, *v.* L. O. Benton, Jr., et al. Argued by Mr. T. M. Cunningham for the petitioners, and by Mr. Charles J. Bloch for the respondents.

No. 17. Julius A. Wolf, petitioner, *v.* The People of the State of Colorado and

No. 18. Julius A. Wolf, petitioner, *v.* The People of the State of Colorado. Argued by Mr. Philip Hornbein for the petitioner and by Mr. James S. Henderson for the respondent.

No. 1389, October Term, 1946. Emil Lustig, alias Dr. Edward E. Fisher, petitioner, *v.* The United States of America. Reargued by Mr. Edward Halle for the petitioner, and by Mr. Solicitor General Perlman for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 20, will be as follows: Nos. 42, 26, 20, 11, 24, 28, and 29.

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SUPREME COURT OF THE UNITED STATES

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

George T. Goggin, of Los Angeles, Calif.; Philip Huntington, of Mineola, N. Y.; James N. Gerhig, of Hempstead, N. Y.; Joseph M. Wehler, of Mount Rainier, Md.; and George W. Martin, of Seattle, Wash., were admitted to practice.

No. 142. Cesario Campa, alias Cesar Campa, petitioner, *v.* The United States of America. Time within which to file rehearing extended to and including November 5 on application of counsel for the petitioner.

No. 42. August Klapprott, petitioner, *v.* The United States of America. Argued by Mr. P. Bateman Ennis for the petitioner and by Mr. Robert L. Stern for the respondent.

No. 26. The United States, petitioner, *v.* Kansas City Life Insurance Company. Argued by Mr. Frederick Bernays Wiener for the petitioner and by Mr. Stanley Bassett for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 21, will be as follows: Nos. 20, 11, 24, and 28.

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SUPREME COURT OF THE UNITED STATES

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

Harold Prebble Settle, of Shreveport, La.; U. LeRoy Sweeney, Jr., of Richmond, Va.; W. C. Arnold, of Seattle, Wash.; George G. Galantz, of New York City; Leonard E. Peterson, of Washington, D. C.; Books Poorman Shetter, of Richmond, Va.; Stanley Buchsbaum, of Brooklyn, N. Y.; Emory Clark Smith, of Denton, Tex.; Charles F. Paulis, Jr., of Kearny, N. J.; James B. Lewis, of Washington, D. C.; and E. Parker Brown, of Suffolk, Va., were admitted to practice.

No. 348. Curtis D. MacDougall et al., appellants, *v.* Dwight H. Green, Individually and as Governor of the State of Illinois, et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment affirmed with costs. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Opinion by Mr. Justice Rutledge concurring in the judgment. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Murphy concur.

No. 20. Earl P. Hoiness, petitioner, *v.* The United States of America. Argued by Mr. Herbert Resner for the petitioner and by Mr. Harry I. Rand for the respondent.

No. 11. Doubleday & Company, Inc., appellant, *v.* People of the State of New York. Argued by Mr. Whitney North Seymour for the appellant and by Mr. Whitman Knapp for the appellee.

No. 24. Frank Hynes, Regional Director, Fish and Wildlife Service, Department of the Interior, petitioner, *v.* Grimes Packing Co., Kadiak Fisheries Company, Libby, McNeill & Libby, et al. Argued by Mr. Roger P. Marquis for the petitioner and by Mr. W. C. Arnold and Mr. Frank L. Mechem for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, October 22, will be as follows: No. 28.

SUPREME COURT OF THE UNITED STATES

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

John P. Randolph, of Jefferson City, Mo.; Margaret C. Shiozawa, of St. Louis, Mo.; Philo J. Harvey, of Beverly Hills, Calif.; Edward R. Downing, of New York City; Francis H. Monek, of Chicago, Ill.; David T. Griffith, Jr., of Beverly Hills, Calif.; Benj. T. Weinstein, of Los Angeles, Calif.; Francis Worley, of York Springs, Pa.; Owen Brooke Rhoads, of Philadelphia, Pa.; and H. Francis De Lone, of Philadelphia, Pa., were admitted to practice.

No. 28. Julia Eckenrode, Administratrix of the Estate of John Henry Eckenrode, Deceased, petitioner, *v.* Pennsylvania Railroad Company. Leave granted Mr. B. Nathaniel Richter to appear and present oral argument *pro hac vice* on motion of Mr. Robert H. McNeill.

No. 28. Julia Eckenrode, Administratrix of the Estate of John Henry Eckenrode, Deceased, petitioner, *v.* Pennsylvania Railroad Company. Argued by Mr. B. Nathaniel Richter for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. Owen B. Rhoads for the respondent.

Adjourned until Monday, October 25, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Joseph Walker, of New York City; Elizabeth Davis Welsh, of Sacramento, Calif.; John M. Welsh, of Sacramento, Calif.; Jesse Allen Pardue, of Houston, Tex.; D. P. Reynolds, of Gary, Ind.; Virginia Smith Reynolds, of Gary, Ind.; Willis Ewart Gladstone Suffel, of Seattle, Wash.; and Kalman Anthony Oravetz, of New York City, were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 11. Doubleday & Company, Inc., appellant, *v.* People of the State of New York. Appeal from the Court of Appeals of New York. *Per curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Frankfurter took no part in the consideration or decision of this case.

No. 19. Alfred S. Penn, petitioner, *v.* Chicago and North Western Railway Company. On writ of certiorari to the Court of Appeals for the Seventh Circuit. *Per curiam*: The judgment is reversed. *Myers v. Reading Co.*, 331 U. S. 477.

No. 319. Carl E. Ring, appellant, *v.* Lloyd B. Marsh, Secretary of State of the State of New Jersey. Appeal from the United States District Court for the District of New Jersey. *Per curiam*: The appeal is dismissed for want of a substantial federal question.

No. 324. Myron E. Pierce, Alfred P. Lowell, Stuart Rand, et al., appellants, *v.* The City of Boston; and

No. 325. Anna C. McCarthy, Myron E. Pierce, Alfred P. Lowell, et al., appellants, *v.* The City of Boston. Appeals from the Superior Court of Massachusetts, County of Suffolk. *Per curiam*: The motions to dismiss are granted and the appeals are dismissed for want of a substantial federal question.

The Chief Justice said:

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

No. 297. John M. Daniel, as Attorney General of South Carolina, et al., appellants, *v.* Family Security Life Insurance Company et al. In this case probable jurisdiction is noted.

No. 226. Securities and Exchange Commission, petitioner, *v.* Central-Illinois Securities Corporation, C. A. Johnson, Lucille White, and Frances Boehm;

No. 227. Thomas W. Streeter et al., petitioners, *v.* Central-Illinois Securities Corporation, C. A. Johnson, Lucille White, and Frances Boehm;

No. 243. The Home Insurance Company and Tradesmens National Bank and Trust Company, petitioners, *v.* Central-Illinois Securities Corporation, C. A. Johnson, Lucille White, and Frances Boehm; and

No. 266. Central-Illinois Securities Corporation and Christian A. Johnson, petitioners, *v.* Securities and Exchange Commission et al. Petitions for writs of certiorari to the Court of Appeals for the Third Circuit severally granted.

No. 228. Nye & Nissen (a Corporation) and Abraham Moncharsh, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit granted.

No. 234. Mrs. Marie Reynolds, Who Sues as the Administratrix of the Estate of Hury O. Reynolds, Deceased, petitioner, *v.* Atlantic Coast Line Railroad Company, a Corporation. Petition for writ of certiorari to the Supreme Court of Alabama granted and case transferred to the summary docket.

No. 111. Gustanes Ancker, Royal W. Armstrong, Fred M. Bartlett, et al., petitioners, *v.* People of the State of California. Petition for writ of certiorari to the Appellate Department of the Superior Court in and for the County of Los Angeles, State of California, denied.

No. 204. City of Vernon, a Municipal Corporation, Its Defendant Officers and Employees, petitioners, *v.* The People of the State of California; and

No. 205. City of Culver City, a Municipal Corporation, Curtis Davis, Thomas Carroll, et al., petitioners, *v.* The People of the State of California. Petitions for writs of certiorari to the District Court of Appeal, 2nd Appellate District, State of California, denied.

No. 241. Samuel O. Blanc, petitioner, *v.* Spartan Tool Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 252. Samuel Chapman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 261. Revere Land Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 262. Montana-Dakota Utilities Co., petitioner, *v.* Federal Power Commission, Mondakota Gas Company, et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 274. Pasadena Research Laboratories, Inc., a Corporation, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 281. The W. E. Wright Company, petitioner, *v.* William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 282. St. Louis Amusement Company et al., petitioners, *v.* Paramount Film Distributing Corporation et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 290. William J. Minsch et al., Intervenors, Railway and Light Securities Company et al., petitioners, *v.* Frank Bailey et al. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 251. Panhandle Eastern Pipe Line Company, petitioner, *v.* Federal Power Commission, Michigan-Wisconsin Pipe Line Company et al. The motion to dispense with the printing of the record is granted. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is denied.

No. 257. State of Texas, petitioner, *v.* Edward E. Brown et al., etc. The motion of the Chicago, Rock Island and Pacific Railroad Company for leave to intervene as a party respondent is granted. The petition for writ of certiorari to the Court of Appeals for the Seventh Circuit is denied.

No. 291. Sgt. George P. McCaffrey, United States Army, petitioner, *v.* Kenneth C. Royall, Secretary of the Army; and

No. 131, Misc. Sgt. George P. McCaffrey, United States Army, petitioner, *v.* Kenneth C. Royall, Secretary of the Army. In No. 291, the petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is denied. In No. 131, Misc., the motion for leave to file petition for writ of habeas corpus is denied.

No. 263. Shulim Wixman, Also Known as Samuel Morris Wixman, petitioner, *v.* The United States of America. Time within which to file response to petition for writ of certiorari extended to and including November 27, next, on motion of the Solicitor General.

No. 9, Original. The State of Illinois, complainant, *v.* The State of Indiana et al. The Third Special Report of the Special Master is approved. The amended bill of complaint is dismissed as to (1) Bates Expanded Steel Corporation, a Delaware corporation, now known as East Chicago Expanded Steel Company, pursuant to the stipulation

entered into by and among the State of Illinois and the State of Indiana, City of East Chicago and Bates Expanded Steel Corporation (a Delaware corporation), now known as East Chicago Expanded Steel Company; (2) Bates Expanded Steel Corporation, an Indiana corporation, pursuant to joint motion entered into by and among the State of Illinois and the State of Indiana, the City of East Chicago and Bates Expanded Steel Corporation, an Indiana corporation; (3) Rogers Galvanizing Company pursuant to joint motion entered into by and among the State of Illinois and the State of Indiana, the City of East Chicago and Rogers Galvanizing Company; (4) U. S. S. Lead Refinery, Inc., pursuant to joint motion entered into by and among the State of Illinois and the State of Indiana, the City of East Chicago and U. S. S. Lead Refinery, Inc. Costs against these defendants are to be taxed in accordance with the recommendations of the Special Master.

No. 9, Original. The State of Illinois, complainant, *v.* The State of Indiana et al. The Third Interim Report of the Special Master dated September 7, 1948, is approved. The Court orders and directs the Special Master to continue the proceedings in accordance with the order of this Court dated February 17, 1947. The Court further orders that the recommendation of the Special Master as to the apportionment of costs be adopted and costs for the period from September 8, 1947, to September 7, 1948, inclusive, shall be taxed as recommended in the Third Interim Report.

No. 9, Original. The State of Illinois, complainant, *v.* The State of Indiana et al. An order is entered fixing the compensation and allowing the expenses of the Special Master as of September 7, 1948.

No. 22, Misc. October Term, 1947. Harry Eyer, petitioner, *v.* Edwin T. Swenson, Warden. The third petition for rehearing is denied.

No. 139, Misc. William Bolds, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writs of certiorari to the Circuit Court of Will County, State of Illinois, and to the Court of Appeals for the Seventh Circuit denied.

No. 144, Misc. Lawrence Day, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 151, Misc. Harry Meyers, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 155, Misc. In the Matter of Georg Eckstein, petitioner. Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. The

Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); in re *Eichel*, 333 U. S. 865 (1948). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that motion for leave to file should be granted and that the case should be set for argument forthwith. Mr. Justice Jackson took no part in the consideration or decision of this application.

Adjourned until Monday, November 8, next, at 12 o'clock.

The day call for Monday, November 8, will be as follows: Nos. **32** (and **33**), **29**, **27**, **47**, **34**, **7** (8 and 48), **31**, **98**, **25**, and **75**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Robert Alexander Irwin, of New York City; Newell N. Fowler, of Memphis, Tenn.; Roscoe L. Barrows, of Washington, D. C.; LeRoy Russell Krein, of Chicago, Ill.; Evo De Concini, of Phoenix, Ariz.; Edson Smith, of Omaha, Nebr.; George Pennell, of Asheville, N. C.; W. R. Wallace, Jr., of San Francisco, Calif.; Joseph Schecter, of Los Angeles, Calif.; Kathryn J. Lawlor, of Chevy Chase, Md.; Lloyd L. Stone, of Tulsa, Okla.; John R. Parkhill, of Tampa, Fla.; Elmer C. Coker, of Phoenix, Ariz.; Theodore R. Colborn, of Cleveland, Ohio; and Walter A. Marting, of Cleveland, Ohio, were admitted to practice.

No. 20. Earl P. Hoiness, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Northern District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 16. Mandel Brothers, Inc., petitioner, *v.* John H. Wallace, Jr. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed 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 Black. / ~~Dissenting~~ Mr. Justice Douglas.

Concurring

Mr. Justice Black said:

"The orders of the Court appear upon the list filed with the Clerk and will not be announced orally."

No. 327. Empresa Siderurgica, S. A., a Corporation of Columbia, South America, et al., appellants, *v.* County of Merced, a Municipal Corporation, et al.;

No. 330. The United States of America, appellant, *v.* The Interstate Commerce Commission, the United States of America, the Pennsylvania Railroad Company, et al.; and

No. 336. American Communications Association, C. I. O., et al., appellants, *v.* Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board, Second Region. In these cases probable jurisdiction is noted.

No. 253. The United States, petitioner, *v.* Penn Foundry and Manufacturing Company, Inc. Petition for writ of certiorari to the Court of Claims granted.

No. 258. National Labor Relations Board, petitioner, *v.* The Pittsburgh Steamship Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted.

No. 298. Defense Supplies Corporation and Reconstruction Finance Corporation, petitioners, *v.* Lawrence Warehouse Company et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit granted.

No. 255. Gerhart Eisler, petitioner. *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 269. Antonio Rullan, petitioner. *v.* Rafael Buscaglia, Treasurer of Puerto Rico. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 273. Akers Motor Lines, Inc., petitioner, *v.* R. S. Newman and Garland Warren. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 278. Commercial Casualty Insurance Company, petitioner, *v.* Mary Roberts. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 284. Joseph A. Whetstone, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 286. Alice F. Keller, petitioner, *v.* Paul A. Keller. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 288. Lewis L. Strauss, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 289. David W. Lansden et al., petitioners, *v.* William W. Hart, as United States Attorney for the Eastern District of Illinois, et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 296. Peter M. Anselmo, petitioner, *v.* The State of Connecticut (Represented by William J. Cox, Highway Commissioner). Petition

for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 305. The Galion Metallic Vault Company, petitioner, *v.* Edward G. Budd Manufacturing Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 306. Barnes-Manley Wet Wash Laundry Company and L. H. Barnes, petitioners, *v.* The Automobile Insurance Company of Hartford, Connecticut. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 308. Associated Telephone and Telegraph Company et al., petitioners, *v.* Federal Telephone and Radio Corporation. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 309. York Corporation, petitioner, *v.* Refrigeration Engineering, Inc. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 310. American Barge Line Company, petitioner, *v.* Otto J. Murphy. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 314. The United States of America, petitioner, *v.* Cal-Bay Corporation, Maria Faria, Joseph Faria, et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 315. Fred A. Chapman and Elise Chapman, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 338. Gross Income Tax Division, State of Indiana, petitioner, *v.* Eileen Elizabeth Strauss. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 339. Gross Income Tax Division, State of Indiana, petitioner, *v.* R. Carl Quick. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 342. Sam Arstein and Ben Arstein, petitioners, *v.* Robert Reis & Company. Petition for writ of certiorari to the Supreme Court of New York, New York County, denied.

No. 344. O. V. Kessler, petitioner, *v.* Thos. F. McGlone, Jr., Executor, et al. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 349. Southeastern Greyhound Lines, and G. D. (Happy) Masters, petitioners, *v.* Frank A. McCafferty. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 280. The Locke Machine Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 307. Nora Alice Adkins et al., petitioners, *v.* J. W. Hamilton, as Tax Collector of Jefferson County, Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 311. Joseph McGowan, petitioner, *v.* J. H. Winchester & Co., Inc.; and

No. 312. Pasquale Buro, petitioner, *v.* American Petroleum Transport Corp. et al. The petition for an extension of time *nunc pro tunc* to file petition for writs of certiorari is denied. The petition for writs of certiorari to the Court of Appeals for the Second Circuit is denied for the reason that application therefor was not made within the time provided by law.

No. 334. John Howard Lawson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 329. Filben Manufacturing Company, Inc., Bernice M. Filben, Patricia A. Filben, et al., petitioners, *v.* Rock-Ola Manufacturing Corporation of Delaware et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit dismissed on motion of counsel for the petitioners.

No. 143. Alvin Krulewitch, petitioner, *v.* The United States of America. The motion to enlarge the scope of review is denied.

No. 270, October Term, 1947. Harrison Parker, petitioner, *v.* People of the State of Illinois; and

No. 428, October Term, 1947. Harrison Parker, petitioner, *v.* People of the State of Illinois. Petition denied.

No. 697, October Term, 1947. Harry J. Alker, Jr., and Mamie Du Ban, Individually and as Executrix of the Estate of Alfred A. Du Ban, petitioners, *v.* Federal Deposit Insurance Corporation. The motion for leave to file a third petition for rehearing is denied.

No. 103. Frank Lobaido, petitioner, *v.* The People of the State of Michigan and

No. 104. Frank Lobaido, petitioner, *v.* The People of the State of Michigan;

No. 123. Carter Carburetor Corporation, petitioner, *v.* Lawrence C. Kingsland, Commissioner of Patents;

No. 141. Stanley H. Borak, petitioner, *v.* The United States; and
No. 183. Remington Rand, Inc., petitioner, *v.* Royal Typewriter Company, Inc. The petitions for rehearing in these cases are severally denied.

No. 265. North American Company, appellant, *v.* William K. Koerner, Judge of the Circuit Court of the City of St. Louis. The motion for leave to file petition for rehearing out of time under Rule 33 is denied. The motion for a stay of the mandate is also denied.

No. 771, October Term, 1943. Charles Telfian, petitioner, *v.* The United States of America;

No. 1185, October Term, 1944. Charles Telfian, petitioner, *v.* Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia; and

No. 63, Misc., October Term, 1947. Charles Telfian, petitioner, *v.* Joseph W. Sanford, Warden. The motion for leave to file petition for rehearing is denied.

No. 519, Misc., October Term, 1947. Wright Harris, petitioner, *v.* City of New York. The second petition for rehearing is denied.

No. 42, Misc. Roy Eaton, petitioner, *v.* Joseph E. Ragen, Warden;

No. 79, Misc. Ex parte Percy A. Whistler, petitioner;

No. 95, Misc. Frank Riley, petitioner, *v.* The Citizens National Bank of Waco; and

No. 136, Misc. Francis Stelloh, petitioner, *v.* Warden of the Wisconsin State Prison. The petitions for rehearing in these cases are severally denied.

No. 3, Misc. George Jones, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 98, Misc. William B. Donnell, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 147, Misc. Christopher Joseph Maikisch, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 150, Misc. George Foster, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 152, Misc. Lorne Lally, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Supreme Court of New York, County of Orleans, denied.

No. 157, Misc. James O. Mitchell, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 158, Misc. Charles Holt, petitioner, *v.* Ralph E. Benson, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 159, Misc. Ed Williams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 160, Misc. Harry M. Davis, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 161, Misc. Perry Williams, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Pike County, State of Illinois, denied.

No. 163, Misc. William Walter Avelino, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 164, Misc. Stanley Pryor, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, State of California, denied.

No. 165, Misc. Charles Evans, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois, denied.

No. 168, Misc. Joseph Sembly, petitioner, *v.* Col. E. T. Swenson. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 174, Misc. Charles Skinner, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

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

No. 182, Misc. Coy Thompson, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 138, Misc. Thomas Gibson, petitioner, *v.* C. J. Burke;

No. 167, Misc. Mary A. Ruthven, petitioner, *v.* Winfred Overholser; and

No. 169, Misc. Chauncey W. Moore, petitioner, *v.* State of New Jersey. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 153, Misc. Edward Smith, petitioner, *v.* Ralph Howard, Warden. The motion for leave to file petition for writ of certiorari is denied.

No. 156, Misc. In the Matter of Albert Heim, petitioner. Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that motion for leave to file should be granted and that the case should be set for argument forthwith. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 32. Commissioner of Internal Revenue, petitioner, *v.* Lewis F. Jacobson; and

No. 33. Commissioner of Internal Revenue, petitioner, *v.* Lewis F. Jacobson. Argued by Mr. Arnold Raum for the petitioner, and by Mr. Theodore R. Colborn for the respondent.

No. 29. National Mutual Insurance Company of the District of Columbia, petitioner, *v.* Tidewater Transfer Company, Incorporated, a Corporation of the State of Virginia. Argued by Mr. David G. Bress for the petitioner; by Mr. Solicitor General Perlman for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Wendell D. Allen and Mr. Francis B. Burch for the respondent.

No. 27. American Federation of Labor, Arizona State Federation of Labor, et al., appellants, *v.* American Sash & Door Company et al.;

No. 47. Lincoln Federal Labor Union #19129, American Federation of Labor, et al., appellants, *v.* Northwestern Iron and Metal Company et al.; and

No. 34. George Whitaker, A. M. Debruhl, T. G. Embler, et al., appellants, *v.* State of North Carolina. Six hours allowed for oral argument. Argument commenced by Mr. Herbert S. Thatcher for the appellants.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 9, will be as follows: Nos. 27 (47 and 34), 7 (8 and 48), 98, 31, 25, 75, 35, 76, 107, and 50.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Melvin D. Lurie, of Seattle, Wash., was admitted to practice.

No. 27. American Federation of Labor, Arizona State Federation of Labor, et al., appellants, *v.* American Sash & Door Company, et al.;

No. 47. Lincoln Federal Labor Union #19129, American Federation of Labor, et al., appellants, *v.* Northwestern Iron and Metal Company, et al.; and

No. 34. George Whitaker, A. M. Debruhl, T. G. Embler, et al., appellants, *v.* State of North Carolina. Argument continued by Mr. Herbert S. Thatcher for the appellants; by Mr. George Pennell for the appellants in No. 34; by Mr. H. S. McCluskey for the appellants in No. 27; by Mr. Donald R. Richberg for the appellees in No. 27; by Mr. Irving Hill for the appellee Northwestern Iron and Metal Company in No. 47; and by Mr. Edson Smith for the appellee Nebraska Small Business Men's Association in No. 47.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 10, will be as follows: Nos. 27 (47 and 34), 7 (8 and 48), 98, 31, 25, 75, 35, 76, 107, and 50.

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SUPREME COURT OF THE UNITED STATES

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

T. Peter Ansberry, of Washington, D. C.; Philip B. Kurland, of New York City; and John Hoxie, of New York City, were admitted to practice.

No. 27. American Federation of Labor, Arizona State Federation of Labor, et al., appellants, *v.* American Sash & Door Company et al.;

No. 47. Lincoln Federal Labor Union #19129, American Federation of Labor, et al., appellants, *v.* Northwestern Iron and Metal Company et al.; and

No. 34. George Whitaker, A. M. Debruhl, T. G. Embler, et al., appellants, *v.* State of North Carolina. Argument continued by Mr. Edson Smith for the appellee Nebraska Small Business Men's Association in No. 47; by Mr. Robert A. Nelson for the appellee The State of Nebraska in No. 47; by Mr. Ralph Moody for the appellee in No. 34; and concluded by Mr. Herbert S. Thatcher for the appellants.

No. 7. Thoger Gronberg Jungersen, petitioner, *v.* Ostby and Barton Company and American Associates, Inc.;

No. 8. Ostby and Barton Company and American Associates, Inc., petitioners, *v.* Thoger Gronberg Jungersen; and

No. 48. Thoger Gronberg Jungersen, petitioner, *v.* Robert Baden, Rose Baden, Albert Foss, et al. Argued by Mr. William H. Davis for Jungersen, and by Mr. John Vaughan Groner for Ostby and Barton Company et al.

Adjourned until Friday, November 12, next, at 12 o'clock.

The day call for Friday, November 12, will be as follows: Nos. 98, 31, 25, 75, 35, 76, 107, 50, 14 (and 15), and 38 (and 39).

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SUPREME COURT OF THE UNITED STATES

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

Edward M. Belasco, of Los Angeles, Calif.; Bernard W. Menke, of Exeter, Nebr.; Simon J. Nash, of Buffalo, N. Y.; and Arthur B. Skidmore, of Chicago, Ill., were admitted to practice.

No. 98. Andrew Upshaw, petitioner, *v.* The United States of America. Argued by Mr. Joel D. Blackwell for the petitioner, and by Mr. Robert S. Erdahl for the respondent.

No. 31. Jess Larson, as War Assets Administrator and Surplus Property Administrator, petitioner, *v.* Domestic and Foreign Commerce Corporation. Argued by Mr. H. G. Morison for the petitioner, and by Mr. T. Peter Ansberry for the respondent.

No. 25. Ayrshire Collieries Corporation, Big Ben Collieries, Inc., et al., appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Argument commenced by Mr. Earl B. Wilkinson for the appellants.

Adjourned until Monday, November 15, next, at 12 o'clock.

The day call for Monday, November 15, will be as follows: Nos. 25, 35, 75, 76, 107, 50, 14 (and 15), 38 (and 39), 216, and 49.

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SUPREME COURT OF THE UNITED STATES

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

Eugene Daniel Powers, of New York City; Harold Horace Wolgel, of New York City; Abe W. Wasserman, of Newark, N. J.; Summers A. Norman, of Jacksonville, Tex.; Raymond S. Sarnow, of Chicago, Ill.; Joseph P. Driscoll, of Worchester, Mass.; Craig T. Stockdale, of Pittsburgh, Pa.; Louis A. Traxel, of Saginaw, Mich.; Rowland L. Davis, Jr., of New York City; B. D. Carter, of Bamberg, S. C.; Julian B. Salley, Jr., of Aiken, S. C.; Leonard A. Williamson, of Aiken, S. C.; Beatrice Lampert, of Madison, Wis.; Roger A. Minahan, of Milwaukee, Wis.; Thomas H. Skemp, of La Crosse, Wis.; and Earl G. Spiker, of Silver Spring, Md., were admitted to practice.

No. 1. Ford Motor Company, appellant, *v.* The United States of America; and

No. 2. Commercial Investment Trust Corporation et al., appellants, *v.* The United States of America. Appeals from the United States District Court for the Northern District of Indiana. Judgment of July 25, 1946, reversed and cases remanded to the District Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of these cases. Dissenting opinion by Mr. Justice Black in which Mr. Justice Rutledge concurs. Mr. Justice Douglas joins in the opinion of Mr. Justice Black insofar as it protests against lifting the ban on Ford's acquisition of or affiliation with a finance company.

No. 28. Julia Eckenrode, Administratrix of the Estate of John Henry Eckenrode, Deceased, petitioner, *v.* Pennsylvania Railroad Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Eastern District of Pennsylvania. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

No. 206. Eugene M. Murphey, Jr., et al., petitioners, *v.* M. T. Reed et al., a copartnership, Doing Business as M. T. Reed Construction

Company. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The petition for writ of certiorari is granted. The judgment of the Court of Appeals and the judgment of the District Court are vacated without costs in this Court to either party. The case is remanded to the United States District Court for the Southern District of Mississippi with instructions to dismiss those causes of action involving solely construction work, and to reconsider the remaining causes of action in the light of the decision of this Court in *Kennedy et al. v. Silas Mason Co.*, 334 U. S. 249. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Rutledge is of the opinion that the case as a whole should be remanded to the District Court for further proceedings in view of the decision of this Court in *Kennedy et al. v. Silas Mason Co.* Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy.

The Chief Justice announced the following orders of the Court:

No. 116. Sam Hanna Fogel, petitioner, *v.* The United States of America. On writ of certiorari to the Court of Appeals for the Fifth Circuit. *Per curiam*: Upon consideration of the Government's confession of error and the record, the judgment of the Court of Appeals is reversed and the case is remanded to the District Court with directions to vacate its order denying the motion for a new trial and to grant a new trial.

No. 362. Nick Masich, appellant, *v.* United States Smelting, Refining & Mining Company and F. S. Mulock. Appeal from the Supreme Court of Utah. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question.

The Chief Justice said:

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

ORDER

It is ordered that the Rules of this Court be amended by adding thereto Rule 38½, to read as follows:

"38½

"State Criminal Cases—Time for taking appeal or filing petition for writ of certiorari

"An appeal taken, or petition for writ of certiorari filed, seeking review of a judgment of a state court of last resort in a criminal case,

shall be taken or filed within the ninety days prescribed in 28 United States Code, section 2101 (c), Approved June 25, 1948.

"So far as applicable, the general considerations and provisions of Rules 36 and 38 will control in respect to an appeal taken or petition for writ of certiorari filed in a criminal case from a state court of last resort."

No. 38. La Crosse Telephone Corporation, appellant, *v.* Wisconsin Employment Relations Board, et al.; and

No. 39. International Brotherhood of Electrical Workers, Local B-953, A. F. of L., appellant, *v.* Wisconsin Employment Relations Board et al. The motion of Communications Workers of America, Division 23, to be made a party of record and to participate in the oral argument is denied. Leave is granted to file a brief as *amicus curiae*.

No. 41, Misc. Baxter Griffin, petitioner, *v.* The United States of America. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted and the case is ordered transferred to the appellate docket.

No. 127, Misc. Edward Gibbs, petitioner, *v.* C. J. Burke, Warden. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Supreme Court of Pennsylvania is granted and the case is ordered transferred to the appellate docket.

No. 260. The United States of America, ex rel. Richard Eichenlaub, petitioner, *v.* W. Frank Watkins, as District Director of Immigration and Naturalization of the United States for the District of New York, etc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 277. Brotherhood of Locomotive Engineers et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 285. First State Bank of Stratford, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 293. Hickey & Company, a Partnership Composed of William L. Hickey, et al., as Partners and Individually, petitioners, *v.* The United States of America and Robert P. Patterson, Secretary of War. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 316. Charles W. Mulcahy, Trustee of Boston and Providence Railroad Corporation, petitioner, *v.* The New York, New Haven and Hartford Railroad Company, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 340. Pietro Cingrigrani et al., petitioners, *v.* B. H. Hubbert & Son, Inc. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 345. Ray G. Houston As and Constituting the County Treasurer of Sacramento County, State of California, etc., petitioner, *v.* Thomas McCormack et al., As and Constituting the Board of Trustees of Reclamation District No. 1000. Petition for writ of certiorari to the District Court of Appeal, 3d Appellate District, State of California, denied.

No. 142. Cesario Campa, Alias Cesar Campa, petitioner, *v.* The United States of America;

No. 162. Excel Auto Radiator Company, petitioner, *v.* The Bishop and Babcock Manufacturing Company; and

No. 177. J. R. Mason, petitioner, *v.* Paradise Irrigation District. The petitions for rehearing in these cases are severally denied.

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

No. 181, Misc. Walter Spicher, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

The Court will take a recess from Monday, November 22, until Monday, December 6, next.

No. 25. Ayrshire Collieries Corporation, Big Ben Collieries, Inc., et al., appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Argument continued by Mr. Carson L. Taylor for the appellant, Chicago, Milwaukee, St. Paul and Pacific Railroad Company; by Mr. Daniel W. Knowlton for the appellees, The United States and Interstate Commerce Commission; by Mr. Erle J. Zoll, Jr., for the appellees, The Alton Railroad Company et al., and concluded by Mr. Earl B. Wilkinson for the appellants, Ayrshire Collieries Corporation et al.

No. 35. George T. Goggin, Trustee in Bankruptcy of the Estate of Kessco Engineering Corporation, petitioner, *v.* Division of Labor Law Enforcement, State of California, Statutory Assignee of Certain Prior Wage Claimants. Argued by Mr. Martin Gendel for the petitioner; by Mr. Robert W. Ginnane for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Edward M. Belasco for the respondent.

No. 75. Elmer Uveges, petitioner, *v.* Commonwealth of Pennsylvania. Argument commenced by Mr. Albert A. Fiok for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 16, will be as follows: Nos. 75, 76, 107, 50, 14 (and 15), 38 (and 39), 216, 49, 59, and 40 (and 41).

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SUPREME COURT OF THE UNITED STATES

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

Samuel Billingsley Hill, Jr., of Washington, D. C.; Albert Harvey Cole, Jr., of Peru, Ind.; Hiram Gillett Miller, of Rochester, Ind.; Herbert Fuchs, of Washington, D. C.; Robert W. Richards, of Oklahoma City, Okla.; Donald J. Martin, of Milwaukee, Wis.; Edward Goldblatt, of Chicago, Ill.; Manuel Howard Stein, of Hibbing, Minn.; and Ricey S. New, Jr., of Washington, D. C., were admitted to practice.

No. 75. Elmer Uveges, petitioner, *v.* Commonwealth of Pennsylvania. Argument continued by Mr. Albert A. Fiok for the petitioner; by Mr. William S. Rahausser for the respondent, and concluded by Mr. Albert A. Fiok for the petitioner.

No. 76. L. D. Harris, petitioner, *v.* State of South Carolina. Argued by Mr. Julian B. Salley, Jr., and Mr. Leonard A. Williamson for the petitioner, and by Mr. B. D. Carter for the respondent.

No. 107. Aaron Turner, petitioner, *v.* Commonwealth of Pennsylvania. Argument commenced by Mr. Edwin P. Rome for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 17, will be as follows: Nos. 107, 50, 14 (and 15), 38 (and 39), 216, 49, 59, and 40 (and 41).

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SUPREME COURT OF THE UNITED STATES

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

Charles Schwartz, of Boston, Mass.; Daniel Francis Cleary, Jr., of Chicago, Ill.; Samuel Marion, of New York City; Robert Edward Kline, of Pittsburgh, Pa.; and Charles M. A. Martin, of Detroit, Mich., were admitted to practice.

No. 107. Aaron Turner, petitioner, *v.* Commonwealth of Pennsylvania. Argument continued by Mr. Edwin P. Rome for the petitioner; by Mr. Colbert C. McClain for the respondent, and concluded by Mr. Edwin P. Rome for the petitioner.

No. 50. Jack O'Lee Young, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Argued by Mr. Edward H. Levi for the petitioner, and by Mr. William C. Wines for the respondent.

No. 14. International Union, U. A. W., A. F. of L., Local 232, et al., petitioners, *v.* Wisconsin Employment Relations Board et al.; and

No. 15. International Union, U. A. W., A. F. of L., Local 232, et al., petitioners, *v.* Wisconsin Employment Relations Board et al. Argument commenced by Mr. David Previant for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, November 18, will be as follows: Nos. 14 (and 15), 216, 38 (and 39), 49, 59, and 40 (and 41).

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SUPREME COURT OF THE UNITED STATES

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

Paul Marshall, of Cleveland, Ohio; Max N. Bass, of New York City; William S. Kaplan, of Chicago, Ill.; Clinton J. Crandall, of Seattle, Wash.; James H. Morrison, of Hammond, La.; Cameron C. McCann, of New Orleans, La.; Lowell D. Gibbons, of Texarkana, Ark.; H. C. Happ, of Dallas, Tex.; Sara Louise Buchanan, of Alexandria, Va.; Rudolph S. Bley, of Milligan College, Tenn.; Thomas Harris Reid, of Portsmouth, Va.; William McC. Baumann, of Cleveland, Ohio; Richard F. Wolfson, of New York City; Sidney Feinberg, of Berkeley, Calif.; A. James Martin, of Washington, D. C.; and John W. Crenshaw, of Atlanta, Ga., were admitted to practice.

No. 14. International Union, U. A. W., A. F. of L., Local 232, et al., petitioners, *v.* Wisconsin Employment Relations Board et al.; and

No. 15. International Union, U. A. W., A. F. of L., Local 232, et al., petitioners, *v.* Wisconsin Employment Relations Board et al. Argument continued by Mr. David Previant for the petitioners; by Mrs. Beatrice Lampert for the respondent, Wisconsin Employment Relations Board; by Mr. Jackson M. Bruce for the respondent, Briggs and Stratton Corporation, and concluded by Mr. David Previant for the petitioners.

No. 216. Algoma Plywood and Veneer Company, petitioner, *v.* Wisconsin Employment Relations Board. Argued by Mr. Roger C. Minahan for the petitioner, and by Mrs. Beatrice Lampert for the respondent.

No. 38. La Crosse Telephone Corporation, appellant, *v.* Wisconsin Employment Relations Board et al.; and

No. 39. International Brotherhood of Electrical Workers, Local B-953, A. F. of L., appellant, *v.* Wisconsin Employment Relations Board et al. Argument commenced by Mr. Louis Sherman for the appellant in No. 39, and continued by Mr. Thomas H. Skemp for the appellant in No. 38.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, November 19, will be as follows: Nos. 38 (and 39), 49, 59, and 40 (and 41).

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SUPREME COURT OF THE UNITED STATES

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

Bernard G. Peter, of Baltimore, Md.; Joel Presley Moore, of New York City; Anselm Sodaro, of Baltimore, Md.; Joseph Kolodny, of Baltimore, Md.; B. V. Hampton, of Pratt, Kans.; Norman Wren Jeter, of Hays, Kans.; William F. McDonnell, of Washington, D. C.; Vernon D. Beehler, of Los Angeles, Calif.; C. Wylie Allen, of Chicago, Ill.; and Nancy Fraenkel Wechsler, of Washington, D. C., were admitted to practice.

No. 38. La Crosse Telephone Corporation, appellant, *v.* Wisconsin Employment Relations Board et al.; and

No. 39. International Brotherhood of Electrical Workers, Local B-953, A. F. of L., appellant, *v.* Wisconsin Employment Relations Board et al. Argument continued by Mr. Thomas H. Skemp for the appellant in No. 38; by Mrs. Beatrice Lampert for the appellees, and concluded by Mr. Louis Sherman for the appellant in No. 39.

No. 49. Valentine Goesaert et al., appellants, *v.* Owen J. Cleary et al., Members of the Liquor Control Commission of the State of Michigan. Argued by Miss Anne R. Davidow for the appellants, and by Mr. Edmund E. Shepherd for the appellees.

No. 40. Oklahoma Tax Commission, petitioner, *v.* The Texas Company; and

No. 41. Oklahoma Tax Commission, petitioner, *v.* Magnolia Petroleum Company. Argued by Mr. R. F. Barry for the petitioner by Mr. Robert W. Richards for the respondent in No. 41, and by Mr. B. W. Griffith for the respondent in No. 40.

Adjourned until Monday, November 22, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

George Cosson, Jr., of Des Moines, Iowa; Edward E. Reilly, of Trenton, N. J.; James R. Reynolds, of Washington, D. C.; Barney Rosenstein, of New York City; A. Richard Greene, of New York City; Leo Praeger, of New York City; E. R. Hinkle, of Little Rock, Ark.; Orville A. Park, Jr., of Macon, Ga.; Charles P. Scully, of San Francisco, Calif.; Eli E. Dorsey, of Seattle, Wash.; Aloysius C. Falussy, of New York City; John E. Manders, of Anchorage, Alaska; Lawrence A. Harvey, of Los Angeles, Calif.; and Paul N. Culp, of Washington, D. C., were admitted to practice.

No. 6. Grand River Dam Authority, a Public Corporation, petitioner, *v.* Grand-Hydro, a Private Corporation. On writ of certiorari to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Rutledge, and Mr. Justice Murphy join, announced by Mr. Justice Burton.

No. 30. Lelord Kordel, petitioner, *v.* The 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 Northern District of Illinois. Opinion by Mr. Justice Douglas announced by Mr. Justice Reed. Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter, Mr. Justice Murphy, and Mr. Justice Jackson concur.

No. 13. The United States of America, petitioner, *v.* Fred Urbuteit, Claimant of 16 Articles of Device More or Less, Labeled "Sinuo-thermic," etc. On writ of certiorari to the United States Court of Appeals for the Fifth 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 Douglas announced by Mr. Justice Reed. Dissenting: Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Murphy, and Mr. Justice Jackson.

No. 1, Misc. Grace W. Adkins, etc., petitioner, *v.* E. I. du Pont de Nemours & Co., Inc. On petition for writ of certiorari to the United

States Court of Appeals for the Tenth Circuit. The petition for writ of certiorari is granted. The orders denying appeal *in forma pauperis* are vacated and the case is remanded to the United States District Court for the Northern District of Oklahoma for further 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. —. In re William Anthony Leeds. The motion to amend the attorney roll to show the change of name of William Liebermann to William Anthony Leeds is granted.

No. 9, Original. The State of Illinois, complainant, *v.* The State of Indiana et al. The motion to withdraw the appearance of Harry H. Stilley as counsel for the defendant, City of Hammond, is granted.

No. 82. John H. Criner and Mary E. Criner, petitioners, *v.* V. S. Parham et al. The motion as to the taxation of costs is denied.

No. 267. William Farrell, petitioner, *v.* United States of America, War Shipping Administration, Luckenbach Steamship Company. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is also granted.

No. 333. Aeronautical Industrial District Lodge 727, an Unincorporated Association, petitioner, *v.* James L. Campbell et al. The petition for writ of certiorari to the Court of Appeals for the Ninth Circuit is granted and the case is transferred to the summary docket.

