

OCTOBER TERM, 1953

STATISTICS

	Original	Appellate	Miscellaneous	Total
Number of cases on dockets-----	11	815	637	1,463
Cases disposed of-----	0	694	609	1,303
Remaining on dockets-----	11	121	28	160

Cases disposed of—Appellate Docket:

By written opinions-----	84
By per curiam opinions-----	86
By motion to dismiss or per stipulation (merit cases)-----	2
By denial or dismissal of petitions for certiorari-----	522

Cases disposed of—Miscellaneous Docket:

By written opinion-----	0
By per curiam opinion-----	0
By denial or dismissal of petitions for certiorari-----	507
By denial or withdrawal of other applications-----	92
By transfer to Appellate Docket-----	10

Number of written opinions-----	65
Number of printed per curiam opinions-----	11
Number of petitions for certiorari granted-----	88
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SUPREME COURT OF THE UNITED STATES

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

Mr. Justice Black said:

“With deep sorrow the Court records at this time the sudden and unexpected death on September 8, 1953, of our Chief Justice, Fred M. Vinson. Death came in his 63d year. Most of his life was spent in fine public service for his State and his Nation, both of which he loved and served with passionate devotion. Since 1946—seven years—he worked with us as Chief Justice. His services here, as in the many other public jobs he held, were able and unselfish. His colleagues of this Court respected him for his integrity and ability. They loved him for his kindness, sympathy, understanding, and fairness. We join the Nation in lamenting the death of this capable and loyal public servant. We, his brethren of the Court, also mourn the loss of a congenial and treasured friend. At an appropriate time the Court will receive resolutions in tribute to his memory. Now the business of the Court goes on.

“The President has appointed Earl Warren of California to be Chief Justice. His credentials have been presented and he has taken his constitutional oath. His commission will now be read, the judicial oath administered by the Clerk, and Mr. Warren will then take his place as The Chief Justice of the United States.”

The Clerk then read the commission as follows:

“DWIGHT D. EISENHOWER

“PRESIDENT OF THE UNITED STATES OF AMERICA

“To All Who Shall See These Presents, Greeting:

“Know Ye: That reposing special trust and confidence in the Wisdom, Uprightness, and Learning of Earl Warren, of California, I do appoint him Chief Justice of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges, and emoluments to the same of right appertaining, unto Him, the said Earl Warren, until the end of the next session of the Senate of the United States and no longer; subject to the provisions of law.

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

"Done at the City of Washington this second day of October, in the year of our Lord one thousand nine hundred and fifty-three, and of the Independence of the United States of America the one hundred and seventy-eighth.

"DWIGHT D. EISENHOWER.

"By the President :

"HERBERT BROWNELL, JR.,
"Attorney General."

The oath of office was then administered by the Clerk, and Mr. Chief Justice Warren was escorted by the Marshal to his seat on the bench.

Mr. Acting Solicitor General Stern presented the Honorable Herbert Brownell, Jr., Attorney General of the United States.

The Chief Justice said :

"Mr. Attorney General, the Court welcomes you to the performance of the important duties which devolve upon you as the chief law officer of the Government, and as an officer of this Court. Your commission will be recorded by the Clerk."

Warren Olney III, of Berkeley, Calif., and Stanley N. Barnes, of San Marino, Calif., on motion of Mr. Vice President Richard M. Nixon; Eugene Francis Mullin, Jr., of Washington, D. C., on motion of Mr. Charles Sylvanus Rhyne; Ewell C. Orme, of Troy, Ala., Jesse M. Williams, Jr., of Montgomery, Ala., and Paul P. Benjamin of Los Angeles Calif., on motion of Mr. Acting Solicitor General Robert L. Stern; Samuel I. Barchas, of Los Angeles, Calif., on motion of Mr. Gerhard Van Arkel; Tom Killefer, of Washington, D. C., on motion of Mr. William A. Sutherland; A. Andrew Hauk, of Los Angeles, Calif., on motion of Mr. Frank B. Belcher; Perry William Morton, of Lincoln, Nebr., on motion of Mr. James Lee Rankin; Edwin Longcope, of New York, N. Y., on motion of Mr. J. Frank Staley; John W. Lowe, of Salt Lake City, Utah, on motion of Mr. Edwin C. Blanchard; Theodore A. Horn, of Los Angeles, Calif., on motion of Mr. James P. Burns; Elmer H. Wiblishauser, of St. Paul, Minn., on motion of Mr. Felix A. Russell; Robert Douglas Armstrong, of Indianapolis, Ind., on motion of Mr. Moultrie Hitt; Jacob Goldberg, of Washington, D. C., on motion of Mr. Howard E. Wahrenbrock; Seymour Martinson,

of New York, N. Y., and Edward Martinson, of New York, N. Y., on motion of Mr. Frederic A. Johnson; Junius J. Howe, of Suffern, N. Y., and Romeo R. Napolitano, of Ramsey, N. J., on motion of Mr. Joseph B. Friedman; Ralph H. Faiella, of Brooklyn, N. Y., and Dolores Lyons Ambrose, of Patchogue, N. Y., on motion of Mr. Howard Wilmurt Ameli; John T. Gaffney, of Boston, Mass., on motion of Mr. Herbert N. Maletz; Salvatore J. Leombruno, of Glens Falls, N. Y., and John S. Hall, of Athol, N. Y., on motion of Mr. Joseph Hilton Fisher; John K. Pickens, of Washington, D. C., on motion of Mr. Jerry N. Griffin; A. Simpson Williams, Jr., of Richmond, Va., on motion of Mr. Henry Norment Custis; Lemuel D. Sanderson, of San Francisco, Calif., on motion of Mr. Hugh T. Fullerton; Thomas M. Fagan, of Winston-Salem, N. C., and Albert E. Wool, of New York, N. Y., on motion of Mr. Albert M. Kuhfeld; Robert J. McLean, of New York, N. Y., on motion of Mr. Jeremiah C. Waterman; I. Harry Goodley, of Los Angeles, Calif., and Benedict Thomas Harter, of Arlington, Va., on motion of Mr. Daniel E. Mulhern; Mildred Racknor, of Washington, D. C., on motion of Mr. M. T. Fisher; Henry Louis Bear, of Lynwood, Calif., on motion of Mr. Robert T. Murphy; Paul R. Matthews, of Los Angeles, Calif., on motion of Mr. Northcutt Ely; Wilfred T. McQuaid, of Baltimore, Md., on motion of Mr. Wm. Taft Feldman; George Lessall, of New York, N. Y., and Jacob Krisel, of New York, N. Y., on motion of Mr. William B. Wolf; Marshall Hornblower, of Washington, D. C., on motion of Mr. Philip Bransfield Brown; Sidney Friedman, of New York, N. Y., on motion of Mr. Charles Samenow; Lyndsay D. Hawkins, of Breckenridge, Tex., on motion of Mr. Leslie C. Garnett; Herbert Edwin Witz, of Baltimore, Md., on motion of Mr. William J. Rowan, Jr.; Harold A. Segall, of New York, N. Y., and Phil Edward Gilbert, Jr., of New York, N. Y., on motion of Mr. Bennett Boskey; Josiah T. Bullington, of Hillsboro, Ill., and Anna Rosina Bullington, of Washington, D. C., on motion of Mr. Horace Bonar Ritchie, Jr.; Charles F. White, of Chicago, Ill., and Patrick J. Cronin, of Chicago, Ill., on motion of Mr. William Simon; Harry E. Taylor, Jr., of Washington, D. C., on motion of Mr. John H. Burnett; Travis Kirk, of Dallas, Tex., on motion of Mr. George Morris Fay; Ralph Edwin Wilson, of Osceola, Ark., and James E. Hyatt, Jr., of Osceola, Ark., on motion of Mr. Charles W. Mehaffy; James H. Michael, Jr., of Charlottesville, Va., on motion of Mr. Charles Pickett; Lawrence J. Bettendorf, of Falls Church, Va., on motion of Mr. Samuel D. McIlwain; Edward L. Merrigan, of Chevy Chase, Md., on motion of Mr. Sanford H. Bolz; Perry S. Patterson, of Sandy Spring, Md., on motion of Mr. Chauncey P. Carter, Jr.; Thomas H. Carver, of Alameda, Calif., on motion of Mr. J. Roger Wollenberg; John Wildenthal, Jr., of Cotulla, Tex., on motion of Mr. Arthur C. Perry; J. Clarence Herlihy, of Glens Falls,

N. Y., on motion of Mr. Charles M. Metzgar; Samuel Schacter, of Brooklyn, N. Y., and Joseph T. Arenson, of New York, N. Y., on motion of Mr. George M. Szabad; Emmet V. Mittlebeeler, of Louisville, Ky., on motion of Mr. Elmore Whitehurst; and William C. Bauknight, Jr., of Alexandria, Va., on motion of Mr. Sidney S. Sachs, were admitted to practice.

No. 121. Sam Walder, petitioner, *v.* United States of America. It is ordered that Paul A. Porter, Esquire, of Washington, D. C., a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case.

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

The day call for Monday, October 12, will be as follows: Nos. 13, 14, 40 (and 41), 15, 16, 17, 18, 23, 25, and 20.