No. 351. Cosmopolitan Shipping Company, Inc., petitioner, *v.* Robert A. McAllister. On petition for writ of certiorari to the Court of Appeals for the Second Circuit; and

No. 360. Fred W. Fink, petitioner, *v.* Shepard Steamship Company. On petition for writ of certiorari to the Supreme Court of Oregon. The petitions for writs of certiorari are granted and the cases are transferred to the summary docket and assigned to follow No. 179, which case is likewise transferred to the summary docket.

No. 118, Misc. Sam Zimmerman, petitioner, *v.* State of Maryland. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Appeals of Maryland is also granted and the case is ordered transferred to the appellate docket. The case is placed on the summary docket.

No. 162, Misc. Isaac Gaynor, petitioner, *v.* Agwilines, Inc. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Appeals for the Third Cir-

cuit is also granted and the case is ordered transferred to the appellate docket and placed on the summary docket. The case is assigned for argument immediately following No. 360.

No. 318. South Buffalo Railway Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 326. Frank A. Colonell, petitioner, *v.* Benjamin S. Goodman, William Pleet, Sadie G. Pleet, et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 328. Kansas City Terminal Railway Company, petitioner, *v.* Frank A. Thompson, Trustee of and for St. Louis-San Francisco Railway Company, et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 337. Theodore Darr, John Dudasik, Thomas Faracher, et al., petitioners, *v.* The Mutual Life Insurance Company of New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 341. United Funds, Inc., petitioner, *v.* Dan M. Nee, United States Collector of Internal Revenue for the Sixth District of Missouri. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 346. Estate of Hyman Y. Josephs, Deceased, Arthur C. Josephs, Executor, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 350. La Salle-Madison Hotel Company, petitioner, *v.* William Dunsterville Denham. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 354. R. W. Claxton, Incorporated, petitioner, *v.* Boyd F. Schaff et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 358. Harry (Buck) Owens, petitioner, *v.* The Curtiss Candy Company, a Corporation. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 363. Felix T. Boylan et al., petitioners, *v.* Louis Detrio et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 268. John Weber, petitioner, *v.* The United States of America. The motion to dispense with printing the petition, brief, and record is granted. The petition for writ of certiorari to the Court of Appeals for the Fifth Circuit is denied.

No. 19. Alfred S. Penn, petitioner, *v.* Chicago and North Western Railway Company;

No. 233. Joan Brodel (Professionally Known as Joan Leslie), petitioner, *v.* Warner Bros. Pictures, Inc. (a Corporation); and

No. 241. Samuel O. Blanc, petitioner, *v.* Spartan Tool Company. The petitions for rehearing in these cases are severally denied.

No. 53, Misc. Robert S. Martin, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 78, Misc. Minnie Harris, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 90, Misc. In the Matter of Oscar B. Elam, petitioner. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 148, Misc. Gilbert E. Thiel, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 166, Misc. Allen Wallace, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 189, Misc. August Daniels, petitioner, *v.* Stanley P. Ashe, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 190, Misc. Harry Price, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of McLean County, State of Illinois, denied.

No. 195, Misc. Norman J. Brabson, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 201, Misc. David MacBlain, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 203, Misc. Charles W. Martin, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 50, Misc. John K. Meredith, petitioner, *v.* Thomas J. Gough, Acting Warden. The motion to substitute William H. Hiatt, Warden, as party respondent is granted. The petition for writ of certiorari to the Court of Appeals for the Fifth Circuit is denied.

No. 188, Misc. Earnest W. Howell, petitioner, *v.* James M. Jones, Warden;

No. 191, Misc. Earl Pack, petitioner, *v.* Dr. H. Perry, Superintendent; and

No. 192, Misc. James J. Mahoney, petitioner, *v.* L. F. Chapman, Superintendent. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 197, Misc. Irwin Kadans, petitioner, *v.* Hon. Philip L. Sullivan, U. S. District Judge. The motion for leave to file petition for writ of mandamus is denied.

ORDER

"IT IS ORDERED BY THIS COURT that the Clerk of this Court, pursuant to 28 United States Code, section 671 (b), shall furnish bond with good and sufficient surety, or sureties, to be approved by this Court in the amount of \$100,000 in favor of the United States of America and/or the United States of America, for the benefit of the litigants in the Supreme Court of the United States and of all others, as their interests may appear, conditioned for the faithful and seasonable discharge of the duties of his office including the recording of the decrees, judgments and determinations of the Supreme Court of the United States and, also, that he shall well and truly perform the services for which moneys by law or under the rules of the Court are advanced or paid to him, and shall truly and faithfully account for such moneys thus advanced or paid, and for any excess thereof after services are rendered, and also for all other moneys received by him as such Clerk of the Supreme Court of the United States, in accordance with law or the orders of this Court;

"AND IT IS FURTHER ORDERED that the bond required by this order, when approved, as provided herein, shall be filed in the Department of Justice pursuant to law."

ORDER

"IT IS ORDERED BY THIS COURT that the Marshal of this Court shall furnish bond with good and sufficient surety, or sureties, to be approved by this Court, in the amount of \$20,000 in favor of the United States of America, conditioned for the faithful discharge of the duties of his office and, also, that he shall well and faithfully keep, disburse, pay over, and account for, according to law, the moneys that may come into his hands as such Marshal of the Supreme Court of the United States;

"AND IT IS FURTHER ORDERED that the bond required by this order, when approved, as provided herein, shall be deposited with the Clerk of this Court for safekeeping."

ORDER

"IT IS ORDERED BY THIS COURT that the Librarian of this Court, pursuant to 28 United States Code, section 674 (d), shall furnish bond

with good and sufficient surety, or sureties, to be approved by this Court, in the amount of \$10,000 in favor of the United States of America and/or the Marshal of the Supreme Court of the United States, conditioned for the faithful performance of her duties as such Librarian, including the certification for payment by the Marshal of this Court of vouchers covering expenses incurred and purchases made by her in her official capacity;

"IT IS FURTHER ORDERED that the Associate Librarian of this Court shall furnish bond with good and sufficient surety, or sureties, to be approved by this Court, in the amount of \$5,000 in favor of the United States of America and/or the Marshal of the Supreme Court of the United States conditioned in all respects like the bond required to be furnished by the Librarian of this Court by this order;

"AND IT IS FURTHER ORDERED that the bonds required by this order when approved, as provided herein, shall be deposited with the Clerk of this Court for safekeeping."

No. 422. The United States of America, appellant, *v.* Samuel F. Waters. Appeal from the United States District Court for the District of Columbia. Dismissed on motion of counsel for the appellant.

Adjourned until Monday, December 6, next, at 12 o'clock.

The day call for Monday, December 6, will be as follows: Nos. 51, 53, 54, 56, 63, 65, 59, 45, 46, and 83.

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SUPREME COURT OF THE UNITED STATES

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

No. 244, Misc. Reginald J. Wheeler, petitioner, *v.* Curtis Reid, Superintendent. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. The motion for reconsideration of the order denying stay of execution is also denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

James G. Crichton, of Fresno, Calif.; Ralph Clinton Dills, of Compton, Calif.; Geo. E. Applebaum, of Pittsburgh, Pa.; Harry Abrahams, of Chicago, Ill.; Louise M. Sackmann, of Cincinnati, Ohio; Ruth Lovett Davis, of Dallas, Tex.; Montgomery Dorsey, of Denver, Colo.; John Caren, of Columbus, Ohio; R. Brooke Alloway, of Columbus, Ohio; James V. Lione, of New York City; J. Roger Carroll, of New York City; Irving T. Bergman, of New York City; Leland B. Groezinger, of San Francisco, Calif.; Leona H. Resnik, of Washington, D. C.; William J. Hotz, Jr., of Omaha, Nebr.; William F. Dalton, of Omaha, Nebr.; A. H. Nebeker, of Salt Lake City, Utah; Albert A. Carretta, of Arlington, Va.; Emmet W. Gottenberg, of San Jose, Calif.; R. Dean Moorhead, of Austin, Tex.; Ernest E. Winters, of Huntington, W. Va.; C. Norman Cornwall, of Las Vegas, Nev.; Eugene H. Widman, of Belleville, Ill.; Sydney Lawrence Harvey, of Des Moines, Iowa; Herbert Paul Schendel, of Wyandotte, Mich.; Barnett I. Shur, of Portland, Maine; John C. Banks, of Grand Junction, Colo.; J. Glenn Donaldson, of Denver, Colo.; Henry C. Gill, of Brockton, Mass.; Samuel C. Alessi, of Jamestown, N. Y.; Claude V. Jones, of Durham, N. C.; Morris William Weiner, of New York City; Bernhardt G. Zeiher, of Sandusky, Ohio; Henry G. McCall, of New Orleans, La.; Benjamin S. Adamowski, of Chicago, Ill.; Richard J. Carpenter, of Berkeley, Calif.; Emmett A. Tompkins, of Alhambra, Calif.; John H. Galloway, Jr., of Yonkers, N. Y.; Royal M. Sorenson, of Santa Monica, Calif.; and Everett M. Glenn, of Sacramento, Calif., were admitted to practice.

No. 22. Vermilya-Brown Company, Inc., Necaro Company, Inc., et al., petitioners, *v.* John Joseph Connell, Eugene T. Fitzpatrick, William L. Flanagan, et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Jackson in which the Chief Justice, Mr. Justice Frankfurter, and Mr. Justice Burton join.

The Chief Justice announced the following orders of the Court:

No. 239, Misc. Koki Hirota, petitioner, *v.* General of the Army Douglas MacArthur et al.;

No. 240, Misc. Kenji Dohihara, petitioner, *v.* General of the Army Douglas MacArthur et al.; and

No. 248, Misc. Koichi Kido et al., petitioners, *v.* General of the Army Douglas MacArthur et al. The Court desires to hear argument upon the questions presented by the motions for leave to file petitions for writs of habeas corpus. Action upon the motions for leave to file will be withheld meanwhile, and the motions are set down for oral argument on Thursday, December 16, 1948. The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2. Mr. Justice Jackson has filed a memorandum stating his views.

No. 263. Shulim Wixman, Also Known as Samuel Morris Wixman, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Ninth Circuit. *Per curiam:* The petition for writ of certiorari is granted. The judgment of the Court of Appeals affirming the judgment of the District Court is reversed for the reason that there is insufficient evidence in the record to support it. The judgment of the District Court is vacated and the case is remanded to that court for further proceedings.

No. 369. Bethlehem Steel Company, appellant, *v.* Arthur J. Moore. Appeal from the Supreme Judicial Court and the Superior Court of the County of Suffolk, Commonwealth of Massachusetts. *Per curiam:* The judgment is affirmed. *Davis v. Department of Labor and Industries*, 317 U. S. 249.

No. 393. Harry J. Wisner, appellant, *v.* Kathleene Kaminski, a. k. a. Catherine Miller Wisner Kaminski. 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. 397. Brady Transfer and Storage Company et al., appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Southern District of Iowa. *Per curiam:* The motion to affirm is granted and the judgment is affirmed. *United States v. Carolina Freight Carriers Corp'n*, 315 U. S. 475.

No. 400. Dan Leroy Hall, appellant, *v.* Commonwealth of Virginia. Appeal from the Supreme Court of Appeals of Virginia. *Per curiam:* The motion to dismiss is granted and the appeal is dismissed. Mr. Justice Douglas and Mr. Justice Murphy are of opinion that probable jurisdiction should be noted.

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. 9, Original. The State of Illinois, complainant, *v.* The State of Indiana et al. The motion for leave to withdraw the appearance of C. Henry Austin as counsel for defendant, Standard Oil Co., is granted.

No. 13. The United States of America, petitioner, *v.* Fred Urbuteit, Claimant of 16 Articles of Device More or Less, Labeled "Sinuothermic," etc. The notation of dissent from the opinion of the Court in this case announced November 22, 1948, is amended to read as follows:

"Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Murphy, and Mr. Justice Jackson dissent for the reasons stated in their dissent in *Kordel v. United States*, No. 30, decided this day, although this case arises under the limitation of § 304 (a), 'while in interstate commerce,' which has a different scope from § 301 (k), while 'held for sale after shipment in interstate commerce'."

No. 231. United States of America, ex rel. Harold E. Hirshberg, petitioner, *v.* Captain M. J. Malanaphy, United States Navy, Commanding Officer, U. S. Naval Receiving Station, Brooklyn, New York. The motion of the Solicitor General to substitute Captain William R. Cooke, Jr., as the party respondent herein is granted.

No. 416. The United States of America, appellant, *v.* Wallace & Tiernan Company, Inc., et al. Further consideration of the question of the jurisdiction of this Court in this case and of the motion to dismiss is postponed to the hearing of the case on the merits.

No. 292. George Smith, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 299. The United States, petitioner, *v.* Gerlach Live Stock Company;

No. 300. The United States, petitioner, *v.* J. Sheldon Potter;

No. 301. The United States, petitioner, *v.* Martin Erreca;

No. 302. The United States, petitioner, *v.* James J. Stevinson (a Corporation);

No. 303. The United States, petitioner, *v.* Archibald J. Stevinson; and

No. 304. The United States, petitioner, *v.* 3-H Securities Company. Petition for writs of certiorari to the Court of Claims granted.

No. 313. Commissioner of Internal Revenue, petitioner, *v.* W. O. Culbertson, Sr., and Gladys Culbertson. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 355. The People of the State of California, petitioner, *v.* Berl B. Zook and Wilmer K. Craig. Petition for writ of certiorari to the Appellate Department of the Superior Court in and for the County of Los Angeles, State of California, granted.

No. 135. The United States, petitioner, *v.* William V. Griffin and Hugh William Purvis, Receivers for Georgia & Florida Railroad; and

No. 198. Alfred W. Jones, Receiver for Georgia & Florida Railroad, petitioner, *v.* The United States. The motion, in No. 135, to substitute Alfred W. Jones, present receiver for Georgia & Florida Railroad as the party respondent is granted. The petitions for writs of certiorari to the Court of Claims are granted.

No. 387. Transcontinental & Western Air, Inc., petitioner, *v.* Civil Aeronautics Board. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted. Mr. Justice Reed took no part in the consideration or decision of this application.

No. 193. James Washington, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 218. Hugh Henderson, Individually and by J. Willard Gragg, His Next Friend, petitioner, *v.* Shell Oil Company, Inc., et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 238. Martin Erreca, and Bernard F. Gavin and George D. Coleman, Administrators of the Estate of Thomas J. Gavin, Deceased, petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 294. Albert J. Deeb, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 295. Charles C. Diggs, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 332. The United States, petitioner, *v.* Edmond Pfozter and E. John Pfozter, Co-Partners. Petition for writ of certiorari to the Court of Claims denied.

No. 335. Joseph Martinelli & Co., Inc., petitioner, *v.* L. Gillaude Company. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 343. United Shoe Machinery Corporation, petitioner, *v.* Jacob S. Kamborian and International Shoe Machine Corporation. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 347. Roy R. Rainey, petitioner, *v.* A. R. Cartlidge et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 352. Kent Food Corp., and Clark-Iger Food Products Co., Inc., petitioners, *v.* The United States of America; and

No. 353. Kent Food Corp., and Clark-Iger Food Products Co., Inc., petitioners, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 356. The Century Indemnity Company, petitioner, *v.* Richard L. Rosenbaum, Trustee in Bankruptcy for Ultimite Corporation, Bankrupt, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 359. William H. Delozier, petitioner, *v.* Guy A. Thompson, Trustee for Missouri Pacific Railway Company, et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 364. Walter Fliss and Helen Fliss, petitioners, *v.* Tighe E. Woods, Acting Housing Expeditor, Office of Housing Expeditor, For and On Behalf of the United States. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 367. W. C. Jarrett, L. DeVries, W. E. Jocelyn et al., petitioners, *v.* Norfolk Redevelopment and Housing Authority, a Corporation, Also Known as Norfolk Housing Authority. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 368. Hilda Ogden Bratt, Barbara Ann Bratt, a Minor By Her Guardian *ad litem* Hilda Ogden Bratt, petitioners, *v.* Western Air Lines, Inc. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 187. Watchtower Bible and Tract Society, Inc., et al., petitioners, *v.* Metropolitan Life Insurance Company. Petition for writ of certiorari to the Supreme Court of New York, New York County, denied. Mr. Justice Douglas and Mr. Justice Murphy are of opinion the petition should be granted.

No. 317. Hans Ludwig Benzian, petitioner, *v.* Saul Godwin, Chairman, and Irving J. Hess et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 320. Joseph G. Battaglia et al., petitioners, *v.* General Motors Corporation;

No. 321. Frank Holland et al., etc., petitioners, *v.* General Motors Corporation;

No. 322. William S. Hilger et al., petitioners, *v.* General Motors Corporation; and

No. 323. Walter J. Casheba, etc., petitioner, *v.* General Motors Corporation. The motion for leave to file brief of Charles J. Margiotti as

amicus curiae is granted. Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 331. Ernest Woodmansee, petitioner, *v.* The People of the State of California. The motion to proceed on a partial record is granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 434. George C. Adcock et al., Individually and On Behalf of Other Citizens Duly Registered and Qualified as Voters of Alabama, Similarly Situated, petitioners, *v.* Robert B. Albritton et al. Petition for writ of certiorari to the Supreme Court of Alabama denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 211. W. R. Kelley, petitioner, *v.* Union Tank and Supply Company. The motion for leave to file petition for rehearing is denied.

No. 288. Lewis L. Strauss, petitioner, *v.* Commissioner of Internal Revenue. The petition for rehearing is denied.

No. 154, Misc. G. W. McLaurin, petitioner, *v.* Honorable Alfred P. Murrah et al. The motion for leave to withdraw the petition for writ of mandamus is granted and the clerk is authorized to return the record to the District Court.

No. 231, Misc. George C. Adcock et al., petitioners, *v.* Robert B. Albritton et al., etc. The motion for leave to file petition for writs of injunction and mandamus is denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 246, Misc. James E. Folsom, etc., et al., petitioners, *v.* Robert B. Albritton et al. The motion for leave to file petition for injunction or other extraordinary relief is denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 134, Misc. Al Trahan, petitioner, *v.* State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 170, Misc. James Butler, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Hancock County, State of Illinois, denied.

No. 176, Misc. Wardell Murphy, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 198, Misc. Luhemitt White, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the City Court of the City of East St. Louis, State of Illinois, denied.

No. 199, Misc. Harris Bailey, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois, denied.

No. 200, Misc. William Sellers, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 213, Misc. Raymond J. Hirsch, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of General Sessions, New York County, Part VIII, State of New York, denied.

No. 214, Misc. Bernard M. Shotkin, petitioner, *v.* W. F. Perkins and John Healy. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 217, Misc. Harley New, petitioner, *v.* Ben B. Stewart, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 219, Misc. Bernard M. Shotkin, petitioner, *v.* H. P. Burke et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 212, Misc. Walter Engle, petitioner, *v.* Ben B. Stewart, Warden;

No. 225, Misc. In the Matter of John Trant, petitioner; and

No. 230, Misc. Robert G. Schuman, petitioner, *v.* Robert A. Heinze, Warden. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 51. Railway Express Agency, Inc., Charles Gerchario, Michael Long, et al., appellants, *v.* People of the State of New York. Argued by Mr. Ralph M. Carson for the appellants, and by Mr. Stanley Buchsbaum for the appellee.

No. 53. Clyde Wilkerson, petitioner, *v.* Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company. Argued by Mr. Parnell Black for the petitioner, and by Mr. Dennis McCarthy for the respondents.

No. 54. Howard F. Coray, Ancillary Administrator of the Estate of William Frank Lucas, Deceased, petitioner, *v.* Southern Pacific Company. Argument commenced by Mr. Parnell Black for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 7, will be as follows: Nos. 54, 56, 63, 65, 59, 45, 46, 83, 84, and 88.

SUPREME COURT OF THE UNITED STATES

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

Walter E. Hoffman, of Norfolk, Va.; Edw. L. Breeden, Jr., of Norfolk, Va.; David Elmer Hartshorn, of Washington, D. C.; Henry S. Waldman, of Elizabeth, N. J.; William Arley Bunnell, of Dallas, Tex.; John Ewing Smith, of Bellefontaine, Ohio; Wm. L. Branch, of Denver, Colo.; and Charles A. Thomas, of Chicago, Ill., were admitted to practice.

No. 54. Howard F. Coray, Ancillary Administrator of the Estate of William Frank Lucas, Deceased, petitioner, *v.* Southern Pacific Company. Argument continued by Mr. Parnell Black for the petitioner; by Mr. A. H. Nebeker for the respondent, and concluded by Mr. Parnell Black for the petitioner.

No. 56. Richard P. Lawson, as Deputy Commissioner, Sixth Compensation District, United States Employees' Compensation Commission, petitioner, *v.* Suwannee Fruit & Steamship Company, a Corporation, et al. Argued by Mr. Newell A. Clapp for the petitioner, and by Mr. Harry T. Gray for the respondents.

No. 63. Kimball Laundry Company, petitioner, *v.* The United States of America. Argument commenced by Mr. William J. Hotz for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 8, will be as follows: Nos. 63, 65, 59, 45, 46, 83, 84, 88, 92, and 90.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

August F. W. Siebel, of Chicago, Ill., was admitted to practice.

No. 63. Kimball Laundry Company, petitioner, *v.* The United States of America. Argument continued by Mr. Assistant Solicitor General Washington for the respondent, and concluded by Mr. William J. Hotz for the petitioner.

No. 65. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, et al., petitioners, *v.* Acme Fast Freight, Inc. Argued by Mr. Joseph Walker and Mr. Rowland L. Davis, Jr., for the petitioners, and by Mr. Paul A. Crouch for the respondent.

No. 59. Carl Aldo Marzani, petitioner, *v.* The United States of America. Argument commenced by Mr. Allan R. Rosenberg for the petitioner.

No. 258, Misc. Reginald J. Wheeler and Jesse James Patton, petitioners, *v.* Curtis Reid, Superintendent, Washington Asylum and Jail. Motion for leave to file petition for writ of certiorari denied.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 9, will be as follows: Nos. 59, 45, 46, 83, 84, 88, 92, 90, 117, and 110.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Edward T. Welch, of New York City; William B. Paul, of Denver, Colo.; and William Coit Allee, of Detroit, Mich., were admitted to practice.

No. 239, Misc. Koki Hirota, petitioner, *v.* General of the Army Douglas MacArthur et al.;

No. 240, Misc. Kenji Dohihara, petitioner, *v.* General of the Army Douglas MacArthur et al.; and

No. 248, Misc. Koichi Kido et al., petitioners, *v.* General of the Army Douglas MacArthur et al. Motion of counsel for petitioners for a continuance denied.

No. 59. Carl Aldo Marzani, petitioner, *v.* The United States of America. Argument continued by Mr. Allan R. Rosenberg and Mr. Osmond K. Fraenkel for the petitioner; by Mr. Solicitor General Perlman for the respondent, and concluded by Mr. Allan R. Rosenberg for the petitioner.

No. 45. Joe J. Fisher, petitioner, *v.* R. C. Pace, Sheriff of Jasper County, Texas. Argued by Mr. R. Dean Moorhead for the petitioner, and case submitted by Mr. Quentin Keith for the respondent.

No. 46. National Labor Relations Board, petitioner, *v.* Stowe Spinning Company et al. Argument commenced by Mr. Mozart G. Ratner for the petitioner.

No. 260, Misc. Reginald J. Wheeler, petitioner, *v.* Donald Clemmer. Motion for leave to file petition for writ of habeas corpus denied and motion for stay of execution denied.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, December 10, will be as follows: Nos. 46, 83, 84, 88, 92, 90, 117, 110, 91, and 417.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Lowell L. Forbes, of Mason City, Iowa; Claude E. Hobbs, Jr., of Washington, D. C.; Joseph W. Cash, of Houston, Tex.; and George Dyson Friou, of New York City, were admitted to practice.

No. 46. National Labor Relations Board, petitioner, *v.* Stowe Spinning Company et al. Argument continued by Mr. Mozart G. Ratner for the petitioner; by Mr. Paul C. Whitlock for the respondents, and concluded by Mr. Mozart G. Ratner for the petitioner.

No. 83. Commissioner of Internal Revenue, petitioner, *v.* Margaret R. Phipps. Argued by Mr. Stanley M. Silverberg for the petitioner, and by Mr. W. Clayton Carpenter for the respondent.

No. 84. Commissioner of Internal Revenue, petitioner, *v.* Pelham G. Wodehouse. Argument commenced by Miss Melva M. Graney for the petitioner, and continued by Mr. Watson Washburn for the respondent.

Adjourned until Monday, December 13, next, at 12 o'clock.

The day call for Monday, December 13, will be as follows: Nos. 84, 88, 92, 90, 117, 110, 91, 417, 128 (and 196), and 121 (and 130).

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Joseph A. Sprankle, Jr., of Pasadena, Calif; Francis R. McGuigan, of New York City; Ralph H. Clark, of New Haven, Conn.; Samuel A. Persky, of New Haven, Conn.; Ross R. Barnett, of Jackson, Miss.; Vincent B. Welch, of Washington, D. C.; Thomas F. Seymour, of New Haven, Conn.; Sam P. Walker, of Memphis, Tenn.; and Herbert Sidney Burr, of New York City, were admitted to practice.

No. 36. Earl H. McDonald and Joseph F. Washington, petitioners, *v.* The 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 Douglas. Mr. Justice Black concurs in the result. Mr. Justice Rutledge concurs in the result and in the opinion insofar as it relates to the petitioner McDonald. With respect to the petitioner Washington, he is of the view that the evidence, having been illegally obtained, was inadmissible. Concurring opinion by Mr. Justice Jackson. Mr. Justice Frankfurter, having joined in the Court's opinion, also concurs in the opinion of Mr. Justice Jackson. Dissenting opinion by Mr. Justice Burton in which the Chief Justice and Mr. Justice Reed join.

No. 75. Elmer Uveges, petitioner, *v.* Commonwealth of Pennsylvania. On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania. Judgment reversed with costs and case remanded to said Supreme Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton concur.

No. 98. Andrew Upshaw, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment 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. Dissenting opinion by Mr.

Justice Reed in which the Chief Justice, Mr. Justice Jackson, and Mr. Justice Burton join.

The Chief Justice announced the following orders of the Court:

No. 414. Sherman R. Ring and Jack B. Brody, Individually and Partners Trading as R. & B. Truck & Parts Co., appellants, *v.* Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey. Appeal from the Supreme Court of New Jersey. *Per curiam*: The appeal is dismissed for the want of a substantial federal question.

No. 433. David Hodge and Wilbur G. Moffitte, appellants, *v.* The Tulsa County Election Board et al. Appeal from the United States District Court for the Northern District of Oklahoma. *Per curiam*: The judgment is vacated and the case is remanded with directions to dismiss the cause as moot. *Mills v. Green*, 159 U. S. 651; *United States v. Anchor Coal Co.*, 279 U. S. 812.

No. 86, Misc. Mrs. Vera Roberts, petitioner, *v.* The Memphis Street Railway Company. On petition for writ of certiorari to the Court of Appeals for the Sixth Circuit. *Per curiam*: The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The order of the Court of Appeals is vacated and the case is remanded to that court for further consideration in the light of the opinion of this Court in *Adkins v. DuPont*, No. 1 Misc., decided November 22, 1948.

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. 418. Edward Gibbs, petitioner, *v.* C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania. It is ordered that Frederick Bernays Wiener, 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.

No. 272. Arthur Terminiello, petitioner, *v.* City of Chicago. Petition for writ of certiorari to the Supreme Court of Illinois granted.

No. 396. City of Morgantown, West Virginia, a Municipal Corporation, petitioner, *v.* Royal Insurance Company, Limited. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit granted.

No. 121, Misc. Samuel Taylor, petitioner, *v.* Tennyson Dennis, Warden. The motions for leave to proceed *in forma pauperis* and for leave to file petition for writ of certiorari are granted. The petition

for writ of certiorari is granted and the case is transferred to the summary docket. Mr. Justice Black took no part in the consideration or decision of these applications.

No. 242. Morris W. Mamlin and Ralph E. Walker, petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 370. Southwestern Greyhound Lines, Inc., Mid-Continent Coaches, Inc., and Southwestern Motor Carriers Corporation d/b/a a Southwestern Trailways, petitioners, *v.* Leo F. King. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 371. John Kivo et al., Individually and As Partners Doing Business Under the Firm Name and Style of John Kivo & Co., petitioners, *v.* Fred Loeb. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 372. LeRoy J. Leishman, petitioner, *v.* Radio Condenser Company and General Instrument Corporation. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 373. George Whitney, petitioner, *v.* Commissioner of Internal Revenue;

No. 374. Henry C. Alexander, petitioner, *v.* Commissioner of Internal Revenue;

No. 375. Arthur M. Anderson et al., petitioners, *v.* Commissioner of Internal Revenue;

No. 376. I. C. Raymond Atkin et al., petitioners, *v.* Commissioner of Internal Revenue;

No. 377. Henry P. Davison, petitioner, *v.* Commissioner of Internal Revenue;

No. 378. Charles D. Dickey et al., petitioners, *v.* Commissioner of Internal Revenue;

No. 379. Thomas S. Lamont, petitioner, *v.* Commissioner of Internal Revenue;

No. 380. Estate of Thomas W. Lamont, Deceased, Florence C. Lamont et al., Executors, petitioners, *v.* Commissioner of Internal Revenue;

No. 381. R. C. Leffingwell et al., petitioners, *v.* Commissioner of Internal Revenue;

No. 382. William A. Mitchell, petitioner, *v.* Commissioner of Internal Revenue;

No. 383. Estate of J. P. Morgan, Deceased, Junius S. Morgan, et al., Executors, petitioners, *v.* Commissioner of Internal Revenue;

No. 384. Junius S. Morgan et al., petitioners, *v.* Commissioner of Internal Revenue; and

No. 385. Estate of Frances D. Bartow, Deceased, J. P. Morgan & Co., Incorporated, Executor, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 394. Filben Manufacturing Company, Inc., Bernice M. Filben, Patricia A. Filben, et al., petitioners, *v.* Rock-Ola Manufacturing Corporation of Delaware et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 398. Treasure Company and Samarkand Oil Company, petitioners, *v.* The United States of America, For the Use of Reconstruction Finance Corporation, etc. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 697, October Term, 1947. Harry J. Alker, Jr., and Mamie Du Ban, Individually and As Executrix of the Estate of Alfred A. Du Ban, petitioners, *v.* Federal Deposit Insurance Corporation. The motion for leave to file a fourth petition for rehearing is denied.

No. 344. O. V. Kessler, petitioner, *v.* Thos. F. McGlone, Jr., Executor, et al. The petition for rehearing is denied.

No. 42, Misc. Roy Eaton, petitioner, *v.* Joseph E. Ragen, Warden. The second petition for rehearing is denied.

No. 73, Misc. William Henry Roberts, petitioner, *v.* People of the State of California; and

No. 153, Misc. Edward Smith, petitioner, *v.* Ralph Howard, Warden. The petitions for rehearing are denied.

No. 172, Misc. James May, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 177, Misc. James Jackson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 204, Misc. Wentworth Crombie, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 207, Misc. Huston Collins, petitioner, *v.* Circuit Court of Will County, Illinois, et al. Petition for writ of certiorari to the Circuit Court of Will County and the Criminal Court of Cook County, State of Illinois, denied.

No. 208, Misc. William Bates, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 209, Misc. John F. McNaughton, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 210, Misc. Jack Lane, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 215, Misc. George McKay, petitioner, *v.* A. C. Aderhold et al., Wardens. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 216, Misc. John D. Cundiff, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Sangamon County, State of Illinois, denied.

No. 220, Misc. Edward W. Cunningham, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 222, Misc. Stephen Jo Nichols, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 223, Misc. John O. Story, petitioner, *v.* Clarence P. Burford, Warden. Petition for writ of certiorari to the District Court of Bryan County, State of Oklahoma, denied.

No. 224, Misc. Edward H. Gould, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Supreme Court of New York, First Department, denied.

No. 243, Misc. Harry Lee Baldrige, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 178, Misc. Lee Waterman, petitioner, *v.* Fred C. Sanborn, Acting Warden;

No. 226, Misc. Louis Burall, petitioner, *v.* E. B. Swope, Warden;

No. 228, Misc. Edward Bautz, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 236, Misc. Emanuel Cannady, petitioner, *v.* Joseph E. Ragen, Warden. The motions for leave to file petitions for writs of habeas corpus are severally denied.

The Court will take a recess from Monday, December 20, until Monday, January 3, 1949.

No. 84. Commissioner of Internal Revenue, petitioner, *v.* Pelham G. Wodehouse. Argument continued by Mr. Watson Washburn for the respondent, and concluded by Miss Melva M. Graney for the petitioner.

No. 88. Nathan D. Leiman and Samuel Marion, petitioners, *v.* Alexander Guttman, George Geller and Arthur Bainton, etc., et al. Argued by Mr. Samuel Marion for the petitioners, and by Mr. Barney Rosenstein and Mr. Leo Praeger for the respondents.

No. 92. H. P. Hood & Sons, Inc., petitioner, *v.* C. Chester DuMond, Commissioner of Agriculture and Markets of the State of New York. Argument commenced by Mr. Warren F. Farr for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 14, will be as follows: Nos. 92, 90, 117, 110, 91, 417, 128 (and 196), 121 (and 130), 151 (152 and 153), and 231.

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SUPREME COURT OF THE UNITED STATES

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

Chester Arthur Lessler, of New York City; Joseph T. Mullray, of Media, Pa.; Bernard B. Wolfe, of Chicago, Ill.; Edwin E. Lippincott II, of Media, Pa.; Carlos D. Vazquez, of San Juan, P. R.; and Marshall Woolery, of Bedford, Ind., were admitted to practice.

No. 92. H. P. Hood & Sons, Inc., petitioner, *v.* C. Chester DuMond, Commissioner of Agriculture and Markets of the State of New York. Argument concluded by Mr. Warren F. Farr for the petitioner, and case submitted by Mr. Nathaniel L. Goldstein, Mr. Wendell P. Brown, and Mr. Robert G. Blabey for the respondent.

No. 90. Lipe Henslee, Individually, Now Residing in Davidson County, Tennessee, Collector of Internal Revenue, District of Tennessee, petitioner, *v.* Union Planters Bank & Trust Company, a National Bank at Memphis, Tennessee, et al. Argued by Mr. Arnold Raum for the petitioner, and by Mr. Sam Polk Walker for the respondent.

No. 117. Hermoine P. Rice, petitioner, *v.* Lillian P. Rice. Argued by Mr. Daniel D. Morgan for the petitioner, and by Mr. Samuel A. Persky and Mr. Ralph H. Clark for the respondent.

No. 110. William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, petitioner, *v.* Jacksonville Paper Company, et al. Argument commenced by Miss Bessie Margolin for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 15, will be as follows: Nos. 110, 91, 417, 128 (and 196), 121 (and 130), and 151 (152 and 153).

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SUPREME COURT OF THE UNITED STATES

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

William D. Hall, of Elkins, W. Va., was admitted to practice.

No. 110. William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, petitioner, *v.* Jacksonville Paper Company et al. Argument continued by Miss Bessie Margolin for the petitioner; by Mr. Louis Kurz for the respondents, and concluded by Miss Bessie Margolin for the petitioner.

No. 91. Foley Bros., Inc., and Spencer, White & Prentis, Inc., petitioners, *v.* Frank Paul Filardo. Argued by Mr. Robert L. Stern for the petitioners, and by Mr. Chester A. Lessler for the respondent.

No. 417. Baxter Griffin, petitioner, *v.* The United States of America. Argument commenced by Mr. Francis J. Kelly for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 16, will be as follows: Nos. 417, 239 Misc. (240 Misc. and 248 Misc.), 128 (and 196), and 121 (and 130).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Joseph Edward Smith, of Oakland, Calif.; L. J. Cushman, of Miami, Fla.; Warren W. Martin, of Evansville, Ind.; James Lewis McCarrey, Jr., of Anchorage, Alaska; Barak Thomas Mattingly, of St. Louis, Mo.; William Logan, Jr., of New York City; John G. Brannon, of Kansas City, Mo.; and M. Mitchell Bourquin, of San Francisco, Calif., were admitted to practice.

No. 417. Baxter Griffin, petitioner, *v.* The United States of America. Argument continued by Mr. Francis J. Kelly for the petitioner, by Mr. Charles B. Murray for the respondent, and concluded by Mr. Francis J. Kelly for the petitioner.

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

No. 196. William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor, petitioner, *v.* The Farmers Reservoir and Irrigation Company. Argued by Mr. John P. Akolt and Mr. Frank N. Bancroft for the Farmers Reservoir and Irrigation Company, and by Mr. Jeter S. Ray for William R. McComb, etc.

No. 239, Misc. Koki Hirota, petitioner, *v.* General of the Army Douglas MacArthur et al.;

No. 240, Misc. Kenji Dohihara, petitioner, *v.* General of the Army Douglas MacArthur et al.; and

No. 248, Misc. Koichi Kido et al., petitioners, *v.* General of the Army Douglas MacArthur et al. Five hours allowed for oral argument. Argument on the motion for leave to file petitions for writs of habeas corpus commenced by Mr. William Logan, Jr., for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, December 17, will be as follows: Nos. 239 Misc. (240 Misc. and 248 Misc.).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Thomas Mason, of Chicago, Ill.; Edward J. Taggart, of Washington, D. C.; Lee C. Hinslea, of Cleveland, Ohio; Lucian Y. Ray, of Cleveland, Ohio; Thomas J. Murray, of San Francisco, Calif.; and Louis S. Belkin, of Cleveland, Ohio, were admitted to practice.

No. 239, Misc. Koki Hirota, petitioner, *v.* General of the Army Douglas MacArthur et al.;

No. 240, Misc. Kenji Dohihara, petitioner, *v.* General of the Army Douglas MacArthur et al.; and

No. 248, Misc. Koichi Kido et al., petitioners, *v.* General of the Army Douglas MacArthur et al. Argument on the motion for leave to file petitions for writs of habeas corpus continued by Mr. William Logan, Jr., for the petitioners; by Mr. David F. Smith for the petitioners in Nos. 239 Misc. and 240 Misc.; by Mr. John G. Brannon for the petitioners in No. 248 Misc.; by Mr. George A. Furness for the petitioners, *pro hac vice*, by special leave of Court on motion of Mr. George Yamaoka in that behalf; by Mr. Solicitor General Perlman for the respondents, and concluded by Mr. George Yamaoka for the petitioners.

Adjourned until Monday, December 20, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

W. C. Meekins, of Asheville, N. C.; James Bascomb Smathers, of Asheville, N. C.; R. Hoyle Smathers, of Charlotte, N. C.; Lewis B. Carpenter, of Charlotte, N. C.; James C. Smathers, of Charlotte, N. C.; Nathan L. Schoenfeld, of Hot Springs, Ark.; Abraham B. Fischer, of Brooklyn, N. Y.; John Harold Swan, of Sacramento, Calif.; Martin Jarvis Sand, of New York City; Myron J. Burkhard, of New York City; Gerald H. Peterson, of Beverly Hills, Calif.; John T. Keefe, of New Brunswick, N. J.; Philip Blacher, of New Brunswick, N. J.; and Wm. J. Harding, of New Brunswick, N. J., were admitted to practice.

No. 44. Robert Frazier, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and case remanded to the United States District Court for the District of Columbia. Opinion by Mr. Justice Rutledge. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter, Mr. Justice Douglas, and Mr. Justice Murphy join.

No. 23. Solomon Michelson, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the United States District Court for the Eastern District of New York. Opinion by Mr. Justice Jackson. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins.

No. 49. Valentine Goesaert et al., appellants, *v.* Owen J. Cleary et al. Members of the Liquor Control Commission of the State of Michigan. Appeal from the United States District Court for the Eastern District of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Douglas and Mr. Justice Murphy join.

No. 239, Misc. Koki Hirota, petitioner, *v.* General of the Army Douglas MacArthur et al.;

No. 240, Misc. Kenji Dohihara, petitioner, *v.* General of the Army Douglas MacArthur et al.; and

No. 248, Misc. Koichi Kido et al., petitioners, *v.* General of the Army Douglas MacArthur et al. Motions for leave to file petitions for writs of habeas corpus denied. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Douglas concurs in the result for reasons to be stated in an opinion. Mr. Justice Murphy dissents. Mr. Justice Rutledge reserves decision and the announcement of his vote until a later time. Mr. Justice Jackson took no part in the final decision on these motions.

The Chief Justice announced the following order of the Court:

No. 59. Carl Aldo Marzani, petitioner, *v.* The United States of America. On writ of certiorari to the Court of Appeals for the District of Columbia Circuit. *Per curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice said:

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

An order is entered approving the bond of the Clerk of this Court and directing that it be recorded.

No. 10, Original. The United States of America, complainant, *v.* The State of Wyoming and the Ohio Oil Company.

FINAL ORDER

Pursuant to the decision of this Court in *United States v. Wyoming et al.*, 331 U. S. 440, a decree was entered on February 16, 1948, 333 U. S. 834.

By the terms of the decree, which adjudged that title to the land in question is in the United States, jurisdiction was retained by this Court for the purpose of determining the amount of damages payable by defendants to the plaintiff, and for such other and further orders and decrees as may be necessary.

On July 2, 1948, Public Law 887 (Chapter 815, 80th Congress, 2d Session) was approved, and provided:

"That the Secretary of the Interior be, and he is hereby authorized and directed to issue a patent to the State of Wyoming for the east half of the northeast quarter, section 36, township 58 north, range 100 west, of the sixth principal meridian, in Park County, Wyoming, subject to any existing lease or leases; *Provided*: That title to said land shall be held and considered to have been vested in the State of Wyoming on July 10, 1890."

On September 29, 1948, the Secretary of the Interior, pursuant to the authorization and direction contained in the aforesaid Act of Congress, issued United States Patent No. 1123916 to the State of Wyoming for the portion of Section 36 described in said Act, subject to any existing lease or leases, with the title thereto considered to have been vested in the State of Wyoming on July 10, 1890.

The claim for damages arose entirely from the possession by the defendant Ohio Oil Company of the land described in said Act of Congress, and its extraction of oil therefrom. Inasmuch as the patent issued by the United States vests title to said land in the State of Wyoming during the entire period of possession by the defendant Ohio Oil Company, there is no need or requirement for further consideration by the Court of plaintiff's demand for a money judgment.

It is therefore ORDERED AND DECREED that the defendants shall pay the costs of this proceeding, including compensation for services rendered and actual expenses incurred by the Honorable Nat U. Brown, Special Master herein. Such compensation and expenses will be fixed by an order of the Court.

No. 10, Original. The United States of America, complainant, *v.* The State of Wyoming and the Ohio Oil Company. An order is entered fixing the compensation and allowing expenses of the Special Master.

No. 12, Original. The United States of America, complainant, *v.* The State of California. The motion of the complainant for clarification of scope of inquiry referred to the Special Master is denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 206, Misc. Ex parte Joseph Collett, petitioner. This case is assigned for hearing on the motion for leave to file petition for writs of mandamus and prohibition and the case is transferred to the summary docket.

No. 233, Misc. Jessie A. Kilpatrick, petitioner, *v.* The Texas & Pacific Railway Co. This case is assigned for hearing on the motion for leave to file petition for writ of mandamus or certiorari and the case is transferred to the summary docket.

No. 269, Misc. The United States of America, petitioner, *v.* National City Lines, Inc., et al. This case is assigned for hearing on the motion for leave to file petition for writ of certiorari and the case is transferred to the summary docket.

No. 40. Oklahoma Tax Commission, petitioner, *v.* The Texas Company; and

No. 41. Oklahoma Tax Commission, petitioner, *v.* Magnolia Petroleum Company. The motion for leave to file rejoinder brief of respondents is denied. The motion for leave to file brief of R. O. Mason and Hayes McCoy as *amici curiae* in No. 40 is denied.

No. 361. Master Metal Strip Service, Inc., and Martin J. Gossen, petitioners, *v.* Protex Weatherstrip Mfg. Co., a Co-partnership Consisting of John W. Moustakas, etc., et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 392. Irving J. McCoy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 401. City Bank Farmers Trust Company, as Ancillary Executor of the Last Will and Testament of Edwin Prestage, Deceased, etc., petitioner, *v.* William J. Pedrick, United States Collector of Internal Revenue for the Second District of New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 407. A. C. Widenhouse, Individually, and Trading as Carolina Oil Company, petitioner, *v.* War Emergency Co-operative Association. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 408. George Abraham, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 410. Trico Products Corporation, petitioner, *v.* George T. McGowan, Collector of Internal Revenue for the 28th District of New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 399. William Davidson, petitioner, *v.* People of the State of New York. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Court of Appeals of New York is denied.

No. 535, October Term, 1947. Leon Josephson, petitioner, *v.* The United States of America. The motion for leave to file a second petition for rehearing is denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 6. Grand River Dam Authority, a Public Corporation, petitioner, *v.* Grand-Hydro, a Private Corporation. The petition for rehearing is denied.

No. 30. Lelord Kordel, petitioner, *v.* The United States of America. The petition for rehearing is denied for the reason that it was not filed within the time provided by Rule 33.

No. 148, Misc. Gilbert E. Thiel, petitioner, *v.* Southern Pacific Company; and

No. 164, Misc. Stanley Pryor, petitioner, *v.* People of the State of California. The petitions for rehearing are denied.

No. 187, Misc. Mabel Monroe Bonds, petitioner, *v.* Sherbourne Mercantile Company and Hugh Black. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 232, Misc. Luther L. Anderson, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 241, Misc. Carlos Rodriquez, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 268, Misc. Herman Frederick Weber, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Peoria County, State of Illinois, denied.

No. —. Herman Frederick Weber, petitioner, *v.* People of the State of Illinois. The motion for stay of execution is denied.

No. 237, Misc. Sherman Williams, petitioner, *v.* United Mine Workers of America. The motion for leave to file petition for writ of certiorari is denied.

No. 238, Misc. Frank A. Russo, petitioner, *v.* E. E. Thompson, Warden. The motion for leave to file petition for writ of habeas corpus is denied.

No. 242, Misc. William Fraser, petitioner, *v.* The United States of America. The motion for leave to file petition for writ of habeas corpus is denied.

No. 267, Misc. Heitaro Kimura, Akira Muto, Mamoru Shigemitsu, and Yoshijiro Umezu, petitioners, *v.* General of the Army Douglas MacArthur et al. The motions are denied. See the opinion announced today in Hirota et al. *v.* MacArthur et al., Nos. 239, 240, and 248 Misc.

Adjourned until Monday, January 3, next, at 12 o'clock.

The day call for Monday, January 3, 1949, will be as follows: Nos. 129, 121 (and 130), 231, 168, 200 (and 201), 223, 244, 109 (188, 209, and 212), 151 (152 and 153), and 237.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

No. 290, Misc. Robert F. Mehaffey, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of the State of California denied.

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SUPREME COURT OF THE UNITED STATES

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

A. Albert Luongo, of New York City; Lyman J. Bishop, Sr., of Belton, Mo.; J. Harrison Miller, of Pittsburgh, Pa.; Victor Rabinowitz, of New York City; Leonard B. Boudin, of New York City; Seymour B. Quel, of New York City; Sydney W. Cable, of New York City; Guy W. Green, of Kansas City, Mo.; and Maurice M. Bernstein, of Newark, N. J., were admitted to practice.

No. 25. Ayrshire Collieries Corporation, Big Ben Collieries, Inc., et al., appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Southern District of Indiana. Decree affirmed. Opinion by Mr. Justice Douglas.

No. 7. Thoger Gronberg Jungersen, petitioner, *v.* Ostby and Barton Company and American Associates, Inc.;

No. 8. Ostby and Barton Company and American Associates, Inc., petitioners, *v.* Thoger Gronberg Jungersen. On writs of certiorari to the United States Court of Appeals for the Third Circuit; and

No. 48. Thoger Gronberg Jungersen, petitioner, *v.* Robert Baden, Rose Baden, Albert Foss, et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgments in Nos. 7 and 48 affirmed with costs. Case No. 7 is remanded to the United States District Court for the District of New Jersey and No. 48 is remanded to the United States District Court for the Southern District of New York. Judgment in No. 8 reversed with costs and case remanded to the United States District Court for the District of New Jersey. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins. Dissenting opinion by Mr. Justice Jackson.

No. 54. Howard F. Coray, Ancillary Administrator of the Estate of William Frank Lucas, Deceased, petitioner, *v.* Southern Pacific Company. On writ of certiorari to the Supreme Court of the State of Utah. Judgment reversed with costs and case remanded to said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black.

No. 47. Lincoln Federal Labor Union #19129, American Federation of Labor, et al., appellants, *v.* Northwestern Iron and Metal Company et al. Appeal from the Supreme Court of the State of Nebraska;

No. 34. George Whitaker, A. M. Debruhl, T. G. Embler, et al., appellants, *v.* State of North Carolina. Appeal from the Supreme Court of the State of North Carolina; and

No. 27. American Federation of Labor, Arizona State Federation of Labor, et al., appellants, *v.* American Sash & Door Company et al. Appeal from the Supreme Court of the State of Arizona. Judgments affirmed with costs. Opinions by Mr. Justice Black. Mr. Justice Murphy dissents in No. 27. Concurring opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins insofar as it applies to Nos. 34 and 47.

No. 90. Lipe Henslee, Individually, Now Residing in Davidson County, Tennessee, Collector of Internal Revenue, District of Tennessee, petitioner, *v.* Union Planters Bank & Trust Company, a National Bank at Memphis, Tennessee, et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Middle of District of Tennessee for proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by the Chief Justice. Dissenting: Mr. Justice Douglas and Mr. Justice Jackson. Dissenting opinion by Mr. Justice Frankfurter.

The Chief Justice announced the following order of the Court:

No. 413. Georgia Rail Road & Banking Company, appellant, *v.* Downing Musgrove, Who is State Revenue Commissioner of the State of Georgia. Appeal from the Supreme Court of Georgia. *Per curiam*: The motion to substitute Charles D. Redwine, present State Revenue Commissioner, as the party appellee in the place and stead of Downing Musgrove, resigned, is granted. The motion to dismiss is granted and the appeal is dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it. Mr. Justice Jackson is of the opinion that probable jurisdiction should be noted.

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. —, Original. The United States of America, complainant, *v.* The State of Texas; and

No. —, Original. The United States of America, complainant, *v.* The State of Louisiana. The motions of the defendants for leave to oppose the motions for leave to file complaints are granted, and leave is granted to file objections, based upon jurisdictional grounds, within two weeks.

No. 237. Wisconsin Electric Power Company, petitioner, *v.* The United States of America. The motion of William L. Ransom for leave to appear and present oral argument in behalf of Consolidated Edison Co. of New York, as *amicus curiae*, within the time allotted petitioner, is granted.

No. 1116, October Term, 1946. Walter C. De Frates, petitioner, *v.* The People of the State of Illinois. The motion of petitioner for temporary withdrawal of the record is denied.

No. 447. Wheeling Steel Corporation, appellant, *v.* C. Emory Glander, Tax Commissioner of Ohio; and

No. 448. National Distillers Products Corporation, New York, appellant, *v.* C. Emory Glander, Tax Commissioner of Ohio. In these cases probable jurisdiction is noted and the cases are transferred to the summary docket.

No. 388. Welker B. Brooks, petitioner, *v.* The United States of America; and

No. 389. James M. Brooks, Administrator of the Estate of Arthur L. Brooks, Deceased, petitioner, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals for the Fourth Circuit granted.

No. 406. The United States of America, petitioner, *v.* Harry S. Knight. Petition for writ of certiorari to the Court of Appeals for the Third Circuit granted.

No. 390. Henry M. Propper, as Receiver of the Property and Assets Within the State of New York of A. K. M., petitioner, *v.* Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is granted limited to questions 1 and 2 presented by the petition for the writ. The Chief Justice took no part in the consideration or decision of this application.

No. 365. Frederick M. Fisch et al., petitioners, *v.* General Motors Corporation; and

No. 366. John D. Bateman et al., petitioners, *v.* Ford Motor Company. Petition for writs of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 395. Consumers Company, petitioner, *v.* Consumers Petroleum Company; and

No. 425. Consumers Petroleum Company, petitioner, *v.* Consumers Company. Petitions for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 403. Estate of Isadore Zellerbach, Deceased, J. David Zellerbach and Harold L. Zellerbach, Executors, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 419. J. P. Beeler, petitioner, *v.* The Chicago, Rock Island and Pacific Railway Company, etc.; and

No. 420. J. P. Beeler, petitioner, *v.* The Chicago, Rock Island and Pacific Railway Company, etc. Petition for writs of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 421. E. G. Bradham and Ruby Bradham, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 423. Lowell Bernhardt and Nathaniel Agnew Boyd, alias Matt Boyd, petitioners, *v.* The United States of America; and

No. 424. Lowell Bernhardt and Nathaniel Agnew Boyd, alias Matt Boyd, petitioners, *v.* The United States of America. Petition for writs of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 69. J. H. Allison & Company, petitioner, *v.* National Labor Relations Board; and

No. 202. Euterpe Economos, petitioner, *v.* Commissioner of Internal Revenue. The motions for leave to file petitions for rehearing are denied.

No. 295. Charles C. Diggs, petitioner, *v.* The People of the State of Michigan; and

No. 362. Nick Masich, appellant, *v.* United States Smelting, Refining & Mining Company and F. S. Mulock. The petitions for rehearing are denied.

No. 393. Harry J. Wisner, appellant, *v.* Kathleene Kaminski, a. k. a. Catherine Miller Wisner Kaminski. On consideration of the suggestion of the death of Harry J. Wisner, the motion to substitute J. Frederick Bryan, Administrator of the Estate of Harry J. Wisner, as the party appellant is granted. The petition for rehearing is denied.

No. 240, Misc. Kenji Dohihara, petitioner, *v.* General of the Army Douglas MacArthur et al.; and

No. 248, Misc. Koichi Kido et al., petitioners, *v.* General of the Army Douglas MacArthur et al. The petition for rehearing is denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 179, Misc. Rubein V. Johnson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 180, Misc. Birlon Alphonse Clark, petitioner, *v.* State of West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 193, Misc. Edward A. Haley, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 194, Misc. Leon O. Ellard, petitioner, *v.* The State of New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 227, Misc. John H. Brite and Coke T. Brite, petitioners, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 251, Misc. George Foley, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Sangamon County, State of Illinois, denied.

No. 252, Misc. Louis Tipescu, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 253, Misc. Arthur Edward Berry, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 254, Misc. Robert Farmer, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 255, Misc. William Hathaway, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Alexander County, State of Illinois, denied.

No. 256, Misc. Charles Milburn, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 261, Misc. Frank Dzan, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 263, Misc. Chester Halverson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 266, Misc. Harold E. Green, petitioner, *v.* Ben B. Stewart, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 270, Misc. Edward J. Sterba, Jr., petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 272, Misc. John Jackson, petitioner, *v.* State of Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 273, Misc. Gerald W. Bough, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 274, Misc. N. B. Houghton, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 171, Misc. Leo Grant Kissinger, petitioner, *v.* The United States of America. The motion for leave to file petition for writ of certiorari is denied.

No. 250, Misc. De Wright Baxter, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 264, Misc. Jack A. Reid, petitioner, *v.* Joseph E. Ragen, Warden. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 279, Misc. Ex parte Louisiana Farmers Protective Union, Inc., petitioner. The motion for rule nisi and for leave to file petition for writ of mandamus is denied.

The following order was adopted by the Supreme Court on December 27, 1948:

ORDER

ORDERED:

1. That the first sentence of Rule 37 (a) (1) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(1) *Notice of Appeal.* An appeal permitted by law from a district court to the Supreme Court or to a court of appeals is taken by filing with the clerk of the district court a notice of appeal in duplicate.

2. That the first sentence of Rule 38 (a) (3) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(3) *Fine.* A sentence to pay a fine or a fine and costs, if an appeal is taken, may be stayed by the district court or by the court of appeals upon such terms as the court deems proper.

3. That Rule 38 (c) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(c) **APPLICATION FOR RELIEF PENDING REVIEW.** If application is made to a court of appeals or to a circuit judge or to a justice of the Supreme Court for bail pending appeal

or for an extension of time for filing the record on appeal or for any other relief which might have been granted by the district court, the application shall be upon notice and shall show that application to the court below or a judge thereof is not practicable or that application has been made and denied, with the reasons given for the denial, or that the action on the application did not afford the relief to which the applicant considers himself to be entitled.

4. That Rule 39 (b) (2) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(2) *Use of Typewritten Record.* The court of appeals may dispense with the printing of the record on appeal and review the proceedings on the typewritten record.

5. That the foregoing amendments to the Federal Rules of Criminal Procedure shall take effect on January 1, 1949.

The following order was adopted by the Supreme Court on December 27, 1948:

ORDER

ORDERED:

1. That the title of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

Rules of Criminal Procedure for the United States District Courts.

2. That Rules 17 (e) (2), 41 (b) (3), 41 (g), 54 (a) (1), 54 (b), 54 (c), 55, 56, and Rule 57 (a), of the Federal Rules of Criminal Procedure be, and they hereby are, amended as hereinafter set forth.

3. That Forms 1 to 27, inclusive, contained in the Appendix of Forms to the Federal Rules of Criminal Procedure be, and they hereby are, amended as hereinafter specified.

4. That these amendments to the Federal Rules of Criminal Procedure shall take effect on the day following the final adjournment of the first regular session of the 81st Congress.

5. That the Chief Justice be authorized to transmit these amendments to the Attorney General with the request that he report them to the Congress at the beginning of the regular session of the 81st Congress in January 1949.

(Here follow amendments of Rules of Criminal Procedure.)

The following order was adopted by the Supreme Court on December 29, 1948:

ORDER

ORDERED:

1. That the title "Rules of Civil Procedure for the District Courts of the United States" be amended to read "Rules of Civil Procedure for the United States District Courts."

2. That Rules 1, 17, 22, 24, 25, 27, 37, 45, 57, 60, 62, 65, 66, 67, 69, 72, 73, 74, 75, 76, 79, 81, 82, and 86 of the Rules of Civil Procedure and Forms Nos. 1, 19, 22, 23, and 27, be, and they hereby are, amended as hereinafter set forth.

3. That the Chief Justice be authorized to transmit these amendments to the Attorney General with the request that he report them to the Congress at the beginning of the regular session in January 1949.

(Here follow amendments of Rules of Civil Procedure.)

No. 129. William T. Urie, petitioner, *v.* Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company. Argued by Mr. Guy W. Green for the petitioner, and by Mr. Lyman J. Bishop for the respondent.

No. 121. Black Diamond Steamship Corp., petitioner, *v.* Robert Stewart & Sons, Ltd., et al.; and

No. 130. The United States of America, petitioner, *v.* Robert Stewart & Sons, Ltd., et al. Argument commenced by Mr. John W. Crandall for the petitioner in No. 121, and continued by Mr. Philip Elman for the petitioner in No. 130.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 4, will be as follows: Nos. 121 (and 130), 168, 200 (and 201), 182, 191, 244, 184 (and 185), 151 (152 and 153), 223, and 237.

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SUPREME COURT OF THE UNITED STATES

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

Emanuel Strauss, of New York City; James Ross Stewart, of Cleveland, Ohio; Willett M. Haight, of Riverton, Wyo.; Howard W. Lenfant, of New Orleans, La.; and Reuben G. Lenske, of Portland, Oreg., were admitted to practice.

No. 44. Robert Frazier, petitioner, *v.* The United States of America. Time within which to file petition for rehearing extended to and including January 14, next, on motion of counsel for the petitioner.

No. 121. Black Diamond Steamship Corp., petitioner, *v.* Robert Stewart & Sons, Ltd., et al.; and

No. 130. The United States of America, petitioner, *v.* Robert Stewart & Sons, Ltd., et al. Argument continued by Mr. W. G. Symmers for the respondents, and concluded by Mr. Philip Elman for the petitioner in No. 130.

No. 168. The City of New York, petitioner, *v.* Lewis H. Saper, as Trustee in Bankruptcy of Spotlight Productions, Inc. Argued by Mr. Seymour B. Quel for the petitioner, and by Mr. David Haar for the respondent.

No. 200. State of New York, petitioner, *v.* Leonard H. Carter, as Trustee in Bankruptcy; and

No. 201. The United States of America, petitioner, *v.* Leonard H. Carter, Trustee of Union Fabrics, Inc., Bankrupt. Argued by Mr. I. Henry Kutz for the petitioner in No. 201; by Mr. Francis R. Curran for the petitioner in No. 200, and by Mr. Sydney W. Cable for the respondent.

No. 182. Joseph Giboney, Harold Hackell, Paul Mandalia, et al., appellants, *v.* Empire Storage and Ice Company. Argument commenced by Mr. Clif Langsdale for the appellants.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 5, will be as follows: Nos. 182, 191, 244, 184 (and 185), 151 (152 and 153), 223, 237, 253, 143, and 234.

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SUPREME COURT OF THE UNITED STATES

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

Loftus E. Becker, of New York City; Robert G. Zeller, of New York City; and Lucian L. Johnson, of Louisville, Ky., were admitted to practice.

No. 182. Joseph Giboney, Harold Hackell, Paul Mandalia, et al., appellants, v. Empire Storage and Ice Company. Argument concluded by Mr. Clif Langsdale for the appellants and submitted by Mr. Richard K. Phelps for the appellee.

No. 191. Superior Court of the State of California in and for the County of Los Angeles and Farmer Bros. Co., petitioners, v. Gay Lilleflore et al. Argument commenced by Mr. Russell E. Parsons for the petitioners; motion of respondents to dismiss submitted and argument continued by Mr. David Sokol for the respondents; by Mr. Herbert S. Thatcher for the respondents; and concluded by Mr. Russell E. Parsons for the petitioners.

No. 244. Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer of the City of New Orleans, et al., appellants, v. Mississippi Valley Barge Line Company, American Barge Line Company, and Union Barge Line Corporation. Argued by Mr. Howard W. Lenfant for the appellants, and by Mr. Arthur A. Moreno for the appellees. Leave granted appellees to file supplemental brief within 10 days.

No. 184. Graver Tank & Mfg. Co., Inc., et al., petitioners, v. The Linde Air Products Company; and

No. 185. Graver Tank & Mfg. Co., Inc., et al., petitioners, v. The Linde Air Products Company. Argument commenced by Mr. Thomas V. Koykka for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 6, will be as follows: Nos. 184 (and 185), 151 (152 and 153), 223, 237, 253, 143, 234, 109 (188, 209, and 212), 52, and 226 (227, 243, and 266).

SUPREME COURT OF THE UNITED STATES

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

James K. Polk, of New York City; Laurence W. Fairfax, of New York City; Franklin B. Powers, of Youngstown, Ohio; Herbert Jerome Bass, of Philadelphia, Pa.; and Willard M. L. Robinson, of New York City, were admitted to practice.

No. 184. Graver Tank & Mfg. Co., Inc., et al., petitioners, *v.* The Linde Air Products Company; and

No. 185. Graver Tank & Mfg. Co., Inc., et al., petitioners, *v.* The Linde Air Products Company. Argument continued by Mr. Thomas V. Koykka for the petitioners, by Mr. John T. Cahill and Mr. Richard R. Wolfe for the respondent, and concluded by Mr. Thomas V. Koykka for the petitioners.

No. 151. National Carbide Corporation, petitioner, *v.* Commissioner of Internal Revenue;

No. 152. Air Reduction Sales Company, petitioner, *v.* Commissioner of Internal Revenue; and

No. 153. Pure Carbonic, Inc., petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Erwin N. Griswold for the petitioners, and by Mr. Hilbert P. Zarky for the respondent.

No. 223. Joy Oil Company, Ltd., petitioner, *v.* State Tax Commission. Argument commenced by Mr. Clayton F. Jennings for the Petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, January 7, will be as follows: Nos. 223, 237, 253, 143, 234, 109 (188, 209, and 212), 52, 226, (227, 243, and 266), 231, and 336.

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SUPREME COURT OF THE UNITED STATES

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

Lewis F. Shull, of Scottsbluff, Nebr.; Francis T. Ryan, of Minneapolis, Minn.; George Sladovich, Jr., of New Orleans, La.; Mary Elizabeth Bibb, of Washington, D. C.; James Masami Morita, of Honolulu, Hawaii; Bradford Ross, of Cheyenne, Wyo.; Thomas W. Flynn, of Honolulu, Hawaii; and Wai Yuen Char, of Honolulu, Hawaii, were admitted to practice.

No. 223. Joy Oil Company, Ltd., petitioner, *v.* State Tax Commission. Argument continued by Mr. Clayton F. Jennings for the petitioner, by Mr. Edmund E. Shepherd for the respondent, and concluded by Mr. Clayton F. Jennings for the petitioner.

No. 237. Wisconsin Electric Power Company, petitioner, *v.* The United States of America. Argued by Mr. Van B. Wake for the petitioner; by Mr. William L. Ransom for Consolidated Edison Company of New York, as *amicus curiae*, by special leave of Court; and by Mr. Lee A. Jackson for the respondent.

No. 253. The United States, petitioner, *v.* Penn Foundry and Manufacturing Company, Inc. Argument commenced by Mr. Melvin Richter for the petitioner, and continued by Mr. David G. Bress for the respondent.

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

The day call for Monday, January 10, will be as follows: Nos. 253, 143, 234, 109 (188, 209, and 212), 52, 226 (227, 243, and 266), 231, 336, 287, and 429.

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SUPREME COURT OF THE UNITED STATES

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

Laurence J. Hogan, of Pawtucket, R. I.; Edward T. Hogan, of Pawtucket, R. I.; John L. Madden, of Baton Rouge, La.; Bol E. Kemp, Jr., of Amite, La.; Philip R. Miller, of Washington, D. C.; Joseph W. Di Silvestro, of New York City; H. David Frackman, of New York City; Raymond E. Hanke, of Des Moines, Iowa; Charles M. Brooks, of Denton, Tex.; Arthur Bruan, of New York City; William M. Farrer, of Los Angeles, Calif.; George W. DeMoss, of Indianapolis, Ind.; Herbert T. Silverberg, of Los Angeles, Calif.; Douglas W. Matthews, of Atlanta, Ga.; and David Anthony Botte, of New York City, were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 191. Superior Court of the State of California in and for the County of Los Angeles and Farmer Bros. Co., petitioners, *v.* Gay Liffloren et al. On writ of certiorari to the Supreme Court of California. *Per curiam*: It appearing that there is a non-federal ground, independent of the federal ground, and adequate to support the judgment of the lower court, the case is dismissed for want of jurisdiction. *Fox Film Corp'n v. Muller*, 296 U. S. 207; *Lynch v. New York*, 293 U. S. 52.

No. 455. J. P. Cornelius, appellant, *v.* Pearl B. Jackson. Appeal from the Supreme Court of Oklahoma. *Per curiam*: The appeal is dismissed for want of a substantial federal question.

The Chief Justice said:

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

No. 427. Frederick W. Wade, petitioner, *v.* Walter A. Hunter, Warden, etc. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit granted.

No. 357. National Bank of Commerce of San Antonio, independent executor and trustee of the estate of W. G. Higgins, deceased, peti-

tioner, *v.* Frank Scofield, Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 405. M. Robert Guggenheim, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 409. Henry C. Riely and Robert T. Barton, Jr., as Receivers, etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 411. James A. Daggs, petitioner, *v.* Grover C. Klein, Rear Admiral, U. S. Navy, etc., et al.; and

No. 412. John Braitto, petitioner, *v.* Grover C. Klein, Rear Admiral, U. S. Navy, etc., et al. Petition for writs of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 415. Foreman's Association of America, petitioner, *v.* Edward G. Budd Manufacturing Company et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 428. J. T. Williams, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 437. Benjamin Joseph Miles and Myrtle Lett Miles, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 503. William Z. Foster, Eugene Dennis, also known as Francis K. Waldron, Jr., et al., petitioners, *v.* Honorable Harold R. Medina. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. The motion for a stay is also denied.

No. 270. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (A. F. L.) Local Union No. 667, et al., petitioners, *v.* Joe Mascari et al. Petition for writ of certiorari to the Supreme Court of Tennessee dismissed on motion to counsel for the petitioners.

No. 98, Misc. William B. Donnell, petitioner, *v.* State of Missouri. Motion for leave to file petition for rehearing denied.

No. 214, Misc. Bernard M. Shotkin, petitioner, *v.* W. F. Perkins and John Healy; and

No. 219, Misc. Bernard M. Shotkin, petitioner, *v.* H. P. Burke, et al. Petitions for rehearing denied.

No. 54, Misc. Victor Garity, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 282, Misc. W. S. Peaker, petitioner, *v.* State of Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 286, Misc. Charles W. Wilson, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 284, Misc. Garfield J. Kelly, petitioner, *v.* Ralph Howard, Warden. Motion for leave to file petition for writ of habeas corpus denied.

No. 317, Misc. Henry Winston, Irving Potash, Robert G. Thompson, et al., petitioners, *v.* Hon. John Clark Knox, as Chief Judge, etc., et al. Motion for leave to file petition to void indictments and to quash venire of petit jurors, for a rule to show cause why mandamus and prohibition should not issue, for rule absolute, and for a stay, denied.

The Court will take a recess from Monday, January 17, until Thursday, January 20 at 11 A. M., and from that day to Monday, January 31, next.

No. 253. The United States, petitioner, *v.* Penn Foundry and Manufacturing Company, Inc. Argument continued by Mr. David G. Bress and by Mr. Robert H. McNeill for the respondent; by Mr. Melvin Richter for the petitioner; and concluded by Mr. David G. Bress for the respondent.

No. 143. Alvin Krulewitch, petitioner, *v.* The United States of America. Argued by Mr. Jacob W. Friedman for the petitioner and by Mr. Robert W. Ginnane for the respondent.

No. 234. Mrs. Marie Reynolds, who sues as the Administratrix of the estate of Hury O. Reynolds, deceased, petitioner, *v.* Atlantic Coast Line Railroad Company, a corporation. Argued by Mr. Kirkman Jackson for the petitioner and by Mr. Peyton D. Bibb for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 11, will be as follows: Nos. 109 (188, 209, and 212), 52, 226 (227, 243, and 266), 231, 336, 287, 429, and 267.

SUPREME COURT OF THE UNITED STATES

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

Albert R. Rosenbaum, of McLean, Va.; Harold F. Reindel, of New York City; Jerome C. Katzin, of Chicago, Ill.; Myer Feldman, of Philadelphia, Pa., and Dwight H. Austin, of Houston, Tex., were admitted to practice.

No. 109. Federal Power Commission et al., petitioners, *v.* Interstate Natural Gas Company, Incorporated, et al.;

No. 188. Public Service Commission of the State of Missouri, petitioner, *v.* Interstate Natural Gas Company, Incorporated, et al.;

No. 209. Memphis Light, Gas & Water Division, petitioner, *v.* Interstate Natural Gas Company et al.; and

No. 212. Illinois Commerce Commission et al., petitioners, *v.* Interstate Natural Gas Company et al. Three hours allowed for oral argument. Argued by Mr. Bradford Ross for the Federal Power Commission; by Mr. John P. Randolph for Public Service Commission of Missouri; by Mr. William C. Wines for Illinois Commerce Commission; by Mr. John T. Cahill for Memphis Natural Gas Co.; by Mr. Forney Johnston for Southern Natural Gas Co.; by Mr. William A. Dougherty for Interstate Natural Gas Co. et al.; and case submitted by Mr. Charles C. Crabtree for Memphis Light, Gas and Water Division.

No. 52. Ingram M. Stainbach, Governor of the Territory of Hawaii, et al., appellants, *v.* Mo Hock Ke Lok Po, an Eleemosynary Corporation, et al. Argument commenced by Mr. Thomas W. Flynn for the appellants and continued by Mr. A. L. Wirin for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 12, will be as follows: Nos. 52, 226 (227, 243, and 266), 231, 336, 287, 429, and 267.

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SUPREME COURT OF THE UNITED STATES

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

Richard Joyce Smith, of Southport, Conn.; Phelan H. Hunter, of Tulsa, Okla.; J. Howard Rossbach, of New York City; Herbert L. Cobin, of Wilmington, Del.; and Conrad G. Moffett, of Philadelphia, Pa., were admitted to practice.

No. 450. Nannie Ellyson Pollard et al., petitioners, *v.* Clayton Hawfield et al. Time within which to file brief opposing petition for writ of certiorari extended to and including January 31, next, on motion of counsel for the respondents.

No. 453. Morrison T. Wade, petitioner, *v.* The People of the State of Michigan. Time within which to file brief opposing petition for writ of certiorari extended to and including January 31, next, on motion of counsel for the respondent.

No. 52. Ingram M. Stainback, Governor of the Territory of Hawaii, et al., appellants, *v.* Mo Hock Ke Lok Po, an Eleemosynary Corporation, et al. Argument continued by Mr. A. L. Wirin and Mr. Wai Yuen Char for the appellees and concluded by Mr. Thomas W. Flynn for the appellants. Leave granted appellants to file reply brief within one week.

No. 226. Securities and Exchange Commission, petitioner, *v.* Central-Illinois Securities Corporation et al.;

No. 227. Thomas W. Streeter et al., petitioners, *v.* Central-Illinois Securities Corporation et al.;

No. 243. The Home Insurance Company et al., petitioners, *v.* Central-Illinois Securities Corporation et al.; and

No. 266. Central-Illinois Securities Corporation et al., petitioners, *v.* Securities and Exchange Commission et al. Four hours allowed for oral argument. Argument commenced by Mr. Roger S. Foster for the Securities and Exchange Commission; by Mr. Lawrence R. Condon for Thomas W. Streeter et al.; by Mr. Francis H. Scheetz for the Home Insurance Company et al.; and by Mr. Louis Boehm for Lucille White et al.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 13, will be as follows: Nos. 226 (227, 243, and 266), 231, 336, 287, 429, and 267.

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SUPREME COURT OF THE UNITED STATES

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

John P. Doyle, of White Plains, N. Y.; Raymond L. Wise, of New York City; Albert Blumberg, of Chester, Pa.; William L. Hughes, of Lancaster, Pa.; Thomas R. Bryan, of Wilkesboro, N. C.; Harry A. Bowen, of Washington, D. C.; and John S. Lacz, of Paterson, N. J., were admitted to practice.

No. 255. Gerhart Eisler, petitioner, *v.* The United States of America. Motion of petitioner to postpone argument until March 1, next, granted.

No. 465. J. S. Woods, petitioner *v.* Interstate Realty Company. Time within which to file brief opposing petition for writ of certiorari extended to and including February 1, next, on motion of counsel for the respondent.

No. 467. Bennett E. Meyers, petitioner, *v.* The United States of America. Time within which to file brief opposing petition for writ of certiorari extended to and including January 28, next, on motion of counsel for the respondent.

No. 504. Lawrence C. Kingsland, Commissioner of Patents, petitioner, *v.* Barron-Gray Packing Company. Time for making service of petition for certiorari, brief, and record extended to a date which is not later than 15 days after the giving of notice by the Clerk of this Court to counsel for petitioner that the printed record has been delivered to such clerk, on motion of counsel for petitioner.

No. 226. Securities and Exchange Commission, petitioner, *v.* Central-Illinois Securities Corporation et al.;

No. 227. Thomas W. Streeter et al., petitioners, *v.* Central-Illinois Securities Corporation et al.;

No. 243. The Home Insurance Company et al., petitioners, *v.* Central-Illinois Securities Corporation et al.; and

No. 266. Central-Illinois Securities Corporation et al., petitioners, *v.* Securities and Exchange Commission et al. Argument continued by

Mr. Alfred Berman for Central-Illinois Securities Corporation et al. and concluded by Mr. Roger S. Foster for the Securities and Exchange Commission.

No. 231. United States of America, ex rel. Harold E. Hirshberg, petitioner, *v.* Captain William R. Cooke, Jr., United States Navy, etc. Argued by Mr. John J. O'Neil for the petitioner and by Mr. Peyton Ford for the respondent.

No. 287. Interstate Oil Pipe Line Company, appellant, *v.* A. H. Stone, Chairman State Tax Commission. Argued by Mr. Phelan H. Hunter for the appellant and by Mr. J. H. Sumrall for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, January 14, will be as follows: Nos. 429 and 267.

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SUPREME COURT OF THE UNITED STATES

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

G. Lester W. Curry, of New York City; Frank Quigley, of Washington, D. C.; Walter R. Hart, of New York City; Burton S. Cooper, of New York City; Bernard Shatzkin, of New York City; Theodore Miller, of New York City; Joseph S. Iseman, of New York City; Charles C. Young, of Denver, Colo.; and Anyda Marchant, of Arlington, Va., were admitted to practice.

No. 429. Sam Zimmerman, petitioner, *v.* State of Maryland. Argued by Mr. J. Cookman Boyd, Jr., for the petitioner and by Mr. Hall Hammond for the respondent.

No. 267. William Farrell, petitioner, *v.* United States of America et al. Argument commenced by Mr. Myron Scott for the petitioner; continued by Mr. Newell A. Clapp for the respondent, and concluded by Mr. Silas Blake Axtell for the petitioner.

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

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SUPREME COURT OF THE UNITED STATES

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

William Nicholas Hensley, of San Antonio, Tex.; Emmett J. Rahm, of San Antonio, Tex.; Haskell H. Cooper, of Dallas, Tex.; Wesley Robert Asinof, of Atlanta, Ga.; Emerson Urquhart Sims, of Portland, Oreg.; William Simon, of Chicago, Ill.; Hugh Joseph Graham, Jr., of Springfield, Ill.; Rudolph O. Vorbusch, of New Orleans, La.; J. Broughton Lamberth, of Alexander City, Ala.; Files Crenshaw, of Montgomery, Ala.; Jerome Phillips, of Birmingham, Ala.; John J. Dixson, of New York City; E. Snow Martin, of Lakeland, Fla.; and Noah M. Gediman, of Falmouth, Mass., were admitted to practice.

No. 32. Commissioner of Internal Revenue, petitioner, *v.* Lewis F. Jacobson; and

No. 33. Commissioner of Internal Revenue, petitioner, *v.* Lewis F. Jacobson. On writs of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgments reversed and cases remanded to the Court of Appeals for further action in accordance with the opinion of this Court. Opinion by Mr. Justice Burton. Concurring: Mr. Justice Rutledge. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

No. 88. Nathan D. Leiman and Samuel Marion, petitioners, *v.* Alexander Guttman, George Geller, and Arthur Bainton, etc., et al. On writ of certiorari to the Court of Appeals of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Douglas. Opinion by Mr. Justice Jackson dissenting in part in which the Chief Justice and Mr. Justice Frankfurter join.

No. 38. La Crosse Telephone Corporation, appellant, *v.* Wisconsin Employment Relations Board et al.; and

No. 39. International Brotherhood of Electrical Workers, Local B-953, A. F. of L., appellant, *v.* Wisconsin Employment Relations Board et al. Appeals from the Supreme Court of the State of Wis-

consin. Judgments reversed with costs and cases remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 42. August Klapprott, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of Court of Appeals and judgment of District Court reversed and case remanded to the United States District Court for the District of New Jersey with instructions to set aside the judgment of default and grant the petitioner a hearing on the merits raised by the denaturalization complaint. Mr. Justice Black announced the judgment of the Court and delivered an opinion in which Mr. Justice Douglas joins. Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Rutledge, and Mr. Justice Burton agree that the District Court erred in dismissing the petition to set aside the default judgment, and that the Court of Appeals erred in affirming the District Court judgment. Opinion by Mr. Justice Rutledge concurring in the result in which Mr. Justice Murphy joins. Dissenting opinion by Mr. Justice Reed in which the Chief Justice and Mr. Justice Jackson join. Dissenting opinion by Mr. Justice Frankfurter.

No. 5. Commissioner of Internal Revenue, petitioner, *v.* Estate of Francois L. Church, Deceased, Edward E. Black, Executor. On writ of certiorari to the United States Court of Appeals for the Third Circuit; and

No. 3. Estate of Sidney M. Spiegel, Deceased, Katherine J. Spiegel, et al., Surviving Executors, etc., petitioners, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment in No. 5 reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Judgment in No. 3 affirmed. Opinions by Mr. Justice Black. Mr. Justice Jackson concurs in the result in No. 5. Mr. Justice Jackson dissents in No. 3. Opinion by Mr. Justice Reed concurring in No. 3 and dissenting in No. 5. Opinion by Mr. Justice Frankfurter dissenting in Nos. 3 and 5. Opinions by Mr. Justice Burton dissenting in Nos. 3 and 5.

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. 132. The United States, petitioner, *v.* Richard S. Cors. On consideration of a suggestion by the respondent of a diminution of

the record and a motion for a writ of certiorari in that regard, certiorari is denied.

No. 431. United Steelworkers of America et al., petitioners, *v.* National Labor Relations Board. The petition for writ of certiorari to the Court of Appeals for the Seventh Circuit is granted and the case is assigned for argument immediately following No. 336.

No. 386. Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian, petitioner, *v.* Manufacturers Trust Company; and

No. 443. Manufacturers Trust Company, petitioner, *v.* Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian. Petitions for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 426. World Publishing Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 432. E. E. Swalley, petitioner, *v.* Addressograph-Multigraph Corporation. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 444. Pueblo Trading Co., petitioner, *v.* El Camino Irrigation District (a Public Corporation), et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 449. Borg-Warner Corporation and David E. Gamble, petitioners, *v.* George I. Goodwin. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 451. Catherine Bowcott and Edna Woodcock, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 461. Anibal Monagas Y De La Rosa et al., Heirs, etc., et al., petitioners, *v.* Neftali Vidal-Garrastazu. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 439. Universal Oil Products Company, petitioner, *v.* William Whitman Company, Inc.;

No. 440. Universal Oil Products Company, petitioner, *v.* William Whitman Company, Inc.; and

No. 441. American Safety Table Company, petitioner, *v.* Singer Sewing Machine Company. The motions to dispense with printing the record are granted. The petitions for writs of certiorari to the Court of Appeals for the Third Circuit are denied.

No. 187. Watchtower Bible and Tract Society, Inc., et al., petitioners, *v.* Metropolitan Life Insurance Company, and

No. 400. Dan Leroy Hall, appellant, *v.* Commonwealth of Virginia;

No. 410. Trico Products Corporation, petitioner, *v.* George T. McGowan, Collector of Internal Revenue for the 28th District of New York;

No. 226, Misc. Louis Burall, petitioner, *v.* E. B. Swope, Warden; and

No. 237, Misc. Sherman Williams, petitioner, *v.* United Mine Workers of America. The petitions for rehearing in these cases are severally denied.

No. 279, Misc. Ex Parte Louisiana Farmers Protective Union, Inc., petitioner. The motion for an extension of time within which to file petition for rehearing is denied.

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

No. 275, Misc. Albert Marcus, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 287, Misc. Edmond L. Viles, petitioner, *v.* Mead R. Johnson. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 289, Misc. Ervin Galloway, petitioner, *v.* Ben B. Stewart, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 285, Misc. Kenneth Pardee, petitioner, *v.* State of Michigan; and

No. 299, Misc. Edward McCray, petitioner, *v.* Leroy Wright, Warden. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 310, Misc. Joseph Poresky, petitioner, *v.* Rudolph F. King; and

No. 312, Misc. Richard Anderson Lowe, petitioner, *v.* George D. Killinger. Applications denied.