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SUPREME COURT OF THE UNITED STATES

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

William H. K. Donaldson, of Salem, Mass., on motion of Mr. Acting Solicitor General Robert L. Stern; Adrian S. Fisher, of Memphis, Tenn., on motion of Mr. W. Graham Claytor, Jr.; Harry E. Wareham, of Hartford, Conn., and J. Welles Henderson, of Philadelphia, Pa., on motion of Mr. Joseph W. Henderson; Shelby Myrick, of Savannah, Ga., and Shelby Myrick, Jr., of Savannah, Ga., on motion of Mr. Carl J. Batter; George P. Dillard, of Decatur, Ga., and Lamar Wheeler Sizemore, of Waverly Hall, Ga., on motion of Mr. Marmaduke Harde-man Blackshear; Robert L. Kahn, of Chicago, Ill., on motion of Mr. Bernard A. Stol; William H. Holloway, of Austin, Tex., on motion of Mr. David B. Irons; Jack Charles Dixon, Jr., of Birmingham, Ala., on motion of Mr. Albert J. Clark; Warren Daane, of Cleveland, Ohio, on motion of Mr. Benj. F. Fiery; John G. Cross, of Detroit, Mich., on motion of Mr. Charles Trowbridge Tittman; Abraham Davis Slavitt, of Norwalk, Conn., on motion of Mr. John A. Ryan; Sidney W. Kaufman, of Los Angeles, Calif., on motion of Mr. Henry J. Fox; Laurence A. Schroeder, of Miami, Fla., on motion of Mr. Miller Walton; Richard Hinch Shults, of Batavia, N. Y., on motion of Mr. William H. Dorsey, Jr.; Byron Nicholson Scott, of Washington, D. C., and Richard Arnd Mehler, of Washington, D. C., on motion of Mr. Rowland F. Kirks; William J. Clark, of San Gabriel, Calif., and Harold M. Davidson, of Alhambra, Calif., on motion of Mr. Philip F. Dodson; Harvey R. Klein, of Miami, Fla., on motion of Mr. Barney Joseph Keren; Samuel Kalmanash, of New York, N. Y., on motion of Mr. Joseph Rotwein; Edgar R. Minnich, of Wellsburg, W. Va., on motion of Mr. Stanley Walker Jones; William H. Brown, of Detroit, Mich., on motion of Mr. Harold D. Beaton; Emanuel H. Horn, of Baltimore, Md., Michael J. Kunstler, of New York, N. Y., and William M. Kunstler, of New York, N. Y., on motion of Mrs. Muriel S. Paul; James V. McCandless, of Los Angeles, Calif., on motion of Mr. Darwin Charles Brown; and William W. Golub, of New York, N. Y., on motion of Mr. Harold Leventhal, were admitted to practice.

Mr. Chief Justice Warren made the following statement:

"The Chief Justice having taken office on the day the matters to be reported on today were considered by the Court in conference, and having no familiarity with the records, did not participate in consideration of them.

"Mr. Justice Black will speak for the Court."

No. 109. Ralph G. Lemke, petitioner, *v.* The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted. Judgment reversed and case remanded to the Court of Appeals for further proceedings consistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Justice Black.

No. 114. Federal Trade Commission, petitioner, *v.* Carter Products, Incorporated. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted. Judgment of the Court of Appeals vacated and cause remanded to that court with directions to reinstate its prior judgment and order after amending it so that it specifically authorizes the Federal Trade Commission to open this proceeding for further evidence and a new order consistent with the Court of Appeals opinion herein. Opinion *per curiam* announced by Mr. Justice Black. Dissenting: Mr. Justice Douglas.

Mr. Justice Black said:

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

No. 49. United States of America, petitioner, *v.* Carroll Construction Company and the State of Washington. On petition for writ of certiorari to the Supreme Court of Washington. *Per Curiam*: The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded for consideration in the light of United States *v.* Gilbert Associates, 345 U. S. 361. Mr. Justice Reed and Mr. Justice Jackson dissent. They are of the opinion that United States *v.* Gilbert Associates is not pertinent.

No. 71. E. B. Arender, Marcus N. Strong, Neal McEacharn, Jr., et al., appellants, *v.* Kingwood Oil Company et al. Appeal from the Supreme Court of Louisiana; and

No. 151. Eva Simpson, Betty Burrell, and Grace Proudfoot, etc., et al., appellants, *v.* City of Los Angeles, George E. Uhl, Richard L. Bonner, et al. Appeal from the Supreme Court of California. *Per*

Curiam: The motions to dismiss are granted and the appeals are dismissed for the want of a substantial federal question.

No. 123. Millie Kristof Kalmane, also known as Kalman Kristof, appellant, *v.* L. Lawrence Green, as Executor of Julia Braier, also known as Julie Braier. Appeal from the Court of Appeals of New York.; and

No. 238. Charles B. McGee, appellant, *v.* State of North Carolina. Appeal from the Supreme Court of North Carolina. *Per Curiam*: The appeals are dismissed for want of a substantial federal question.

No. 131. John Collins, appellant, *v.* The People of the State of California. Appeal from the District Court of Appeal of California, Second Appellate District. *Per Curiam*: The motion for leave to proceed in forma pauperis is granted. The appeal is dismissed for want of jurisdiction. 28 U. S. C. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by 28 U. S. C. 2103, certiorari is denied.

No. 144. Pond Creek Pocahontas Company and National Mine Service Company, appellants, *v.* Arch J. Alexander, Individually and as Chief of the Department of Mines of the State of West Virginia, et al. Appeal from the Supreme Court of Appeals of West Virginia. *Per Curiam*: The motion to substitute Joseph J. Bierer, present Chief of the Department of Mines of the State of West Virginia, as a party appellee in the place and stead of Arch J. Alexander, is granted. The appeal is dismissed for the want of a substantial federal question.

No. 183. Houston Fire & Casualty Insurance Company, appellant, *v.* The United States of America and Interstate Commerce Commission. Appeal from the United States District Court for the Northern District of Texas. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Black is of the opinion that probable jurisdiction should be noted and the case set down for oral argument.

No. 256. Truman Elvy Denny and Delmer Elvy Denny, appellants, *v.* D. D. Watson, Real Estate Commissioner of the State of California, et al. Appeal from the District Court of Appeal of California, Second Appellate District. *Per Curiam*: The appeal is dismissed.

No. 268. John Daniel Brown, appellant, *v.* People of the State of Illinois. Appeal from the Supreme Court of Illinois. *Per Curiam*: The motion for leave to proceed in forma pauperis is granted. The appeal is dismissed for the want of a substantial federal question.

No. — Original. The State of Arkansas, complainant, *v.* The State of Texas et al. This case is set for hearing on the motion for leave to file the complaint and return to rule to show cause, each side to be allowed thirty minutes for oral argument.

No. 11. Maryland Casualty Company et al., petitioners, *v.* Gertrude Picard Cushing et al. The motion for leave to file brief of Samuel B. Bassett and Stephen V. Cary as *amici curiae* is denied.

No. 12. Patrick E. Irvine, petitioner, *v.* People of the State of California. The petition for leave to proceed on the typewritten record is granted.

No. 39. Anthony Wilko, petitioner, *v.* Joseph E. Swan et al., Individually and Doing Business Under the Firm Name and Style of Hayden Stone and Co., et al. The motion of the petitioner for leave to proceed further in forma pauperis is granted. The motion of the Solicitor General, on behalf of the Securities and Exchange Commission, for leave to appear and present oral argument as *amicus curiae* is granted.

No. 69. Dr. Edward K. Barsky, appellant, *v.* The Board of Regents of the University of the State of New York. In this case probable jurisdiction is noted. The motion for leave to file brief of Haven Emerson and others as *amici curiae* is denied.

No. 115. Kern-Limerick, Inc., and United States of America, appellants, *v.* Carl F. Parker, Commissioner of Revenue for the State of Arkansas; and

No. 163. Railway Express Agency, Incorporated, appellant, *v.* Commonwealth of Virginia. In these cases probable jurisdiction is noted and the cases are transferred to the summary docket.

No. 117. Federal Communications Commission, appellant, *v.* American Broadcasting Company, Inc.;

No. 118. Federal Communications Commission, appellant, *v.* National Broadcasting Company, Inc.; and

No. 119. Federal Communications Commission, appellant, *v.* Columbia Broadcasting System, Inc. In these cases probable jurisdiction is noted. The cases are consolidated for argument and one hour is allowed to each side.

No. 128. The County Board of Arlington County, Virginia, et al., appellants, *v.* State Milk Commission. In this case probable jurisdiction is noted. The case is transferred to the summary docket and assigned for argument immediately following 115.

No. 160. Miller Brothers Company, appellant, *v.* State of Maryland. In this case probable jurisdiction is noted. The case is transferred to the summary docket and assigned for oral argument immediately following 128.

No. 195. International Longshoremen's and Warehousemen's Union, Local 37, et al., appellants, *v.* John P. Boyd, District Director, Immigration and Naturalization Service. 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. The appellants are requested to discuss on brief and oral argument the right of the union to sue for an injunction upon behalf of its members.

No. 198. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.;

No. 199. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.;

No. 200. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.; and

No. 201. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al. Further consideration of the motions to dismiss or affirm and of the jurisdiction of this Court in these cases is postponed to the hearing of the cases on the merits. The cases are consolidated for argument and assigned for hearing immediately following No. 163. One hour is allowed each side for oral argument.

No. 217. Superior Films, Inc., appellant, *v.* Department of Education of the State of Ohio, Division of Film Censorship, Clyde Hisson, Superintendent. In this case probable jurisdiction is noted.

No. 65. The United States, petitioner, *v.* Binghamton Construction Co., Inc. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary docket.

No. 92. United States of America, petitioner, *v.* City of New Britain, Connecticut, et al. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut granted and case transferred to the summary docket.

No. 67. Julius Emspak, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted except as to question No. 4 presented by the petition for the writ.

No. 94. United States of America, petitioner, *v.* Harold T. Lindsay et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 174. Everett E. White, petitioner, *v.* Baltimore and Ohio Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 209. Chicago, Rock Island and Pacific Railroad Company, petitioner, *v.* Archie C. Stude, William Lumpkin and Pottawattomie County, Iowa. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 184. The General Protective Committee for the Holders of Option Warrants of the United Corporation, petitioner, *v.* The Securities and Exchange Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted limited to the question as to the jurisdiction of a court of appeals or a district court to review orders of the Securities and Exchange Commission.