No. 507. City of Omaha, a Municipal Corporation, Charles W. Leeman, Mayor, et al., petitioners, *v.* Frank Brothers Footwear, Inc., a Corporation. Time for making service of petition for certiorari, brief, and record extended to a date which is not later than 10 days

after the giving of notice by the Clerk of this Court to counsel for the petitioners that the printed record has been delivered to such Clerk.

Adjourned until Thursday, January 20, at 11 o'clock.

The day call for Monday, January 31, will be as follows: Nos. 197, 333, 121 Misc., 258, 179, 351, 360, 430, 272, and 297.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Manuel J. Sugar, of Chicago, Ill.; Jack Caldwell Hebdon, of San Antonio, Tex.; Ralph H. Duggins, of Marshall, Mo.; John K. Hulston, of Springfield, Mo.; Clifford Swearingen, of Corpus Christi, Tex.; Warren B. Phillips, of Corpus Christi, Tex.; Walter P. Brenan, of San Antonio, Tex.; Adrian A. Spears, of San Antonio, Tex.; Bond Davis, of San Antonio, Tex.; Louis L. Friedman, of Brooklyn, N. Y.; Ralph P. Johnson, of Osceola, Mo.; Paul E. Sloane, of San Francisco, Calif.; Harold Dunbar Cooley, of Nashville, N. C.; Hubert Elwood May, of Nashville, N. C.; Joseph S. Levy, of Kansas City, Mo.; Charles L. Bacon, of Marshall, Mo.; John S. Boyle, of Chicago, Ill.; James J. Boyle, of Hubbard, Ohio; Francis W. Durbin, of Lima, Ohio; Durward F. Mathis, of Lawton, Okla.; John H. MacVey, of Washington, D. C.; Grant Macfarlane, of Salt Lake City, Utah; Edward V. Long, of Bowling Green, Mo.; and Robert Patrick Russell, of Milwaukee, Wis., were admitted to practice.

The Court took a recess for the purpose of attending the inauguration of the President of the United States.

The oath of office was administered to the Honorable Alben W. Barkley as Vice President of the United States by Mr. Justice Stanley Reed.

The oath of office was administered to the Honorable Harry S. Truman as President of the United States by the Chief Justice, and the Court reconvened.

Adjourned until Monday, January 31, next, at 12 o'clock.

The day call for Monday, January 31, will be as follows: Nos. 197, 333, 121 Misc., 258, 179, 351, 360, 430, 272, and 297.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

L. Louis Karton, of Chicago, Ill.; Samuel Y. Austin, Jr., of Waynesboro, Va.; James Landye, of Portland, Oreg.; Thomas J. White, of Portland, Oreg.; Sydney R. Drebin, of Chicago, Ill.; Franklin H. Williams, of New York City; Harry A. Iseberg, of Chicago, Ill.; H. Eugene Field, of Royal Oak, Mich.; Curtis Bush, of Davenport, Iowa; Henry Leo Brewster, of Fort Worth, Tex.; Wilbur L. Fugate, of Charleston, W. Va.; Stanley C. Barker, of Detroit, Mich.; B. C. Franklin, of Tulsa, Okla.; William Perry Epes, of Alexandria, Va.; Emrys J. Ross, of Pasadena, Calif.; James J. Leff, of New York City; John C. Box, Jr., of Jacksonville, Tex.; Abraham Robbins, of New York City; Paul R. Harmel, of Washington, D. C.; and Harry K. Mansfield, of Boston, Mass., were admitted to practice.

No. 35. George T. Goggin, Trustee in Bankruptcy of the Estate of Kessco Engineering Corporation, petitioner, *v.* Division of Labor Law Enforcement, State of California, Statutory Assignee of Certain Prior Wage Claimants. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed with costs and cause remanded to the United States District Court for the Southern District of California for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton.

No. 51. Railway Express Agency, Inc., Charles Gerchario, Michael Long, et al., appellants, *v.* People of the State of New York. Appeal from the Court of Appeals of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Jackson.

No. 9. Charles Kovacs, appellant, *v.* Albert Cooper, Jr., Judge of the First District Police Court of Trenton. Appeal from the Court of Errors and Appeals of the State of New Jersey. Judgment affirmed with costs. Mr. Justice Reed announced the judgment of the Court and an opinion in which the Chief Justice and Mr. Justice Burton join. Concurring opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Jackson. Dissenting: Mr. Justice Murphy. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas

and Mr. Justice Rutledge concur. Dissenting opinion by Mr. Justice Rutledge.

No. 53. Clyde Wilkerson, petitioner, *v.* Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company. On writ of certiorari to the Supreme Court of the State of Utah. Judgment reversed with costs and case remanded to the said Supreme Court for further action not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter. Mr. Justice Burton, having concurred in the Court's opinion, also joins in the opinion of Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Douglas in which Mr. Justice Murphy and Mr. Justice Rutledge join. Dissenting opinion by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Jackson.

The Chief Justice announced the following order of the Court:

No. 429. Sam Zimmerman, petitioner, *v.* State of Maryland. On writ of certiorari to the Court of Appeals of Maryland. *Per curiam*: The judgment is affirmed. *Akins v. Texas*, 325 U. S. 398 (1945). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge dissent.

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. 272. Arthur Terminiello, petitioner, *v.* City of Chicago. The motions of American Jewish Congress and American Civil Liberties Union for leave to file briefs as amici curiae are granted.

No. 500. The Union National Bank of Wichita, Kansas, appellant, *v.* Carl C. Lamb. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits. Counsel are requested to discuss on briefs and oral argument the question whether the application for appeal was timely.

No. 464. Clayton Mark & Company, Enameled Metals Company, Fretz-Moon Tube Company, Inc., et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted.

No. 170. Estate of Florence Althea Gibb, Deceased, et al., Executors, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 438. Fulton Iron Company, a Corporation, petitioner, *v.* Jess Larson, as War Assets Administrator and Surplus Property Administrator. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 445. King David and William Talmadge Spears, petitioners, *v.* George A. Sutton, Executor of the Estate of Dr. Mansfield L. Spears, Deceased, et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 454. Worcester Woolen Mills Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 458. Laurie J. Carpenter, petitioner, *v.* Rohm and Haas Co., Inc. Petition for writ of certiorari to the Court of Appeals for the Third District denied.

No. 459. Laurie J. Carpenter, petitioner, *v.* Erie Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 460. William J. Cleary, petitioner, *v.* Chicago Title and Trust Company. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 462. Frank C. Gierens and Nikolas J. Ferencak, petitioners, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 463. Wabash Railroad Company, petitioner, *v.* The Honorable Richard M. Duncan, a Judge of the United States District Court for the Western District of Missouri. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 466. Coke R. Stevenson, petitioner, *v.* Lyndon B. Johnson et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 469. Atty M. Jackson, petitioner, *v.* Burr Lambert. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 470. Eugene V. Hensley, James W. Hensley, United Sales Company, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 489. Jack L. Harris and B. T. Calhoun, Doing Business as Co-Partners Under the Trade Name of H-C Products Company, petitioners, *v.* National Machine Works, Inc., and Theodore C. Gerner. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 456. Charles C. Patterson, petitioner, *v.* J. B. Gray. The motion to dispense with the printing of the petition and record is granted. The petition for writ of certiorari to the Supreme Court of Appeals of Virginia is denied.

No. 44. Robert Frazier, petitioner, *v.* The United States of America;

No. 171, Misc. Leo Grant Kissinger, petitioner, *v.* The United States of America;

No. 272, Misc. John Jackson, petitioner, *v.* State of Georgia; and

No. 274, Misc. N. B. Houghton, petitioner, *v.* R. H. Hudspeth, Warden. The petitions for rehearing in these cases are severally denied.

No. 183, Misc. Lester Sim Exkano, petitioner, *v.* W. H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 196, Misc. Samuel F. Adams, petitioner, *v.* W. H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 205, Misc. James Russell Hawthorne, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 211, Misc. Charles Cuckovich et al., petitioners, *v.* The United States. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 280, Misc. Walter Spicher, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Knox County, State of Illinois, denied.

No. 281, Misc. Frank Jordan, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 288, Misc. Walter Burns, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 292, Misc. George E. Hickman, as Administrator of the Estate of Norman E. Hickman, Deceased, petitioner, *v.* John M. Taylor et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 293, Misc. Walter Spicher, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 295, Misc. United States of America, ex rel. Harry Holderfield, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 296, Misc. George Richard Oaks, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 297, Misc. Norman C. Allen, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 303, Misc. Geo. E. Dunkle, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Peoria County, State of Illinois, denied.

No. 313, Misc. Woodrow Burnett, petitioner, *v.* Ben B. Stewart, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 314, Misc. Guy G. Ormsby, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 316, Misc. George William Bailey, petitioner, *v.* Ben Stewart, Warden. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 325, Misc. William De Lloyd Bevelhymer, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 328, Misc. B. A. Pyle, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 333, Misc. Ida May Talbot, petitioner, *v.* City of Pasadena et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 336, Misc. John E. Gawron, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 298, Misc. Albert House, petitioner, *v.* Nathan Mayo, as Custodian of the Florida State Prison. The petition for writ of certiorari to the Supreme Court of Florida is denied. The motion for leave to file petition for writ of habeas corpus is also denied.

No. 300, Misc. In the Matter of Albert Woodrow Rash, petitioner. The motion for leave to file petition for writ of mandamus is denied.

No. 301, Misc. Bernard M. Shotkin, petitioner, *v.* Westinghouse Electric & Manufacturing Co. et al. Application denied.

No. 308, Misc. Wallace Phillips, petitioner, *v.* Joseph E. Ragen, Warden. The motion of petitioner for leave to withdraw the motion for leave to file petition for writ of certiorari is granted.

No. 311, Misc. Donald Armstrong, petitioner, *v.* Ralph Howard, Warden. The motion for leave to file petition for writ of habeas corpus is denied.

No. 319, Misc. Roy Grigsby, petitioner, *v.* Hon. Luther M. Swygert. The motion for leave to file petition for writ of mandamus is denied.

No. 327, Misc. In the Matter of Canadian River Gas Co., petitioner. The motion for leave to file petition for writ of mandamus is denied.

No. 329, Misc. Louis Burall, petitioner, *v.* Tom C. Clark, Attorney General. The petition for injunction is denied.

No. 331, Misc. Kelly Moss, petitioner, *v.* Hon. Luther Swygert, District Judge. The motion for leave to file petition for writ of mandamus is denied.

No. 334, Misc. In the Matter of Charles E. McAdam, petitioner. The motion for leave to file petition for writ of habeas corpus is denied.

No. 335, Misc. Howard O. Bonham, petitioner, *v.* Joseph E. Ragen, Warden. The motion for leave to file petition for writ of certiorari is denied.

No. 197. National Labor Relations Board, petitioner, *v.* Crompton-Highland Mills, Inc. Argued by Mr. David P. Findling for the petitioner and by Mr. Ralph Williams for the respondent.

No. 333. Aeronautical Industrial District Lodge 727, an Unincorporated Association, petitioner, *v.* James L. Campbell et al. Argued by Mr. Maurice J. Hindin for the petitioner and by Mr. H. Graham Morison for the respondents, James L. Campbell et al., and submitted by Mr. Robert H. Canan for the respondent, Lockheed Aircraft Corporation. Leave granted petitioner to file memorandum within five days.

No. 121, Misc. Samuel Taylor, petitioner, *v.* Tennyson Dennis, Warden. Argument commenced by Mr. Nesbitt Elmore for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, February 1, will be as follows: Nos. 121 Misc., 272, 179, 351, 360, 430, 297, 135 (and 198), 298, and 132.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Robert F. Jackson, of Media, Pa.; Samuel H. Landy, of Philadelphia, Pa.; Wilfred R. Lorry, of Philadelphia, Pa.; Donald S. Russell, of Spartanburg, S. C.; and Edwin W. Johnson, of Spartanburg, S. C., were admitted to practice.

No. 121, Misc. Samuel Taylor, petitioner, *v.* Tennyson Dennis, Warden. Argument concluded by Mr. Nesbitt Elmore for the petitioner and submitted by Mr. A. A. Carmichael and Mr. Bernard F. Sykes for the respondent.

No. 272. Arthur Terminiello, petitioner, *v.* City of Chicago. Argued by Mr. Albert W. Dilling for the petitioner, and by Mr. L. Louis Karton for the respondent.

No. 179. Lillian A. Weade, Frederick M. Weade, and Roberta L. Stinemeyer, petitioners, *v.* Dichmann, Wright & Pugh, Incorporated. Argued by Mr. William E. Leahy for the petitioners, and by Mr. Leavenworth Colby for the respondent.

No. 351. Cosmopolitan Shipping Company, Inc., petitioner, *v.* Robert A. McAllister. Argument commenced by Mr. Leavenworth Colby for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 2, will be as follows: Nos. 351, 360, 430, 297, 135 (and 198), 298, 132, 313, 206 Misc., and 233 Misc.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Edgar A. Brown, of Barnwell, S. C.; R. Hoke Robinson, of Columbia, S. C.; Park Holland, Jr., of New York City; Felix A. Kaul, of Gary, Ind.; Albert H. Helvestine, of Washington, D. C.; Nathaniel A. Turner, of Columbia, S. C.; Archie B. Morrison, of New York City; Jacob Nass, of New York City; William Stock, of New York City; Thomas Goodman Vent, of Chicago, Ill.; Rudolph Ebenfeld, of New York City; Paul L. Peyton, of New York City; Huger Sinkler, of Charleston, S. C.; George F. Smyth, of Inglewood, Calif.; Seth Lundquist, of Minneapolis, Minn.; and DeWitt Morgan Manning, of Los Angeles, Calif., were admitted to practice.

No. 351. *Cosmopolitan Shipping Company, Inc., petitioner, v. Robert A. McAllister.* Argument concluded by Mr. Jacob Bassner for the respondent.

No. 360. *Fred W. Fink, petitioner, v. Shepard Steamship Company.* Argued by Mr. James Landye for the petitioner and by Mr. Leavenworth Colby for the respondent.

No. 430. *Isaac Gaynor, petitioner, v. Agwilines, Inc.* Argued by Mr. Abraham E. Freedman for the petitioner and by Mr. Leavenworth Colby for the respondent.

No. 297. *John M. Daniel, as Attorney General of South Carolina, et al., appellants, v. Family Security Life Insurance Company et al.* Argued by Mr. David W. Robinson for the appellants and by Mr. Donald Russell for the appellees.

No. 135. *The United States, petitioner, v. Alfred W. Jones, Receiver for Georgia & Florida Railroad; and*

No. 198. *Alfred W. Jones, Receiver for Georgia & Florida Railroad, petitioner, v. The United States.* Argument commenced by Mr. Moultrie Hitt for Jones, Receiver.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, February 3, will be as follows: Nos. **135** (and **198**), **298**, **132**, **313**, **206 Misc.**, **233 Misc.**, **269 Misc.**, **355**, **327**, and **387**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Joe Thomas Mizell, Jr., of Richmond, Va.; Boone D. Tillett, Jr., of Lake Wales, Fla.; Woodrow J. Sandler, of New York City; and Darwin W. Telesford, of New York City, were admitted to practice.

No. 135. The United States, petitioner, *v.* Alfred W. Jones, Receiver for Georgia & Florida Railroad; and

No. 198. Alfred W. Jones, Receiver for Georgia & Florida Railroad, petitioner, *v.* The United States. Argument continued by Mr. Moultrie Hitt for Jones, Receiver: by Mr. Solicitor General Perlman for the United States, and concluded by Mr. Moultrie Hitt for Jones, Receiver.

No. 298. Defense Supplies Corporation and Reconstruction Finance Corporation, petitioners, *v.* Lawrence Warehouse Company et al. Argued by Mr. Morton Liftin for the petitioners, by Mr. Morris Lavine for the respondent, Capitol Chevrolet Co., and by Mr. W. R. Wallace for the respondent, Lawrence Warehouse Co.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, February 4, will be as follows: Nos. 132, 313, 206 Misc., 233 Misc., 269 Misc., 355, 387, 327, and 396.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Imogen Williford, of Vossburg, Miss.; Aaron Alvis Layne, Jr., of Washington, D. C.; and Ethel Mary Denny, of Washington, D. C., were admitted to practice.

No. 132. The United States, petitioner, *v.* Richard S. Cors. Argued by Mr. Oscar H. Davis for the petitioner, and by Mr. John Lord O'Brien for the respondent.

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

The day call for Monday, February 7, will be as follows: Nos. 313, 206 Misc., 233 Misc., 269 Misc., 355, 387, 327, and 396.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

John S. Guandolo, of Washington, D. C.; Julian G. Hearne, Jr., of Wheeling, W. Va.; J. Paul Wait, of Sturgis, Mich.; James Kenneth Kneussl, of Chicago, Ill.; John P. Sandidge, of Louisville, Ky.; Robert Andrew Ainsworth, Jr., of New Orleans, La.; Charles Sterling Landrum, of Lexington, Ky.; Henry William Willen, of Louisville, Ky.; Allan F. Ayers, Jr., of New York City; Norton Jay Come, of Chicago, Ill.; James E. Sabine, of San Francisco, Calif.; Ronald S. Hazel, of St. Paul, Minn.; Sidney Meyers, of New York City; Frank R. Reid, Jr., of Aurora, Ill.; David F. Root, of Morris, Ill.; Leonard Hoffman, of Morris, Ill.; C. Dinwiddie Stores, of Arlington, Va.; Francis E. Winslow, of Rocky Mount, N. C.; Mark P. Friedlander, of Falls Church, Va.; Gerald L. Phelps, of Arlington, Va.; James Clayton Moore, Jr., of Alexandria, Va.; R. P. Hobson, of Louisville, Ky.; Lloyd T. Bailey, of Hot Springs, Ark.; and Lon Hocker, of St. Louis, Mo., were admitted to practice.

No. 244. Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer of the City of New Orleans, et al., appellants, *v.* Mississippi Valley Barge Line Company, American Barge Line Company and Union Barge Line Corporation. Appeal from the United States Court of Appeals for the Fifth Circuit. Judgments reversed with costs and cause remanded to the United States District Court for the Eastern District of Louisiana for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting: Mr. Justice Jackson.

No. 45. Joe J. Fisher, petitioner, *v.* R. C. Pace, Sheriff of Jasper County, Texas. On writ of certiorari to the Supreme Court of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs. Dissenting opinion by Mr. Justice Murphy. Dissenting opinion by Mr. Justice Rutledge.

No. 21. Merrel P. Callaway, as Trustee of the Property of Central of Georgia Railway Company, Debtor, et al., petitioners, *v.* L. O. Benton, Jr., et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed with costs.

Opinion by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Rutledge concurs.

The Chief Justice announced the following order of the Court:

No. 121, Misc. Samuel Taylor, petitioner, *v.* Tennyson Dennis, Warden. On writ of certiorari. *Per curiam:* The judgment and order of the United States District Court for the Middle District of Alabama and the order of the United States Court of Appeals for the Fifth Circuit are affirmed by an equally divided Court. Mr. Justice Black took no part in the consideration or decision of this case.

The Chief Justice said:

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

No. 59. Carl Aldo Marzani, petitioner, *v.* The United States of America. The petition for rehearing is granted and the case is ordered restored to the docket for reargument. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 387. Transcontinental & Western Air, Inc., petitioner, *v.* Civil Aeronautics Board. The motion of Capital Airlines, Inc., for leave to file a brief as *amicus curiae* is granted.

No. 457. William H. Hiatt, Warden, United States Penitentiary, Lewisburg, Pennsylvania, petitioner, *v.* Bernard W. Smith. The motion of the Solicitor General to substitute George W. Humphrey, the present warden, in the place of William H. Hiatt is granted. The petition for writ of certiorari to the Court of Appeals for the Third Circuit is granted.

No. 465. J. S. Woods, petitioner, *v.* Interstate Realty Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 450. Nannie Ellyson Pollard, Mary Ellyson Dowdy, Hattie Ellyson Maddox, et al., petitioners, *v.* Clayton Hawfield, Frances Gertrude Scott, Florence O. Metz, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 471. Wilson Bros. & Co., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 483. Dixie Cup Company, petitioner, *v.* Paper Container Mfg. Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 497. Willie Melmoth Bomar, petitioner, *v.* Rowena Keith Keyes and the City of New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 498. American Locomotive Company, petitioner, *v.* Chemical Research Corporation; and

No. 499. American Locomotive Company, petitioner, *v.* Gyro Process Company. Petition for writs of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 482. Seatrain Lines, Inc., petitioner, *v.* West India Fruit & Steamship Co., Inc., et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit dismissed on motion of counsel for the petitioner.

No. 30. Lelord Kordel, petitioner, *v.* The United States of America. The motion for leave to file petition for rehearing out of time is denied.

No. 405. M. Robert Guggenheim, petitioner, *v.* The United States;

No. 658, October Term, 1945. James Grierson, petitioner, *v.* Stanley P. Ashe, Warden, Western Pennsylvania Penitentiary, Pittsburgh, Pa., et al., and

No. 659, October Term, 1945. James Grierson, petitioner, *v.* Stanley P. Ashe, Warden, Western Pennsylvania Penitentiary, Pittsburgh, Pa., et al.;

No. 275, Misc. Albert Marcus, petitioner, *v.* R. H. Hudspeth, Warden;

No. 286, Misc. Charles W. Wilson, petitioner, *v.* R. H. Hudspeth, Warden; and

No. 312, Misc. Richard Anderson Lowe, petitioner, *v.* George D. Killinger. The petitions for rehearing in these cases are severally denied.

No. 185, Misc. James Albert D'Ostroph, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 229, Misc. Lester Nicholls, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 278, Misc. Mary Gibbons, petitioner, *v.* Hugo E. Brandt and Ruth E. Brandt. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 321, Misc. John Pitts, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 322, Misc. Wilbur Williams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. **323**, Misc. Cortez Garner, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. **324**, Misc. Albert Ciha, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. **307**, Misc. Robert Nichols Clarke, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, dismissed on motion of the petitioner.

No. **337**, Misc. Frank W. O'Neill, petitioner, *v.* People of the State of California;

No. **345**, Misc. Emery Lloyd, petitioner, *v.* Ralph Howard, Warden; and

No. **347**, Misc. Thomas Stephenson, petitioner, *v.* The State of New Jersey. The motions for leave to file petitions for writs of habeas corpus are severally denied.

The Court will take a recess from Monday, February 14, until Monday, February 28, next.

No. **313**. Commissioner of Internal Revenue, petitioner, *v.* W. O. Culbertson, Sr., and Gladys Culbertson. Argued by Mr. Arnold Raum for the petitioner, and by Mr. Benjamin L. Bird for the respondent.

No. **206**, Misc. Ex parte Joseph Collett, petitioner. Argued on the motion for leave to file petition for writs of mandamus and prohibition by Mr. Lloyd T. Bailey for the petitioner, and by Mr. Robert P. Hobson for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, February 8, will be as follows: Nos. **233** Misc., **269** Misc., **355**, **387**, **327**, and **396**.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Charles Pickett, of New York City; J. Herbert Burke, of Chicago, Ill.; Norman Duberstein, of Washington, D. C.; William F. Brooks, of Los Angeles, Calif.; and Beverly W. Pattishall, of Chicago, Ill., were admitted to practice.

No. 233, Misc. Jessie A. Kilpatrick, petitioner, *v.* The Texas & Pacific Railway Co. Argued on the motion for leave to file petition for writ of mandamus or certiorari by Mr. William H. DeParcq for the petitioner and by Mr. Porter R. Chandler for the respondent.

No. 269, Misc. The United States of America, petitioner, *v.* National City Lines, Inc., et al. Argued on the motion for leave to file petition for writ of certiorari by Mr. Charles Weston for the petitioner and by Mr. C. Frank Reavis for the respondents.

No. 355. The People of the State of California, petitioner, *v.* Berl B. Zook and Wilmer K. Craig. Argued by Mr. John L. Bland for the petitioner and by Mr. DeWitt Morgan Manning for the respondents.

No. 387. Transcontinental & Western Air, Inc., petitioner, *v.* Civil Aeronautics Board. Argument commenced by Mr. Gerald B. Brophy for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 9, will be as follows: Nos. 387, 327, and 396.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Mary Frances Brown, of Clarksburg, W. Va.; Arch M. Cantrall, of Clarksburg, W. Va.; Donald F. Welday, of Detroit, Mich.; Monroe E. Stein, of New York City; and George F. Roesch 2d, of Middletown, N. Y., were admitted to practice.

No. 387. Transcontinental & Western Air, Inc., petitioner, *v.* Civil Aeronautics Board. Argument continued by Mr. Gerald B. Brophy for the petitioner; by Mr. Emory T. Nunneley, Jr., for the respondent, and concluded by Mr. Gerald B. Brophy for the petitioner.

No. 327. Empresa Siderurgica, S. A., a Corporation of Colombia, South America, et al., appellants, *v.* County of Merced, a Municipal Corporation, et al. Argued by Mr. Scott D. Kellogg for the appellants, and by Mr. James E. Sabine for the appellees.

No. 396. City of Morgantown, West Virginia, a Municipal Corporation, petitioner, *v.* Royal Insurance Company, Limited. Argument commenced by Miss Mary Frances Brown for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, February 10, will be as follows: No. 396.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Albert Louis Seidel, of Chicago, Ill.; and Samuel D. Menin, of Denver, Colo., were admitted to practice.

No. 396. City of Morgantown, West Virginia, a Municipal Corporation, petitioner, *v.* Royal Insurance Company, Limited. Argument continued by Miss Mary Frances Brown for the petitioner, and concluded by Mr. James M. Guiher for the respondent.

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

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Hancock Griffin, Jr., of New York City; Harvey L. Hardy, of San Antonio, Tex.; Bates Block, of Atlanta, Ga.; Philip F. LaFollette, of Madison, Wis.; Neal Jay Huff, of Larchmont, N. Y.; Bernard Trencher, of New York City; George Joseph Tichy, of Spokane, Wash.; Edgar Jules Schoen, of Chicago, Ill.; Horace Bonar Ritchie, Jr., of Athens, Ga.; Hobby H. McCall, of Dallas, Tex.; Katie Shapiro, of New York City; James L. Burke, of Elmira, N. Y.; Donald Burdette Smith, of Saint Paul, Minn.; and Carl G. Engling, of Washington, D. C., were admitted to practice.

No. 56. Richard P. Lawson, as Deputy Commissioner, Sixth Compensation District, United States Employees' Compensation Commission, petitioner, *v.* Suwannee Fruit & Steamship Company, a Corporation, et al. 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 Florida. Opinion by Mr. Justice Murphy. Dissenting: Mr. Justice Douglas.

No. 110. William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, petitioner, *v.* Jacksonville Paper Company et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of Florida for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Rutledge concurs in the result. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson concurs.

No. 237. Wisconsin Electric Power Company, petitioner, *v.* The 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 Eastern District of Wisconsin. Opinion by Mr. Justice Reed.

No. 234. Mrs. Marie Reynolds, Who Sues as the Administratrix of the Estate of Hury O. Reynolds, Deceased, petitioner, *v.* Atlantic

Coast Line Railroad Company, a Corporation. On writ of certiorari to the Supreme Court of the State of Alabama. Judgment affirmed with costs. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Concurring: Mr. Justice Frankfurter. Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

No. 472. E. A. Hill, petitioner, *v.* Atlantic Coast Line Railroad Company. On petition for writ of certiorari to the Supreme Court of the State of North Carolina. Petition for writ of certiorari granted. Judgment reversed with costs and case remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Frankfurter is of opinion that the petition for certiorari should not be granted for reasons indicated in his concurring opinion in No. 53, *Wilkerson v. McCarthy*, decided January 31, 1949.

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. —, Original. The United States of America, complainant, *v.* The State of Louisiana; and

No. —, Original. The United States of America, complainant, *v.* The State of Texas. These cases are assigned for oral argument on the motions for leave to file complaints.

No. 44. Robert Frazier, petitioner, *v.* The United States of America. It is ordered that the first sentence of the last paragraph on page 7 of the slip opinion, which begins "Given ten arbitrary choices among twenty-two prospective jurors * * *," be, and it is hereby, amended to read as follows:

"Given ten arbitrary choices among twenty-two prospective jurors not disqualified for cause, of whom thirteen were Government employees and nine privately engaged, he knowingly, of his own right, rejected nine of the latter and with knowledge or the full opportunity to secure it accepted without challenge all but one of the former."

No. 53. Clyde Wilkerson, petitioner, *v.* Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company. Time within which to file petition for rehearing extended to and including March 8, next, on motion of counsel for the respondent.

No. 476. Tighe E. Woods, Housing Expediter, Office of the Housing Expediter, petitioner, *v.* Elizabeth Ellis Durr. Petition for writ of certiorari to the Court of Appeals for the Third Circuit granted.

No. 402. Charlie Love, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 467. Bennett E. Meyers, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 468. John Barcott, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 478. Roscoe A. Coffman, petitioner, *v.* Federal Laboratories, Inc., and the United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 479. Emanuel Stavros Houvardas, petitioner, *v.* I. F. Wixon, District Director of Immigration and Naturalization. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 480. Pangborn Corporation, petitioner, *v.* The American Foundry Equipment Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 481. American Foundry Equipment Company, petitioner, *v.* Pangborn Corporation. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 485. Loie L. Bruce, petitioner, *v.* The Ohio Oil Company, and Ramsey Petroleum Corporation. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 491. Lee Fong Fook, petitioner, *v.* I. F. Wixon, District Director, Immigration and Naturalization Service, Port of San Francisco. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 492. Russell R. Knowles and Silvia Knowles et al., petitioners, *v.* War Damage Corporation, an Instrumentality of the United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 501. Frederick John Wolfe, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 508. George Marris, petitioner, *v.* Ned Sockey. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 484. Joseph C. Sharble and Charles Hooker, petitioners, *v.* Kuehne-Wilson, Inc. Petition for writ of certiorari to the Supreme

Court of Pennsylvania denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. 2101 (c).

No. 7. Thoger Gronberg Jungersen, petitioner, *v.* Ostby and Barton Company and American Associates, Inc.,

No. 8. Ostby and Barton Company and American Associates, Inc., petitioners, *v.* Thoger Gronberg Jungersen, and

No. 48. Thoger Gronberg Jungersen, petitioner, *v.* Robert Baden, Rose Baden, Albert Foss, et al.; and

No. 90. Lipe Henslee, Individually, Now Residing in Davidson County, Tennessee, Collector of Internal Revenue, District of Tennessee, petitioner, *v.* Union Planters Bank & Trust Company, a National Bank at Memphis, Tennessee, et al. The motions for leave to file petitions for rehearing are denied.

No. 3. Estate of Sidney M. Spiegel, Deceased, Katherine J. Spiegel, et al., Surviving Executors, etc., petitioners, *v.* Commissioner of Internal Revenue;

No. 5. Commissioner of Internal Revenue, petitioner, *v.* Estate of Francois L. Church, Deceased, Edward E. Black, Executor;

No. 426. World Publishing Company, petitioner, *v.* The United States of America;

No. 439. Universal Oil Products Company, petitioner, *v.* William Whitman Company, Inc., and

No. 440. Universal Oil Products Company, petitioner, *v.* William Whitman Company, Inc.;

No. 441. American Safety Table Company, petitioner, *v.* Singer Sewing Machine Company; and

No. 223, Misc. John O. Story, petitioner, *v.* Clarence P. Burford, Warden. The petitions for rehearing in these cases are severally denied.

No. 339, Misc. Charley Darnell, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 342, Misc. Henry Wofford, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 343, Misc. Richard Clark, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Lake County, State of Illinois, denied.

No. 344, Misc. Robert A. Watts, petitioner, *v.* State of Indiana. The motion to dispense with filing of complete record with the petition for writ of certiorari is granted.

No. 561. Gladys Broadhurst, petitioner, *v.* State of Oregon. Time for making service of petition for certiorari, brief, and record extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Adjourned until Monday, February 28, next, at 12 o'clock.

The day call for Monday, February 28, will be as follows: Nos. 59, 37, 118, 228, 279, 299 (300, 301, 302, 303, and 304), 330, 388 (and 389), 390, and 406.

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SUPREME COURT OF THE UNITED STATES

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

Robert N. Denham, of St. Louis, Mo.; Alexander M. Campbell, of Fort Wayne, Ind.; Lindsay Rogers, of New York City; Joseph Hyman Nathanson, of Toledo, Ohio; Otto H. Spengler, of Toledo, Ohio; William Henry Holderness, of Greensboro, N. C.; Daniel Newton Farnell, Jr., of Greensboro, N. C.; Glen W. Shellhaas, of Bellefontaine, Ohio; Joseph H. Woell, of Casselton, N. Dak.; Lester Whipple, of San Antonio, Tex.; Franklin Jones, of Marshall, Tex.; Felix E. Larkin, of New York City; Clay Alexis Brian, of Marshall, Tex.; Jack William Hutson, of Royal Oak, Mich.; Maurice A. Merritt, of Royal Oak, Mich.; Edward A. Lipton, of New York City; Bertram Schwartz, of New York City; Morris J. Levy, of New York City; Cyril K. Richards, of Austin, Tex.; C. W. Sellers, of Cleveland, Ohio; Dan Hadsell, of San Francisco, Calif.; J. Ernest Wilkins, of Chicago, Ill.; Robert Lewis Young, of Richmond, Va.; Thomas Bernard Larkin, Jr., of San Francisco, Calif.; Lee Epstein, of New York City; Howard S. McMorris, of New York City; G. Frank Dougherty, of New York City; F. X. Downey, of New York City; Norman J. Gundlach, of Belleville, Ill.; Leo Ross, of Washington, D. C.; Army Seijas, of Seattle, Wash.; and David P. Dabbs, of Kansas City, Mo., were admitted to practice.

No. 14. International Union, U. A. W., A. F. of L., Local 232, et al., petitioners, *v.* Wisconsin Employment Relations Board et al.; and

No. 15. International Union, U. A. W., A. F. of L., Local 232, et al., petitioners, *v.* Wisconsin Employment Relations Board et al. On writs of certiorari to the Supreme Court of the State of Wisconsin. Judgments affirmed with costs. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Rutledge concur. Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge concurs.

No. 184. Graver Tank & Mfg. Co., Inc., et al., petitioners, *v.* The Linde Air Products Company; and

No. 185. Graver Tank & Mfg. Co., Inc., et al., petitioners, *v.* The Linde Air Products Company. On writs of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment of the Court of Appeals reversed insofar as it reverses the judgment of the District Court, and judgment of District Court in all things is reinstated. Cases are remanded to the United States District Court for the Northern District of Indiana for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Jackson. Concurring opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

No. 297. John M. Daniel, as Attorney General of South Carolina, et al., appellants, *v.* Family Security Life Insurance Company et al. Appeal from the United States District Court for the Eastern District of South Carolina. Judgment reversed with costs and case remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Murphy.

No. 46. National Labor Relations Board, petitioner, *v.* Stowe Spinning Company et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment of the Court of Appeals reversed and case remanded to that court with direction to remand to the Board for amendment of its order to conform to the Board's findings and the opinion of this Court. Opinion by Mr. Justice Murphy. Opinion by Mr. Justice Jackson dissenting in part. Dissenting opinion by Mr. Justice Reed in which the Chief Justice joins.

No. 231. United States of America, ex rel. Harold E. Hirshberg, petitioner, *v.* Captain William R. Cooke, Jr., United States Navy, Commanding Officer, U. S. Naval Receiving Station, Brooklyn, New York. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black.

The Chief Justice announced the following order of the Court:

No. 118. Albert Ralph Petti, petitioner, *v.* The United States of America. On writ of certiorari to the Court of Appeals for the Second Circuit. *Per curiam*: The Government having moved the Court to vacate the judgments and remand the case to the District Court for a new trial, the motion is granted, and the judgments of the Court of Appeals and the District Court are vacated and the case is remanded to the United States District Court for the Southern District of New York with directions to grant a new trial.

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. 442. Hannah Cohen, Executrix of the Estate of Sol Cohen, Deceased, and David E. Cohen, Intervenor, petitioners, *v.* Beneficial Industrial Loan Corporation et al.; and

No. 512. Beneficial Industrial Loan Corporation, petitioner, *v.* Honorable William F. Smith, a Judge of the United States District Court for the District of New Jersey, et al. The petitions for writs of certiorari to the Court of Appeals for the Third Circuit in these cases are granted.

No. 495. Federal Communications Commission, petitioner, *v.* WJR, The Goodwill Station, Inc., and Coastal Plains Broadcasting Co., Inc. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted and the case is transferred to the summary docket. Mr. Justice Murphy took no part in the consideration or decision of this application.

No. 522. Julius Ranny Ragan, petitioner, *v.* Merchants Transfer & Warehouse Company, Inc. The petition for writ of certiorari to the Court of Appeals for the Tenth Circuit is granted and the case is transferred to the summary docket.

No. 202, Misc. Charles Quicksall, petitioner, *v.* People of the State of Michigan. The petition for appeal is denied. Treating the appeal papers as a petition for a writ of certiorari to the Supreme Court of Michigan, certiorari is granted and the case is ordered transferred to the appellate docket.

No. 344, Misc. Robert A. Watts, petitioner, *v.* State of Indiana. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Supreme Court of Indiana is granted and the case is ordered transferred to the appellate docket. The stay order of January 31, 1949, is continued and it is ordered that execution of the sentence of death be stayed pending the final disposition of this case by this Court.

No. 446. Willis Allen, Roy G. Owens, and Campaign Committee for California Bill of Rights Initiative Constitutional Amendment, Inc., petitioners, *v.* Arthur James McFadden and Frank M. Jordan, as Secretary of State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 475. Grady Lee McHugh, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 477. Allied Paper Mills et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 487. Douglas Chandler, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 488. Jay M. Rowland, petitioner, *v.* The State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 496. Samuel Kelley and Nathan Swann, petitioners, *v.* Judge Branch Johnson et al. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 505. Pennsylvania Railroad Company, petitioner, *v.* Antonio Corrado. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 510. International Longshoremen's and Warehousemen's Union (C. I. O.), et al., petitioners, *v.* Cable A Wirtz, as Judge of the Circuit Court of the Second Judicial Circuit, Territory of Hawaii, and Maui Agricultural Company, Limited. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 603. Santo Bretagna, 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. 511. Income Bondholders of the Peoria and Eastern Railway Company, petitioners, *v.* The New York Central Railroad Company et al. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the United States District Court for the Southern District of New York is denied.

No. 516. David Klor, petitioner, *v.* People of the State of California. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Supreme Court of California is denied.

No. 9. Charles Kovacs, appellant, *v.* Albert Cooper, Jr., Judge of the First District Police Court of Trenton ;

No. 372. LeRoy J. Leishman, petitioner, *v.* Radio Condenser Company and General Instrument Corporation ;

No. 460. William J. Cleary, petitioner, *v.* Chicago Title and Trust Company ;

No. 196. Misc. Samuel F. Adams, petitioner, *v.* W. H. Hiatt, Warden ; and

No. 292, Misc. George E. Hickman, as Administrator of the Estate of Norman E. Hickman, Deceased, petitioner, *v.* John M. Taylor et al. The petitions for rehearing in these cases are severally denied.

No. 287, Misc. Edmond L. Viles, petitioner, *v.* Mead R. Johnson. Leave to file petition for rehearing denied.

No. 55, Misc. The United States of America, ex rel. Mike Parker, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 283, Misc. Mary LeVan, petitioner, *v.* O. M. Stiler et al. Petition for writ of certiorari to the Appellate Department of the Superior Court of California denied.

No. 320, Misc. Bud Lilly, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 326, Misc. Eddie DeSoto, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 346, Misc. Thomas L. Mangan, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 352, Misc. Carl Kuh, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 357, Misc. John Pitts, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 361, Misc. James Kelly, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 387, Misc. John M. Canada, petitioner, *v.* James M. Jones, Warden of the Nebraska State Penitentiary. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 390, Misc. Earl J. Brown, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 393, Misc. Mizell Palmer, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 218, Misc. William W. Curtis, petitioner, *v.* W. H. Hiatt, Warden. The motion of petitioner to substitute George W. Humphrey as the party respondent is granted. The petition for writ of certiorari to the Court of Appeals for the Third Circuit is denied.

No. 277, Misc. Raymond Grant, petitioner, *v.* The United States of America. The motion for leave to file petition for writ of certiorari is denied.

No. 353, Misc. Jefferson Kane, petitioner, *v.* C. J. Burke, Warden. The motion for leave to file petition for writ of habeas corpus is denied.

No. 358, Misc. Ex parte Ralph W. Greene, petitioner; and

No. 383, Misc. James Wilson, petitioner, *v.* Superior Court of San Joaquin County, California. Applications denied.

No. 59. Carl Aldo Marzani, petitioner, *v.* The United States of America. Reargument commenced by Mr. Allan R. Rosenberg for the petitioner; continued by Mr. Osmond K. Fraenkel for the petitioner; by Mr. Solicitor General Perlman for the respondent; by Mr. Allan R. Rosenberg for the petitioner; and concluded by Mr. Osmond K. Fraenkel for the petitioner.

No. 37. The United States of America, appellant, *v.* Women's Sportswear Manufacturers Association et al. Argument commenced by Mr. Robert L. Stern for the appellant.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 1, will be as follows: Nos. 37, 299 (300, 301, 302, 303, and 304), 388 (and 389), 330, 228, 279, 406, 292, 427, and 255.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Edward C. First, Jr., of Harrisburg, Pa.; Thomas W. Beale, of Louisville, Ky.; and Oliver W. Weber, of Boulder, Colo., were admitted to practice.

No. 37. The United States of America, appellant, *v.* Women's Sportswear Manufacturers Association et al. Argument continued by Mr. Robert L. Stern for the appellant; by Mr. Harry Bergson for the appellees; and concluded by Mr. Robert L. Stern for the appellant.

No. 299. The United States, petitioner, *v.* Gerlach Live Stock Company;

No. 300. The United States, petitioner, *v.* J. Sheldon Potter;

No. 301. The United States, petitioner, *v.* Martin Erreca;

No. 302. The United States, petitioner, *v.* James J. Stevinson (a Corporation);

No. 303. The United States, petitioner, *v.* Archibald J. Stevinson; and

No. 304. The United States, petitioner, *v.* 3-H Securities Company. Argued by Mr. Ralph S. Boyd for the petitioner; by Mr. Edward F. Treadwell for the respondents; and by Mr. Warner W. Gardner for Gill et al., amici curiae, by special leave of Court.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 2, will be as follows: Nos. 388 (and 389), 330, 228, 279, 406, 292, 427, and 255.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Foster Lee Evans, of Atlanta, Ga.; Philip M. Baker, of Washington, D. C.; Frederick W. Denniston, of Washington, D. C.; Avern B. Scolnick, of Chicago, Ill.; and J. Fred Schneider, of Denver, Colo., were admitted to practice.

No. 600. Charles S. Aronstam, petitioner, *v.* The New York Central Railroad Company et al.; and

No. 601. Eppler & Company, petitioner, *v.* The New York Central Railroad Company et al. Time for making service of petition for certiorari, brief, and record extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioners that the printed record has been delivered to such Clerk.

No. 388. Welker B. Brooks, petitioner, *v.* The United States of America; and

No. 389. James M. Brooks, Administrator of the Estate of Arthur L. Brooks, Deceased, petitioner, *v.* The United States of America. Argued by Mr. W. S. Blakeney for the petitioners, and by Mr. Paul A. Sweeney for the respondent.

No. 330. The United States of America, appellant, *v.* The Interstate Commerce Commission, the United States of America, the Pennsylvania Railroad Company, et al. Argued by Mr. Stanley M. Silverberg and Mr. David O. Mathews for the appellant; by Mr. Daniel W. Knowlton for the appellee, Interstate Commerce Commission; and by Mr. Windsor F. Cousins for the appellees, Railroad Intervenors.

No. 603. Santo Bretagna, petitioner, *v.* The People of the State of New York. Petition for rehearing denied.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 3, will be as follows: Nos. 228, 279, 406, 292, 427, 255, and 118.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Guy R. M. del Giudice, of New York City; Frank P. Lynch, Jr., of Denver, Colo.; Abe Jacklan, of Newark, N. J.; and Isador Berlin, of Newark, N. J., were admitted to practice.

No. 228. Nye & Nissen (a Corporation) and Abraham Moncharsh, petitioners, *v.* The United States of America. Argued by Mr. Joseph B. Keenan for the petitioners and by Mr. Philip Elman for the respondent. Leave granted petitioners to file reply brief within 4 days.

No. 279. Standard Oil Company of California and Standard Stations, Inc., appellants, *v.* The United States of America. Three hours allowed for oral argument. Argument commenced by Mr. John M. Hall for the appellants and continued by Mr. Herbert A. Bergson for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, March 4, will be as follows: Nos. 279, 406, 292, and 427.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

John J. Morris, Jr., of Wilmington, Del.; Anthony R. Basile, of Oak Park, Ill.; George S. Ryan, of Boston, Mass.; Clifford E. Sanders, of Kingsport, Tenn.; Frank Adams, of New York City; Peter Keber, of New York City; Mearl G. Adams, of Chicago, Ill.; John B. Howard, of Chicago, Ill.; Charles L. Sturtevant, of Washington, D. C.; and William Hitz, Jr., of Washington, D. C., were admitted to practice.

No. 279. Standard Oil Company of California and Standard Stations, Inc., appellants, *v.* The United States of America. Argument continued by Mr. Herbert A. Bergson for the appellee and concluded by Mr. John M. Hall for the appellants.

No. 406. The United States of America, petitioner, *v.* Harry S. Knight. Argued by Mr. Philip R. Monahan for the petitioner and by Mr. Robert T. McCracken for the respondent.

No. 292. George Smith, petitioner, *v.* The United States of America. Argument commenced by Mr. Walter R. Hart for the petitioner and continued by Mr. Harold D. Cohen for the respondent.

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

The day call for Monday, March 7, will be as follows: Nos. 292 and 427.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

R. A. Brown, Jr., of Saint Joseph, Mo.; Duncan J. McColl, Jr., of Port Huron, Mich.; Louis D. McGregör, of Flint, Mich.; Robert C. Giles, Jr., of Birmingham, Ala.; S. Harrison Kahn, of Washington, D. C.; Harold LaVerne Holland, of Dayton, Ohio; Richard T. Brewster, of Kansas City, Mo.; and Nona E. Snyder, of Kansas City, Kans.; were admitted to practice.

No. 40. Oklahoma Tax Commission, petitioner, *v.* The Texas Company; and

No. 41. Oklahoma Tax Commission, petitioner, *v.* Magnolia Petroleum Company. On writs of certiorari to the Supreme Court of the State of Oklahoma. Judgments reversed with costs and cases remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Rutledge. Mr. Justice Jackson concurs in the result.

No. 168. The City of New York, petitioner, *v.* Lewis H. Saper, as Trustee in Bankruptcy of Spotlight Productions, Inc.;

No. 200. State of New York, petitioner, *v.* Leonard H. Carter, as Trustee in Bankruptcy; and

No. 201. The United States of America, petitioner, *v.* Leonard H. Carter, Trustee of Union Fabrics, Inc., Bankrupt. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgments in Nos. 168 and 200 affirmed with costs and judgment in No. 201 affirmed. The cases are remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Jackson. Dissenting: Mr. Justice Reed.

No. 216. Algoma Plywood and Veneer Company, petitioner, *v.* Wisconsin Employment Relations Board. On writ of certiorari to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice Frankfurter. Mr. Justice Rutledge and Mr. Justice Murphy concur in the result. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

No. 91. Foley Bros., Inc., and Spencer, White & Prentis, Inc., petitioners, *v.* Frank Paul Filardo. On writ of certiorari to the Supreme Court of the State of New York, New York County. Judgment of Court of Appeals of the State of New York reversed with costs and case remanded to that Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Reed. Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

The Chief Justice announced the following orders of the Court:

No. 59. Carl Aldo Marzani, petitioner, *v.* The United States of America. On writ of certiorari to the Court of Appeals for the District of Columbia Circuit. *Per curiam*: Upon rehearing, the judgment entered December 20, 1948, affirming the judgment by an equally divided Court, is adhered to and reaffirmed by an equally divided Court. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 517. J. W. Poore, appellant, *v.* State of Mississippi. Appeal from the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). The petition for writ of certiorari is denied.

The Chief Justice said:

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

No. 563. The United States of America, appellant, *v.* Yellow Cab Company, Chicago Yellow Cab Company, Inc., et al. In this case probable jurisdiction is noted.

No. 506. The United States of America, ex rel. May Johnson, petitioner, *v.* W. Frank Watkins, District Director of Immigration and Naturalization Service in the New York District, etc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 453. Morrison T. Wade, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Recorder's Court for the City of Detroit, State of Michigan, denied.

No. 502. Ira Chase Koehne and John A. Savage, petitioners, *v.* W. Bruce Matthews, United States Marshal, and Curtis Reid, Resident Superintendent, District of Columbia Jail. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 513. Burnham Chemical Company, petitioner, *v.* Borax Consolidated, Ltd., Pacific Coast Borax Company, et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 515. Horace Estol Walker, petitioner, *v.* Arthur T. Galt et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 518. Atlantic Freight Lines, Inc., petitioner, *v.* Pennsylvania Public Utility Commission. Petition for writ of certiorari to the Superior Court of Pennsylvania denied.

No. 521. Margaret E. Smith and Ruth Schuchman, petitioners, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 541. Turner County, South Dakota, petitioner, *v.* Floyd Miller. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 22. Vermilya-Brown Company, Inc., Necaro Company, Inc., et al., petitioners, *v.* John Joseph Connell, Eugene T. Fitzpatrick, William L. Flanagan, et al.;

No. 45. Joe J. Fisher, petitioner, *v.* R. C. Pace, Sheriff of Jasper County, Texas;

No. 244. Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer of the City of New Orleans, et al., appellants, *v.* Mississippi Valley Barge Line Company, American Barge Line Company and Union Barge Line Corporation;

No. 450. Nannie Ellyson Pollard, Mary Ellyson Dowdy, Hattie Ellyson Maddox, et al., petitioners, *v.* Clayton Hawfield, Frances Gertrude Scott, Florence O. Metz, et al.;

No. 483. Dixie Cup Company, petitioner, *v.* Paper Container Mfg. Company; and

No. 489. Jack L. Harris and B. T. Calhoun, Doing Business as Co-Partners Under the Trade Name of H-C Products Company, petitioners, *v.* National Machine Works, Inc., and Theodore C. Gerner. The petitions for rehearing in these cases are severally denied.

No. 458. Laurie J. Carpenter, petitioner, *v.* Rohm and Haas Co., Inc.; and

No. 459. Laurie J. Carpenter, petitioner, *v.* Erie Railroad Company. The petitions for rehearing in these cases are denied for the reason that the applications were not received within the time provided by Rule 33.

No. 121, Misc. Samuel Taylor, petitioner, *v.* Tennyson Dennis, Warden. The petition for rehearing in this case is denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 278, Misc. Mary Gibbons, petitioner, *v.* Hugo E. Brandt and Ruth E. Brandt. The petition for rehearing is denied.

No. 221, Misc. William Patrick et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 294, Misc. Charles Lee McIntosh, Sr., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 306, Misc. Homer Binkley, petitioner, *v.* Walter A. Hunter, Warden. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 315, Misc. Charles Lee McIntosh, petitioner, *v.* Dr. M. J. Pescor, Warden. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 330, Misc. Roger Williams, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 340, Misc. Calvin Barnett, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 349, Misc. Edgar W. Cook, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 354, Misc. Luhemitt White, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois, denied.

No. 355, Misc. William J. Stewart, petitioner, *v.* L. F. Chapman, superintendent. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 365, Misc. Clark Campbell, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, United States District Court for the Western District of Pennsylvania, and Court of Appeals for the Third Circuit denied.

No. 367, Misc. Victor Earl Day, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 368, Misc. Harley Ray Franklin, petitioner, *v.* R. H. Hudspeth, Warden, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 370, Misc. Robert Foster, petitioner, *v.* R. H. Hudspeth, Warden, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 371, Misc. Henry Koblitz, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 375, Misc. Walter Boreman, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 376, Misc. Robert Johnson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 382, Misc. W. E. Skelton, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 386, Misc. Johnie Lee Johnson, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Lake County Criminal Court of Indiana denied.

No. 388, Misc. Joe Brown, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 392, Misc. Climmie Mathis, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Peoria County, State of Illinois, denied.

No. 394, Misc. Malachi Holiday, petitioner, *v.* Warden of the Maryland State Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 397, Misc. Harry Meyers, petitioner, *v.* F. S. Wilson. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 402, Misc. Cecil Swain, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 406, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 411, Misc. Ica A. Gore, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Superior Court of Cook County, State of Illinois, denied.

No. 389, Misc. Frank Badgley and Robert Oscar Brown, petitioners, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana dismissed on motion of counsel for the petitioners.

No. 234, Misc. In the Matter of Hermann Dammann, petitioner;

No. 249, Misc. In the Matter of George Schallermaier, petitioner;

No. 259, Misc. In the Matter of Max Seidel, petitioner;

No. 318, Misc. In the Matter of Dr. Fridolin Puhr, petitioner; and

No. 332, Misc. In the Matter of Hans Schmidt, petitioner. Treating the application in each of these cases as a motion for leave to file a

petition for an original writ of habeas corpus, leave to file is denied. The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); in re *Eichel*, 333 U. S. 865 (1948); *Everett v. Truman*, 334 U. S. 824 (1948). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that argument should be heard on the motions for leave to file the petitions in order to settle what remedy, if any, the petitioners have. Mr. Justice Jackson took no part in the consideration or decision of these applications.

No. 362, Misc. Bernard M. Shotkin, petitioner, *v. W. F. Perkins et al.* Petition for appeal denied.

No. 363, Misc. Arthur Lee Willis, petitioner, *v. Dr. J. Leroy Wright*, Warden;

No. 364, Misc. Walter J. Kozdron, petitioner, *v. M. E. Ketchum*, Warden;

No. 366, Misc. Monroe Peters, petitioner, *v. State of Louisiana*;

No. 369, Misc. William Alexander Elliott, petitioner, *v. Ralph Howard*, Warden;

No. 385, Misc. Charles Moseley, petitioner, *v. State of Illinois*;

No. 396, Misc. In the Matter of Ulysses Maurice Parker, petitioner;

No. 404, Misc. Leona May Cooke, petitioner, *v. Doctor Winfred Overholser*;

No. 409, Misc. Mary A. Ruthven, petitioner, *v. Doctor Winfred Overholser*, Superintendent;

No. 410, Misc. Clarence Bertrand, petitioner, *v. Joseph E. Ragen*, Warden; and

No. 412, Misc. In the Matter of Donald W. Ramsey, petitioner. The motions for leave to file petitions for writs of habeas corpus are severally denied.

No. 381, Misc. Gene McCann, on behalf of Himself et al., petitioners, *v. Tom C. Clark*, Individually, et al.;

No. 395, Misc. Max A. Steinberg, petitioner, *v. Honorable Judge Julius J. Hoffman*; and

No. 398, Misc. In the Matter of Bill K. Knight, petitioner. The motions for leave to file petitions for writs of mandamus are severally denied.

The Court will take a recess from Monday, March 14, until Monday, March 28, next.

No. 292. George Smith, petitioner, *v.* The United States of America. Argument continued by Mr. Harold D. Cohen for the respondent and concluded by Mr. Walter R. Hart for the petitioner.

No. 427. Frederick W. Wade, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. Argued by Mr. R. T. Brewster and Mr. N. E. Snyder for the petitioner and by Mr. Oscar Davis for the respondent.

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

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

T. Leland Brown, of The Dalles, Oreg.; Joseph Raymond Wine, Jr., of Helena, Mont.; Harold Leshem, of Wilmington, Del.; William S. Kenney, of Lowell, Mass.; George F. Gronewold, of Battle Creek, Mich.; A. M. Larmore, of West Grove, Pa.; James L. Latchum, of Wilmington, Del.; Joseph W. Solomon, of Detroit, Mich.; Edwin C. Woodhouse, of Wilmington, Del.; Robert B. Dawkins, of McLean, Va.; Rose August, of Honolulu, Hawaii; Gladys E. Friel, of Tulsa, Okla.; Miles W. Rehor, of Bay Shore, N. Y.; Lindsay R. Henry, of Babylon, N. Y.; and William J. Scarlett, of Kennett Square, Pa., were admitted to practice.

No. 83. Commissioner of Internal Revenue, petitioner, *v.* Margaret R. Phipps. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Murphy. Mr. Justice Douglas concurs in the result.

No. 121. Black Diamond Steamship Corp., petitioner, *v.* Robert Stewart & Sons, Ltd., et al.; and

No. 130. The United States of America, petitioner, *v.* Robert Stewart & Sons, Ltd., et al. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed with costs and cases remanded to the United States District Court for the Eastern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Reed and Mr. Justice Douglas join. Dissenting opinion by Mr. Justice Rutledge.

No. 52. Ingram M. Stainback, Governor of the Territory of Hawaii, et al., appellants, *v.* Mo Hock Ke Lok Po, an Eleemosynary Corporation, et al. Appeal from the United States District Court for the District of Hawaii; and

No. 474. Ingram M. Stainback, Governor of the Territory of Hawaii, et al., petitioners, *v.* Mo Hock Ke Lok Po, an Eleemosynary Corporation, et al. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The appeal in No. 52 is

dismissed at the cost of appellants. The petition for writ of certiorari is granted. The judgment of the United States District Court for the District of Hawaii is reversed with costs and case remanded to that court with directions to dismiss the complaint. Opinion by Mr. Justice Reed. Opinion by Mr. Justice Frankfurter concurring in part and dissenting in part in which Mr. Justice Rutledge joins.

Mr. Justice Black said:

"The orders of the Court appear upon the list filed with the Clerk and will not be announced orally."

No. 514. County of Los Angeles, a Body Politic and Corporate, appellant, *v.* Southern California Telephone Company. 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.

No. 529. Standard Oil Company, a Corporation of the State of Indiana, appellant, *v.* The Superior Court of the State of Delaware in and for New Castle County et al.;

No. 530. Standard Oil Company, a Corporation of the State of Indiana, appellant, *v.* The Superior Court of the State of Delaware in and for New Castle County et al.; and

No. 531. Standard Oil Company, a Corporation of the State of Indiana, appellant, *v.* The Superior Court of the State of Delaware in and for New Castle County et al. Appeals from the Supreme Court of Delaware. *Per curiam*: The appeals are dismissed for want of a substantial federal question.

No. 535. James Rolla Thomas, for Himself and All Other Persons Similarly Situated, appellant, *v.* The Daughters of Utah Pioneers, a Non-Profit Corporation, et al. Appeal from the Supreme Court of Utah. *Per curiam*: The appeal is dismissed for want of a properly presented substantial federal question.

No. 560. Leslie B. Fox, appellant, *v.* Charles J. Fox. Appeal from the Supreme Court of New York. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 283. William H. Riley, New Hampshire Labor Commissioner, et al., petitioners, *v.* International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local Union No. 633, etc., et al. On petition for writ of certiorari to the Supreme Court of New Hampshire. *Per curiam*: The petition for writ of certiorari is granted. It appearing that the cause has become moot, the judgment of the Supreme Court of New Hampshire is vacated without costs and

the cause is remanded for such proceedings as by that Court may be deemed appropriate.

No. 547. Oscar F. Treichler, Executor of the Estate of Fred A. Miller, appellant, *v.* State of Wisconsin; and

No. 570. Elmer W. Henderson, appellant, *v.* The United States of America, Interstate Commerce Commission and Southern Railway Company. In these cases probable jurisdiction is noted.

No. 473. The United States of America, petitioner, *v.* Reginald P. Wittek. The motion to dispense with printing the brief in opposition to the petition is granted. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted.

No. 523. T. M. Duche & Sons, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Customs and Patent Appeals denied.

No. 524. Mark Barrett Cosby, petitioner, *v.* David H. Harts, Florence J. Harts, and Percy B. Johnston. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 539. Sarah Allison Painter, Administratrix of the Estate of Edwin D. Painter, Deceased, et al., petitioners, *v.* Southern Transportation Company. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 545. Seaboard Air Line Railroad Company, petitioner, *v.* David Hinton et al. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 7. Thoger Gronberg Jungersen, petitioner, *v.* Ostby and Barton Company and American Associates, Inc.;

No. 8. Ostby and Barton Company and American Associates, Inc., petitioners, *v.* Thoger Gronberg Jungersen; and

No. 48. Thoger Gronberg Jungersen, petitioner, *v.* Robert Baden, Rose Baden, Albert Foss, et al. The petition for reconsideration of order denying leave to file petition for rehearing is denied.

No. 462. Frank C. Gierens and Nikolas J. Ferencak, petitioners, *v.* People of the State of Illinois. The motion for leave to file petition for rehearing is denied.

No. 329. Misc. Louis Burall, petitioner, *v.* Tom C. Clark, Attorney General. The petition for rehearing is denied.

Adjourned until Monday, March 28, next, at 12 o'clock.

The day call for Monday, March 28, will be as follows: Nos. 255, 390, 416, 447, 448, 457, 464, 465, and 500.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Robert F. Ritchie, of Dallas, Tex.; Maurice B. Johnston, of Carlyle, Ill.; Robert G. Estill, of East Chicago, Ind.; Joseph M. Cohen, of New York City; John K. Weber, of San Antonio, Tex.; Charles L. Tyler, of Pryor, Okla.; Leslie James Byrd, of San Antonio, Tex.; Theodore D. Kahn, of Chicago, Ill.; Milton J. Donovan, of Springfield, Mass.; Giles Sutherland Rich, of New York City; Willard Ray Crout, of Pittsburgh, Pa.; Meyer J. Myer, of Chicago, Ill.; John G. Adams, of Sioux Falls, S. Dak.; Harry L. Shure, of Asbury Park, N. J.; Leon R. Brooks, of Boston, Mass.; Lester J. Abele, of Cleveland, Ohio; Edmund W. Sinnott, of Chicago, Ill.; Cyrus C. Perry, of Washington, D. C.; William Cohn, of Chicago, Ill.; and Robt. E. Shelton, of Oklahoma City, Okla., were admitted to practice.

No. 37. The United States of America, appellant, *v.* Women's Sportswear Manufacturers Association et al. Appeal from the United States District Court for the District of Massachusetts. Judgment reversed and case remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Jackson.

No. 143. Alvin Krulewitch, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Opinion by Mr. Justice Jackson concurring in the judgment and opinion of the Court in which Mr. Justice Frankfurter and Mr. Justice Murphy join. Dissenting opinion by Mr. Justice Burton.

No. 151. National Carbide Corporation, petitioner, *v.* Commissioner of Internal Revenue;

No. 152. Air Reduction Sales Company, petitioner, *v.* Commissioner of Internal Revenue; and

No. 153. Pure Carbonic, Inc., petitioner, *v.* Commissioner of Internal Revenue. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgments affirmed and cases remanded to the Court of Appeals. Opinion by Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

No. 533. The Boston Railroad Holding Company and the New York, New Haven & Hartford Railroad Company, appellants, *v.* The Delaware and Hudson Company et al. Appeal from the Supreme Judicial Court of Massachusetts. *Per curiam*: The appeal is dismissed for want of a substantial federal question.

No. 551. Riley Odom, appellant, *v.* State of Mississippi. Appeal from the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed. See *Bute v. Illinois*, 333 U. S. 640. The petition for writ of certiorari is denied.

No. 557. Cora L. Lagemann, appellant, *v.* Harold B. Lagemann. Appeal from the Supreme Court of Nevada. *Per curiam*: The appeal is dismissed for want of a substantial federal question.

No. 569. Vincenzo Iannella and Frank S. Russo, appellants, *v.* Arvid Johnson, Recorder of the Township of Piscataway, New Jersey, et al. Appeal from the Supreme Court of New Jersey. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 581. Woodworth McLaurin, appellant, *v.* State of Mississippi. Appeal from the Supreme Court of Mississippi. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). The petition for writ of certiorari is denied.

No. 606. Milton J. Schnell, Individually and as a Member of the Board of Election Registrars of Mobile County, Alabama, et al., appellants, *v.* Hunter Davis et al. Appeal from the United States District Court for the Southern District of Alabama. *Per curiam*: The judgment is affirmed. *Lane v. Wilson*, 307 U. S. 268; *Yick Wo v. Hopkins*, 118 U. S. 356. Cf. *Williams v. Mississippi*, 170 U. S. 213. Mr. Justice Reed, in view of the fact that a constitutional provision of a state is involved, presented by the Attorney General, is of the opinion that probable jurisdiction should be noted and the case set down for argument.

No. 621. Great Northern Railway Company, appellant, *v.* The United States of America, Interstate Commerce Commission, General Mills, Inc., and Montana Flour Mills Company. Appeal from the United States District Court for the District of Delaware. *Per curiam*: The motion to affirm is granted and the judgment is affirmed. Board of Trade *v.* United States, 314 U. S. 534; Virginian Ry. *v.* United States, 272 U. S. 658; Central R. R. Co. *v.* United States, 257 U. S. 247.

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. 626. The United States of America, appellant, *v.* Morris Zisblatt. Appeal from the United States District Court for the Southern District of New York. Dismissed on motion of counsel for the appellant.

No. 255. Gerhart Eisler, petitioner, *v.* The United States of America. The motion for leave to present oral argument on behalf of Edward K. Barsky et al., as *amici curiae* is denied.

No. 566. Stephen J. Roth, Attorney General of the State of Michigan, appellant, *v.* Preston Delano, Comptroller of the Currency of the United States of America, et al. Further consideration of the question of the jurisdiction of this Court and of the motion to dismiss or affirm is postponed to the hearing of the case on the merits.

No. 671. Samuel Titto Williams, appellant, *v.* The People of the State of New York. In this case probable jurisdiction is noted and the case is assigned for argument during the week of April 18.

No. 528. Harold Roland Christoffel, petitioner, *v.* The United States of America. The petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted and the case is assigned for argument during the week of April 18.

No. 532. Standard-Vacuum Oil Company, petitioner, *v.* The United States. The petition for writ of certiorari to the Court of Claims is granted and the case is transferred to the summary docket.

No. 537. Todd C. Faulkner, petitioner, *v.* John T. Gibbs. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit granted.

No. 558. Federal Power Commission, petitioner, *v.* Panhandle Eastern Pipe Line Company et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit granted.

No. 565. Neroy Carter, petitioner, *v.* Atlanta and Saint Andrews Bay Railway Company, a Body Corporate. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 507. City of Omaha, a Municipal Corporation, Charles W. Lee-man, Mayor et al., petitioners, *v.* Frank Brothers Footwear, Inc., a Corporation. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 519. Birch Securities Company, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal, 3d Appellate District, State of California, denied.

No. 534. The J. D. Richardson Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Customs and Patent Appeals denied.

No. 536. Sidney S. Levine, as Executor Under the Last Will and Testament of Anna M. Kane, Deceased, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 538. Lee M. Friedman, petitioner, *v.* Denis W. Delaney, Collector of Internal Revenue for the District of Massachusetts. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 543. Edgar J. Schoen, petitioner, *v.* Mountain Producers Corporation et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 546. Walter T. Dunn, petitioner, *v.* Vincent Y. Dallman, Individually and as Collector of Internal Revenue for the 8th Collection District of Illinois. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 549. Cary R. Alburn, Trustee Under the Last Will and Testament of Charles H. Salmons, Deceased, et al., petitioners, *v.* The Union Trust Company, East 9th Street and Euclid Avenue, Cleveland, Ohio, et al.; and

No. 550. Cary R. Alburn, Trustee Under the Last Will and Testament of Charles H. Salmons, Deceased, et al., petitioners, *v.* The National City Bank of Cleveland, etc., et al. Petition for writs of certiorari to the Supreme Court of Ohio denied.

No. 552. Thomas J. O'Neill, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 554. Elijah Crippen, Trustee of Lone Star Air Cargo Lines, Inc., Bankrupt, petitioner, *v.* City of Dallas. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 559. New Amsterdam Casualty Company, petitioner, *v.* A. Cimpi Express Lines, Inc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 564. Tucker Products Corporation, petitioner, *v.* George S. Helms, Harold T. Thrash et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 582. Hazeltine Research, Inc., petitioner, *v.* General Motors Corporation. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 53. Clyde Wilkerson, petitioner, *v.* Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company; and

No. 488. Jay M. Rowland, petitioner, *v.* The State of Arkansas. The petitions for rehearing in these cases are denied.

No. 456. Charles C. Patterson, petitioner, *v.* J. B. Gray. The motion for leave to file petition for rehearing is denied.

No. 193, Misc. Edward A. Haley, petitioner, *v.* Commonwealth of Pennsylvania;

No. 218, Misc. William W. Curtis, petitioner, *v.* George W. Humphrey, Warden; and

No. 334, Misc. In the Matter of Charles E. McAdam, petitioner. The petitions for rehearing in these cases are severally denied.

No. 235, Misc. Leonard Joseph Morandy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 245, Misc. William H. Jackson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 247, Misc. Bert Ivan Grimm, petitioner, *v.* Ben B. Stewart, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 257, Misc. Frank Cassel, petitioner, *v.* Dr. Winfred Overholser. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 262, Misc. James McGregor, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 351, Misc. James R. Kelley, petitioner, *v.* Delaware, Lackawanna and Western Railroad. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 356, Misc. David Blackwell, petitioner, *v.* State of Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 360, Misc. James Steele, petitioner, *v.* J. Vernal Jackson, Warden. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 399, Misc. Lawrence Janiec, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 401, Misc. Frank Smith, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 407, Misc. Clarence Blevins, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 418, Misc. Ronald C. Blauvelt, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 421, Misc. Harold L. Lawrence, petitioner, *v.* Ben B. Stewart, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 422, Misc. Kenneth Rogers, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 479, Misc. Thomas Kallas, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 492, Misc. Erwin M. Walker, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 348, Misc. Harold H. Enfield, petitioner, *v.* The Biow Company, Inc., et al. The motion for leave to file petition for writ of certiorari is denied.

No. 405, Misc. Amos Dale, petitioner, *v.* Robert A. Heinze, Warden; and

No. 423, Misc. Dan Williams, Jr., petitioner, *v.* Doctor Winfred Overholser, Superintendent. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 430, Misc. Ex parte Louisiana Farmers Protective Union, Inc., petitioner. The motion for leave to file petition for writ of mandamus is denied.

The Court will take a recess from Monday, April 4, until Monday, April 18, next.

No. 255. Gerhart Eisler, petitioner, *v.* The United States of America. Argued by Mr. David Rein and Mr. Abraham J. Isserman for the petitioner and by Mr. Solicitor General Perlman for the respondent.

No. 390. Henry M. Propper, as Receiver of the Property and Assets Within the State of New York of A. K. M., petitioner, *v.* Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian. Argument commenced by Mr. A. Walter Socolow for the petitioner and continued by Mr. Louis D. Frohlich for Deems Taylor.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 29, will be as follows: Nos. 390, 416, 447, 448, 457, 465, 464, and 500.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Robert Alan Green, of New York City; Samuel Feldman, of New York City; Joseph H. Wackerman, of Brooklyn, N. Y.; Oscar Murov, of Lindenhurst, N. Y.; John P. McMahon, of Columbus, Ohio; Leon Alexander, of Lebanon, Tenn.; George Byron Wells, of Detroit, Mich.; John C. Cain, of Dallas, Tex.; Guy M. Meadows, of Washington, D. C.; and Joseph Laufer, of Washington, D. C., were admitted.

No. 390. Henry M. Propper, as Receiver of the Property and Assets Within the State of New York of A. K. M., petitioner *v.* Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian. Argument continued by Mr. David Schwartz for the respondent; by Mr. Joseph M. Cohen and Mr. A. Walter Socolow for the petitioner; and concluded by Mr. David Schwartz for the respondent.

No. 416. The United States of America, appellant, *v.* Wallace & Tiernan Company, Inc., et al. Argued by Mr. Arnold Raum for the appellant and by Mr. Charles H. Tuttle for the appellees.

No. 447. Wheeling Steel Corporation, appellant, *v.* C. Emory Glander, Tax Commissioner of Ohio. Argued by Mr. John M. Caren for the appellant and by Mr. W. H. Annat for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 30, will be as follows: Nos. 448, 457, 465, 464, and 500.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Alexander Campbell-Murrelle II, of Houston, Tex.; Calvin A. Brown, of Findlay, Ohio; James J. Dougherty, of Philadelphia, Pa.; Milton A. Seymour, of New York City; Phil Stone, of Oxford, Miss.; Alfred W. Vibber, of Paterson, N. J.; and Bernard W. Mages, of Chicago, Ill., were admitted to practice.

No. 448. National Distillers Products Corporation, New York, appellant, *v.* C. Emory Glander, Tax Commissioner of Ohio. Argued by Mr. Charles H. Tuttle for the appellant and by Mr. W. H. Annat for the appellee.

No. 457. George W. Humphrey, Warden, United States Penitentiary, Lewisburg, Pennsylvania, petitioner, *v.* Bernard W. Smith. Argued by Mr. Robert W. Ginnane for the petitioner and by Mr. Daniel F. Mathews for the respondent.

No. 465. J. S. Woods, petitioner, *v.* Interstate Realty Company. Argument commenced by Mr. P. H. Eager, Jr., for the petitioner and continued by Mr. Phil Stone for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 31, will be as follows: Nos. 465, 464, and 500.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Elmer Newell Jones, of Atlanta, Ga.; Howard Dewey Allen, of Atlanta, Ga.; Albert J. Crawford, Jr., of Media, Pa.; John R. Graham, of Media, Pa.; Harry Meisel, of New York City; Jawn A. Sandifer, of New York City; and Edwin P. Kaufman, of New York City, were admitted to practice.

No. 465. J. S. Woods, petitioner, *v.* Interstate Realty Company. Argument continued by Mr. Phil Stone and Mr. John A. Osoinach for the respondent and concluded by Mr. P. H. Eager, Jr., for the petitioner.

No. 464. Clayton Mark & Company, Enameled Metals Company, Fretz-Moon Tube Company, Inc., et al., petitioners, *v.* Federal Trade Commission. Three hours allowed for oral argument. Argued by Mr. Albert R. Connelly for the petitioners and by Mr. Charles H. Weston for the respondent. Leave granted petitioners to file reply brief within 10 days.

No. 500. The Union National Bank of Wichita, Kansas, appellant, *v.* Carl C. Lamb. Argued by Mr. Maurice J. O'Sullivan for the appellant and submitted by Mr. Daniel L. Brenner for the appellee.

Adjourned until Monday, April 4, next at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

John A. Looby, Jr., of Chicago, Ill.; Robert L. Harrington, of Van Wert, Ohio; Cathryn L. Harrington, of Van Wert, Ohio; David S. Hecht, of New York City; Barnabas B. Hadfield, of New York City; C. Lansing Hays, Jr., of New York City; Roger C. O'Donnell, of Covington, Ohio; Kyle F. Brooks, of Cincinnati, Ohio; Webster Wilder, Jr., of Cherokee, Okla.; Charles L. Claunch, of Chattanooga, Tenn.; John J. Rafferty, of New Brunswick, N. J.; Raymond F. Body, of Los Angeles, Calif.; Julius Freyhan Seeman, of Denver, Colo.; Foorman L. Mueller, of Chicago, Ill.; Morris Berler, of New York City; David R. Owen, of Baltimore, Md.; Robert Frederick Beck, of Paterson, N. J.; Edward Pryor Troxell, of Washington, D. C.; Jacob J. Ludens, of Sterling, Ill.; John W. Manning, of Albany, N. Y.; and James H. Meredith, of Portageville, Mo., were admitted to practice.

No. 267. William Farrell, petitioner, *v.* United States of America, War Shipping Administration, Luckenbach Steamship Company. 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 Jackson. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge concur.

No. 92. H. P. Hood & Sons, Inc., petitioner, *v.* C. Chester DuMond, Commissioner of Agriculture and Markets of the State of New York. On writ of certiorari to the Supreme Court of the State of New York, Albany County. Judgment of the Court of Appeals reversed with costs and cause remanded to that court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Black in which Mr. Justice Murphy joins. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Rutledge joins.

No. 406. The United States of America, petitioner, *v.* Harry S. Knight. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the United States District Court for the Middle District of Pennsylvania for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Murphy, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case. Dissenting opinion by Mr. Justice Frankfurter.

No. 182. Joseph Giboney, Harold Hackell, Paul Mandalia, et al., appellants, *v.* Empire Storage and Ice Company. Appeal from the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Black.

No. 65. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, et al., petitioners, *v.* Acme Fast Freight, Inc. 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 proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge.

The Chief Justice announced the following orders of the Court:

No. 476. Tighe E. Woods, Housing Expediter, Office of the Housing Expediter, petitioner, *v.* Elizabeth Ellis Durr. On writ of certiorari to the Court of Appeals for the Third Circuit. *Per curiam:* The motion of the Solicitor General for remand of this case is granted. The judgment of the Court of Appeals is vacated and the cause is remanded to that court for consideration of the effect of Section 209 of the Housing and Rent Act of 1949, approved March 30, 1949, and the eviction regulations of the Housing Expediter issued pursuant thereto.

No. 622. A/S J. Ludwig Mowinckels Rederi et al., appellants, *v.* Isbrandtsen Co., Inc., The United States of America and United States Maritime Commission. Appeal from the United States District Court for the Southern District of New York. *Per curiam:* The appeal is dismissed.

No. 643. C. H. Bunn, appellant, *v.* State of North Carolina. Appeal from the Supreme Court of North Carolina. *Per curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

The Chief Justice said:

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

No. 17. Julius A. Wolf, petitioner, *v.* The People of the State of Colorado; and

No. 18. Julius A. Wolf, petitioner, *v.* The People of the State of Colorado. The motion for leave to file brief of New York Criminal Courts Bar Association, as *amicus curiae*, is denied.

No. 42. August Klapprott, petitioner, *v.* The United States of America. The motion of the respondent to modify the judgment of this Court in this case is granted. The judgment announced January 17, 1949, reading as follows: "The judgments accordingly are reversed and the cause is remanded to the District Court with instructions to set aside the judgment by default and grant the petitioner a hearing on the merits raised by the denaturalization complaint.", is amended to read: "The judgment of the Court of Appeals is reversed and the cause is remanded to the District Court with directions to receive evidence on the truth or falsity of the allegations contained in petitioner's petition to vacate the default judgment entered in the denaturalization proceedings." Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge dissent from the modification of the order.

No. 567. Harvey Stemmer, petitioner, *v.* The People of the State of New York; and

No. 568. David Krakower, petitioner, *v.* The People of the State of New York. Petitions for writs of certiorari to the Court of Appeals of New York granted.

No. 578. John Walter Oakley, Jr., petitioner, *v.* Louisville and Nashville Railroad Company;

No. 579. John S. Haynes petitioner, *v.* Southern Railway System. Petition for writs of certiorari to the Court of Appeals for the Sixth Circuit granted.

No. 400, Misc. Lee Cassell, petitioner, *v.* State of Texas. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Criminal Appeals of Texas is granted and the case is ordered transferred to the appellate docket and placed on the summary docket.

No. 247. Railway Express Agency, Incorporated, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 504. Lawrence C. Kingsland, Commissioner of Patents, petitioner, *v.* Barron-Gray Packing Company. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 540. Joseph W. Bottone, petitioner, *v.* Henry S. Lindsley, Benjamin C. Hilliard, Jr., Morton M. David, et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 548. Brotherhood of Railroad Trainmen, petitioner, *v.* The Baltimore and Ohio Railroad Company et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 555. Clark Sumner Cummings, petitioner, *v.* Percy Lainson, Warden, State Penitentiary, Fort Madison, Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 556. Leona H. Bethea, Individually and as Independent Executrix of the Estate of Catherine Henke, petitioner, *v.* Frank Scofield, Individually and as United States Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 571. William Kober, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 572. Metropolis Theatre Company, petitioner, *v.* L. H. Barkhausen and Randolph Bohrer et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 573. Chester and Delaware Counties Bartenders, Hotel and Restaurant Employees Union, Local No. 677, A. F. L., et al., petitioners, *v.* Hardy D. Wilbank and Eleanor M. Wilbank, His Wife. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 595. Estate of Annie Preston Bassett, Deceased, by Preston R. Bassett, Executor, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 596. Philco Corporation, petitioner, *v.* F. and B. Manufacturing Co. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 656. John M. Dunn and Daniel Gentile, petitioners, *v.* The People of the State of New York. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Court of Appeals of New York is denied.

No. 544. Rene De Meerleer, petitioner, *v.* The People of the State of Michigan. The motion to dispense with printing petition and rec-

ord is granted. The petition for writ of certiorari to the Supreme Court of Michigan is denied.

No. 458. Laurie J. Carpenter, petitioner, *v.* Rohm and Haas Co., Inc.; and

No. 459. Laurie J. Carpenter, petitioner, *v.* Erie Railroad Company. The motions to enlarge the time to file petitions for rehearing are denied.

No. 453. Morrison T. Wade, petitioner, *v.* The People of the State of Michigan;

No. 487. Douglas Chandler, petitioner, *v.* The United States of America;

No. 502. Ira Chase Koehne and John A. Savage, petitioners, *v.* W. Bruce Matthews, United States Marshal and Curtis Reid, Resident Superintendent, District of Columbia Jail;

No. 517. J. W. Poore, appellant, *v.* State of Mississippi;

No. 368, Misc. Harley Ray Franklin, petitioner, *v.* R. H. Hudspeth, Warden, et al.; and

No. 406, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney et al. The petitions for rehearing in these cases are severally denied.

No. 271, Misc. Frank Cipullo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 341, Misc. Glenn D. Atkins, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 419, Misc. Glenn Ross Griffin, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 420, Misc. Elmer Davis, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 426, Misc. Isaac Wiseman, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 428, Misc. Walter Michael, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 429, Misc. Thomas Stephenson, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 433, Misc. Ray F. Harris, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Sangamon County, State of Illinois, denied.

No. 435, Misc. Albert Ciha, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 438, Misc. George Moore, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 309, Misc. E. Jerome Doelle, petitioner, *v.* People of the State of Michigan;

No. 427, Misc. Albert Van Pelt, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 434, Misc. John W. Morton, petitioner, *v.* Dr. Ivan W. Steele, Warden. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 444, Misc. Kelly Moss, petitioner, *v.* Honorable Luther M. Swygert, U. S. District Judge. The motion for leave to file petition for writ of mandamus is denied.

No. 445, Misc. John Cordts, petitioner, *v.* Joseph E. Ragen, Warden. The motion for leave to file petition for writ of certiorari is denied.

No. 547, Misc. Arthur Edward Berry, petitioner, *v.* State of Florida. The petition for a stay of execution of the sentence of death is denied.

No. 618. The United States of America, petitioner, *v.* World Fire and Marine Insurance Company. Motion for extension of time for filing brief of respondent in opposition to petition for writ of certiorari denied.

Adjourned until Monday, April 18, next, at 12 o'clock.