No. 222. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General;

No. 223. Delta Air Lines, Inc., petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States and the United States of America, on Behalf of the Postmaster General;

No. 224. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, The United States of America, on Behalf of the Postmaster General and Western Air Lines, Inc.; and

No. 225. Western Air Lines, Inc., petitioner, *v.* Civil Aeronautics Board, Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. The cases are consolidated for argument and one and one-half hours are allowed each side.

No. 228. Emanuel L. Mazer and William Endicter, Doing Business as June Lamp Manufacturing Company, petitioners, *v.* Benjamin Stein and Rena Stein, Doing Business as Reglor of California. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted. The Solicitor General is invited to file a brief setting forth, along with other matters he deems pertinent, the views of the Copyright Office and a statement of its relevant practice.

No. 2, Misc. Pete Hernandez, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas granted and case transferred to the appellate docket.

No. 6, Misc. Robert Norbert Galvan, petitioner, *v.* U. L. Press, Officer in Charge, Immigration and Naturalization Service, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the appellate docket.

No. 26. In the Matter of Nubar Wright, petitioner. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 42. Graves, Incorporated, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals, for the Fifth Circuit denied.

No. 45. New Pittsburgh Coal Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 46. J. H. McCormick, petitioner, *v.* H. M. Lewis and A. M. Lewis, Sr. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 58. Pennsylvania Mutual Life Insurance Company, petitioner, *v.* Catherine Reid Harding, a Minor, by Edward D. Reid, her Guardian. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 59. Eterpen Financiera Sociedad de Responsabilidad Limitada (Formerly Eterpen, S. A.), petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 60. Gilbert Tinsley, petitioner, *v.* Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 62. Golden H. Owens and Leon Anderson, petitioners, *v.* William H. Banks Warehouses, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 63. K. W. Laughlin, petitioner, *v.* Scott M. Loftin and John W. Martin, as Trustees for the Florida East Coast Railway Company. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 64. Del A. Fehsenfeld, John Wilkes, John Dickerson, et al., petitioners, *v.* Ivan Whipple, Arthur C. Brown, Frank A. Taylor, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 68. Eusebius James Biggs, petitioner, *v.* The City of Chicago et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 70. Colonial Fabrics, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72. A. B. Swinerton, Richard Walberg and Howard Hassard, etc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 74. Bernice Feitler and Irwin Feitler, Individually and Trading as Gardner and Company, petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 75. American Hardware and Equipment Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76. Howard Dortch, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77. C. C. Cooke, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 79. Colorado River Municipal Water District et al., petitioners, *v.* Board of Water Engineers of Texas et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 80. Mrs. Marilyn Cagle, Individually and as Guardian for Danny Ray Cagle, Minor, petitioner, *v.* George F. McQueen et al., Individually, etc., Doing Business as McQueen and Stout, and Gulf Oil Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 82. William B. Portner, petitioner, *v.* Central Penn National Bank of Philadelphia. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 83. Palace Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 86. Topps Chewing Gum, Inc., petitioner, *v.* Haelan Laboratories, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 89. Harry F. Gill, petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 90. Emanuel Kushelewitz et al., Copartners Doing Business Under the Firm Name and Style of Elkay Textile Company, petitioners, *v.* The National City Bank of New York and Federal Reserve Bank of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 91. Weldon D. Smith, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 95. Eugene Helton, a Citizen of the United States of America and Resident of Tennessee, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 96. Guy A. Thompson, Trustee, International Great Northern Railroad Company, petitioner, *v.* American Abrasive Metals Com-

pany. Petition for writ of certiorari to the Court of Civil Appeals of Texas, First Supreme Judicial District, denied.

No. 97. Mrs. Odile V. Hubert Tucker, as a Stockholder of Crescent City Laundries, Inc., etc., petitioner, *v.* National Linen Service Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 98. Edward Kohn, Doing Business as Edward Kohn Company, petitioner, *v.* Joseph H. Freehill, Director of Price Stabilization. Petition for writ of certiorari to the United States Emergency Court of Appeals denied.

No. 101. Mississippi River Sand and Gravel Company, a Corporation, petitioner, *v.* Floyd C. Wilkes, Administrator of the Estate of Paul D. Godsey, Jr., Deceased, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 102. The Mutual Life Insurance Company of New York, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 103. Max Tendler, petitioner, *v.* Henry A. Jaffe et al., Co-Partners Trading as New York Decorating Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 106. People of the State of Illinois, ex rel. William J. Kennedy, petitioner, *v.* Stephen E. Hurley et al., Civil Service Commissioners of the City of Chicago. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 107. United States Cold Storage Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 108. Adwood Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 110. James M. Foster and John H. Johnson, Co-Partners, Doing Business as J. M. Foster and Company, petitioners, *v.* Clarence H. Buckner. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 111. Securities and Exchange Commission, petitioner, *v.* James F. Masterson. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 112. Rockwell Manufacturing Company, petitioner, *v.* The Stanley Works. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 116. Edward Foster Atkins, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 122. Martin O. Weisbrod, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 124. Grenada Industries, Incorporated, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 126. National Labor Relations Board, petitioner, *v.* Marine Engineers Beneficial Association, No. 13. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 127. Chromium Products Corporation, petitioner, *v.* Reconstruction Finance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 132. H. Gertrude Hogan, petitioner, *v.* City of Miami Beach. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 135. Marvin L. Gehman, petitioner, *v.* Frances R. Smith, Collector of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 136. Vaughan Novelty Mfg. Co., petitioner, *v.* G. G. Greene Mfg. Corp. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 137. Elsalto Real Estate, Inc., a Florida Corporation, petitioner, *v.* The City of Miami Beach, a Municipal Corporation, etc. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 138. Pennsylvania Mutual Life Insurance Company, a Corporation, petitioner, *v.* Julia Beley. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 140. Eugene H. Walet, Jr., petitioner, *v.* Jefferson Lake Sulphur Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 141. New Wrinkle, Inc., and William A. Waldie, petitioners, *v.* Robert C. Watson, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 142. Harvey A. Miller, petitioner, *v.* Edmund Lee Jones. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 143. Jamaica Water Supply Company, petitioner, *v.* The City of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 145. Switzer Brothers, Inc., and Robert C. Switzer, petitioners, *v. Texas-Miller Hat Corporation et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 146. James P. Finnegan, petitioner, *v. United States of America.* Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 149. Carlson & Sullivan, Inc., petitioner, *v. Bigelow & Dowse Company and the Stanley Works.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 150. Russell Box Company, petitioner, *v. Grant Paper Box Company.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 152. Carlor Company, Inc., petitioner, *v. City of Miami, a Municipal Corporation of the State of Florida.* Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 153. Noral Williams, Rebecca Young Smalls, Gertrude Young, and Laura Young, petitioners, *v. United States of America.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 155. The Estate Stove Company and Noma Electric Corporation, etc., et al., petitioners, *v. General Motors Corporation and General Motors Sales Corporation.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 157. Burgess Battery Company, petitioner, *v. John A. Marzall (Robert C. Watson, Substituted), Commissioner of Patents.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 158. Joe W. Lowdermilk, Receiver of Sullivan Petroleum Corporation, petitioner, *v. The Ohio Oil Company, a Corporation.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 161. Simone N. Gazan, petitioner, *v. Joseph S. Corbett, as Chairman, et al., etc.* Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 162. Herbert Eck, Martin M. Karlan, and Cosimo Perrucci, petitioners, *v. Commissioner of Internal Revenue.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 165. William Propst, on Behalf of Himself and all Holders of School Land Leases in the State of Nebraska, Similarly Situated and Grace Green, Intervenor, petitioners, *v. The Board of Educational*

Lands and Funds of the State of Nebraska et al. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 166. Oneida, Ltd., petitioner, *v.* Grayson-Robinson Stores, Inc. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 168. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, a Wisconsin Corporation, petitioner, *v.* The Board of Railroad Commissioners of the State of Montana et al. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 170. Lester Maxwell, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 171. State of Maryland, *ex relatione* Harold H. Channell, petitioner, *v.* George J. Murphy, Captain of Detectives, Baltimore City Police Department, Baltimore, Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 173. Joliet Contractors Association, a Non-Profit Illinois Corporation, etc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 178. Davis Frozen Foods, Incorporated, petitioner, *v.* Norfolk Southern Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 179. J. P. Coleman, Attorney General of the State of Mississippi, petitioner, *v.* Trunkline Gas Company. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 185. Loretta Elizabeth O'Loughlin, petitioner, *v.* Thomas A. O'Loughlin. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 186. John Patrick Gill, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 187. Hubert Van Hook, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 192. William H. Banks Warehouses, Incorporated, and John Alfred Halford, petitioners, *v.* George L. Watt, William Watt, Roland Ulrich, C. J. DeVisser, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 193. Joseph L. McClellan, as Trustee in Bankruptcy of the Estate of Capital Gas Corporation, a Bankrupt Corporation, et al., petitioners, *v.* Montana-Dakota Utilities Company, a Corporation.

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

No. 194. Hydrocarbon Production Company, Incorporated, petitioner, *v.* Valley Acres Water District et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 197. Seymour S. Lieberman, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 202. William Weidlich, petitioner, *v.* Estate of Louis Weidlich (The First National Bank & Trust Company of Bridgeport and Arthur M. Comley, Executors) and Hetty S. Weidlich. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 203. City of Kansas City, Missouri, a Municipal Corporation, Frank Theis, Paul M. Fogel, et al., petitioners, *v.* Esther Williams, Lena R. Smith and Joseph N. Moore. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 204. Tolley B. Spriggs, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 205. William D. Kent, as President of Flight Engineer Officers' Association, etc., petitioner, *v.* Civil Aeronautics Board and Pan American World Airways, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 206. Frank F. Reynolds, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 207. Charles A. M. Waterhouse, petitioner, *v.* Edward Hoover; Edward Hoover, Trustee of Real Estate for Charles B. Bosserman and Successors, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 208. Hyde Park Clothes, Inc., petitioner, *v.* Hyde Park Fashions, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 212. Fort Dodge, Des Moines and Southern Railroad Company, and Iowa-Des Moines National Bank, petitioners, *v.* Catharine Allen Gillespie, Executrix of the Estate of Alexander J. Gillespie, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 214. Joseph A. Daugherty, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 215. Henry Macias, petitioner, *v.* Oakland Truck Sales, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 216. The Frito Company, petitioner, *v.* General Mills, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 218. United States of America, petitioner, *v.* Charles E. Nelson et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 219. United States of America, petitioner, *v.* The Arcade Company, a Corporation, and Arcade Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 221. Atlantic Freight Lines, Inc., petitioner, *v.* Arthur E. Summerfield, Postmaster General. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 227. Alvin R. Doran, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 231. Lester E. Butzman, Sr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 233. Saint Matthews Gas and Electric Shop, Incorporated, petitioner, *v.* The Verkamp Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 239. O. A. Greager, petitioner, *v.* R. H. Lindsay Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 240. Sears, Roebuck and Co., petitioner, *v.* John A. Marzall (Robert C. Watson, Substituted), Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 242. Shipowners and Merchants Tugboat Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 251. William Brune, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 261. Gross Income Tax Division, Indiana Department of State Revenue, State of Indiana, et al., petitioners, *v.* Surface Combustion Corporation. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 262. Gross Income Tax Division, Indiana Department of State Revenue, State of Indiana, et al., petitioners, *v.* Surface Combustion Corporation. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 273. U. S. Printing & Novelty Co., Inc., a Corporation, et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied.

No. 21. Lois Maxwell Sinclair and Fred Ellis Youngblood, Jr., petitioners, *v.* State of Texas. Motion to dispense with printing record granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88. Walter Bryson Jones, petitioner, *v.* The State of Texas. Motion to dispense with printing record granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 134. Busch Jewelry Company, a Corporation, and Dr. F. M. Dooley, petitioners, *v.* The State Board of Optometry. Motion to dispense with printing record granted. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 148. Joseph Sica, petitioner, *v.* People of the State of California. Motion to dispense with printing record granted. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 164. Hy Goldbaum, George Capri, and Edward Cooke, petitioners, *v.* United States of America. Motion to dispense with printing record granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 73. Karl Feller, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, as Successor to the Alien Property Custodian. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 99. National Machine Works, Inc., and Interstate Machinery Co., Inc., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 84. Louis H. Netzer, petitioner, *v.* Northern Pacific Railway Company, a Corporation. Motion for leave to file brief of Brotherhood of Railroad Trainmen as *amicus curiae* denied. Petition for writ of certiorari to the Supreme Court of Minnesota denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that the motion and petition should be granted.

No. 93. Maurice J. Tobin, Secretary of Labor, etc., and United States of America, petitioners, *v.* Little Rock Packing Company et al. Motion to substitute Martin P. Durkin as a party petitioner in the place and stead of Maurice J. Tobin granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 113. Corona Daily Independent, a Partnership, and J. C. Hammond, et al., petitioners, *v.* City of Corona, California, a Municipal Corporation of the Sixth Class. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that the petition for writ of certiorari should be granted. Memorandum filed by Mr. Justice Douglas with which Mr. Justice Black concurs.

No. 220. Joseph Perko, Elwyn West, Martin Skala and William Zupancich, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that the petition for writ of certiorari should be granted.

No. 125. De Ley R. Graham, petitioner, *v.* Alcoa Steamship Company, Incorporated. Motion to dispense with printing petition, brief and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 133. James F. Masterson, Michael Stella, Eva Lefker and Otis and Company, petitioners, *v.* Jerome R. Pergament and George J. London et al. Motion for leave to file brief of Kaiser-Frazer Stockholders Protective Committee as *amicus curiae* denied. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 139. Erik A. Bertel, Laurits Sorensen, Borge A. R. Jensen, et al., petitioners, *v.* Panama Transport Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas and Mr. Justice Jackson are of the opinion certiorari should be granted.

No. 159. Carroll L. Johns, petitioner, *v.* Associated Aviation Underwriters et al. Motion to proceed on typewritten copies of the record granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 172. The Chesapeake and Ohio Railway Company, petitioner, *v.* J. C. Van Lierop. Petition for writ of certiorari to the Supreme Court of Michigan denied. Mr. Justice Reed took no part in the consideration or decision of this application.

No. 175. Hotel and Restaurant Employees and Bartenders International Union, Local No. 181, et al., petitioners, *v.* Blue Boar Cafeteria Company, Incorporated. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. Mr. Justice Douglas is of the opinion that petition for writ of certiorari should be granted.

No. 191. James Francis, petitioner, *v.* Frederic A. Crafts. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Douglas is of the opinion that petition for writ of certiorari should be granted.

No. 181. Jennie E. Dargel et al., petitioners, *v.* William G. Barr, Director of Rent Stabilization, et al. Motion to substitute Glenwood J. Sherrard, Director of Defense Rental Areas Division, Office of Defense Mobilization, as a party respondent in the place and stead of William G. Barr, Acting Director of Rent Stabilization granted. Petition for writ of certiorari to the United States Emergency Court of Appeals denied.

No. 211. Prudence-Bonds Corporation (New Corporation), Successor Trustee of Prudence-Bonds Corporation, Debtor, George E. Eddy and Ada S. Beardsley, petitioners, *v.* State Street Trust Company, as Trustee of Prudence-Bonds, Tenth Series, Under Trust Agreement Dated May 1, 1927, with Prudence-Bonds Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 234. Gordon E. Struck, petitioner, *v.* United States of America. Motion to dispense with printing the petition, brief, and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 391, October Term, 1952. Harry A. Stein, petitioner, *v.* The People of the State of New York;

No. 393, October Term, 1952. Calman Cooper, petitioner, *v.* The People of the State of New York;

No. 392, October Term, 1952. Nathan Wissner, petitioner, *v.* The People of the State of New York;

No. 681, October Term, 1952. Frank Cammarata, petitioner, *v.* State of Ohio;

No. 682, October Term, 1952. Joel S. Cooper, petitioner, *v.* C. A. Peak et al.;

No. 724, October Term, 1952. William M. Estep and Dora Estep, petitioners, *v.* The People of the State of Illinois;

No. 742, October Term, 1952. Charles C. Patterson, petitioner, *v.* Lillie M. Saunders et al.;

No. 759, October Term, 1952. Virginia Skovgaard, petitioner, *v.* United States of America;

No. 791, October Term, 1952. Marshall Neal, Jr., petitioner, *v.* United States of America;

No. 792, October Term, 1952. Kenneth Powell Davis, petitioner, *v.* United States of America;

No. 793, October Term, 1952. Caroline McDonald Wismiller, petitioner, *v.* Estate of Henrietta E. Garrett, Deceased;

No. 808, October Term, 1952. John W. Pattison, Aletheia E. Pattison, Anna W. Pattison, et al., petitioners *v.* The Union Central Life Insurance Company;

No. 812, October Term, 1952. General Motors Corporation and City Chevrolet Company, petitioners, *v.* John W. J. Ackermans;

No. 820, October Term, 1952. U. S. A. C. Transport, Inc. (also d/b/a U. S. Airplane Transport, Inc.), petitioner, *v.* The United States of America;

No. 836, October Term, 1952. 24 Digger Merchandising Machines, 1428 Rouge Boxes, 16 Metal Boots, etc., et al., petitioners, *v.* United States of America; and

No. 843, October Term, 1952. Robert Krause, Lawrence Miller, Thomas J. McManus, Jr., et al., petitioners, *v.* William G. Bucher. Petitions for rehearing denied.

No. 422, October Term, 1952. Robert W. Burns and Herman P. Dennis, Jr., petitioners, *v.* Charles E. Wilson. Petition for rehearing denied. Separate opinion filed by Mr. Justice Frankfurter.

No. 517, October Term, 1952. Olive B. Barrows, Richard Pikaar and M. M. O'Gara, petitioners, *v.* Leola Jackson. Petition for rehearing denied. Mr. Justice Reed and Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 602, October Term, 1952. Alexandros Theodorakis, petitioner, *v.* John Xilas, as Master; Theofana Maritime Company, Limited, as Owner, et al. Second petition for rehearing denied.

No. 634, October Term, 1952. United States of America, appellant, *v.* Lester E. Grainger;

No. 635, October Term, 1952. United States of America, appellant, *v.* Joseph E. Clavere and William G. Kennedy; and

No. 636, October Term, 1952. United States of America, appellant, *v.* Joseph C. Clavere, William G. Kennedy, and A. L. Shapiro. Petition for rehearing denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 308, October Term, 1952. Elizabeth H. Dalehite, Henry G. Dalehite, Jr., et al., petitioners, *v.* United States of America. Petitions

for rehearing denied. Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 404, Misc., October Term, 1952. Elbert Henry White, petitioner, *v. United States of America*;

No. 495, Misc., October Term, 1952. Theodore W. Thomas, petitioners, *v. People of the State of California*;

No. 498, Misc., October Term, 1952. Ida M. Picking and Guy W. Picking, petitioners, *v. Pennsylvania Railroad Company et al.*;

No. 501, Misc., October Term, 1952. E. Haydon Bozell, petitioner, *v. United States of America et al.*;

No. 506, Misc., October Term, 1952. Nancy Cross, petitioner, *v. Supreme Court of California*;

No. 511, Misc., October Term, 1952. John Harry Lee, petitioner, *v. State of Tennessee*;

No. 516, Misc., October Term, 1952. In the Matter of the Petition of Alexander G. Jeronis, petitioner, for an Original Writ of Habeas Corpus;

No. 529, Misc., October Term, 1952. Clarence Schell, petitioner, *v. Ralph N. Eidson, Warden*; and

No. 548, Misc., October Term, 1952. Frank Severa, petitioner, *v. Lloyd W. McCorkle, Acting Warden*. Petitions for rehearing denied.