The day call for Monday, April 18, will be as follows: Nos. — Orig. U. S. *v.* Louisiana, — Orig. U. S. *v.* Texas, 258, 442 (and 512), 506, 522, 473, 528, 671, and 418.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

A. Courtney Hayden, Jr., of Washington, D. C.; Alvin Lacy Williams, of Mount Vernon, Ill.; Irving G. Mulitz, of Houston, Tex.; Cornelius Roach, of Kansas City, Mo.; William Marvin Vance, of Urbana, Ohio; M. Louis Abedon, of Providence, R. I.; Stephen H. Clink, of Muskegon, Mich.; David Falk Cohen, of New York City; Walter Pond, of New York City; John G. Mullen, of North Bend, Oreg.; Emanuel Thebner, of New York City; Herbert C. Nelson, of Norristown, Pa.; William H. Gage, of Buffalo, N. Y.; Arthur Gordon Humphrey, of Chicago, Ill.; Irwin W. Coleman, of Jackson, Miss.; Charles C. Richmond, of New York City; Herbert H. Sizemore, of Newton, Kans.; Bowman M. MacArthur, of Washington, D. C.; Max Solorsy, of New York City; Mordecai Cohen, of Brooklyn, N. Y.; Jules Aronson, of New York City; Gilbert H. Van Note, of Spring Lake, N. J.; and Alexander E. Lipkin, of Frackville, Pa., were admitted to practice.

No. 135. The United States, petitioner, *v.* Alfred W. Jones, Receiver for Georgia & Florida Railroad; and

No. 198. Alfred W. Jones, Receiver for Georgia & Florida Railroad, petitioner, *v.* The United States. On writs of certiorari to the Court of Claims. Judgment reversed and cause remanded to the Court of Claims with instructions to dismiss the case. Opinion by Mr. Justice Rutledge. Mr. Justice Reed and Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 298. Defense Supplies Corporation and Reconstruction Finance Corporation, petitioners, *v.* Lawrence Warehouse Company et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals vacated with costs to petitioners and case remanded to the Court of Appeals with directions to dismiss the appeal from the judgment of the District Court. Opinion by Mr. Justice Murphy.

No. 109. Federal Power Commission et al., petitioners, *v.* Interstate Natural Gas Company, Incorporated, et al.;

No. 188. Public Service Commission of the State of Missouri, petitioner, *v.* Interstate Natural Gas Company, Incorporated, et al.;

No. 209. Memphis Light, Gas & Water Division, petitioner, *v.* Interstate Natural Gas Company, Incorporated, et al.; and

No. 212. Illinois Commerce Commission et al., petitioners, *v.* Interstate Natural Gas Company, Incorporated, et al. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Order of Court of Appeals of May 12, 1948, directing distribution of funds reversed and case remanded to that Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Frankfurter. Concurring opinion of Mr. Justice Jackson in which Mr. Justice Burton joins. Opinion by Mr. Justice Black concurring in part and dissenting in part in which Mr. Justice Murphy and Mr. Justice Rutledge join.

No. 387. Transcontinental & Western Air, Inc., petitioner, *v.* Civil Aeronautics Board. On writ 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. Opinion by Mr. Justice Douglas. Mr. Justice Reed took no part in the consideration or decision of this case. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

No. 228. Nye & Nissen (a Corporation) and Abraham Moncharsh, petitioners, *v.* The United States of America. 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 Douglas. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Rutledge join. Dissenting opinion by Mr. Justice Murphy.

No. 117. Hermoine P. Rice, petitioner, *v.* Lillian P. Rice. On writ of certiorari to the Supreme Court of Errors of the State of Connecticut. Judgment affirmed with costs. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge. Dissenting opinion by Mr. Justice Jackson.

No. 542. Anna M. Fountain, petitioner, *v.* Paul Filson and Anna F. Filson. On petition for certiorari to the United States Court of Appeals for the District of Columbia Circuit. The petition for writ of certiorari is granted. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the District of Columbia for further proceedings in accordance with the opinion of the Court of Appeals as modified by the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

No. 613. Eddie J. Viator, appellant, *v.* A. H. Stone, Chairman, State Tax Commission of Mississippi, et al. Appeal from the Supreme Court of Mississippi. *Per curiam*: The appeal is dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

No. 649. Longyear Holding Company, Helen H. Bennett, C. M. Hill Lumber Company, et al., appellants, *v.* State of Minnesota. Appeal from the Supreme Court of Minnesota. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied. Mr. Justice Burton took no part in the consideration or decision of this case.

No. 680. Gulfstream Park Racing Association, Inc., and Gables Racing Association, Inc., appellants, *v.* Hialeah Race Course, Inc., and the Florida State Racing Commission. 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. 593. Oliver Cleve Ryles, petitioner, *v.* The United States of America. On petition for writ of certiorari to the Court of Appeals for the Tenth Circuit. *Per curiam*: The petition for writ of certiorari to the Court of Appeals for the Tenth Circuit is granted. Upon the suggestion of the Solicitor General that the judgments be vacated and the case remanded to the District Court for new trial, and upon consideration of the record, the judgments of the Court of Appeals and the District Court are vacated and the case is remanded to the United States District Court for the Eastern District of Oklahoma with directions to grant a new trial.

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. 609. Charles Quicksall, petitioner, *v.* People of the State of Michigan. It is ordered that Isadore Levin, Esquire, of Detroit, Michigan, a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 42. August Klapprott, petitioner, *v.* The United States of America. The motion for clarification of the modified judgment is denied. Mr. Justice Black dissents.

No. 442. Hannah Cohen, Executrix of the Estate of Sol Cohen, Deceased, and David E. Cohen, Intervenor, petitioners, *v.* Beneficial Industrial Loan Corporation et al.; and

No. 512. Beneficial Industrial Loan Corporation, petitioner, *v.* Honorable William F. Smith, a Judge of the United States District Court for the District of New Jersey et al. The motions of William B. Weinberger and Lewis M. Dabney, Jr., for leave to file briefs as *amici curiae* are granted.

No. 629. The United States of America and Interstate Commerce Commission, appellants, *v.* The Capital Transit Company et al.; and

No. 630. Washington, Virginia and Maryland Coach Company, Inc., et al., appellants, *v.* The Capital Transit Company et al. In these cases probable jurisdiction is noted.

No. 574. The United States of America, petitioner, *v.* Westinghouse Electric and Manufacturing Company. Petition for writ of certiorari to the Court of Appeals for the First Circuit granted.

No. 633. The United States of America, petitioner, *v.* Lillian Spelar, as Administratrix of the Estate of Mark Spelar, Deceased. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 584. Federal Communications Commission, petitioner, *v.* Broadcasting Service Organization, Inc. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted and the case is transferred to the summary docket and assigned for argument on May 9, following the argument in Nos. —, *Orig.*, United States *v.* Louisiana and United States *v.* Texas, which are also specially assigned for that day.

No. 490. Edward P. Stahel & Co., Inc., Interstate Hosiery Mills, Inc., et al., petitioners, *v.* The United States; and

No. 623. The United States, petitioner, *v.* Edward P. Stahel and Co., Inc., Interstate Hosiery Mills, Inc., et al. Petitions for writs of certiorari to the Court of Claims denied.

No. 576. Stinson Canning Company, American Surety Company, etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 577. McEvoy Company, petitioner, *v.* Ben F. Kelley and William L. Kelley, d/b/a Ben F. Kelley Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 586. Daniel G. Marshall, petitioner, *v.* The State Bar of California, a Public Corporation. Petition for writ of certiorari to the Supreme Court of California denied.

No. 587. The City of Crystal Lake, an Illinois Municipal Corporation, petitioner, *v.* National Yeast Corporation, Formerly National

Grain Yeast Corporation. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 588. I. H. Spears, petitioner, *v.* Eva Mae Spears and George A. Sutton. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 589. Northern Illinois Coal Corporation, petitioner, *v.* Midwest-Radiant Corporation. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 611. Z. E. Eagleston, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 612. LeRoy J. Leishman, petitioner, *v.* The Richards and Conover Company. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 615. Fernand C. A. Adda, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 616. Allan Rutledge, Jr., Carlton E. Stevens, Kenyon W. Kantz, et al., petitioners, *v.* United Services Life Insurance Company. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 632. New Orleans Shipwrecking Corporation, petitioner, *v.* William W. Smith et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 644. Ruan Transport Corporation and William D. Hawley, petitioners, *v.* Chicago, Burlington and Quincy Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 562. Harry J. Alker, Jr., and Mamie DuBan, Individually and as Executrix of the Estate of Alfred A. DuBan, petitioners, *v.* Federal Deposit Insurance Corporation. The motion of petitioners to defer consideration is denied. The petition for writ of certiorari to the Court of Appeals for the Third Circuit is denied.

No. 590. South Carolina Public Service Authority, petitioner, *v.* Securities and Exchange Commission and the Commonwealth and Southern Corporation; and

No. 591. South Carolina Public Service Authority, petitioner, *v.* Federal Power Commission and South Carolina Electric and Gas Company. The petition for writs of certiorari to the Court of Appeals for the Fourth Circuit is denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 627. Marie Frances Tillman, petitioner, *v.* Grace Tillman. The motion to dispense with printing the record is granted. The peti-

tion for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is denied.

No. 650. Printing Specialties and Paper Converters Union, Local 388, A. F. L., and Walter J. Turner, petitioners, *v.* Howard F. LeBaron, Regional Director of the 21st Region of the National Labor Relations Board, etc. The petition for writ of certiorari to the Court of Appeals for the Ninth Circuit is dismissed on motion of counsel for the petitioners.

No. 513. Burnham Chemical Company, petitioner, *v.* Borax Consolidated, Ltd., Pacific Coast Borax Company, et al.;

No. 529. Standard Oil Company, a Corporation of the State of Indiana, appellant, *v.* The Superior Court of the State of Delaware in and for New Castle County et al.,

No. 530. Standard Oil Company, a Corporation of the State of Indiana, appellant, *v.* The Superior Court of the State of Delaware in and for New Castle County et al., and

No. 531. Standard Oil Company, a Corporation of the State of Indiana, appellant, *v.* The Superior Court of the State of Delaware in and for New Castle County et al.;

No. 554. Elijah Crippen, Trustee of Lone Star Air Cargo Lines, Inc., Bankrupt, petitioner, *v.* City of Dallas;

No. 306, Misc., October Term, 1947. John Harry McGough, petitioner, *v.* The United States of America;

No. 294, Misc. Charles Lee McIntosh, Sr., petitioner, *v.* United States;

No. 303, Misc. Geo. E. Dunkle, petitioner, *v.* People of the State of Illinois;

No. 315, Misc. Charles Lee McIntosh, petitioner, *v.* Dr. M. J. Pescor, Warden; and

No. 410, Misc. Clarence Bertrand, petitioner, *v.* Joseph E. Ragen, Warden. The petitions for rehearing in these cases are severally denied.

No. 301, Misc. Bernard M. Shotkin, petitioner, *v.* Westinghouse Electric & Manufacturing Co. et al. The motion for leave to file petition for rehearing is denied.

No. 350, Misc. Mabel Blair, petitioner, *v.* John O. Coen. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 391, Misc. David F. Coker, petitioner, *v.* Illinois Central Railroad Co. et al. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 403, Misc. William M. Fries, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 413, Misc. Jake Bird, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 442, Misc. Frank Bonino, petitioner, *v.* State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York denied.

No. 443, Misc. Donald Earl Lundy, petitioner, *v.* Warden, State Prison of Southern Michigan. The petition for writ of certiorari to the Supreme Court of Michigan is denied. The motion for leave to file petition for writ of habeas corpus is also denied.

No. 431, Misc. Bernard M. Shotkin, petitioner, *v.* General Electric Company et al.; and

No. 447, Misc. Ralph O. Lucas, petitioner, *v.* State of Texas. Applications denied.

No. 441, Misc. Norvell M. Bickford, petitioner, *v.* The United States of America; and

No. 559, Misc. Russell G. Bird, petitioner, *v.* Louis A. Johnson, Secretary of Defense. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 446, Misc. Richard Sweet, petitioner, *v.* Ralph Howard, Warden. The motion for leave to file petition for writ of certiorari is denied.

It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the argument in case No. 610, and that the Court will then take a recess until Monday, May 2, next.

No. 442. Hannah Cohen, Executrix of the Estate of Sol Cohen, Deceased, and David E. Cohen, Intervenor, petitioners, *v.* Beneficial Industrial Loan Corporation et al.; and

No. 512. Beneficial Industrial Loan Corporation, petitioner, *v.* Honorable William F. Smith, a Judge of the United States District Court for the District of New Jersey et al. Argued by Mr. Philip B. Kurland and Mr. Charles Hershenstein for Hannah Cohen, Executrix et al., and by Mr. John M. Harlan for Beneficial Industrial Loan Corporation.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 19, will be as follows: Nos. 258, 506, 522, 528, 473, 671, 418, 558, 495, and 567 (and 568).

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

John C. Cox, of Memphis, Tenn.; Earl Matthew Friesenecker, of Chicago, Ill.; Donald Stowe Leecraft, of Durant, Okla.; William K. Jackson, of Chicago, Ill.; W. Breckinridge DeRiemer, of Chicago, Ill.; James Eugene Fair Gammon, of Alexandria, Va.; and Henry F. Lippitt 2nd, of San Diego, Calif., were admitted to practice.

No. 258. National Labor Relations Board, petitioner, *v.* The Pittsburgh Steamship Company. Argued by Mr. Robert L. Stern for the petitioner and by Mr. Nathan L. Miller for the respondent.

No. 506. The United States of America, *ex rel.* May Johnson, petitioner, *v.* W. Frank Watkins, District Director of Immigration and Naturalization Service in the New York District, etc. Argument commenced by Mr. Gunther Jacobson for the petitioner and continued by Miss Patricia H. Collins for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 20, will be as follows: Nos. 506, 522, 528, 473, 671, 418, 558, 495, 567 (and 568), and 610.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

William S. Ramsey, of Landisville, Pa.; Miles F. McDonald, of Brooklyn, N. Y.; Albert Heath Sheaffer, Jr., of Lancaster, Pa.; Charles A. Weaver, of Billings, Mont.; Cornelius J. Petzhold, of Cincinnati, Ohio; and Douglas Gleason, of Ottawa, Kans., were admitted to practice.

No. 506. The United States of America, ex rel. May Johnson, petitioner, *v.* W. Frank Watkins, District Director of Immigration and Naturalization Service in the New York District, etc. Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization, substituted as party respondent, per stipulation of counsel, on motion of Mr. Gunther Jacobson for the petitioner.

No. 506. The United States of America, ex rel. May Johnson, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization Service in the New York District, etc. Argument concluded by Mr. Gunther Jacobson for the petitioner.

No. 522. Julius Ranny Ragan, petitioner, *v.* Merchants Transfer & Warehouse Company, Inc. Argued by Mr. Cornelius Roach for the petitioner and by Mr. Douglas Hudson for the respondent.

No. 528. Harold Roland Christoffel, petitioner, *v.* The United States of America. Argued by Mr. O. John Rogge for the petitioner and by Mr. Assistant Attorney General Campbell for the respondent.

No. 473. The United States of America, petitioner, *v.* Reginald P. Wittek. Argument commenced by Mr. Assistant Attorney General Vanech for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 21, will be as follows: Nos. 473, 671, 418, 558, 495, 567 (and 568), and 610.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Charles H. Earl, of Little Rock, Ark.; Karl W. Johnson, of Upper Darby, Pa.; Maurice Francis Doyle, of Philadelphia, Pa.; Robert P. Patterson, of New York City; Harry Francis Murphy, of Kansas City, Mo.; John F. Taylor, of Snyder, Okla.; and James Emmett McManamon, of Indianapolis, Ind., were admitted to practice.

No. 473. The United States of America, petitioner, *v.* Reginald P. Wittek. Argument continued by Mr. Ward B. McCarthy for the respondent and concluded by Mr. Assistant Attorney General Vanech for the petitioner.

No. 671. Samuel Titto Williams, appellant, *v.* The People of the State of New York. Argued by Mr. John F. Finerty for the appellant and by Mr. Solomon Klein for the appellee.

No. 418. Edward Gibbs, petitioner, *v.* C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania. Argument commenced by Mr. Frederick Bernays Wiedner for the petitioner and continued by Mr. Karl W. Johnson for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, April 22, will be as follows: Nos. 418, 558, 495, 567 (and 568), and 610.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

James E. Gallagher, Jr., of Philadelphia, Pa.; Sylvain D. Leipsic, of San Francisco, Calif.; Charles W. Manning, of New York City; Clark Hodgson, of Philadelphia, Pa.; Edward P. Loughran, of Philadelphia, Pa.; and Gerald Ronon, of Philadelphia, Pa., were admitted to practice.

No. 418. Edward Gibbs, petitioner, *v.* C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania. Argument concluded by Mr. Karl W. Johnson for the respondent.

No. 558. Federal Power Commission, petitioner, *v.* Panhandle Eastern Pipe Line Company et al. Argued by Mr. Bradford Ross for the petitioner and by Mr. Robert P. Patterson and Mr. Jeff A. Robertson for the respondents.

No. 495. Federal Communications Commission, petitioner, *v.* WJR, The Goodwill Station, Inc., and Coastal Plains Broadcasting Co., Inc. Argued by Mr. Solicitor General Perlman for the petitioner and by Mr. Louis G. Caldwell for the respondents.

No. 567. Harvey Stemmer, petitioner, *v.* The People of the State of New York; and

No. 568. David Krakower, petitioner, *v.* The People of the State of New York. Argument commenced by Mr. Osmond K. Fraenkel for the petitioners.

Adjourned until Monday, April 25, next, at 12 o'clock.

The day call for Monday, April 25, will be as follows: Nos. 567 (and 568) and 610.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

William Safirstein, of Newark, N. J.; Thomas F. Flynn, of Cleveland, Ohio; Thomas F. Flynn, Jr., of Alexandria, Va.; Harry Berke, of Chattanooga, Tenn.; W. Corry Smith, of Chattanooga, Tenn.; Robert Edward Lee Culpepper, Jr., of Camilla, Ga.; Joseph H. Wright, of Chicago, Ill.; Vern E. Garten, of Long Beach, Calif.; Julian F. Russell, of Detroit, Mich.; George T. McInnis, of Port Huron, Mich.; John W. Foster, of Chicago, Ill.; Robert Mitten, of Chicago, Ill.; Robert L. Carter, of New York City; Thomas Sherwood MacKinlay, of Chicago, Ill.; John McPherson Vincent Diggins, of Chester, Pa.; Clyde Harold Slease, of Pittsburgh, Pa.; Samuel Rowe, of New York City; Allan H. Fish, of San Francisco, Calif.; John Eugene Comerford, of Atlanta, Ga.; Henry J. Richardson, Jr., of Indianapolis, Ind.; Isadore Waks, of Paterson, N. J.; Benjamin B. Schneider, of Chicago, Ill.; Robert W. Fulwider, of Los Angeles, Calif.; Mary H. Donlon, of New York City; Anthony De Sanctis, of Philadelphia, Pa.; Elmer J. Tone, of Park Ridge, Ill.; John Davis Kerr, of Spartansburg, S. C.; Joe Albert Brown, of Hartshorne, Okla.; George P. Monaghan, of New York City; J. Frank Cunningham, of Dallas, Tex.; W. A. Combs, of Houston, Tex.; Loretta Smith, of Omaha, Nebr.; Arthur W. Manley, of St. Louis, Mo.; Raymond J. McGrover, of Brooklyn, N. Y.; Robert S. Feldman, of Benton Harbor, Mich.; Earle B. Anderson, of West Hartford, Conn.; and Allen H. Tibbals, of Salt Lake City, Utah, were admitted to practice.

No. 355. The People of the State of California, petitioner, *v.* Berl B. Zook and Wilmer K. Craig. On writ of certiorari to the Appellate Department of the Superior Court of Los Angeles County, State of California. Judgment reversed with costs and case remanded to the said Appellate Department of the Superior Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Murphy. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Douglas and Mr. Justice Jackson join. Dissenting opinion by Mr. Justice Frankfurter.

No. 417. Baxter Griffin, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Order of Court of Appeals dismissing appeal vacated and case remanded to that court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Murphy in which Mr. Chief Justice Vinson, Mr. Justice Douglas, and Mr. Justice Rutledge join.

No. 427. Frederick W. Wade, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed and case remanded to the United States District Court for the District of Kansas. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Douglas and Mr. Justice Rutledge join.

No. 457. George W. Humphrey, Warden, United States Penitentiary, Lewisburg, Pennsylvania, petitioner, *v.* Bernard W. Smith. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the United States District Court for the Middle District of Pennsylvania for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Douglas and Mr. Justice Rutledge concur.

The Chief Justice announced the following orders of the Court:

No. 464. Clayton Mark & Company, Enameled Metals Company, Fretz-Moon Tube Company, Inc., et al., petitioners, *v.* Federal Trade Commission. On writ of certiorari to the Court of Appeals for the Seventh Circuit. *Per curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 631. Walter E. Allen, appellant, *v.* M. Lucille Allen. Appeal from and on petition for writ of certiorari to the Supreme Court of Oklahoma. *Per curiam*: The motion for leave to file statement as to jurisdiction is granted. The appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). The petition for writ of certiorari is denied.

No. 664. Paul Verdier, appellant, *v.* The Superior Court of the State of California, in and for the City and County of San Francisco, et al. Appeal from the District Court of Appeals, 1st Appellate District, State of California. *Per curiam*: The appeal is dismissed for want of a substantial federal question. Mr. Justice Murphy took no part in the consideration or decision of this case.

No. 669. The Big Slough Drainage District of Sedgwick County, Kansas, et al., appellants, *v.* The Board of County Commissioners of Sedgwick 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. 690. Vern Smith, appellant, *v.* The People of the State of California. Appeal from the Superior Court in and for the County of Alameda, State of California. *Per curiam*: The appeal is dismissed for want of a substantial federal question.

No. 698. Harold Anderson, appellant, *v.* The People of the State of Michigan. Appeal from the Circuit Court of Berrien County, State of Michigan. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 599. Louis Mitchell, Ralph Lipscomb, Jack Crowley, et al., petitioners, *v.* White Consolidated, Incorporated. On petition for writ of certiorari to the Court of Appeals for the Seventh Circuit. *Per curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals dismissing the appeal is vacated and the cause remanded to it to determine, pursuant to Rule 86 (b) of the Rules of Civil Procedure, whether the application of amended Rule 73 (a) to this particular action would work injustice.

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. 575. Secretary of Agriculture, petitioner, *v.* Central Roig Refining Company, Western Sugar Refining Company, et al.; and

No. 580. Porto Rican American Sugar Refinery, Inc., petitioner, *v.* Central Roig Refining Company and Western Sugar Refining Company. The petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit are granted and the cases are consolidated for argument.

No. 585. The Government of Puerto Rico, petitioner, *v.* The Secretary of Agriculture, Porto Rican American Sugar Refinery, Inc. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted. The case is transferred to the summary docket and assigned for argument immediately following Nos. 575 and 580.

No. 617. The United States of America, petitioner, *v.* Aetna Casualty and Surety Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted and case transferred to the summary docket.

No. 618. The United States of America, petitioner, *v.* World Fire and Marine Insurance Company. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit granted and case transferred to the summary docket.

No. 619. The United States of America, petitioner, *v.* Yorkshire Insurance Company; and

No. 620. The United States of America, petitioner, *v.* The Home Insurance Company. Petition for writs of certiorari to the Court of Appeals for the Third Circuit granted and cases transferred to the summary docket.

No. 435. Inland Steel Company, petitioner, *v.* National Labor Relations Board, et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 594. Riordan J. A. Roett, Jr., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 597. Shepard Niles Crane and Hoist Corporation, petitioner, *v.* William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 602. The United States of America, petitioner, *v.* Michele Daddona. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 608. Capital Airlines, Inc., petitioner, *v.* Civil Aeronautics Board. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 635. West Virginia Northern Railroad Company, petitioner, *v.* Margaret R. Riley, Administratrix of the Estate of Henry C. Riley, Deceased. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 636. West Virginia Northern Railroad Company, petitioner, *v.* George Pritt. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 637. Robert Stueber and James M. Stueber, petitioners, *v.* Admiral Corporation. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 639. Estate of Mortimer B. Fuller, Deceased, Kathryn S. Fuller, et al., Executors, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 645. Universal Atlas Cement Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 658. Helene S. Cohn, petitioner, *v.* Morris B. Cohn and Dora A. Cohn, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 661. Atwell Building Corporation, petitioner, *v.* Sound, Inc., and Fred Donenberg, Trustee. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 665. John W. Hill, petitioner, *v.* Terminal Railroad Association of St. Louis, a Corporation. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 40. Oklahoma Tax Commission, petitioner, *v.* The Texas Company; and

No. 41. Oklahoma Tax Commission, petitioner, *v.* Magnolia Petroleum Company. The motion to enlarge the time to file petition for rehearing is granted. The request of counsel for the respondent in No. 41 to adopt the petition for rehearing in No. 40 is granted. The petition for rehearing is denied. In view of its contents, however, it may be added to what was said in the Court's opinion, 336 U. S. 342, that, as with all other questions of state law involved in the case, see *id.* at n. 44, insofar as the law of Oklahoma may permit the application of its taxing statutes only prospectively, nothing in this Court's opinion or decision forbids the Supreme Court of Oklahoma to apply that law to the taxes involved in this case. Cf. *Great Northern R. Co. v. Sunburst Co.*, 287 U. S. 358, 364.

No. 262, Misc. James McGregor, petitioner, *v.* Joseph E. Ragen, Warden. The petition for rehearing is denied.

No. 306, Misc. Homer Binkley, petitioner, *v.* Walter A. Hunter, Warden. The motion for leave to file petition for rehearing is denied.

No. —, Original. The United States of America, complainant, *v.* The State of Louisiana; and

No. —, Original. The United States of America, complainant, *v.* The State of Texas. The motion of Annie C. and Agnes E. Lewis for leave to intervene is denied.

No. 4, Misc. Howard Lang, petitioner, *v.* Elmer Michael Walsh, Sheriff of Cook County, Illinois. The petition for writ of certiorari to the Supreme Court of Illinois is dismissed on motion of counsel for the petitioner.

No. 473, Misc. George F. Smith, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 475, Misc. Jack Smith, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 481, Misc. Everett Ross, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 448, Misc. Albert Woodrow Rash, petitioner, *v.* Ralph Howard, Warden; and

No. 474, Misc. Dominic Touche, petitioner, *v.* Percy A. Lainson, as Warden. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 567. Harvey Stemmer, petitioner, *v.* The People of the State of New York; and

No. 568. David Krakower, petitioner, *v.* The People of the State of New York. Argument continued by Mr. Osmond K. Fraenkel for petitioner, Harvey Stemmer; by Mr. Harry G. Anderson for petitioner, David Krakower; by Mr. Whitman Knapp for the respondent and concluded by Mr. Osmond K. Fraenkel for petitioner, Harvey Stemmer.

No. 610. Robert A. Watts, petitioner, *v.* State of Indiana. Argued by Mr. Franklin H. Williams and Mr. Thurgood Marshall for the petitioner and by Mr. Frank E. Coughlin for the respondent.

Adjourned until Monday, May 2, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

John E. Gorsuch, of Denver, Colo.; Wayne N. Aspinall, of Palisade, Colo.; Philip Blacklow, of Boston, Mass.; Joseph M. Schwartz, of New York City; Edwin C. Brown, of Alexandria, Va.; Vernon J. Veron, of Portland, Oreg.; Nathan H. David, of Boston, Mass.; Leroy H. McKinney, of Washington, D. C.; Abraham L. Zwerdling, of Detroit, Mich.; Kent D. Algire, of Washington, D. C.; Walter E. Maloney, of New York City; Brooks Thomas, of El Paso, Tex.; Edward J. Calhoun, of Arlington, Va.; Louis Wallisch, Jr., of Passaic, N. J.; Harry Lott, of New Rochelle, N. Y.; John H. Crooker, Jr., of Houston, Tex.; John Lambert Osmer, of New York City; and David Hartfield, Jr., of New York City, were admitted to practice.

No. 416. The United States of America, appellant, *v.* Wallace & Tiernan Company, Inc., et al. Appeal from the United States District Court for the District of Rhode Island. Judgment reversed and case remanded to said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black.

No. 640. The United States of America, petitioner, *v.* Fred Urbuteit, Claimant of 16 Articles of Device, More or Less, Labeled "Sinuo thermic", etc. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The petition for writ of certiorari is granted. Judgment of February 1, 1949, reversed and cause remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

No. 567. Harvey Stemmer, petitioner, *v.* The People of the State of New York; and

No. 568. David Krakower, petitioner, *v.* The People of the State of New York. On writs of certiorari to the Court of Appeals of New York. *Per curiam:* The judgment is affirmed by an equally divided Court. Mr. Justice Jackson took no part in the consideration or decision of these cases.

No. 728. Midwest Haulers, Inc., Mutual Trucking Company, et al., appellants, *v.* C. Emory Glander, 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 jurisdiction. Title 28, United States Code, sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, sec. 2103, certiorari is denied.

The Chief Justice said:

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

No. 579. John S. Haynes, petitioner, *v.* Southern Railway System. The motion to correct the record by changing the name of the respondent, now set forth as Southern Railway System, to read Cincinnati, New Orleans and Texas Pacific Railway Company, is granted.

No. 624. The United States petitioner, *v.* The Toronto, Hamilton and Buffalo Navigation Company. Petition for writ of certiorari to the Court of Claims granted and case transferred to the summary docket.

No. 652. Richard J. Brown, petitioner, *v.* Western Railway of Alabama. Petition for writ of certiorari to the Court of Appeals of Georgia granted and case transferred to the summary docket.

No. 668. The United States, petitioner, *v.* Helen W. Benedict and Frank B. Smith, as Trustees, et al. Petition for writ of certiorari to the Court of Claims granted and case transferred to the summary docket.

No. 733. The United States of America, ex rel. Ellen Knauff, petitioner, *v.* W. Frank Watkins, as District Director of Immigration and Naturalization. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 265, Misc. Harley F. Smith, petitioner, *v.* Joseph E. Ragen, Warden. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, is granted and the case ordered transferred to the appellate docket.

No. 408, Misc. John Hughes and Louis Richardson, petitioners, *v.* Superior Court of the State of California in and for the County of Contra Costa. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Supreme Court of California is granted and the case ordered transferred to the appellate docket.

No. 600. Charles S. Aronstam, petitioner, *v.* The New York Central Railroad Company et al.; and

No. 601. Eppler & Company, petitioner, *v.* The New York Central Railroad Company et al. Petitions for writs of certiorari to the United States District Court for the Southern District of New York denied.

No. 605. J. C. Anderegg, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 634. Warren A. Doll, petitioner, *v.* Joseph T. Meyer. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 638. The Chesapeake and Ohio Railway Company, petitioner, *v.* Gilmer S. Morris. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 642. Edward H. Phillips and Emma E. Phillips, his Wife, et al., petitioners, *v.* Frank A. Saunders and Edith M. Saunders, his Wife, et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 647. A. B. Momand, petitioner, *v.* Universal Film Exchanges, Inc., et al. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 651. Maryland Casualty Company, petitioner, *v.* Oliver Ray Toups, Individually and as Next Friend of Helena Estelle Toups, et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 657. Jerome M. Ney, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 660. A. N. Spanel, petitioner, *v.* Dr. Boris Berkman and Dr. Sophia Berkman. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 666. Brooklyn and Richmond Ferry Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 684. Eula Wolfe, Nee Perry, Salina Scott, Lena McLane, now Clark, et al., petitioners, *v.* Oren Phillips and Janie Phillips, his Wife, et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 598. Frederic Henry, petitioner, *v.* General Courtney N. Hodges, Commanding General, First Army, Fort Jay, New York. The motion to substitute Lt. General Walter Bedell Smith as the party respondent herein is granted. The motion to dispense with printing the court martial record is granted. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is denied.

No. 607. Robert S. Becker, petitioner, *v.* Major General Robert M. Webster, Commanding Officer at Fort Slocum, New York. The motion to dispense with printing the petition, brief, and record is granted. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is denied.

No. 646. Russell Crawford, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. The motion to dispense with printing the petition, brief, and record is granted. The petition for writ of certiorari to the Supreme Court of Illinois is denied.

No. 653. William Haskell Brown, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas, and the United States of America. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Court of Appeals for the Tenth Circuit is denied.

No. 707. John Horace Correll, petitioner, *v.* State of North Carolina. The motion to dispense with printing the petition is granted. The petition for writ of certiorari to the Supreme Court of North Carolina is denied.

No. 14. International Union, U. A. W., A. F. of L., Local 232, et al., petitioners, *v.* Wisconsin Employment Relations Board et al., and

No. 15. International Union, U. A. W., A. F. of L., Local 232, et al., petitioners, *v.* Wisconsin Employment Relations Board et al.;

No. 510. International Longshoremen's and Warehousemen's Union (CIO), et al., petitioners, *v.* Cable A. Wirtz, as Judge of the Circuit Court of the Second Judicial Circuit, Territory of Hawaii, and Maui Agricultural Company, Limited;

No. 557. Cora L. Lagemann, appellant, *v.* Harold B. Lagemann;

No. 643. C. H. Bunn, appellant, *v.* State of North Carolina; and

No. 360, Misc. James Steele, petitioner, *v.* J. Vernal Jackson, Warden. The petitions for rehearing in these cases are severally denied.

No. 218, Misc. William W. Curtis, petitioner, *v.* George W. Humphrey, Warden. The second petition for rehearing is denied.

No. 30, Misc. People of the State of Illinois, ex rel. Tony Marino, petitioner, *v.* Joseph E. Ragen, Warden. The petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois, is denied. Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion certiorari should be granted.

No. 276, Misc. Arthur C. McLaren, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 304, Misc. Arthur C. McLaren, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois, denied.

No. 439, Misc. Herman Frederick Weber, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 472, Misc. Edward Morgan MacKenna, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 488, Misc. Camile A. Tabet and George Voalk, petitioners, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 539, Misc. Daisy D. Wilson, petitioner, *v.* Ralph S. Hinman et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 543, Misc. Daniel Bardell, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 544, Misc. Frank Wrona, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 548, Misc. Henry Foreman, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 549, Misc. John Bongiorno, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 588, Misc. Emil W. K. Beckman, petitioner, *v.* Robert J. Barrett, Major and Superintendent of Police. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 452, Misc. In the Matter of Alois Muhlbauer, petitioner;

No. 455, Misc. In the Matter of Wilhelm List, petitioner;

No. 456, Misc. In the Matter of Lothor Rendulic, petitioner;

No. 457, Misc. In the Matter of Walter Kuntze, petitioner;

No. 458, Misc. In the Matter of Hellmuth Felmy, petitioner;

No. 459, Misc. In the Matter of Hubert Lanz, petitioner;

No. 460, Misc. In the Matter of Ernst Dehner, petitioner;

No. 461, Misc. In the Matter of Ernst Leyser, petitioner;

No. 462, Misc. In the Matter of Wilhelm Speidel, petitioner;

No. 463, Misc. In the Matter of Wilhelm Von Ammon, petitioner;

No. 464, Misc. In the Matter of Dr. Guenther Joel, petitioner;

No. 465, Misc. In the Matter of Herbert Klemm, petitioner;

- No. 466, Misc. In the Matter of Ernst Lautz, petitioner;
No. 467, Misc. In the Matter of Dr. Wolfgang Mettgenberg, petitioner;
No. 468, Misc. In the Matter of Rudolf Oeschey, petitioner;
No. 469, Misc. In the Matter of Dr. Oswald Rothaug, petitioner;
No. 470, Misc. In the Matter of Kurt Rothenberger, petitioner;
No. 471, Misc. In the Matter of Dr. Franz Schlegelberger, petitioner;
No. 493, Misc. In the Matter of Dr. Hans Bobermin, petitioner;
No. 494, Misc. In the Matter of Franz Eirenschmalz, petitioner;
No. 495, Misc. In the Matter of August Frank, petitioner;
No. 496, Misc. In the Matter of Heinz Karl Fanslau, petitioner;
No. 497, Misc. In the Matter of Hans Hohberg, petitioner;
No. 498, Misc. In the Matter of George Loerner, petitioner;
No. 499, Misc. In the Matter of Hans Loerner, petitioner;
No. 500, Misc. In the Matter of Karl Mummmenthey, petitioner;
No. 501, Misc. In the Matter of Oswald Pohl, petitioner;
No. 502, Misc. In the Matter of Karl Sommer, petitioner;
No. 503, Misc. In the Matter of Dr. Leo Volk, petitioner;
No. 504, Misc. In the Matter of Dr. Hans Hohberg, petitioner;
No. 505, Misc. In the Matter of Dr. Hermann Pook, petitioner;
No. 506, Misc. In the Matter of Karl Sommer, petitioner;
No. 507, Misc. In the Matter of Oswald Pohl et al., petitioners;
No. 508, Misc. In the Matter of Heinz Brueckner, petitioner;
No. 509, Misc. In the Matter of Rudolf Creutz, petitioner;
No. 510, Misc. In the Matter of Otto Hofmann, petitioner;
No. 511, Misc. In the Matter of Herbert Huebner, petitioner;
No. 512, Misc. In the Matter of Werner Lorenz, petitioner;
No. 513, Misc. In the Matter of Fritz Schwalm, petitioner;
No. 514, Misc. In the Matter of Ernst Biberstein, petitioner;
No. 515, Misc. In the Matter of Paul Blobel, petitioner;
No. 516, Misc. In the Matter of Dr. Walter Blume, petitioner;
No. 517, Misc. In the Matter of Dr. Werner Braune, petitioner;
No. 518, Misc. In the Matter of Walter Haensch, petitioner;
No. 519, Misc. In the Matter of Heinz Jost, petitioner;
No. 520, Misc. In the Matter of Woldemar Klingelhoef, petitioner;
No. 521, Misc. In the Matter of Erich Naumann, petitioner;
No. 522, Misc. In the Matter of Willy Seibert, petitioner;
No. 523, Misc. In the Matter of Heinz Schubert, petitioner;
No. 524, Misc. In the Matter of Eugen Steimle, petitioner;
No. 525, Misc. In the Matter of Dr. Eduard Strauch, petitioner;
No. 526, Misc. In the Matter of Waldemar Von Radetzky, petitioner;

No. 527, Misc. In the Matter of Dr. Franz Six, petitioner;

No. 528, Misc. In the Matter of Adolf Ott, petitioner;

No. 529, Misc. In the Matter of Otto Ohlendorf, petitioner;

No. 530, Misc. In the Matter of Martin Sandberger, petitioner;

No. 531, Misc. In the Matter of Waldemar Von Radetzky, petitioner; and

No. 532, Misc. In the Matter of Hermann Hoth, petitioner. Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948); *Everett v. Truman*, 334 U. S. 824 (1948). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that argument should be heard on the motions for leave to file the petitions in order to settle what remedy, if any, the petitioners have. Mr. Justice Jackson took no part in the consideration or decision of these applications.

No. 534, Misc. George Wilson, petitioner, *v. State of Oklahoma*; and

No. 541, Misc. John Fritz, petitioner, *v. C. J. Burke*, Warden. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 483, Misc. Wallace Phillips, petitioner, *v. Joseph E. Ragen*, Warden. The motion for leave to file petition for writ of certiorari is denied.

The Court will take a recess from today until Monday, May 9, next.

Adjourned until Monday, May 9, next, at 12 o'clock.

The day call for Monday, May 9, will be as follows: Nos. — Orig., U. S. *v. Louisiana*, — Orig., U. S. *v. Texas*, and 584.

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SUPREME COURT OF THE UNITED STATES

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

Raymond S. Tompkins, of Baltimore, Md.; Walter H. Brummund, of Appleton, Wis.; Frank H. Conry, of Denver, Colo.; Theodore J. Himmelberg, Jr., of Washington, D. C.; Paul Fred Ahlers, of Des Moines, Iowa; Matthew J. Levitt, of Minneapolis, Minn.; William H. Young, Jr., of Columbus, Ga.; R. O. Norris, of Lively, Va.; Gordon Lewis, of Tappahannock, Va.; David W. Kendall, of Jackson, Mich.; Alfred P. Kelley, of Portland, Oreg.; John Henry Lewis, of Hoisington, Kans.; Earl Carlisle Moore, of Wichita, Kans.; Ernest W. McFarland, of Florence, Ariz.; James A. Walsh, of Phoenix, Ariz.; Thomas L. Hall, of Nogales, Ariz.; Thomas A. Gaffney, of New York City; John B. Ward, of Russellville, Ark.; John A. Ryan, of Easton, Pa.; George Hamilton Bowen, of Tulsa, Okla.; Andrew E. Carlsen, of Minneapolis, Minn.; Norman P. Seagrave, of Alexandria, Va.; Simon M. Seley, of Newark, N. J.; Harold L. Moskowitz, of Monticello, N. Y.; James L. Dougherty, of Washington, D. C.; J. Kenneth Baird, of Chicago, Ill.; George B. Stoner, of Washington, D. C.; James W. Considine, of Washington, D. C.; Robert Newton Reid, of Washington, D. C.; Walter Hopkins Young, of Zanesville, Ohio; Christian B. Peper, of Saint Louis, Mo.; Dudley H. Digges, of Silver Spring, Md.; Narvin B. Weaver, of Arlington, Va.; Austin G. Roe, of Bethesda, Md.; Robert K. Thurber, of Bethesda, Md.; J. Chrys Dougherty, of Austin, Tex.; Ralph F. Staubly, Jr., of Silver Spring, Md.; Francis C. Nash, of Washington, D. C.; Irving E. Tarson, of Los Angeles, Calif.; Marianne Bell McConnaughey, of Chevy Chase, Md.; John Kennedy Lynch, Jr., of Bethesda, Md.; Lester I. Bowman, of Petersburg, Va.; Elbert Erskine Blakely, of Washington, D. C.; and Willis Edward Topper, of Greensburg, Pa., were admitted to practice.

No. 506. The United States of America, ex rel. May Johnson, petitioner, *v.* Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization Service in the New York District, etc. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of New York for entry of an order affording petitioner a proper hearing and medical exami-

nation before the appropriate public health authorities as indicated in the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Reed in which Mr. Chief Justice Vinson and Mr. Justice Burton join.