No. 372, Misc., October Term, 1952. Frank Severa, petitioner, *v. State of New Jersey*. Fourth petition for rehearing denied.

No. 388, Misc., October Term, 1952. Frank A. Hourihan, petitioner, *v. National Labor Relations Board et al.* Second petition for rehearing denied.

No. 515, Misc., October Term, 1952. Calvin Elton Barnett, petitioner, *v. Roy E. Doerfler, Sheriff of Will County, Illinois, etc.* Motion to vacate the order denying certiorari denied.

No. 7, Misc. Earl Jones, petitioner, *v. State of Texas*. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 10, Misc. Robert DeWeese, petitioner, *v. People of the State of Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 12, Misc. Julius Flowers, petitioner, *v. People of the State of Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 15, Misc. William B. Neal, petitioner, *v. Ross V. Randolph, Warden*. Petition for writ of certiorari to the Circuit Court of Randolph County of Chester, Illinois, denied.

No. 16, Misc. James Meiner, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County of Joliet, Illinois, denied.

No. 18, Misc. Frank Rehak, petitioner, *v.* Lawrence P. Keenan, Superintendent, etc., et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 20, Misc. Clarence Mahurin, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 21, Misc. Charles E. Martin, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 22, Misc. William Shamery, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 24, Misc. Robert J. Koalska, petitioner, *v.* E. T. Swenson, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 25, Misc. Harold N. Tingley, petitioner, *v.* Holt A. McDowell (State of Alabama) as Sheriff, etc. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 26, Misc. Ovie G. Hall, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 29, Misc. Carl Austin DeWolf, petitioner, *v.* Jerome J. Waters, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 30, Misc. Bert E. Kalan, also known as Bert Kahn, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 31, Misc. John W. Hobson, petitioner, *v.* John R. Cranor, Superintendent, etc. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 32, Misc. George West, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 33, Misc. Carlyle Davis, petitioner, *v.* People of the State of Illinois. Petitioner for writ of certiorari to the Supreme Court of Illinois denied.

No. 34, Misc. James Sweeney, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 35, Misc. Raymond E. Tilghman, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 36, Misc. Peter John Congro, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 38, Misc. Ernest N. Canler, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 39, Misc. Arthur Martin, petitioner, *v.* Ralph H. Walker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 47, Misc. Walter Marion Adams, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 48, Misc. Linton Alvin, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 50, Misc. Woodrow Nor Woods, petitioner, *v.* Harley O. Teets, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 51, Misc. Jack Yelvington, petitioner, *v.* C. H. Looney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 53, Misc. William H. Morris, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 55, Misc. Rufus Glenn Sisk, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 58, Misc. Ida J. Smith, Administratrix of the Estate of Bernard P. Smith, Deceased, petitioner, *v.* Baltimore and Ohio Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 60, Misc. Amos Doris Cooper, petitioner, *v.* John R. Cranor, Superintendent, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 66, Misc. Roland Munroe, Jr., petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 68, Misc. Charles Shields, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 69, Misc. Stephen Bayer, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 70, Misc. Gladys Harmon, petitioner, *v.* John R. Cranor, Superintendent. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 71, Misc. Frank R. Terry, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72, Misc. Jerome Barr, petitioner, *v.* The Warden of the Maryland House of Corrections. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 75, Misc. Robert Clark, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary, Moundsville, West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 79, Misc. Lawrence Petz, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the County Court of Kings County, New York, denied.

No. 80, Misc. Donice B. Johnson, petitioner, *v.* Harley O. Teets, Warden, California State Prison, San Quentin, California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 83, Misc. Clifford Connolly, petitioner, *v.* John R. Cranor, Superintendent of the Washington State Penitentiary, Walla Walla, Wash. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 84, Misc. Bert Brown, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 85, Misc. Irving Coates, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 87, Misc. Howard Melvin Shubert, petitioner, *v.* Ross V. Randolph, Warden, Illinois State Penitentiary, Menard, Ill. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 88, Misc. Ralph Barton Butz, petitioner, *v.* Bert Rednour. Petition for writ of certiorari to the Circuit Court of Williamson County, Illinois, denied.

No. 89, Misc. Ira W. Westberry, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 90, Misc. Samuel Lesser, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 91, Misc. Orval Curtis, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 4, Misc. Thomas H. Dargan, petitioner, *v.* Yellow Cab Company of Pittsburgh, Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 27, Misc. Henry H. Staples, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied for the reason that application therefor was not made within the time provided by law.

No. 40, Misc. Charles Young, petitioner, *v.* E. R. May, Supt. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied for the reason that the application therefor was not made within the time provided by law.

No. 43, Misc. John (Joseph Reeder) Reader, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied for the reason that the application therefor was not made within the time provided by law.

No. 63, Misc. Charles Clark, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied for the reason that the application therefor was not made within the time provided by law.

No. 78, Misc. Edward E. Bartholomew, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied for the reason that the application therefor was not made within the time provided by law.

No. 62, Misc. Douglas W. Baker, petitioner, *v.* O. B. Ellis, General Manager, etc. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 11, Misc. Harold Wilson Hopwood, petitioner, *v.* Ivan W. Steele, Warden;

No. 17, Misc. Thomas B. Grayson, petitioner, *v.* Warden, Federal Correctional Institution, etc.;

No. 19, Misc. Otis Spencer, petitioner, *v.* Joel M. Dickey et al.;

No. 41, Misc. Earl W. Taylor, petitioner, *v.* E. B. Swope, Warden;

No. 46, Misc. Elizabeth Reardon Davidson, petitioner, *v.* Dr. O. A. Kilpatrick, Director, et al.;

No. 52, Misc. Mack or Mac Henry Davis, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System;

No. 54, Misc. Paul H. Nelson, petitioner, *v.* C. H. Looney, Warden;
No. 57, Misc. Carl William Burkholder, petitioner, *v.* United States
of America; and

No. 74, Misc. Coles Elliott, petitioner, *v.* State of Michigan. Mo-
tions for leave to file petitions for writs of habeas corpus denied.

No. 132, Misc. Earl W. Taylor, petitioner, *v.* E. B. Swope, Warden.
Petition for writ of mandamus dismissed on motion of petitioner.

No. 45, Misc. Ex parte Robert Keith Cooper, petitioner;

No. 56, Misc. Earl W. Taylor, petitioner, *v.* Herbert Brownell, Jr.,
United States Attorney General; and

No. 81, Misc. Earl W. Taylor, petitioner, *v.* United States Court of
Claims. Motions for leave to file petitions for writ of mandamus
denied.

No. 13, Misc. American Airlines, Inc., United Air Lines, Inc.,
Transcontinental & Western Air, Inc., and Air Cargo, Inc., petitioners,
v. Slick Airways, Inc. Motion for leave to file petition for writ of
certiorari to the United States District Court for the District of New
Jersey denied.

No. 86, Misc. Robert Hendrickson, petitioner, *v.* F. S. Baldi, Super-
intendent, Philadelphia County Prison, Pennsylvania. Motion for
leave to file petition for writ of certiorari denied.

No. 44, Misc. Rex E. Settler, petitioner, *v.* Michigan State Parole
Board et al. Motion for leave to file petition for writ of prohibition
and other relief denied.

No. 49, Misc. Clarence Howard Vetterli, appellant, *v.* United States
of America. Petition for allowance of an appeal denied.

ORDER

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

For the District of Columbia Circuit, Earl Warren, Chief Justice.

For the First Circuit, Felix Frankfurter, Associate Justice.

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

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

For the Fourth Circuit, Earl Warren, Chief Justice.

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

For the Sixth Circuit, Stanley Reed, Associate Justice.

For the Seventh Circuit, Sherman Minton, Associate Justice.
For the Eighth Circuit, Tom C. Clark, Associate Justice.
For the Ninth Circuit, William O. Douglas, Associate Justice.
For the Tenth Circuit, Tom C. Clark, Associate Justice.

The Chief Justice took no part in the consideration or decision of cases in which action is this day announced.

No. 13. Pope & Talbot, Inc., petitioner, *v.* Charles Hawn and Haenn Ship Ceiling and Refitting Corporation. Argued by Mr. Mark D. Alspach for the petitioner and by Mr. Charles Lakatos for the respondent, Hawn, and by Mr. Thomas F. Mount for the respondent, Haenn Ship Ceiling and Refitting Corporation.

No. 14. United States of America, appellant, *v.* Five Gambling Devices, Labeled in Part "Mills", and Bearing Serial Numbers 593-221; etc.;

No. 40. United States, appellant, *v.* Roscoe Denmark; and

No. 41. United States of America, appellant, *v.* Milton M. Braun. Argued by Mr. Acting Solicitor General Stern for the appellant and by Mr. Shelby Myrick for the appellees in Nos. 40 and 41. No appearance for appellee in No. 14.

No. 15. National Labor Relations Board, petitioner, *v.* Local Union No. 1229, International Brotherhood of Electrical Workers. Argued by Mr. Dominick L. Manoli for the petitioner and by Mr. Louis Sherman for the respondent.

No. 16. Bankers Life and Casualty Company, petitioner, *v.* The Honorable John W. Holland, as Chief Judge of the United States District Court for the Southern District of Florida, et al. Argument commenced by Mr. Charles F. Short, Jr. for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 13, will be as follows: Nos. 16, 17, 18, 23, 25, 20, 22, 43, 27, and 24 (33, 36, and 37).