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. 733. The United States of America, ex rel. Ellen Knauff, petitioner, *v.* W. Frank Watkins, as District Director of Immigration and Naturalization. The motion of petitioner to substitute Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization, as the party respondent is granted.

No. 628. Commerce Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 676. Frank Bailey et al., petitioners, *v.* Edward O. Proctor et al. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 677. Fred P. Weissman, an Individual d/b/a Fred P. Weissman Company, et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 678. Fred P. Weissman Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 739. W. B. Doak et al., petitioners, *v.* Federal Land Bank of Baltimore. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 379, Misc. In the Matter of Arthur Curtis Antrim Bush, petitioner. The motion for leave to file petition for writ of habeas corpus is denied without prejudice to the right to apply to any appropriate court that may have jurisdiction.

No. 597, Misc. In the Matter of the Federal Security Administrator and the Attorney General, petitioners. The motion for leave to file petition for writs of prohibition and/or mandamus is granted. A rule is ordered to issue, returnable on Monday, May 16, requiring the respondents to show cause why the petition for writs of prohibition and/or mandamus should not be granted and the cause is assigned for argument on that day. The motion of Mytinger and Casselberry, Inc. for leave to intervene is granted.

No. 457. George W. Humphrey, Warden, United States Penitentiary, Lewisburg, Pennsylvania, petitioner *v.* Bernard W. Smith. Time within which to file petition for rehearing extended to and including May 24, next, on motion of counsel for the respondent.

The Court will take a recess upon the conclusion of the argument in the cases specially assigned for today until Monday, May 16, next.

No. —, Original. The United States of America, plaintiff, *v.* The State of Louisiana. Argued on the motion to file complaint and objections thereto by Mr. Solicitor General Perlman for the plaintiff, and by Mr. F. Trowbridge Vom Bauer and Mr. L. H. Perez for the defendant.

No. —, Original. The United States of America, plaintiff, *v.* The State of Texas. Argued on the motion to file complaint and objections thereto by Mr. Solicitor General Perlman for the plaintiff, and by Mr. Price Daniel for the defendant.

No. 584. Federal Communications Commission, petitioner, *v.* Broadcasting Service Organization, Inc. Argued by Mr. Solicitor General Perlman for the petitioner and by Mr. Walter M. Bastian for the respondent.

Adjourned until Monday, May 16, next, at 12 o'clock.

The day call for Monday, May 16, will be as follows: No. 597, Misc.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Paul Carroll Wolman, of Baltimore, Md.; George M. Bryant, of Los Angeles, Calif.; P. L. Smith, of Antoine, Ark.; George W. McBurney, of Florence, Ala.; Philip H. Ward, of Sterling, Ill.; Mark H. Johnson, of New York City; Hilary Earl Cox, of Houston, Tex.; Charles W. Trueheart, of San Antonio, Tex.; Albert J. Shults, of San Francisco, Calif.; Leroy A. Wright II, of San Diego, Calif.; Levy Anderson, of Philadelphia, Pa.; Harry R. Horrow, of San Francisco, Calif.; John K. Ruckelshaus, of Indianapolis, Ind.; Lucien L. Dunbar, of Indianapolis, Ind.; Theodore Tannenwald, Jr., of New York City; and Samuel E. Ziegler, of Dallas, Tex., were admitted to practice.

No. 388. Welker B. Brooks, petitioner, *v.* The United States of America; and

No. 389. James M. Brooks, Administrator of the Estate of Arthur L. Brooks, Deceased, petitioner, *v.* The United States of America. On writs of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgments reversed with costs and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Murphy. Dissenting: Mr. Justice Frankfurter and Mr. Justice Douglas.

No. 272. Arthur Terminiello, petitioner, *v.* City of Chicago. On writ of certiorari to the Supreme Court of the State of Illinois. Judgment reversed with costs and case remanded to said Supreme Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton join. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Burton joins.

No. 500. The Union National Bank of Wichita, Kansas, appellant, *v.* Carl C. Lamb. Appeal from the Supreme Court of the State of Missouri. Appeal dismissed and, treating the appeal papers as a petition for writ of certiorari, certiorari is granted. The judgment

is reversed with costs and case remanded to said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting: Mr. Justice Black and Mr. Justice Rutledge. Dissenting opinion by Mr. Justice Frankfurter.

The Chief Justice announced the following orders of the Court:

No. 670. Securities and Exchange Commission, petitioner, *v.* Philadelphia Company. On petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit. *Per curiam:* The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court with directions to dismiss the petition for review as moot, on joint motion of counsel for the parties.

No. 679. James A. Kennedy, appellant, *v.* Ralph H. Walker, Warden, Connecticut State Prison. Appeal from the Supreme Court of Errors of Connecticut. *Per curiam:* The judgment is affirmed. *Hurtado v. California*, 110 U. S. 516; *Adamson v. California*, 332 U. S. 46. Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge dissent.

No. 584. Federal Communications Commission, petitioner, *v.* Broadcasting Service Organization, Inc. On writ of certiorari to the Court of Appeals for the District of Columbia Circuit. *Per curiam:* The judgment is reversed. *Federal Communications Commission v. WOKO*, 329 U. S. 223.

No. 13, Original. The United States of America, plaintiff, *v.* The State of Louisiana; and

No. 14, Original. The United States of America, plaintiff, *v.* The State of Texas. The motions for leave to file complaints are granted and process is ordered to issue returnable on or before September 1, next. Mr. Justice Jackson took no part in the consideration or decision of these applications.

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. 692. Leo Cassell, petitioner, *v.* The State of Texas. It is ordered that Chris Dixie, Esquire, of Houston, Texas, be appointed to serve as counsel for the petitioner in this case.

No. 760. Harley F. Smith petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. It is ordered that Herbert A. Friedlich, Esquire, of Chicago, Ill., be appointed to serve as counsel for the petitioner in this case.

No. 185. Graver Tank & Mfg. Co., Inc., et al., petitioners, *v.* The Linde Air Products Company. The petition for rehearing is granted, limited to the question of infringement of Claims 18, 20, 22, and 23 of the Jones et al. patent. The Court desires argument as to the applicability of the doctrine of equivalents to the findings of fact in this case.

No. 583. Louis A. Reilly, as Postmaster of the City of Newark in the County of Essex and State of New Jersey, petitioner, *v.* Joseph J. Pinkus, Trading as American Aids Company, Also Known as Energy Food Center. Petition for writ of certiorari to the Court of Appeals for the Third Circuit granted.

No. 561. Gladys Broadhurst, petitioner, *v.* State of Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 592. Arthur Russell Howell, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 625. The United States, petitioner, *v.* Hazel L. Fauber, Administratrix, C. T. A. Petition for writ of certiorari to the Court of Claims denied.

No. 673. Anthony Scocozza, an Infant, by Ermino Scocozza, his Guardian ad litem and Ermino Scocozza, petitioners, *v.* Erie Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 681. Dinah Shaw, a Stockholder of Celanese Corporation of America, etc., petitioner, *v.* Damille Dreyfus and Celanese Corporation of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 682. Mather and Co., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 683. George W. Hartmann, petitioner, *v.* The American News Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 686. Warren W. Dunnell, petitioner, *v.* Safeway Stores, Inc. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 687. Metropolitan Trust Co., as Conservator for Stanley O. Lawrence, an Incompetent Person, petitioner, *v.* The Muter Company and Leslie F. Muter; and

No. 688. Metropolitan Trust Co., as Conservator for Stanley O. Lawrence, an Incompetent Person, petitioner, *v.* The Muter Company and Leslie F. Muter. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 702. Harbor Towing Corporation, petitioner, *v.* Luke R. Parker, Owner of the M/V "Ruth Conway" and Swift and Company. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 714. Gerald F. Updike, Mrs. Grace Pearl Updike, Leon W. Updike, et al., petitioners, *v.* Ivan M. West, J. C. Dunlap, P. N. Nacheff, et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 741. The Republic of the United States of Brazil, Trading Under the Name and Style of Lloyd Brasileiro, petitioner, *v.* General Foods Corporation. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 526. The Sioux Tribe of Indians, petitioner, *v.* The United States; and

No. 527. The Sioux Tribe of Indians, petitioner, *v.* The United States. The motions to use the certified records in Nos. 368 and 369, October Term, 1946, are granted. The petitions for writs of certiorari to the Court of Claims are denied.

No. 648. Earnest DeWar, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Court of Appeals for the Tenth Circuit is denied.

No. 406, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney et al. The second petition for rehearing is denied.

No. 413, Misc. Jake Bird, petitioner, *v.* State of Washington; and

No. 447, Misc. Ralph O. Lucas, petitioner, *v.* State of Texas. The petitions for rehearing are denied.

No. 432, Misc. David L. Loughran, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 436, Misc. Henry A. Culver et al., petitioners, *v.* The Carter Oil Company et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 454, Misc. Louis Martinez, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal, First Appellate District, State of California, denied.

No. 480, Misc. R. W. Agnew, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 490, Misc. Custer M. Coyle, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 537, Misc. Max Philip Couture, petitioner, *v.* Tom Smith, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 550, Misc. John Elmo Morant, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 554, Misc. Barney Franklin, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 560, Misc. Leslie George Wakat, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 565, Misc. Bennet Twitty, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 566, Misc. Grady Crowley, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 567, Misc. Stephen G. Reeves, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Iroquois County, State of Illinois, denied.

No. 568, Misc. Andrew Scott, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 569, Misc. Walter Michael, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 571, Misc. Louis Lutz, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 572, Misc. Luther Terry, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 573, Misc. Frank Gambony, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 575, Misc. Frank Dzan, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 577, Misc. Jesse Hamilton, Jr., petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Saline County and the Supreme Court of the State of Illinois denied.

No. 449, Misc. Harry Elmer Merrill, petitioner, *v.* Tom Smith, Superintendent;

No. 536, Misc. Cecil Swain, petitioner, *v.* Clinton T. Duffy, Warden;

No. 538, Misc. John M. Canada, petitioner, *v.* James M. Jones, Warden;

No. 545, Misc. Howard Morse, petitioner, *v.* Percy A. Lainson, Warden;

No. 556, Misc. Barney Fredricksen, petitioner, *v.* James M. Jones, Warden; and

No. 579, Misc. Dan Williams, petitioner, *v.* Dr. Winfred Overholser, Supt. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 437, Misc. Fred Tate, petitioner, *v.* People of the State of California. The motion for leave to file petition for writ of certiorari is denied.

No. 453, Misc. Robert G. Schuman, petitioner, *v.* People of the State of California; and

No. 487, Misc. In the Matter of Sylvester Ellsworth Stinson, petitioner. Applications denied.

No. 551, Misc. Tyree Holloway, petitioner, *v.* Tom C. Clark, Attorney General. The motion for leave to file petition for writ of mandamus is denied.

No. 610, Misc. In the Matter of Electric Power & Light Corporation, Electric Bond & Share Company. The petitions for a stay are denied. Mr. Justice Reed, Mr. Justice Douglas, and Mr. Justice Jackson took no part in the consideration or decision of these applications. Dissenting memorandum by Mr. Justice Frankfurter in which Mr. Justice Murphy joins.

ORDER

The Court will take a recess from today until Tuesday, May 31, from that day until Monday, June 6, from that day until Monday, June 13, and from that day until Monday, June 20, upon which day it will adjourn for the term unless otherwise ordered. No motions, except motions for admission to practice, will be received after the session next before the date fixed for adjournment of the term.

No. 597, Misc. In the Matter of Federal Security Administrator and the Attorney General, petitioners. Argued on the petition and return to the rule to show cause by Mr. Robert L. Stern for the petitioners, by Mr. Walter M. Bastian for the respondents, and by Mr. Charles S. Rhyne for the Intervenor, Mytinger and Casselberry, Inc.

No. 597, Misc. In the Matter of Federal Security Administrator and the Attorney General, petitioners. On petition for writs of prohibition and/or mandamus. *Per curiam*: The rule to show cause is discharged and the petition for writs of prohibition and/or mandamus is denied. Mr. Justice Douglas dissents.

Adjourned until Tuesday, May 31, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Emmett Ray Feighner, of Phoenix, Ariz.; Arthur F. Callahan, of Washington, D. C.; Jerry T. Batts, Jr., of Washington, D. C.; Edward Stanley Sanders, of San Antonio, Tex.; John T. Lindsey, of Port Arthur, Tex.; David G. Kling, of Los Angeles, Calif.; Louis A. Bowman, of Chicago, Ill.; Albert Langeluttig, of Chicago, Ill.; Morris A. Shenker, of St. Louis, Mo.; Carl Edmunds Sheldon, of Sterling, Ill.; Joseph R. Shaughnessy, of New York City; Herbert A. Finneson, of New York City; Winfield K. Denton, of Evansville, Ind.; Gerard F. Treanor, of Boston, Mass.; Charles J. Klyde, of New York City; W. F. Morris, of Anadarko, Okla.; Howard J. Lowry, of Arlington, Va.; William H. West, Jr., of New York City; Harold L. Schilz, of Washington, D. C.; Martin Merson, of New York City; Samuel M. Reiter, of New York City; Joseph Hilton Fisher, of Brooklyn, N. Y.; Theodore J. Rodgers, of Detroit, Mich.; Clarence F. Rothenburg, of Washington, D. C.; Joseph H. Ehlers, of Washington, D. C.; John C. Poole, of Washington, D. C.; Dudley G. Skinker, of Washington, D. C.; Henry S. Snyder, of Washington, D. C.; Walter D. Newrath, of Washington, D. C.; J. Edwin Fleming, of Dallas, Tex.; J. Gregory Donohue, of Pueblo, Colo.; and John F. McCarthy, of Chicago, Ill., were admitted to practice.

No. 253. The United States, petitioner, *v.* Penn Foundry and Manufacturing Company, Inc. On writ of certiorari to the Court of Claims. Judgment reversed and case remanded to Court of Claims with direction to enter judgment in favor of the United States. Opinion by Mr. Justice Burton. Mr. Justice Reed and Mr. Justice Jackson concur in the reversal and dissent from the order to enter judgment in favor of the United States. Concurring opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge join.

No. 197. National Labor Relations Board, petitioner, *v.* Crompton-Highland Mills, Inc. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for action consistent with the

opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge join in part I of the opinion, but think the Board's order should be enforced without modification.

No. 129. William T. Urie, petitioner, *v.* Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment reversed with costs and case remanded to the said Supreme Court with instructions to reinstate the judgment on the verdict for petitioner. Opinion by Mr. Justice Rutledge. Opinion by Mr. Justice Frankfurter concurring in part in which Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Burton join.

No. 327. Empresa Siderurgica, S. A., a Corporation of Colombia, South America, et al., appellants, *v.* County of Merced, a Municipal Corporation, et al. Appeal from the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Frankfurter.

No. 24. Frank Hynes, Regional Director, Fish and Wildlife Service, Department of the Interior, petitioner. *v.* Grimes Packing Co., Kadiak Fisheries Company, Libby, McNeill & Libby, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Decrees of District Court and the Court of Appeals vacated and case remanded to the United States District Court for the Northern District of California with directions and proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Opinion by Mr. Justice Rutledge dissenting in part in which Mr. Justice Black and Mr. Justice Murphy join. Mr. Justice Douglas joins in part I of Mr. Justice Rutledge's opinion.

No. 292. George Smith, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed.

No. 206, Misc. Ex parte Joseph Collett, petitioner. On motion for leave to file petition for writs of mandamus and prohibition. Motion for leave to file petition for writs of mandamus and prohibition denied. Opinion by Mr. Chief Justice Vinson. Opinion by Mr. Justice Rutledge concurring in the result. Dissenting: Mr. Justice Black and Mr. Justice Douglas.

No. 233, Misc. Jessie A. Kilpatrick, petitioner, *v.* The Texas & Pacific Railway Co. On motion for leave to file petition for writ of mandamus or certiorari. Motion for leave to file petition for writ of

mandamus or certiorari denied. Opinion by Mr. Chief Justice Vinson. Opinion by Mr. Justice Rutledge concurring in the result. Dissenting: Mr. Justice Black and Mr. Justice Douglas.

No. 269, Misc. The United States of America, petitioner, *v.* National City Lines, Inc., et al. On motion for leave to file petition for writ of certiorari. Motion for leave to file petition for writ of certiorari denied. Opinion by Mr. Chief Justice Vinson. Opinion by Mr. Justice Rutledge concurring in the result. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black joins.

The Chief Justice announced the following orders of the Court:

No. 754. State of Texas, State of Louisiana, Railroad Commission of Texas, et al., appellants, *v.* The United States of America, Interstate Commerce Commission. Appeal from the United States District Court for the Western District of Oklahoma. *Per curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 785. San Diego Electric Railway Company, appellant, *v.* State Board of Equalization of the State of California. Appeal from the District Court of Appeal, Third Appellate District, State of California. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

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. 694. Colgate-Palmolive-Peet Company, petitioner, *v.* The National Labor Relations Board et al. The petition for writ of certiorari to the Court of Appeals for the Ninth Circuit is granted limited to the question of the construction of section 8 (3) of the National Labor Relations Act of 1935 in relation to this case.

No. 709. Rosette Sorge Savorgnan, petitioner, *v.* The United States of America, Tom C. Clark, The Attorney General of the United States of America et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted.

No. 729. Lawrence C. Kingsland, Commissioner of Patents, petitioner, *v.* Vernon M. Dorsey. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted.

No. 654. Albert Schiappi, petitioner, *v.* West Virginia Liquor Control Commission, a Corporation. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 655. The United States of America. *ex rel.* Anna Dorfler, George Dorfler, Christian Ehmann et al., petitioners, *v.* W. Frank Watkins, as District Director of Immigration and Naturalization of the United States for the District of New York, etc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 662. John Bundte and William Phillips, petitioners, *v.* The People of the State of California. Petition for writ of certiorari to the District Court of Appeal, Third Appellate District, State of California, denied.

No. 663. Robert Moore, Richard McCoard, George Sherrad, and Joe Pimentel, petitioners, *v.* The People of the State of California. Petition for writ of certiorari to the District Court of Appeal, Third Appellate District, State of California, denied.

No. 693. Whiting Stoker Company, petitioner, *v.* Chicago Stoker Corporation. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 695. Warehouse Union Local 6, International Longshoremen's and Warehouse Union (CIO), petitioner. *v.* The National Labor Relations Board et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 697. Ira S. Mason et al., petitioners, *v.* The Texas Company. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 699. Josephine G. Braun, petitioner, *v.* Morris W. Taub and Marie A. Taub. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 700. Victor J. Veatch, petitioner, *v.* William Borthwick, Tax Commissioner of the Territory of Hawaii. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 704. Anthony Linquata, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 705. C. D. Shepherd et al., petitioners, *v.* Obie Fauster Hunter et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 706. Court Square Building, Inc., petitioner, *v.* The City of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 710. R. C. Glover et al., Trustees Under the Will of Sarah E. Carrier, Deceased, petitioners, *v.* J. W. Maloney, Collector of Internal Revenue for the District of Oregon. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 715. B. B. B. Construction Corporation, petitioner, *v.* The Aetna Casualty and Surety Company; and

No. 716. B. B. B. Construction Corporation, petitioner, *v.* The Aetna Casualty and Surety Company. Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 717. Hamilton Foods, Inc., petitioner, *v.* The Atchison, Topeka and Santa Fe Railway Company, et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 719. Lawrence E. Kelly, Administrator of the Estate of H. M. Kelly, Deceased, and Mollie Kelly, petitioners, *v.* The Shamrock Oil and Gas Corporation. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 720. Ed Thys and Albert K. Miller, Co-Partners Doing Business as Thys and Miller, petitioners, *v.* The State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 721. Harry Francis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 722. John W. Frank et al., petitioners, *v.* Wilson and Co., Inc.; and

No. 723. John W. Frank et al., petitioners, *v.* Wilson and Co., Inc. Petition for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 726. Ruby Jean Grannis and The Branch Banking and Trust Company, Fayetteville, North Carolina, et al., petitioners *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 730. Maggie F. Anderson, petitioner, *v.* W. P. Bowers, Individually and as Collector of Internal Revenue for the District of South Carolina. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 731. Hugh Smith, Jr., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 732. George M. Bechtel, Executor of the Will of Martha R. Bechtel, et al., petitioners, *v.* Ila Fay Thatcher et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 738. Charles H. Denny et ux., Dorothy Mae Denny, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 745. Richmond Screw Anchor Co., Inc., petitioner, *v.* Lawrence H. Umbach et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 764. Gulf Oil Corporation, petitioner, *v.* M/V "John A. Brown," Oriental Trade and Transport Company, Ltd. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 807. Ewell Lee Danielly, petitioner, *v.* The People of the State of California and the Supreme Court of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 275. Jessie A. Kilpatrick, petitioner, *v.* The Texas and Pacific Railway Company:

No. 276. L. M. Parker, petitioner, *v.* The Texas and Pacific Railway Company;

No. 119, Misc. Ex parte Jessie A. Kilpatrick, petitioner; and

No. 120, Misc. Ex parte L. M. Parker, petitioner. In Nos. 275 and 276, the petition for writs of certiorari to the Court of Appeals for the Fifth Circuit is denied. In Nos. 119 Misc. and 120 Misc., the motion for leave to file petition for writs of prohibition is denied.

No. 696. Dawn L. Allen, petitioner, *v.* William Stanley Litsinger and Elizabeth Knapp Litsinger. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Supreme Court of Appeals of Virginia is denied.

No. 708. Ib Chr Sonnesen, petitioner, *v.* Panama Transport Company. The motion for leave to file brief of Friends of Andrew Furuseth Legislative Association as amicus curiae is granted. The petition for writ of certiorari to the Court of Appeals of New York is denied.

No. —. Gerhart Eisler, petitioner, *v.* The United States. The motion for an extension of time within which to file petition for a writ of certiorari to the Court of Appeals for the District of Columbia Circuit is denied. Mr. Justice Frankfurter joins in denying this motion because the Court is without jurisdiction over the person of the petitioner.

No. 135. The United States, petitioner, *v.* Alfred W. Jones, Receiver for Georgia & Florida Railroad; and

No. 198. Alfred W. Jones, Receiver for Georgia & Florida Railroad, petitioner, *v.* The United States. The petition for rehearing is denied. Mr. Justice Reed and Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 162. Excel Auto Radiator Company, petitioner, *v.* The Bishop and Babcock Manufacturing Company. The motion for leave to file a second petition for rehearing is denied.

No. 355. The People of the State of California, petitioner, *v.* Berl B. Zook and Wilmer K. Craig. The motion for leave to file petition for rehearing is granted. The petition for rehearing is denied.

No. 458. Laurie J. Carpenter, petitioner, *v.* Rohm and Haas Co., Inc. The motion for leave to file a second petition for rehearing is denied.

No. 567. Harvey Stemmer, petitioner, *v.* The People of the State of New York; and

No. 568. David Krakower, petitioner, *v.* The People of the State of New York. The petition for rehearing is denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 649. Longyear Holding Company, Helen H. Bennett, C. M. Hill Lumber Company, et al., appellants, *v.* State of Minnesota. The petition for rehearing is denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 298. Defense Supplies Corporation and Reconstruction Finance Corporation, petitioners, *v.* Lawrence Warehouse Company et al.;

No. 417. Baxter Griffin, petitioner, *v.* The United States of America;

No. 427. Frederick W. Wade, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas;

No. 542. Anna M. Fountain, petitioner, *v.* Paul Filson and Anna F. Filson;

No. 30, Misc. People of the State of Illinois, ex rel. Tony Marino, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 483, Misc. Wallace Phillips, petitioner, *v.* Joseph E. Ragen, Warden. The petitions for rehearing in these cases are severally denied.

No. 338, Misc. George B. Gann, Jr., petitioner, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 380, Misc. William Richard Williams, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 482, Misc. Anthony Adams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 485, Misc. A. N. Cone, petitioner, *v.* West Virginia Pulp and Paper Company. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 563, Misc. Henry Keye, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 589, Misc. In the Matter of Agnes E. Lewis et al., petitioners. The petition for writ of certiorari to the Supreme Court of Louisiana is denied. The motion for leave to file petition for writs of mandamus and prohibition is also denied.

No. 585, Misc. In the Matter of Charles M. Abernathy, petitioner. The motion for leave to file petition for writ of habeas corpus is denied.

No. 587, Misc. In the Matter of Eugen Steimle, petitioner. Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. United States Constitution, article III, section 2, clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948); *Everett v. Truman*, 334 U. S. 824 (1948). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that argument should be heard on the motion for leave to file the petition in order to settle what remedy, if any, the petitioner has. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 591, Misc. Edwin Tompsett, petitioner, *v. State of Ohio et al.* The motion for leave to file petition for writ of habeas corpus is denied.

No. 592, Misc. In the Matter of Harry Joseph Ryan, petitioner. Application denied.

No. 648. Earnest DeWar, petitioner, *v. Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.* Time within which to file petition for rehearing extended to and including June 7, next, on motion of counsel for the petitioner.

No. 828. James Zarichny, petitioner, *v. State Board of Agriculture et al.* Time for making service of petition for certiorari, brief, and record extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk, on motion of counsel for the petitioner.

Adjourned until Monday, June 6, next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

No. 655, Misc. Willie McGee, petitioner, *v.* State of Mississippi.
Petition for stay of execution of sentence of death denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Rutledge, and Mr. Justice Burton.

Jack O. Johnson, of Belle Glade, Fla.; Samuel Pinn, Jr., of Washington, D. C.; L. B. Cramer, of Los Angeles, Calif.; John F. Clagett, of University Park, Md.; Douglas G. Mode, of Midland, Mich.; Henry P. Onrich, of Detroit, Mich.; Warren Price, Jr., of Washington, D. C.; Charles I. Longacre, of Los Angeles, Calif.; Henry T. Dykman, of Stamford, Conn.; George F. Dilleuth, of New York City; John D. Noble, Jr., of Miami, Fla.; Evan L. Krogue, of Arlington, Va.; Olven McCammon Bowe, of Indianapolis, Ind.; Hampton R. Kenaston, of Sioux City, Iowa; William C. Levy, of New York City; Michael J. DeSantis, of New York City; William D. Mitchell, of Washington, D. C.; George H. Windsor, of Greensboro, N. C.; Abraham Kopald, of Highland Falls, N. Y.; Maurice J. Walsh, of Chicago, Ill.; Ernest W. Brackett, of Utica, N. Y.; Stephen J. McMahon, Jr., of Philadelphia, Pa.; Samuel Rosenthal, of Hartford, Conn.; Edward T. Mancuso, of San Francisco, Calif.; Kenneth Mitchell Johnson, of San Francisco, Calif.; Louis L. Rochmes, of Washington, D. C.; and Charles F. Luce, of Walla Walla, Wash., were admitted to practice.

No. 495. Federal Communications Commission, petitioner, *v.* WJR, The Goodwill Station, Inc., and Coastal Plains Broadcasting Co., Inc. 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 Rutledge. Mr. Justice Murphy took no part in the consideration or decision of this case.

No. 396. City of Morgantown, West Virginia, a Municipal Corporation, petitioner, *v.* Royal Insurance Company, Limited. On writ of certiorari of the United States Court of Appeals for the Fourth Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Northern District of West Virginia. Opinion by Mr. Justice Murphy. Mr. Justice Burton concurs in the judgment of the Court. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Black in which Mr. Justice Rutledge concurs.

No. 671. Samuel Titto Williams, appellant, *v.* The People of the State of New York. Appeal from the Court of Appeals of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Black. Dissenting: Mr. Justice Rutledge. Dissenting opinion by Mr. Justice Murphy.

No. 50. Jack O'Lee Young, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. On writ of certiorari to the Circuit Court of Randolph County, State of Illinois. Order denying petition for writ of habeas corpus vacated and case remanded to the Circuit Court of Randolph County, Illinois, for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in *People v. Loftus*, 400 Ill. 432 and other relevant Illinois decisions; and

No. 47, Misc. Charles Evans, petitioner, *v.* Walter Nierstheimer, Warden. On petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois;

No. 106, Misc. Ivan Willis, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 109, Misc. Ferdinand Thompson, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 184, Misc. Willie Lewis, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 372, Misc. Julius Bernard Sherman, petitioner, *v.* Joseph E. Ragen, Warden, et al. On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois;

No. 374, Misc. Fred Banks, petitioner, *v.* Joseph E. Ragen, Warden. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois; and

No. 265, Misc. Harley F. Smith, petitioner, *v.* Joseph E. Ragen, Warden. (Transferred to the appellate docket as No. 760 upon the granting of petition for certiorari May 2, 1949.) On writ of certiorari to the Circuit Court of Will County, State of Illinois. The petitions for writs of certiorari in Nos. 47, Misc., 106, Misc., 109, Misc., 184, Misc., 372, Misc., and 374, Misc., are granted. The orders denying petitions for writs of habeas corpus are vacated and causes remanded for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in *People v. Loftus*, and other relevant Illinois decisions. Opinion by Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

No. 786. Sydney A. Taber, appellant, *v.* State Board of Registration and Examination in Dentistry of New Jersey. Appeal from the Supreme Court of New Jersey. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 805. Mary V. Doles, appellant, *v.* Metropolitan Life Insurance Company. Appeal from the Supreme Court of Arkansas. *Per curiam*: The motion for leave to proceed *in forma pauperis* is granted. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Title 28, United States Code, Sec. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Title 28, United States Code, Sec. 2103, certiorari is denied.

The Chief Justice said:

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

No. 806. George W. Solesbee, appellant, *v.* R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia. In this case probable jurisdiction is noted. The motion for leave to proceed *in forma pauperis* is granted.

No. 486. Alexander Boyd, petitioner, *v.* Grand Trunk Western Railroad Company. Petition for writ of certiorari to the Supreme Court of Michigan granted.

No. 713. Pete Darr, petitioner, *v.* C. P. Burford, Warden, Oklahoma State Penitentiary. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit granted.

No. 742. Manufacturers Trust Company, as Trustee Under an Indenture Made By The Debtor Under Date of September 27, 1933, and Individually, petitioner, *v.* Regine Becker et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted.

No. 746. Roy Creel et al., petitioners, *v.* Lone Star Defense Corporation. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 751. Reo Motors, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted.

No. 744. Commissioner of Internal Revenue, petitioner, *v.* William I. Connelly and Bertha Connelly. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted and the case is transferred to the summary docket.

No. 672. Markos Vlavianos et al., petitioners, *v.* S. S. Cypress and Maryland Drydock Company et al.; and

No. 752. The Maryland Drydock Company, petitioner, *v.* Markos Vlavianos et al. Petitions for writs of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 674. Waterman Steamship Corporation, petitioner, *v.* James Dean, George Cicic, Alfred J. Wayne, et al.; and

No. 753. James Dean, George Cicic, Alfred J. Wayne, et al., petitioners, *v.* Waterman Steamship Corporation. Petitions for writs of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 701. Gerald F. Cobleigh and Slawsby Real Estate Co., Inc., petitioners, *v.* Tighe E. Woods, Housing Expediter, Office of the Housing Expediter. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 724. Kohinoor Coal Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 727. Ely A. Todorow and Leonard A. Potolski, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 734. David Rae Peterson, petitioner, *v.* The United States of America;

No. 735. Peter Niznik, petitioner, *v.* The United States of America; and

No. 736. Raymond Comodor, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 737. Taze Hamrick Gibson, petitioner, *v.* A. P. Reynolds, E. H. Mellor, et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 740. Anna M. Tibbals and John J. Spriggs, petitioners, *v.* Mica Mountain Mines, Inc., et al. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 747. Standard Brands, Incorporated, and Campbell Soup Company, Successor Thereto and Intervening Plaintiff, petitioners, *v.* Eastern Shore Canning Company, Incorporated. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 765. The Grayson Shops, Incorporated (of California), Name Changed to Grayson-Robinson Stores, Inc., petitioner, *v.* Herbert D. Stone. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 598. Frederic Henry, petitioner, *v.* Lt. General Walter Bedell Smith, Commanding General, First Army, Fort Jay, New York; and

No. 612. LeRoy J. Leishman, petitioner, *v.* The Richards and Conover Company. The petitions for rehearing in these cases are denied.

No. 638. The Chesapeake and Ohio Railway Company, petitioner, *v.* Gilmer S. Morris. The motion of American Train Dispatchers for leave to file brief as *amicus curiae* is granted. The petition for rehearing is denied.

No. 480, Misc. R. W. Agnew, petitioner, *v.* People of the State of California; and

No. 539, Misc. Daisy D. Wilson, petitioner, *v.* Ralph S. Hinman et al. The petitions for rehearing in these cases are denied.

No. 305, Misc. J. B. Chadwick, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 378, Misc. Brainard C. Butler, petitioner, *v.* Donald C. Clemmer. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 478, Misc. John C. Todd, petitioner, *v.* Phyllis C. Todd. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 489, Misc. Maude Pridgen Butler, petitioner, *v.* S. A. Penix, Receiver. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 558, Misc. Kathryn B. Cohen, petitioner, *v.* James E. (Bill) Decker et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 562, Misc. Ralph O. Lucas, petitioner, *v.* H. E. Moore, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 564, Misc. Chester L. Mohler, petitioner, *v.* Tom Smith, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 580, Misc. James Albert D'Ostroph, petitioner, *v.* The United States Court of Appeals for the Eighth Circuit. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 593, Misc. Joseph Binskowski, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 594, Misc. John Cordts, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois, denied.

No. 595, Misc. John W. Adams, petitioner, *v.* Walter Nierstheimer, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 603, Misc. Jesse Cantoo, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Rock Island County, State of Illinois, denied.

No. 624, Misc. Cuono Messina, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 535, Misc. Esther J. Sauervine, petitioner, *v.* The New York, Chicago, and St. Louis Railroad Co. The motion for leave to file petition for writs of certiorari, prohibition or mandamus is denied.

No. 570, Misc. William Mezick, petitioner, *v.* J. Leroy Wright, Warden;

No. 602, Misc. Albert Volkmann, petitioner, *v.* Joseph E. Ragen, Warden;

No. 604, Misc. James Hall, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 617, Misc. George Foley, petitioner, *v.* Joseph E. Ragen, Warden. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 253. The United States, petitioner, *v.* Penn Foundry and Manufacturing Company, Inc. Time within which to file petition for rehearing extended to and including July 1, next, on motion of counsel for the respondent.

Adjourned until Monday, June 13, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

William Otis Morris, Jr., of Champaign, Ill.; Edwin H. Lewis, of Portland, Oreg.; Gordon E. Tappan, of Chicago, Ill.; John E. Walker, of Lansing, Ill.; Edwin P. Fifielski, of Chicago, Ill.; Arthur Maxwell Morris, of Denver, Colo.; William L. Dawson, of Chicago, Ill.; Barratt O'Hara, of Chicago, Ill.; Martin Gorski, of Chicago, Ill.; Sidney Richard Yates, of Chicago, Ill.; W. Eugene King, of Houston, Tex.; Alexander A. Mayper, of New York City; R. Arthur Jett, of Norfolk, Va.; William R. Hunter, of Winchester, Ind.; Paul J. Buckley, of Dayton, Ohio; Malcolm W. Martin, of St. Louis, Mo.; Philip B. Heller, of Chicago, Ill.; Thomas A. Kennedy, of Chicago, Ill.; Thomas G. Andrew, of Baltimore, Md.; Talbot W. Banks, of Baltimore, Md.; Robert Emmett Brooks, of Cincinnati, Ohio; Louis C. Capelle, of Cincinnati, Ohio; Andrew O. Haefner, of Cincinnati, Ohio; Joseph J. Lyman, of Washington, D. C.; J. A. Amis, Jr., of Emory, Tex.; Hyman D. Lehrich, of New York City; Tom K. Eplen, of Abilene, Tex.; Hugh Gwynn Postles, of Arlington, Va.; Franklin B. Stevens, of Duluth, Minn.; Augustus M. Henry, of Brooklyn, N. Y.; John Henry Schneider, of Troy, N. Y.; David Cramer, of Litchfield, Conn.; Gerald J. Greeve, of Philadelphia, Pa.; John T. Mitchell, of Louisville, Ky.; O. F. Jones, Jr., of Waco, Tex.; A. Leckie Cox, of Washington, D. C.; Thomas Searing Jackson, of Washington, D. C.; Samuel W. Leib, of Detroit, Mich.; Ralph H. Schaller, of Oklahoma City, Okla.; Robert J. Silberstein, of Washington, D. C.; Joseph A. Maun, of St. Paul, Minn.; David S. Smith, of Los Angeles, Calif.; and Jeanette Rod, of Washington, D. C., were admitted to practice.

No. 473. The United States of America, petitioner, *v.* Reginald P. Wittek. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the said Court of Appeals for further proceedings consistent with the opinion of this Court. Opinion by Mr. Justice Burton.

No. 84. Commissioner of Internal Revenue, petitioner, *v.* Pelham G. Wodehouse. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and cause re-

manded to the said Court of Appeals for further proceedings consistent with the opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Douglas took no part in the consideration or decision of this case. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy and Mr. Justice Jackson join.

No. 132. The United States, petitioner, *v.* Richard S. Cors. On writ of certiorari to the Court of Claims. Judgment reversed and case remanded to the Court of Claims for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting: Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton join.

No. 223. Joy Oil Company, Ltd., petitioner, *v.* State Tax Commission. On writ of certiorari to the Supreme Court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Chief Justice Vinson in which Mr. Justice Douglas and Mr. Justice Jackson join.

No. 279. Standard Oil Company of California and Standard Stations, Inc., appellants, *v.* The United States of America. Appeal from the United States District Court for the Southern District of California. Judgment affirmed. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Jackson in which Mr. Chief Justice Vinson and Mr. Justice Burton join. Separate opinion by Mr. Justice Douglas.

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. 26. The United States, petitioner, *v.* Kansas City Life Insurance Company. This case is ordered restored to the docket for reargument.

No. 299. The United States, petitioner, *v.* Gerlach Live Stock Company;

No. 300. The United States, petitioner, *v.* J. Sheldon Potter;

No. 301. The United States, petitioner, *v.* Martin Erreca;

No. 302. The United States, petitioner, *v.* James J. Stevinson (a Corporation);

No. 303. The United States, petitioner, *v.* Archibald J. Stevinson; and

No. 304. The United States, petitioner, *v.* 3-H Securities Company. These cases are ordered restored to the docket for reargument and assigned for hearing immediately following case No. 26.

No. 121. Black Diamond Steamship Corp., petitioner, *v.* Robert Stewart & Sons, Ltd., et al. The motion of respondents to retax costs

is granted. It is ordered that the mandate be recalled and the judgment amended so as to provide for an equal division of the costs between petitioner and the respondents.

No. 404. Arthur Osman, David Livingston, Jack Paley, et al., appellants, *v.* Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board. The motion for an order noting probable jurisdiction and setting the case for argument is denied.

No. 552, Misc. William Henry Roberts, petitioner, *v.* The United States District Court for the Northern District of California. This case is assigned for hearing on the motion for leave to file petition for writ of mandamus.

No. 802. Travelers Health Association and R. E. Pratt, as Treasurer Thereof, and in his Personal Capacity, appellants, *v.* Commonwealth of Virginia, at the Relation of State Corporation Commission. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 711. Helen Parker, Ione Lane Wheeler, Katherine Gates, et al., petitioners, *v.* County of Los Angeles et al.; and

No. 712. Julia Learner Steiner, petitioner, *v.* County of Los Angeles et al. Petition for writs of certiorari to the District Court of Appeal, 2nd Appellate District, State of California, granted.

No. 743. Sarah O'Donnell, Administratrix of the Estate of William O'Donnell, Deceased, petitioner, *v.* Elgin, Joliet and Eastern Railway Company. The petition for writ of certiorari to the Court of Appeals for the Seventh Circuit is granted and the case is transferred to the summary docket.

No. 762. Roy Cole and Louis Jones, petitioners, *v.* State of Arkansas. The petition for writ of certiorari to the Supreme Court of Arkansas is granted and the case is transferred to the summary docket.

No. 685. Pete Mahoney, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 689. Charles C. Carlson, petitioner, *v.* Federal Communications Commission and Louise C. Carlson. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 750. American Surety Company of New York, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 766. The Travelers Fire Insurance Company, New York Underwriters Insurance Company, et al., petitioners, *v.* Ranney-Davis

Mercantile Company. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 776. Lyman P. Rhodes, Jr., petitioner, *v.* Metropolitan Life Insurance Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 800. Mercury Press, Inc., petitioner, *v.* District of Columbia. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 777. John W. Snyder, petitioner, *v.* The United States. The motion to dispense with printing the petition and record is granted. The petition for writ of certiorari to the Court of Claims is denied.

No. 803. The United States of America, petitioner, *v.* 25.406 Acres of Land, More or Less, Situate in Arlington County, State of Virginia, and A. M. Nevius, et al. The petition for writ of certiorari to the Court of Appeals for the Fourth Circuit is denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 13, Original. The United States of America, plaintiff, *v.* The State of Louisiana. The petition for rehearing is denied. The objections to the granting of leave to file the complaint are overruled and the State of Louisiana is directed to answer the allegations of the complaint within the time specified in the subpoena, otherwise the plaintiff may proceed *ex parte*. Rule 6, par. 2 and 3. Mr. Jackson took no part in the consideration or disposition of the petition for rehearing.

No. 500. The Union National Bank of Wichita, Kansas, petitioner, *v.* Carl C. Lamb. The petition for rehearing and alternative request for modification of the opinion are denied.

No. 679. James A. Kennedy, appellant, *v.* Ralph H. Walker, Warden, Connecticut State Prison. The motion for leave to file petition for rehearing is denied.

No. 268. John Weber, petitioner, *v.* The United States of America;

No. 272. Arthur Terminiello, petitioner, *v.* City of Chicago;

No. 457. George W. Humphrey, Warden, United States Penitentiary, Lewisburg, Pennsylvania, petitioner, *v.* Bernard W. Smith;

No. 647. A. B. Momand, petitioner, *v.* Universal Film Exchanges, Inc., et al.;

No. 648. Earnest DeWar, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas;

No. 379, Misc. In the Matter of Arthur Curtis Antrim Bush, petitioner;

No. 490, Misc. Custer M. Coyle, petitioner, *v.* The People of the State of California; and

No. 560, Misc. Leslie George Wakat, petitioner, *v.* Joseph E. Ragen, Warden. The petitions for rehearing in these cases are severally denied.

No. 415, Misc. Benjamin Rockower, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals of the Second Circuit denied.

No. 416, Misc. Vincent James Grimaldi, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 417, Misc. Frank Whelan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 425, Misc. Donald E. Hasson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 440, Misc. Langburn A. Wilde, petitioner, *v.* State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 486, Misc. William McAfee, petitioner, *v.* Donald Clemmer, Director. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 557, Misc. John Glazewski, Jr., petitioner, *v.* John D. Pennington, Supt. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 576, Misc. L. A. Nicholson, Adm'r, et al., petitioners, *v.* Guy A. Thompson, Trustee. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 583, Misc. James Darden, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 584, Misc. Raymond Beckham Wright, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 600, Misc. Merlin James Smith, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 608, Misc. Howard E. Mackey, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 609, Misc. Ronald C. Blauvelt, petitioner, *v.* J. Vernal Jackson, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 613, Misc. Raymond Beckham Wright, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Peoria County, State of Illinois, denied.

No. 618, Misc. Lawrence C. Winn, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 620, Misc. Frank R. Nottebaum, petitioner, *v.* Nathan Mayo, State Prison Custodian. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 622, Misc. Richard Goodman, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 625, Misc. George Blake, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 632, Misc. Clifton B. Fisher, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 636, Misc. Calvin R. Smith, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 638, Misc. Marvin O'Malley, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 644, Misc. John Cordts, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Saint Clair County, State of Illinois, denied.

No. 582, Misc. Thomas Stephenson, petitioner, *v.* State of New Jersey;

No. 601, Misc. In the Matter of Fred C. Gruetter, petitioner;

No. 606, Misc. George H. Gibson, petitioner, *v.* Percy A. Lainson, Warden;

No. 607, Misc. W. H. Roberts, petitioner, *v.* Robert A. Heinze, Warden; and

No. 619, Misc. Luther C. Joyner, petitioner, *v.* J. Leroy Wright, Warden. The motions for leave to file petitions for writs of habeas corpus are severally denied.

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

No. 615, Misc. William J. Smith, petitioner, *v.* Major General Edward F. Witsell. Applications denied.

No. 614, Misc. Robert Lee Lemmons, petitioner, *v.* John F. Foster, Warden. The motion for leave to file petition for certiorari is denied.

No. 633, Misc. Hughes R. Hilliard, petitioner, *v.* E. Marvin Underwood, District Judge; and

No. 637, Misc. Charles Lee McIntosh, petitioner, *v.* United States District Court for the Western District of Missouri. The motions for leave to file petitions for writs of mandamus are denied.

Adjourned until Monday, June 20, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Ross O'Donoghue, of Washington, D. C.; Robert M. Scott, of Washington, D. C.; James R. Sharp, of Washington, D. C.; Daniel L. O'Connor, of Washington, D. C.; John J. O'Leary, of Chevy Chase, Md.; Stafford R. Grady, of Grand Rapids, Mich.; C. Frank Reifsnnyder, of Washington, D. C.; Ralph J. Luttrell, of Alexandria, Va.; Morris A. Epstein, of Toledo, Ohio; Wm. S. McKinley, of Washington, D. C.; Thomas H. Casey, of New York City; Ray S. Donaldson, of Washington, Ind.; Eugene R. Warren, of Little Rock, Ark.; Means Johnston, of Greenwood, Miss.; Jamie L. Whitten, of Charleston, Miss.; Bruce T. Bullion, of Little Rock, Ark.; W. G. Dinning, Jr., of Helena, Ark.; Francis Coleman Rosenberger, of Alexandria, Va.; Alton B. Chapman, of Floydada, Tex.; James Harrison Leathers, of Decatur, Ga.; Ralph E. Gault, of Flint, Mich.; Earl T. Wagner, of Cincinnati, Ohio; Martin M. Cooney, of Dubuque, Iowa; LeRoy M. Harff, of Alexandria, Va.; Clyde C. Colwell, of Chicago, Ill.; David Newell Conn, of Sparta, Ill.; Wareing T. Miller, of West Palm Beach, Fla.; Charles Walker, of Washington, D. C.; Noah Goldstein, of Brooklyn, N. Y.; Timothy V. A. Dillon, of Washington, D. C.; Emanuel Targum, of New York City; Milford F. Schwartz, of Washington, D. C.; Roger S. Calnan, of Washington, D. C.; Simon F. Carpino, of Steubenville, Ohio; James J. Shanley, of Washington, D. C.; Emanuel R. Posnack, of New York City; L. Keith Smith, of Jay, Okla.; Louis E. Yavner, of New York City; Ned McDaniel, of Austin, Tex.; Brockman Horne, of Houston, Tex.; William E. Miller, of Washington, D. C.; Stephen Ailes, of Washington, D. C.; Harry L. Schein, of New York City; Francis J. Roche, of Cambridge, Mass.; David H. Stuart, of Belmont, Mass.; Edward J. Hickey, Jr., of Washington, D. C.; Cyrus V. Anderson, of Pittsburgh, Pa.; John L. Stoughton, of Detroit, Mich.; Arthur Christopher, Jr., of Washington, D. C.; Gerard C. Smith, of New York City; Kevin McNerney, of New York City; Louis Charles Kaplan, of Washington, D. C.; J. W. Curran, of New Haven, Conn.; Herman E. Cooper, of New York City; H. Howard Ostrin, of New York City; Nathan Asimow, of Los Angeles, Calif.; Samuel Landau, of Honolulu, T. H.; and Willard A. Weiss, of Cleveland, Ohio, were admitted to practice.

No. 258. National Labor Relations Board, petitioner, *v.* The Pittsburgh Steamship Company. 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 Rutledge. Mr. Justice Jackson reserves opinion as to the sufficiency of the evidence under the Wagner Act in view of the Court's determination to return the case to the Court of Appeals.

No. 287. Interstate Oil Pipe Line Company, appellant, *v.* A. H. Stone, Chairman, State Tax Commission. Appeal from the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Mr. Justice Rutledge announced the judgment of the Court and an opinion in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy join. Opinion by Mr. Justice Burton concurring in the judgment. Dissenting opinion by Mr. Justice Reed in which Mr. Chief Justice Vinson, Mr. Justice Frankfurter, and Mr. Justice Jackson join.

No. 442. Hannah Cohen, Executrix of the Estate of Sol Cohen, Deceased, and David E. Cohen, Intervenor, petitioners, *v.* Beneficial Industrial Loan Corporation et al.; and

No. 512. Beneficial Industrial Loan Corporation, petitioner, *v.* Honorable William F. Smith, a Judge of the United States District Court for the District of New Jersey, et al. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment in No. 442 affirmed with costs and the case is remanded to the United States District Court for the District of New Jersey. Writ of certiorari in No. 512 dismissed. Opinion by Mr. Justice Jackson. Opinion by Mr. Justice Douglas dissenting in part in which Mr. Justice Frankfurter concurs. Opinion announced by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Rutledge.

No. 447. Wheeling Steel Corporation, appellant, *v.* C. Emory Glander, Tax Commissioner of Ohio; and

No. 448. National Distillers Products Corporation, New York, appellant, *v.* C. Emory Glander, Tax Commissioner of Ohio. Appeals from the Supreme Court of the State of Ohio. Judgments reversed with costs and cases remanded to the Supreme Court of Ohio for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs. Opinion announced by Mr. Justice Black. Separate opinion by Mr. Justice Jackson.

No. 29. National Mutual Insurance Company of the District of Columbia, petitioner, *v.* Tidewater Transfer Company, Incorporated, a corporation of the State of Virginia. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment

reversed with costs and case remanded to the United States District Court for the District of Maryland for further proceedings in conformity with the opinion of this Court. Mr. Justice Jackson announced the judgment of the Court and an opinion in which Mr. Justice Black and Mr. Justice Burton join. Opinion by Mr. Justice Rutledge concurring in the judgment in which Mr. Justice Murphy joins. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed concurs. Dissenting opinion by Mr. Chief Justice Vinson in which Mr. Justice Douglas joins.

No. 522. Julius Ranny Ragan, petitioner, *v.* Merchants Transfer & Warehouse Company, Inc. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the District of Kansas. Opinion by Mr. Justice Douglas announced by Mr. Justice Reed. Dissenting: Mr. Justice Rutledge.

No. 465. J. S. Woods, petitioner, *v.* Interstate Realty Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Northern District of Mississippi for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas announced by Mr. Justice Reed. Dissenting: Mr. Justice Rutledge. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Rutledge and Mr. Justice Burton join.

No. 333. Aeronautical Industrial District Lodge 727, an Unincorporated Association, petitioner, *v.* James L. Campbell et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed without costs and case remanded to the United States District Court for the Southern District of California for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Mr. Justice Douglas concurs in the result.

No. 390. Henry M. Propper, as Receiver of the Property and Assets within the State of New York of A. K. M., petitioner, *v.* Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Reed. Mr. Chief Justice Vinson took no part in the consideration or decision of this case. Dissenting: Mr. Justice Jackson. Opinion by Mr. Justice Frankfurter dissenting in part.

No. 558. Federal Power Commission, petitioner, *v.* Panhandle Eastern Pipe Line Company 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 District of Delaware. Opinion by Mr. Justice Reed. Mr. Justice Murphy took no part in the consideration or decision of this case. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas and Mr. Justice Rutledge concur.

No. 330. The United States of America, appellant, *v.* The Interstate Commerce Commission, the United States of America, the Pennsylvania Railroad Company, et al. Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded to the said District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton join.

The Chief Justice announced the following orders of the Court:

No. 4. Donald Loftus, petitioner, *v.* People of the State of Illinois. On writ of certiorari to the Supreme Court of Illinois. *Per curiam:* Certiorari was granted in this case, 333 U. S. 831, because of petitioner's serious claim that he was denied the assistance of counsel under circumstances which constitute a disregard of the safeguards to which he was entitled under the Due Process Clause of the Fourteenth Amendment. After hearing argument, we continued the cause to enable the Supreme Court of Illinois to advise us whether its affirmance of petitioner's conviction was intended to rest on an adequate independent State ground or whether decision of the claim under the Fourteenth Amendment was necessary to its judgment inasmuch as it was urged on behalf of Illinois that the constitutional claim was not properly before the Illinois Supreme Court on writ of error, but must be pursued in Illinois by habeas corpus. That Court's response in *People v. Loftus*, 400 Illinois 432, makes it clear that its judgment rested upon an independent State ground. The writ of certiorari heretofore granted is therefore dismissed.

No. 102, Misc. Sam Thompson, petitioner, *v.* Walter Nierstheimer, Warden. On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois. *Per curiam:* The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari is granted. The order denying the petition for habeas corpus is vacated and the cause is remanded to the Circuit Court of Randolph County, Illinois, for consideration of the petition in the light of the opinions of the Supreme Court of Illinois in *People v. Loftus*, 400 Ill. 432; *People v. Shoffner*, 400 Ill. 174; and *People v. Wilson*, 399 Ill. 437. See *Young v. Ragen*, — U. S. —, No. 50, October Term, 1948, decided June 6, 1949.

No. 847. Gulfstream Park Racing Association, Inc., appellant, *v.* Robert L. Weed, Architect, Inc., a Florida Corporation. 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.

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. 789. Federal Power Commission, petitioner, *v.* East Ohio Gas Company et al. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 801. Wilmette Park District, petitioner, *v.* Nigel D. Campbell, Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted.

No. 659. Kaname Fujino, petitioner, *v.* Tom C. Clark, Attorney General of the United States. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 725. Clarence Milton Calhoun, Alvis Earl Lanham, and J. B. Russell, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 756. Estate of Theodore F. McManus, Deceased, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 757. Great Northern Railway Company and Minneapolis, St. Paul and Sault Ste Marie Railroad Company, petitioners, *v.* Paul F. Lehman et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 758. Frank Sgambati, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 759. Samuel Roth, Doing Business of Psychic Research Press, etc., petitioner, *v.* Albert Goldman, Individually and as Postmaster at New York City. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 772. William D. Noland, Trustee, and William D. Noland, Personal, petitioner, *v.* Harry C. Westover, Collector, United States Treasury Department, etc., et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 774. The Pittsburgh and West Virginia Railway Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 775. Matson Navigation Company, petitioner, *v.* War Damage Corporation. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 778. John Joseph Kan, petitioner, *v.* Ernest Tsang. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 780. District of Columbia, petitioner, *v.* Smoot Sand & Gravel Corporation. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 782. Charles C. Lockard, Ray Myre, W. E. Robertson, et al., petitioners, *v.* City of Los Angeles et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 788. Estella Latta, Jones M. Griffin, and Alvin Chambers, petitioners, *v.* Western Investment Company et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 790. Sales Affiliates, Inc., petitioner, *v.* National Mineral Company, Now, By Change of Name, Helene Curtis Industries, Inc. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 791. Continental Casualty Company, petitioner, *v.* The United States of America, For the Use of M. C. Schaefer, an Individual Doing Business as Concrete Construction Company, et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 792. International Harvester Company, petitioner, *v.* Nellie Irene Troutman, Administratrix of the Estate of Phillip A. Troutman, Deceased. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 794. The Union Trust Company of Indianapolis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 813. Henry Plough, petitioner, *v.* Baltimore and Ohio Railroad Company;

No. 814. Marjorie A. Hanson, as Administratrix of the Estate of Gordon M. Hanson, Deceased, petitioner, *v.* Baltimore and Ohio Railroad Company;

No. 815. Elmer Van Slyke, petitioner, *v.* Baltimore and Ohio Railroad Company; and

No. 816. Caroline Lynch, as Administratrix of the Estate of Myron George Lynch, Deceased, petitioner, *v.* Baltimore and Ohio Railroad Company. Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 819. Ray S. Berger, Doing Business as Berger Sales Company, petitioner, *v.* Charles Brannan, Secretary of Agriculture, Suing on

Behalf of the United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 826. Irene B. Whetstone, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 830. Constantino Vincent Riccardi, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 691. Peter Petersen and Clara Belle Petersen, Husband and Wife, and George D. Patrick, petitioners, *v.* Christ's Church of the Golden Rule, etc., et al. The motion for leave to withdraw the appearance of Howard B. Crittenden, Jr., as counsel for the petitioners is denied. The petition for writ of certiorari to the Court of Appeals for the Ninth Circuit is also denied.

No. 748. George F. Zimmermann, petitioner, *v.* The United States of America. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Court of Appeals for the Fifth Circuit is denied.

No. 832. Julius Hall Lyons, petitioner, *v.* Capital Transit Company. The motion to dispense with printing the record is granted. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is denied.

No. 867. The United States of America, ex rel. Paul Emil Oswald Schirrmeister, petitioner, *v.* W. F. Watkins, District Director, Immigration and Naturalization Service, etc. The motion to dispense with printing the petition and record is granted. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is denied for the reason that application therefor was not made within the time provided by law. Title 28, United States Code, sec. 2101 (c).

No. 197. National Labor Relations Board, petitioner, *v.* Crompton-Highland Mills, Inc. The petition for rehearing in this case is denied.

No. 690. Vern Smith, appellant, *v.* The People of the State of California. The motion for leave to file petition for rehearing is denied.

No. 719. Lawrence E. Kelly, Administrator of the Estate of H. M. Kelly, Deceased, and Mollie Kelly, petitioners, *v.* The Shamrock Oil and Gas Corporation. The motion for an extension of time within which to file petition for rehearing is granted. The petition for rehearing is denied.

No. 720. Ed Thys and Albert K. Miller, Co-Partners Doing Business as Thys and Miller, petitioners *v.* The State of Washington;

No. 721. Harry Francis, petitioner, *v.* The United States of America;

No. 338, Misc. George B. Gann, Jr., petitioner, *v.* William H. Hiatt, Warden;

No. 472, Misc. Edward Morgan MacKenna, petitioner, *v.* People of the State of New York; and

No. 580, Misc. James Albert D'Ostroph, petitioner, *v.* The United States Court of Appeals for the Eighth Circuit. The petitions for rehearing in these cases are severally denied.

No. 550, Misc. John Elmo Morant, petitioner, *v.* State of New York. The motion for leave to file petition for rehearing is denied.

No. 302, Misc. Joe Pippin, petitioner, *v.* Walter Nierstheimer, Warden. The petition for writ of certiorari to the Supreme Court of Illinois is denied without prejudice to the filing of an application for writ of habeas corpus in any State court of competent jurisdiction. See *Young v. Ragen*, — U. S. —, No. 50, October Term, 1948, decided June 6, 1949.

No. 359, Misc. Fred Raymond Koenig, petitioner, *v.* Tom Smith, Superintendent. The motion to strike respondent's brief is denied. The petition for writ of certiorari to the Supreme Court of Washington is also denied.

No. 2, Misc. Sam Thompson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois, denied.

No. 10, Misc. Sam Thompson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 373, Misc. Fred Banks, petitioner, *v.* Walter Nierstheimer, Warden, et al. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 377, Misc. Alex M. Ferguson, Temporary Administrator, etc., et al., petitioners, *v.* James E. Ferguson. Petition for writ of certiorari to the Court of Civil Appeals, 3rd Supreme Judicial District, State of Texas, denied.

No. 414, Misc. R. T. Thomas, petitioner, *v.* H. C. Moore, Warden. Petition for writ of certiorari to the District Court of Walker County, State of Texas, denied.

No. 424, Misc. Joseph P. Oddo, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 450, Misc. Kingdom DeNormand et al., petitioners, *v.* United States. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 476, Misc. Richard Anderson Lowe, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 477, Misc. Ivan Laughlin Wagner, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 484, Misc. Arthur Lee Flynn, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 491, Misc. James C. Birtch, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 533, Misc. Martin Luther Marion, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 540, Misc. August Pascal, petitioner, *v.* C. J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 542, Misc. Willie James Shoe, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 546, Misc. Richard Anderson Lowe, petitioner, *v.* George W. Humphrey, Warden. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 553, Misc. John Murray Gould, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 555, Misc. Robert L. Hicks, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 574, Misc. John Harvey Haley, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 581, Misc. Inez Horton Gay, petitioner, *v.* Fidelity Union Trust Company, Executor and Trustee, etc. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 586, Misc. William H. Jackson, petitioner, *v.* W. H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 590, Misc. George A. Garner and Lawrence J. Garner, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 596, Misc. Charles Skinner, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Lee County, State of Illinois, denied.

No. 599, Misc. Charles M. Godwin, petitioner, *v.* W. Frank Smyth, Jr., Supt. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 605, Misc. Pete Fiamengo and Nick Marinkovich, petitioners, *v.* The American Fishing Vessel "San Francisco" and Andrew Zamberlin. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 611, Misc. Charlie Burch, petitioner, *v.* F. S. Kiernan, Warden. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 616, Misc. Frank Carter, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 621, Misc. Ethelyn C. Rodda, petitioner, *v.* James M. Rodda. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 623, Misc. Albert A. Adams, petitioner, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 626, Misc. Ernest William Howell, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth and Tenth Circuits denied.

No. 627, Misc. Otis Loper, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 628, Misc. Robert Reeves, petitioner, *v.* State of Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 629, Misc. Alva Wallace, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 630, Misc. Roy L. Story, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 639, Misc. William D. Fuller, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 640, Misc. Earl H. Pope, petitioner, *v.* Nathan Mayo, Custodian. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 641, Misc. Martin Thomas Tabor, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 645, Misc. Dorsey Edmondson, petitioner, *v.* Dr. LeRoy Wright, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 646, Misc. Kenneth Taylor, petitioner, *v.* R. H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 647, Misc. Frank C. Smith, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 648, Misc. John D. Edwards, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 649, Misc. James Darden, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 650, Misc. Virgil Current, petitioner, *v.* Robert H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 654, Misc. Walter O. Noorlander, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Superior Court for the County of Los Angeles, State of California, denied.

No. 656, Misc. Glenn H. Goodman, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 657, Misc. Glenn H. Goodman, petitioner, *v.* Percy A. Lainsen, Warden. Petition for writ of certiorari to the District Court of Lee County, State of Iowa, denied.

No. 658, Misc. Raymond Beckham Wright, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 659, Misc. Carl Kranz, petitioner, *v.* George W. Humphrey, Warden. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 660, Misc. Francis Joseph Gryger, petitioner, *v.* C. J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 662, Misc. Charles Phillips, petitioner, *v.* Robert H. Hudspeth, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 663, Misc. Ralph H. Manchester, petitioner, *v.* The People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 665, Misc. Charles Whalen and Carl Genske, petitioners, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 666, Misc. Irwin Edelman, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California denied.

No. 667, Misc. Thomas Clark, petitioner, *v.* Ralph Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 669, Misc. Robert B. Kimbrel, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 673, Misc. William J. Dessauere, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 674, Misc. Earl F. Hall, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 675, Misc. Maurice Peter Tennant, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 676, Misc. Albert W. Manning, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 677, Misc. John Cordts, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 678, Misc. Richard J. Williams, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Supreme Court of New York denied.

No. 679, Misc. Maurice Meyer, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, denied.

No. 680, Misc. Victor Donald Wilde, petitioner, *v.* People of the State of Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 451, Misc. Richard Chaney, petitioner, *v.* The United States of America; and

No. 561, Misc. Samuel J. Hanna, petitioner, *v.* The United States of America. The motions for leave to file petitions for writs of certiorari in these cases are denied.

No. 612, Misc. Walter J. Rought, petitioner, *v.* The United States District Court for the Western District of Missouri. The motion for leave to file petition for writ of mandamus is denied.

No. 631, Misc. William Roy Miller, petitioner, *v.* William H. Hiatt, Warden;

No. 635, Misc. Carl Krepper, petitioner, *v.* The United States of America;

No. 642, Misc. Calvin Roberts, petitioner, *v.* J. N. Frisbie, Warden, State Prison of Southern Michigan;

No. 653, Misc. Mary A. Ruthven, petitioner, *v.* Dr. Winfred Overholser;

No. 661, Misc. Charles Lee McIntosh, petitioner, *v.* Tom C. Clark, Attorney General;

No. 664, Misc. Clifford Pullins, petitioner, *v.* R. W. Alvis, Warden; and

No. 672, Misc. Hugh Fincham, petitioner, *v.* J. M. Lillard, Sheriff. The motions for leave to file petitions for writs of habeas corpus in these cases are severally denied.

No. 670, Misc. James Bowling Edwards, petitioner, *v.* Donald Clemmer, Director. Application denied.

ORDER

The Court will take a recess from today until Monday, June 27, next, on which day it will adjourn for the term unless otherwise ordered.

No. 773. Estate of William M. Hager, Deceased, Anna E. Hager and Janet Hager MacAllister, Executors, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit dismissed per stipulation of counsel.

Adjourned until Monday, June 27, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

John Tone Kelly, of Chicago, Ill.; Meyer R. Newman, of Brooklyn, N. Y.; Lon P. MacFarland, of Columbia, Tenn.; John Y. Merrell, of Washington, D. C.; Harlan L. Kays, of Princeton, Ind.; George O. Bakke, of Denver, Colo.; Tilghman E. Dixon, of Little Rock, Ark.; Arch B. Brown, of Arlington, Va.; James Shenos, of Washington, D. C.; Paul E. Schwab, of Beverly Hills, Calif.; Robert T. Brinsmade, of Dallas, Tex.; David I. Lippert, of Los Angeles, Calif.; Earl Franklin Rowe, of Lamar, Colo.; Arthur A. Jones, of Los Angeles, Calif.; Fred J. Dudley, of Costa Mesa, Calif.; Robert Crafts, of Akron, Ohio; Charles Handler, of Newark, N. J.; and Vincent J. Casale, of Newark, N. J., were admitted to practice.

No. 226. Securities and Exchange Commission, petitioner, *v.* Central-Illinois Securities Corporation, C. A. Johnson, Lucille White and Frances Boehm;

No. 227. Thomas W. Streeter et al., petitioners, *v.* Central-Illinois Securities Corporation, C. A. Johnson, Lucille White and Frances Boehm;

No. 243. The Home Insurance Company and Tradesmen's National Bank and Trust Company, petitioners, *v.* Central-Illinois Securities Corporation, C. A. Johnson, Lucille White and Frances Boehm; and

No. 266. Central-Illinois Securities Corporation and Christian A. Johnson, petitioners, *v.* Securities and Exchange Commission et al. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the District of Delaware for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rutledge. Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 12. Virgil T. Brinegar, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed and case remanded to the United States District Court for the Northern District of Okla-

homa. Opinion by Mr. Justice Rutledge. Concurring opinion by Mr. Justice Burton. Dissenting: Mr. Justice Murphy. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter and Mr. Justice Murphy join.

No. 528. Harold Roland Christoffel, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment 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 Murphy. Dissenting opinion by Mr. Justice Jackson in which Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Burton join.

No. 63. Kimball Laundry Company, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the United States District Court of the District of Nebraska for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Rutledge. Dissenting opinion by Mr. Justice Douglas in which Mr. Chief Justice Vinson, Mr. Justice Black, and Mr. Justice Reed concur. Opinion announced by Mr. Justice Black.

No. 17. Julius A. Wolf, petitioner, *v.* The People of the State of Colorado; and

No. 18. Julius A. Wolf, petitioner, *v.* The People of the State of Colorado. On writs of certiorari to the Supreme Court of the State of Colorado. Judgments affirmed with costs. Opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge joins. Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins. Dissenting opinion by Mr. Justice Douglas.

No. 610. Robert A. Watts, petitioner, *v.* State of Indiana. On writ of certiorari to the Supreme Court of the State of Indiana. Judgment reversed with costs and case remanded to the said Supreme Court for proceedings not inconsistent with the judgment of this Court. Mr. Justice Frankfurter announced the judgment of the Court and an opinion in which Mr. Justice Murphy and Mr. Justice Rutledge join. Mr. Justice Black concurs in the judgment. Concurring opinion by Mr. Justice Douglas announced by Mr. Justice Frankfurter. Opinion by Mr. Justice Jackson concurring in the result. Dissenting: Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Burton.

No. 107. Aaron Turner, petitioner, *v.* Commonwealth of Pennsylvania. On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania. Judgment reversed with costs and case remanded to the said Supreme Court for proceedings not inconsistent

with the judgment of this Court. Mr. Justice Frankfurter announced the judgment of the Court and an opinion in which Mr. Justice Murphy and Mr. Justice Rutledge join. Mr. Justice Black concurs in the judgment. Concurring opinion by Mr. Justice Douglas announced by Mr. Justice Frankfurter. Dissenting: Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Burton. Dissenting opinion by Mr. Justice Jackson.

No. 76. L. D. Harris, petitioner, *v.* State of South Carolina. On writ of certiorari to the Supreme Court of the State of South Carolina. Judgment reversed with costs and case remanded to the said Supreme Court for proceedings not inconsistent with the judgment of this Court. Mr. Justice Frankfurter announced the judgment of the Court and an opinion in which Mr. Justice Murphy and Mr. Justice Rutledge join. Mr. Justice Black concurs in the judgment. Concurring opinion by Mr. Justice Douglas announced by Mr. Justice Frankfurter. Dissenting: Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Burton. Dissenting opinion by Mr. Justice Jackson.

- No. 1389, October Term, 1946. Emil Lustig, Alias Dr. Edward E. Fisher, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the United States District Court for the District of New Jersey for proceedings in conformity with the judgment of this Court. Mr. Justice Frankfurter announced the judgment of the Court and an opinion in which Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge join. Mr. Justice Black concurs in the judgment. Concurring opinion by Mr. Justice Murphy in which Mr. Justice Douglas and Mr. Justice Rutledge join. Dissenting opinion by Mr. Justice Reed in which Mr. Chief Justice Vinson, Mr. Justice Jackson, and Mr. Justice Burton join.

No. 418. Edward Gibbs, petitioner, *v.* C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania. On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania. Judgment reversed with costs and case remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Reed. Mr. Justice Black and Mr. Justice Douglas concur in the judgment of the Court. Mr. Justice Murphy and Mr. Justice Rutledge concur in the result.

No. 351. Cosmopolitan Shipping Company, Inc., petitioner, *v.* Robert A. McAllister. 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 proceedings in conformity with

the opinion of this Court. Opinion by Mr. Justice Reed. Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

No. 179. Lillian A. Weade, Frederick M. Weade, and Roberta L. Stinemeyer, petitioners, *v. Dichman, Wright & Pugh, Incorporated*. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment modified as indicated in the opinion of this Court and, as so modified, affirmed with costs and case remanded to the United States District Court for the Eastern District of Virginia. Opinion by Mr. Justice Reed. Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

No. 360. Fred W. Fink, petitioner, *v. Shepard Steamship Company*. On writ of certiorari to the Supreme Court of the State of Oregon; and

No. 430. Isaac Gaynor, petitioner, *v. Agwilines, Inc.* On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgments affirmed with costs. Case No. 360 is remanded to the Supreme Court of Oregon. Case No. 430 is remanded to the United States District Court for the Eastern District of Pennsylvania. Opinion by Mr. Justice Reed. Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

No. 31. Jess Larson, as War Assets Administrator and Surplus Property Administrator, petitioner, *v. Domestic and Foreign Commerce Corporation*. 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 with directions to dismiss the complaint. Opinion by Mr. Chief Justice Vinson. Mr. Justice Rutledge concurs in the result. Dissenting: Mr. Justice Jackson. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton concurs.

No. 313. Commissioner of Internal Revenue, petitioner, *v. W. O. Culbertson, Sr., and Gladys Culbertson*. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of Court of Appeals reversed and case remanded to that Court with directions to remand the cause to the Tax Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Statement by Mr. Justice Black and Mr. Justice Rutledge acquiescing in the Court's opinion and judgment. Concurring statement by Mr. Justice Burton. Dissenting: Mr. Justice Jackson. Concurring opinion by Mr. Justice Frankfurter.

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

No. 196. William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor, petitioner, *v.* The Farmers Reservoir and Irrigation Company. On writs of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment modified as indicated in the opinion of this Court and, as so modified, affirmed and cause remanded to the United States District Court for the District of Colorado. Opinion by Mr. Chief Justice Vinson. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Jackson.

No. 255. Gerhart Eisler, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Ordered that after this term this cause be left off the docket until a direction to the contrary shall issue. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Chief Justice Vinson joins. Dissenting opinion by Mr. Justice Murphy. Dissenting opinion by Mr. Justice Jackson.

No. 239, Misc. Koki Hirota, petitioner, *v.* General of the Army Douglas MacArthur et al.;

No. 240, Misc. Kenji Dohihara, petitioner, *v.* General of the Army Douglas MacArthur et al.; and

No. 248, Misc. Koichi Kido et al., petitioners, *v.* General of the Army Douglas MacArthur et al. Concurring opinion by Mr. Justice Douglas announced by Mr. Chief Justice Vinson. (Opinion of Court was handed down December 20, 1948.)

The Chief Justice announced the following orders of the Court:

No. 43. Central States Cooperatives, Inc., petitioner, *v.* Watson Bros. Transportation Company, Inc. On petition for writ of certiorari to the Court of Appeals for the Seventh Circuit. *Per curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the cause is remanded to that court for further consideration in the light of National Mutual Insurance Co. *v.* Tidewater Transfer Co., No. 29, October Term, 1948, decided June 20, 1949.

No. 493. United States Gypsum Company, appellant, *v.* C. Emory Glander, Tax Commissioner, State of Ohio. Appeal from the Supreme Court of Ohio. *Per curiam*: The judgment of the Supreme Court of Ohio is vacated and the cause is remanded to that court in order to enable it to reexamine its decision in the light of Wheeling Steel Corporation and National Distillers Products Corporation *v.* Glander, Nos. 447 and 448, October Term, 1948, decided June 20, 1949. Mr. Justice Black dissents.

No. 494. United States Gypsum Company, appellant, *v.* C. Emory Glander, Tax Commissioner, State of Ohio. Appeal from the Supreme Court of Ohio. *Per curiam*: Judgment reversed. Wheeling Steel Corporation and National Distillers Products Corporation *v.* Glander, Nos. 447 and 448, October Term, 1948, decided June 20, 1949. Mr. Justice Black dissents.

No. 604. Ajax Trucking Company, Inc., appellant, *v.* Rollin Browne et al., As and Constituting the State Tax Commission of the State of New York. Appeal from the Court of Appeals of New York. *Per curiam*: The appeal is dismissed. Matson Navigation Co. *v.* State Board of Equalization of California, 297 U. S. 441.

No. 749. Great Lakes Steel Corporation, appellant, *v.* The United States of America, Interstate Commerce Commission, the Baltimore and Ohio Railroad Company, et al. Appeal from the United States District Court for the Eastern District of Michigan. *Per curiam*: Judgment reversed. United States *v.* Interstate Commerce Commission, No. 330, October Term, 1948, decided June 20, 1949. Mr. Justice Frankfurter, Mr. Justice Jackson, and Mr. Justice Burton dissent for reasons stated in the dissenting opinion in No. 330.

The Chief Justice said:

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

No. 12, Original. The United States of America, complainant, *v.* The State of California. The report of the Special Master is received and ordered filed.

No. 12, Original. The United States of America, complainant, *v.* The State of California. The order of February 12, 1949, appointing William H. Davis, Esquire, of New York City, Special Master herein is continued and he is directed to proceed with all convenient speed, with respect to the seven coastal segments enumerated in Groups I and II of the Master's Report, to consider: (1) a simplification of the issues; (2) statements of the issues and amendments thereto in the nature of pleadings; (3) the nature and form of evidence proposed to be submitted, including admission of facts and of documents which will avoid unnecessary proof; and report thereon to the Court.

Should the office of Master become vacant during the recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

Mr. Justice Jackson took no part in the consideration or decision of this question.

No. 386. Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian, petitioner *v.* Manufacturers Trust Company; and

No. 443. Manufacturers Trust Company, petitioner, *v.* Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian. The motions for leave to file petitions for rehearing are granted and the petitions for rehearing are granted. The orders entered January 17, 1949, denying certiorari are vacated and the petitions for writs of certiorari to the Court of Appeals for the Second Circuit are granted.

No. 436. Eugene Dennis, petitioner, *v.* The United States of America. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted limited to the question whether government employees could properly serve on the jury which tried petitioner. The case is transferred to the summary docket. The motion for leave to file brief of Paul Robeson et al., as amici curiae is denied. Mr. Justice Burton took no part in the consideration or decision of these applications.

No. 452. Leroy Graham et al., petitioners, *v.* Brotherhood of Locomotive Firemen and Enginemen. The petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit is granted and the case is assigned for argument on Monday, October 10, next. The motion of petitioner to vacate the stay and to reinstate the injunction is denied.

No. 783. Jesse Miller Sinclair, petitioner, *v.* The United States of America. The petition for writ of certiorari to the Court of Appeals for the Third Circuit is granted and the case is transferred to the summary docket.

No. 787. John E. Manning, as Collector of Internal Revenue for the Fifth District of New Jersey, petitioner, *v.* Seeley Tube and Box Company, a corporation of the State of New Jersey. The petition for writ of certiorari to the Court of Appeals for the Third Circuit is granted.

No. 809. Julia Rhoda Aaron, etc., et al., petitioners, *v.* Ford, Bacon, and Davis, Incorporated. The petition for writ of certiorari to the Court of Appeals for the Eighth Circuit is granted and the case is assigned for argument immediately following No. 746.

No. 817. The United States of America, ex rel. Otto A. Willumeit, petitioner, *v.* W. F. Watkins, District Director, Immigration and Naturalization Service. The motion to dispense with printing the petition and record is granted. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is granted.

No. 260. The United States of America, ex rel. Richard Eichenlaub, petitioner, *v.* W. Frank Watkins, as District Director of Immi-

gration and Naturalization of the United States for the District of New York, etc. The order entered November 15, 1948, denying certiorari is vacated. The petition for writ of certiorari to the Court of Appeals for the Second Circuit is granted and the case is assigned for argument immediately following No. 817.

No. 71. Thomas W. Fong, James Lee Hing, and Joseph Bauer, petitioners, *v.* Superior Court of the State of Washington for King County, Honorable J. T. Ronald, Judge. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 178. The United States of America, *ex rel.* Murad A. Sutton, petitioner, *v.* James Mulcahy, United States Marshal for the Southern District of New York, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 391. A. F. Wagner Iron Works and Wagner Engineering Company, petitioners, *v.* War Assets Administration et al., etc. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 509. Otto A. Kohl, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 525. Hyman Moore, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 641. Herman Becker, petitioner, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 675. Emetia Polizio, Alias Joe Pledge, 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. 703. John R. Stinnett, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 779. Joseph Paterno and Pasquale Masi, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 781. W. G. Duncan, Transferee of San Antonio Driverless Co., Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 784. Evelyn Campbell, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

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

No. 796. Leon Fainblatt, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the Court of Appeals for the Second Circuit denied.

No. 799. Graylyn Bainbridge Corporation, petitioner, *v.* Tighe E. Woods, Housing Expediter, Office of Housing Expediter. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 804. Missouri-Kansas-Texas Railroad Company of Texas, petitioner, *v.* The United States of America, ex rel. Jewell G. Deavers. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 810. The Carter Oil Company, petitioner, *v.* Harlan B. Ramsey and Ruby Ramsey. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 818. Helen E. Farmakis, petitioner, *v.* Eleanor T. Farmakis and United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 845. Gerhart Eisler, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 860. Empire Packing Company and Samuel Chapman, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 877. James T. Keating, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 520. Commissioner of Internal Revenue, petitioner, *v.* L. B. Hartz. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied. Mr. Justice Black is of the opinion the petition should be granted.

No. 843. Fitz Simons and Connell Dredge and Dock Co., petitioner, *v.* Charles Mullen; and

No. 844. Fitz Simons and Connell Dredge and Dock Co., petitioner, *v.* Erwin Savela. The motion to dispense with printing the petition and record is granted. The petition for writs of certiorari to the Court of Appeals for the Seventh Circuit is denied.

No. 156. Margaret C. Donovan, petitioner, *v.* Queensboro Corporation, Garden Housing Corporation, et al.; and

No. 49, Misc. Margaret C. Donovan, petitioner, *v.* Queensboro Corporation et al. The motion for leave to file petition for rehearing is denied.

No. 513. Burnham Chemical Company, petitioner, *v.* Borax Consolidated, Ltd., Pacific Coast Borax Company, et al. The motion for

an extension of time within which to file a second petition for rehearing is denied.

No. 647. A. B. Momand, petitioner, *v.* Universal Film Exchanges, Inc., et al. The second petition for rehearing is denied.

No. 671. Samuel Titto Williams, appellant, *v.* The People of the State of New York. The petition for rehearing and the motion for a stay of the mandate are denied.

No. 708. Ib Chr Sonnesen, petitioner, *v.* Panama Transport Company. The motion to enlarge the time to file petition for rehearing is denied.

No. 788. Estella Latta, Jones M. Griffin, and Alvin Chambers, petitioners, *v.* Western Investment Company et al. The motion for an extension of time within which to file petition for rehearing is granted and the time is extended to and including September 3, next.

No. 805. Mary V. Doles, appellant, *v.* Metropolitan Life Insurance Company;

No. 425, Misc. Donald E. Hasson, petitioner, *v.* The United States of America;

No. 437, Misc. Fred Tate, petitioner, *v.* People of the State of California; and

No. 489, Misc. Maude Pridgen Butler, petitioner, *v.* S. A. Penix, Receiver. The petitions for rehearing in these cases are denied.

No. 186, Misc. Albert J. Palardy, petitioner, *v.* American-Hawaiian Steamship Co. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 291, Misc. John K. Aird, petitioner, *v.* Weyerhaeuser Steamship Co. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 634, Misc. George Thomas, petitioner, *v.* Furness (Pacific) Limited, a Corporation et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 651, Misc. Walter McDonald, petitioner, *v.* E. B. Swope, Warden. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 671, Misc. Herbert McCormick, petitioner, *v.* The State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 681, Misc. Robert E. Hinton, petitioner, *v.* Curtis Reid, Superintendent. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 682, Misc. Clifford Bramble, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 684, Misc. Charles Westbrook, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Christian County, State of Illinois, denied.

No. 685, Misc. Salvatore Maimone, petitioner, *v.* United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 687, Misc. Richard Kamrowski, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, denied.

No. 688, Misc. Joseph Bassinger, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 690, Misc. Harry Holderfield, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Franklin County, State of Illinois, denied.

No. 691, Misc. United States of America, *ex rel.* John B. Rooney and Henry P. Berry, petitioners, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 692, Misc. Samuel D. Collins, petitioner, *v.* Clinton T. Duffy, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 683, Misc. Cecil Lee Edgeman, petitioner, *v.* R. W. Alvis, Warden; and

No. 689, Misc. Sylvester Brown, petitioner, *v.* State of Minnesota. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 686, Misc. In the Matter of Friedrich Felsch, petitioner. Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. United States Constitution, article III, section 2, clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948); *Everett v. Truman*, 334 U. S. 824 (1948). Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that argument should be heard on the motion for leave to file the petition in order to settle what remedy, if any, the petitioner has. Mr. Justice Jackson took no part in the consideration or decision of this application.

The Chief Justice announced the following order:

"All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

"It is ordered by this Court that all cases on the docket be, and they hereby are, continued to the next term."

Adjourned to the time and place appointed by law.

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