SUPREME COURT OF THE UNITED STATES

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

William Henry DuRoss, Jr., of Cleveland, Ohio, on motion of Mr. John A. Danaher; Thomas J. Marshall, Jr., of Paducah, Ky., on motion of Mr. James G. Wheeler; Frank Torres, of New York, N. Y., on motion of Mr. Linton M. Collins; Howard C. Parke, of Santa Barbara, Calif., on motion of Mr. Norman S. Sterry; Elloeen DeLacy Oughterson, of Buffalo, N. Y., on motion of Miss Elizabeth B. A. Rogers; Rodney K. Potter, of Los Angeles, Calif., on motion of Mr. Jackson W. Chance; Maurice H. Koodish, of Cincinnati, Ohio, on motion of Mr. Frederic J. Ball; Horace S. Manges, of New York, N. Y., and Conrad W. Oberdorfer, of Boston, Mass., on motion of Mr. Theodore Tannenwald, Jr.; and Robert Neel Roley, of Alexandria, Va., on motion of Mr. Norris C. Bakke, were admitted to practice.

No. 16. Bankers Life and Casualty Company, petitioner, *v.* The Honorable John W. Holland, as Chief Judge of the United States District Court for the Southern District of Florida, et al. Argument continued by Mr. Charles F. Short, Jr., for the petitioner and concluded by Mr. M. H. Blackshear, Jr., for the respondents.

No. 17. Partmar Corporation and Fanchon and Marco, Inc., petitioners, *v.* Paramount Pictures Theatres Corporation et al. Argued by Mr. Russell Hardy for the petitioners and by Mr. Jackson W. Chance for the respondents.

No. 18. George Earl Toolson, petitioner, *v.* New York Yankees, Inc., et al. Argued by Mr. Howard C. Parke for the petitioner and by Mr. Norman S. Sterry for the respondents.

No. 23. Walter J. Kowalski, petitioner, *v.* Albert B. Chandler, Individually and as Commissioner of Baseball, et al. Argument commenced by Mr. Frederic A. Johnson for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 14, will be as follows: Nos. 23, 25, 20, 22, 43, 27, 24 (33, 36, and 37), 28, 30, and 31.

SUPREME COURT OF THE UNITED STATES

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

Duncan Waldo Holt, Jr., of Greensboro, N. C., on motion of Mr. T. Ellis Allison; Arthur R. Seder, Jr., of Chicago, Ill., on motion of Mr. Douglas F. Smith; William T. Estabrook, of Washington, D. C., Edward G. Roe, of New York, N. Y., and Leo Joseph McCullough, of Chevy Chase, Md., on motion of Mr. Watts T. Estabrook; Martin Blackman, of New York, N. Y., on motion of Mr. Irvin M. Kent; Thomas F. Ryan, of Austin, Tex., on motion of Mr. E. Jake Jacobsen; Edward D. Vickery, of Houston, Tex., on motion of Mr. John R. Brown; John H. Lauten, of Glendale, Calif., on motion of Mr. Frank Randolph Karr; William L. Mitchell, of Evansville, Ind., on motion of Mr. Alexander M. Heron; Howard P. Macfarlane, of Tampa, Fla., on motion of Mr. George M. Morris; and I. Herbert Rothenberg, of Philadelphia, Pa., on motion of Mr. Orville H. Walburn, were admitted to practice.

No. 23. Walter J. Kowalski, petitioner, *v.* Albert B. Chandler, Individually and as Commissioner of Baseball, et al. Argument continued by Mr. Frederic A. Johnson for the petitioner and concluded by Mr. Raymond T. Jackson for the respondents.

No. 25. Jack Corbett and El Paso Baseball Club, Inc., petitioners, *v.* Albert B. Chandler, Individually and as Commissioner of Baseball, et al. Argued by Mr. Seymour Martinson for the petitioners and by Mr. Raymond T. Jackson for the respondents.

No. 20. Hugh A. Voris, Deputy Commissioner, Bureau of Employees' Compensation, U. S. Department of Labor, etc., petitioner, *v.* Charles Eikel and B. D. Harris, d/b/a Southern Stevedoring & Contracting Company, et al. Argued by Mr. Murray L. Schwartz for the petitioner and by Mr. John R. Brown for the respondents.

No. 22. The Atchison, Topeka and Santa Fe Railway Company, appellant, *v.* Public Utilities Commission of the State of California and City of Los Angeles. Argued by Mr. Douglas F. Smith for the appellant and by Mr. Roger Arnebergh for the appellees.

No. 43. Southern Pacific Company, appellant, *v.* Public Utilities Commission of California et al. Argument commenced by Mr. Burton Mason for the appellant.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 15, will be as follows: Nos. 43, 27, 24 (33, 36, and 37), 28, 30, 31, 32, 35, 38, and 51 (52, 53, 54, and 55).

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SUPREME COURT OF THE UNITED STATES

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

Alfred Brooks Berlin, of San Francisco, Calif., on motion of Mr. Walton H. Hamilton; Ray W. Richardson, Jr., of Jacksonville, Fla., on motion of Mr. Giles J. Patterson; Chauncey P. Williams, Jr., of New York, N. Y., on motion of Mr. Randall J. LeBoeuf, Jr.; William B. Elson, Jr., of Chicago, Ill., on motion of Mr. Earl G. Spiker; and John C. Harlor, of Columbus, Ohio, on motion of Mr. Bartholomew Diggins, were admitted to practice.

No. 43. Southern Pacific Company, appellant, *v.* Public Utilities Commission of California et al. Argument continued by Mr. Burton Mason for the appellant and concluded by Mr. Hal F. Wiggins for the appellees.

No. 27. S. G. Olberding, doing business as Vess Transfer Company, and Charles Darnell, petitioners, *v.* Illinois Central Railroad Company, Inc. Argued by Mr. William L. Mitchell for the petitioners and by Mr. James G. Wheeler for the respondent.

No. 24. St. Joe Paper Co., Jesse Ball DuPont, Elbert Dent, et al., petitioners, *v.* The Atlantic Coast Line Railroad Co.;

No. 33. S. A. Lynch, S. A. Lynch Corporation, et al., petitioners, *v.* The Atlantic Coast Line Railroad Company;

No. 36. J. Bryson Aird and Bank of the Manhattan Company, Successor Mortgage Trustees, petitioners, *v.* The Atlantic Coast Line Railroad Company; and

No. 37. W. G. Welbon, E. N. Claughton, and A. W. Corbett, petitioners, *v.* The Atlantic Coast Line Railroad Company. Argued by Mr. William D. Mitchell for the petitioners and by Mr. Edward W. Bourne for the respondent.

No. 28. Federal Power Commission, petitioner, *v.* Niagara Mohawk Power Corporation. Argument commenced by Mr. Willard W. Gatchell for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, October 16, will be as follows: Nos. 28, 30, 31, 32, 35, 38, 51 (52, 53, 54, and 55), 44, 50, and 56.

SUPREME COURT OF THE UNITED STATES

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

J. Joseph Barse, of Washington, D. C., on motion of Mr. George P. Barse; R. Jasper Smith, of Springfield, Mo., on motion of Mr. Marion T. Bennett; George G. Roane, of Rosenberg, Tex., on motion of Mr. E. Jake Jacobsen; and Kurt J. Salomon, of Chicago, Ill., on motion of Mr. Perry S. Patterson, were admitted to practice.

No. 28. Federal Power Commission, petitioner, *v.* Niagara Mohawk Power Corporation. Argument continued by Mr. Willard W. Gatchell for the petitioner and concluded by Mr. John W. Davis for the respondent. Leave granted both sides to file briefs in answer to *amicus curiae* brief of New York.

No. 30. Louis Lober et al., as Executors of the Last Will and Testament of Morris Lober, Deceased, petitioners, *v.* The United States. Argued by Mr. David Stock for the petitioners and by Mr. Charles K. Rice for the respondent.

Adjourned until Monday, October 19, next, at 12 o'clock.

The day call for Monday, October 19, will be as follows: Nos. 31, 32, 35, 38, 51 (52, 53, 54, and 55), 44, 50, 56, 57, and 39.

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SUPREME COURT OF THE UNITED STATES

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

C. P. Von Herzen, of Los Angeles, Calif., and J. Horace L. Flurry, of Montgomery, Ala., on motion of Mr. Stanley M. Barnes; Leonard L. Ewing, of Beaver Falls, Pa., on motion of Mr. Acting Solicitor General Robert L. Stern; Hymen Lake, of Miami Beach, Fla., on motion of Mr. Royal Flagg Jonas; Duke W. Dunbar, of Denver, Colo., on motion of Mr. Will Shafroth; Samuel C. Hoyle, Jr., of Bryan, Tex., on motion of Mr. Egbert R. Ferguson, Jr.; Robert Gilliam Kirtrell, Jr., of Henderson, N. C., on motion of Mr. Bennett H. Perry; Raymond C. Kissack, of Willoughby, Ohio, on motion of Mr. David D. Porter; Vincent P. Flood, of Chicago, Ill., and Bernard J. Korzen, of Chicago, Ill., on motion of Mr. James C. Murray; Harry Clabaugh Lamberton, of Taneytown, Md., on motion of Mr. Russell D. Burchard; George Clark Pardee, of Omaha, Nebr., and Lloyd J. Marti, of Lincoln, Nebr., on motion of Mr. Raymond A. Smith; R. Bruce Jones, of Palm Beach, Fla., on motion of Mr. Linton M. Collins; Bryce Rea, Jr., of Arlington, Va., and Henry A. Plattner, of Los Angeles, Calif., on motion of Mr. William R. Pierce; Daniel H. Shertzer, of Lancaster, Pa., on motion of Mr. Ray W. Nedrow; Patrick L. Farnand, of Minneapolis, Minn., on motion of Mr. Reuben Goldberg; Gerald T. Mullin, of Minneapolis, Minn., on motion of Mr. Donald Evans; Eli H. Levenson, of San Diego, Calif., on motion of Mr. Richard Connor; Fred Madison Williams, Jr., of Chattanooga, Tenn., on motion of Mr. William M. Burkhalter; and Joseph John Walaity, of Silver Spring, Md., on motion of Mr. Robert H. Rumizen, were admitted to practice.

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. 169. Luther Carlyle Wheeler, 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. 28 U. S. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by 28 U. S. C. 2103, certiorari is denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari

should be granted. The Chief Justice took no part in the consideration or decision of this case.

No. 229. Roland O. Haines et al., Comprising Keystone Policyholders' Committee, appellants, *v.* Commonwealth of Pennsylvania et al. Appeal from the Supreme Court of Pennsylvania, Middle District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of jurisdiction. 28 U. S. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by 28 U. S. C. 2103, certiorari is denied.

No. 5, Original. October Term, 1950. The State of New Jersey, complainant, *v.* The State of New York and the City of New York. The motion of the City of New York for leave to file an amended petition to modify the decree is granted and the parties are allowed thirty days within which to answer the amended petition.

No. 8. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al. The motion of petitioners to substitute Arcadia Near Phillips, Wesley S. Williams, West A. Hamilton, Mary H. Parker, Walter N. Tobriner, Robert R. Faulkner, Margaret Just Butcher, Rowland F. Kirks, and Harold A. Haynes, as parties respondent in the place and stead of Lenore W. Smith, Woolsey W. Hall, Phillip T. Johnson, Elvira Z. Magdeburger, Adelbert W. Lee, James A. Gannon, Velma G. Williams, Albert E. Steinem and Garnet C. Wilkinson, respectively, is granted.

No. 15. National Labor Relations Board, petitioner, *v.* Local Union No. 1229, International Brotherhood of Electrical Workers. The motion for leave to file brief of Jefferson Standard Broadcasting Co., as *amicus curiae*, is denied.

No. 241. Tom We Shung, by his next Friend Tom Wing, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 129. James Jones, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 176. Ethel V. Kelley, petitioner, *v.* William F. Rohn, Executor of the Estate of Florence Hendricksen, Deceased. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 213. M. and J. Tracy, Incorporated, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 226. Reconstruction Finance Corporation, petitioner, *v.* Harrisons & Crosfield, Ltd., By Fred Pusinelli & Company, Incorporated, Agent. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 232. Charles D. Clark, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 237. West Texas Utilities Company, Incorporated and Price Campbell, petitioners *v.* National Labor Relations Board and International Brotherhood of Electrical Workers (AFL). Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 243. Andrew Bros. of California, a Co-Partnership Composed of Fred Andrews, and Victor C. Andrews, petitioner, *v.* Central Produce Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 244. Livesay Window Company, Inc., petitioner, *v.* Livesay Industries, Inc., and Everett G. Livesay Window Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 246. Hanlon Brown, as County Treasurer of Sutter County, State of California, et al., petitioners, *v.* Sutter Basin Corporation, Ltd. Petition for writ of certiorari to the Supreme Court of California denied.

No. 247. National Labor Relations Board, petitioner, *v.* Mid-Continent Petroleum Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 248. Schwegmann Brothers Giant Super Market et al., petitioners, *v.* Eli Lilly & Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 250. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* John W. Leary. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 252. Universal Manufacturing Company, a Corporation, et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 253. Bush Terminal Buildings Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 255. Strickland Transportation Company, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 257. Henry J. Jones, petitioner, *v.* Lykes Brothers Steamship Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 258. United States of America, ex rel. Vincenzo Carrollo, also known as Charles V. Carrollo, petitioner, *v.* A. H. Bode, District Director, Immigration and Naturalization Service, Kansas City, Missouri. Petitioner for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 259. Thomas W. Banks, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 177. Cap S. McElroy, petitioner, *v.* Perlina McElroy; and

No. 245. Cap S. McElroy, petitioner, *v.* Cobourn, Yager, Notnagel, Smith & Moran. Motions to dispense with the printing of the records granted. Petitions for writs of certiorari to the Court of Appeals of Ohio, Sixth Appellate District, denied.

No. 190. International Workers Order, Inc., petitioner, *v.* The People of the State of New York, by Alfred J. Bohlinger, Superintendent of Insurance of the State of New York, et al.; and

No. 283. Herman A. Seligson et al., petitioners, *v.* The People of the State of New York, by Alfred J. Bohlinger, Superintendent of Insurance of the State of New York. Petitions for writs of certiorari to the Court of Appeals of New York denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 235. George V. Tawes, petitioner, *v.* Cie. Des Messageries Maritimes. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

No. 249. Levi Dal Santo, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

No. 254. In re: Citation of Sherman K. Levine, for Contempt of Court, petitioner. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 540, October Term, 1952. United States of America, petitioner, *v.* Harry Gray Nugent; and

No. 573, October Term, 1952. United States of America, petitioner, *v.* Lester Packer. Petition for rehearing denied. Motions to correct and for clarification of the opinion also denied. The Chief Justice

and Mr. Justice Jackson took no part in the consideration or decision of these applications.

No. 368, Misc. October Term, 1952. Florence McMillan Goodman and Frances Brodsky, petitioners, *v.* Ed Leigh McMillan. Petition for further consideration denied. The Chief Justice took no part in the consideration or decision of this application.

No. 9, Misc. William Kemmerer, petitioner, *v.* Warden, Michigan State Penitentiary, Jackson, Michigan. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 14, Misc. Jerry Ivy Helms, by Guardian Wilma Dene Helms, and Wilma Dene Helms, Individually, petitioners, *v.* Universal Atlas Cement Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 37, Misc. Wayman Clinton Hamilton, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 64, Misc. I. T. Jones, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77, Misc. James Francis Hill, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 93, Misc. Jack Harlan, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 94, Misc. Gene Flippin, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petition for writ of certiorari to the Circuit Court of Lake County, Illinois, denied.

No. 95, Misc. Daniel Howard, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 100, Misc. Alexander St. John, petitioner, *v.* Chief Justice Joseph A. Graber et al. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 101, Misc. Geronimo J. Torres, etc., et al., petitioners, *v.* Housing Authority of the City of Los Angeles, California, etc., et al. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 110, Misc. Bennie Daniels and Lloyd Ray Daniels, petitioners, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 113, Misc. Annie Mary Timmons, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 126, Misc. Herman Hayman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 23, Misc. Bernard M. Shotkin, petitioner, *v.* Atchison, Topeka & Santa Fe R. R. Co. et al. Petition for writ of certiorari to the District Court in and for the City and County of Denver, Colorado, denied for the reason that the application therefor was not made within the time provided by law.

No. 98, Misc. Eddie Thomas, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied for the reason that the application therefor was not made within the time provided by law.

No. 61, Misc. Wesley Robert Wells, petitioner, *v.* State of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. The Chief Justice took no part in the consideration or decision of this application.

No. 67, Misc. Verne Alfred Braasch and Melvin Leroy Sullivan, petitioners, *v.* State of Utah. Petition for writ of certiorari to the Supreme Court of Utah denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 96, Misc. Edwin Paul Ahern, petitioner, *v.* Dr. W. F. Green, Superintendent, Fairfield State Hospital, Newton, Connecticut; and

No. 97, Misc. Cecil S. Lucas, petitioner, *v.* W. H. Hiatt, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

The Court will take a recess from Monday, October 26, until Monday, November 9, next.

No. 31. United States of America, petitioner, *v.* Robert Patrick Morgan. Leave granted Mr. Jacob Abrams to appear and present oral argument for the respondent, *pro hac vice*, on motion of Miss Beatrice Rosenberg in that behalf. Argued by Miss Beatrice Rosenberg for the petitioner and by Mr. Jacob Abrams for the respondent, *pro hac vice*, by special leave of Court.

No. 32. United States of America, appellant, *v.* Robert M. Harriss et al. Argued by Mr. Oscar H. Davis for the appellant and by Mr. Burton K. Wheeler for the appellee, Robert M. Harriss, and by Mr. Hugh Howell for the appellee, Tom Linder.

No. 35. Manuel S. Madruga, petitioner, *v.* Superior Court of the State of California, in and for the County of San Diego. Argument commenced by Mr. Eli H. Levenson for the petitioner and continued by Mr. Northcutt Ely for the respondent. Memorandum to come from petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 20, will be as follows: Nos. 35, 38, 51 (52, 53, 54, and 55), 44, 50, 56, 57, 39, and — Original, State of Arkansas *v.* State of Texas.

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SUPREME COURT OF THE UNITED STATES

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

Francis J. Kelly, of Syracuse, N. Y., and Stephen F. Dunn, of Grand Rapids, Mich., on motion of Mr. John F. Davis; William Frederick Werner, of Providence, R. I., on motion of Mr. J. Howard McGrath; James Joseph Doherty, of Baltimore, Md., on motion of Mr. William Hoffenberg; Francis J. Myers, of Philadelphia, Pa., Cornelius C. O'Brien, of Philadelphia, Pa., Joseph F. McVeigh, of Philadelphia, Pa., and Joseph C. Mansfield, of Philadelphia, Pa., on motion of Mr. Thomas Gardiner Corcoran; Seymour Abrams, of Milwaukee, Wis., on motion of Mr. Albert J. Clark; Frederick Aloysius Weithman, Jr., of Washington, D. C., on motion of Mr. Daniel F. Cleary; Mariette McGregor Creel, of Austin, Tex., on motion of Mr. E. Jake Jacobsen; Sidney Gene Handler, of Harrisburg, Pa., on motion of Mr. Morris P. Glushien; E. J. Ball, of Fayetteville, Ark., on motion of Mr. Bennett Boskey; John W. Sims, of New Orleans, La., and Daniel Huttenbrauck, of New York, N. Y., on motion of Mr. Frank A. Bull; J. Ward O'Neill, of New York, N. Y., on motion of Mr. John T. Casey; and Irwin S. Landau, of Silver Spring, Md., on motion of Mr. Harry Saidman, were admitted to practice.

No. 35. Manuel S. Madruga, petitioner, *v.* Superior Court of the State of California, in and for the County of San Diego. Argument concluded by Mr. Northcutt Ely for the respondent.

No. 38. Julius Salsburg, appellant, *v.* State of Maryland. Leave granted Mr. Ambrose T. Hartman to appear and present oral argument for the appellee, *pro hac vice*, on motion of Mr. Herbert Myerberg in that behalf. Argued by Mr. Herbert Myerberg for the appellant and by Mr. Ambrose T. Hartman for the appellee, *pro hac vice*, by special leave of Court.

No. 51. United States of America, petitioner, *v.* Henry Debrow;

No. 52. United States of America, petitioner, *v.* James H. Wilkin-
son;

No. 53. United States of America, petitioner, *v.* Roy F. Brashier;

No. 54. United States of America, petitioner, *v.* Curtis Rogers;
and .

No. 55. United States of America, petitioner, *v.* Forrest B. Jackson. Argued by Mr. John F. Davis for the petitioner and by Mr. Ben F. Cameron for the respondents.

No. 44. Avondale Marine Ways, Inc., petitioner, *v.* Joseph H. Henderson, Deputy Commissioner, et al. Argued by Mr. Frank A. Bull for the petitioner and by Mr. Melvin Richter for the respondents.

No. 50. Victor Emanuel Pereira and Eugene H. Brading, petitioners, *v.* The United States of America. Argued by Mr. Charles L. Sylvester for the petitioners and by Mr. John R. Wilkins for the respondent.

No. 56. Joseph Garner and A. Joseph Garner, Trading as Central Storage and Transfer Company, petitioners, *v.* Teamsters, Chauffeurs and Helpers Local Union No. 776 (A. F. L.) et al. Argument commenced by Mr. James H. Booser for the petitioners.

A.journed until tomorrow at 12 o'clock.

The day call for Wednesday, October 21, will be as follows: Nos. 56, 57, 39, and — Original, State of Arkansas *v.* State of Texas.

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SUPREME COURT OF THE UNITED STATES

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

John T. Roche, of Lewiston, Maine, and Carl B. Prestin, of Champaign, Ill., on motion of Mr. Reginald Carl Harmon; E. G. Mathis, of Rantoul, Ill., on motion of Mr. Elmore Whitehurst; Johnston Murray, of Oklahoma City, Okla., on motion of Mr. Elmer Thomas; Grace White, of Lapeer, Mich., on motion of Mr. J. Austin Stone; R. Belladonna Villines Coenen, of Chicago, Ill., on motion of Mr. James McI. Henderson; George Van Tuyl Powell, of Seattle, Wash., on motion of Mr. William T. Beeks; Myron S. Isaacs, of Silver Spring, Md., on motion of Mr. Roger S. Foster; John Thomas Schneider, of Washington, D. C., and Leonard Kirschner, of Cincinnati, Ohio, on motion of Mr. Newell W. Ellison; Murdaugh Stuart Madden, of Washington, D. C., on motion of Mr. J. Warren Madden; John A. Lilygren, of Inglewood, Calif., on motion of Mr. Hugh T. Fullerton; David J. Mays, of Richmond, Va., on motion of Mr. Jules G. Korner, III; John Langford Currin, of Bethesda, Md., and Harold Martin Carter, of Alexandria, Va., on motion of Mr. Edward M. Shulman; Edward T. Tait, of Pittsburgh, Pa., on motion of Mr. Ralph H. Demmler; Harley H. Timbers, of Glen Ridge, N. J., on motion of Mr. William H. Timbers; Ralph D. Ray, of New York, N. Y., on motion of Mr. Horace G. Hitchcock; Daniel Stanley Garrity, of Kansas City, Mo., on motion of Mr. Albert L. Reeves, Jr.; and Isaac Nathan Groner, of Silver Spring, Md., on motion of Mr. Samuel Brian Groner, were admitted to practice.

No. 56. Joseph Garner and A. Joseph Garner, Trading as Central Storage and Transfer Company, petitioners, *v.* Teamsters, Chauffeurs and Helpers Local Union No. 776 (A. F. L.), et al. Argument continued by Mr. James H. Booser for the petitioners and concluded by Mr. Sidney G. Handler for the respondents.

No. 57. George Lewis Dickinson, petitioner, *v.* United States of America. Argued by Mr. Hayden C. Covington for the petitioner and by Mr. Robert W. Ginnane for the respondent.

No. 39. Anthony Wilko, petitioner, *v.* Joseph E. Swan et al., Individually and Doing Business Under the Firm Name and Style of Hayden Stone and Co., et al. Argued by Mr. Richard H. Wels for the petitioner, by Mr. William H. Timbers for the Securities Exchange Commission *amicus curiae*, by special leave of Court, and by Mr. Horace G. Hitchcock for the respondents.

No. —, Original. State of Arkansas, complainant, *v.* State of Texas. Argument on the motion for leave to file the complaint and return to rule to show cause commenced by Mr. Thomas J. Gentry for the complainant and continued by Mrs. Marietta McGregor Creel and Mr. William H. Holloway for the defendants and concluded by Mr. E. J. Ball for the complainant.

Adjourned until Monday, October 26, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Robert J. Reed, of Atlanta, Ga., Stephen A. Fuschino, of New York, N. Y., Joel E. Ogle, of Santa Ana, Calif., and Herman S. Greitzer, of New York, N. Y., on motion of Mr. Oscar H. Davis; James M. Halter, of Indianapolis, Ind., Cornelius G. Jamison, of Indianapolis, Ind., Roger L. Swanson, of Indianapolis, Ind., Noble James McClure, of Indianapolis, Ind., Alva N. Lucas, of New Albany, Ind., Wm. A. Conner, of Columbus, Ind., Erle A. Kightlinger, of Indianapolis, Ind., Samuel J. Mantel, of Indianapolis, Ind., Robert S. Smith, of Indianapolis, Ind., John R. Flynn, of Fort Wayne, Ind., and Vern W. Ruble, of Bloomington, Ind., on motion of Mr. Reginald Carl Harmon; Edna Marion Lingreen, of Iowa City, Iowa, on motion of Miss Louisa Wilson; Jasper S. Gullo, of Springfield, Ill., and G. H. Kelsoe, Jr., of Dallas Tex., on motion of Mr. Elmore Whitehurst; Thomas N. Fowler, of Seattle, Wash., on motion of Mr. Henry J. Vinskey; Vernon W. Wenger, of Columbus, Ohio, Robert F. Ebinger, of Columbus, Ohio, and Arvin J. Alexander of Columbus, Ohio, on motion of Mr. Joseph B. Friedman; Daniel Perkins Smith Paul, of Miami, Fla., on motion of Mr. Heber H. Rice; Robert V. P. Maine, of Du Bois, Pa., on motion of Mr. Robert E. Lee Hall; Edward P. Simpkins, Jr., of Richmond, Va., on motion of Mr. Martin A. Meyer, Jr.; Edmund A. Stephan, of Chicago, Ill., on motion of Mr. Weston B. Grimes; John D. Amos, of Fairmont, W. Va., and William P. Lehman, of Fairmont, W. Va., on motion of Mr. August G. Gutheim; Warren A. Silver, of Arlington, Va., on motion of Mr. Samuel T. Parelman; Williamson Pell, Jr., of New York, N. Y., on motion of Mr. Robert Holt Myers; Charles B. Cash, of Kansas City, Mo., on motion of Mr. James N. Beery; Robert U. Hastings, Jr., of Lancaster, Ohio, on motion of Mr. Charles A. Webb; Claude Loftus Rowe, of Fresno, Calif., on motion of Mr. Northcutt Ely; Charles W. Tessmer, of Dallas, Tex., on motion of Mr. E. Jake Jacobsen; William J. McLeod, Jr., of Coral Gables, Fla., and C. Reed Liggit, of Coral Gables, Fla., on motion of Mr. Stephen J. Angland; Abraham Satovsky, of Detroit, Mich., on motion of Mr. Israel J. Mendelson; Daniel A. Weber, of Beverly Hills, Calif., on motion of Mr. Henry J. Fox; Melvin M. Feldman, of Wheaton, Md., on motion of Mr. Louis N. Nichols; John T. Lorch, of Chicago, Ill.,

and H. Templeton Brown, of Chicago, Ill., on motion of Mr. James F. Reilly; George A. Brenner, of New York, N. Y., on motion of Mr. Abraham J. Harris; William F. Joy, of Wakefield, Mass., on motion of Mr. Earl G. Spiker; George Patrick Lordan, of Cambridge, Mass., and Herbert E. Tucker, Jr., of Boston, Mass., on motion of Mr. Frank D. Reeves; Templeton Smith, of Pittsburgh, Pa., and Nellie Margaret Fergus, of Pittsburgh, Pa., on motion of Mr. Ralph H. Demmler; Thomas Coyne, of New York, N. Y., on motion of Mr. Robert E. Kline; and John Milton Costello, of Cleveland, Ohio, on motion of Mr. Donald H. Dalton, were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 383. Ruth F. Barlow, William B. Campbell, William M. Brenn, et al., etc., appellants, *v.* The A. P. Smith Manufacturing Company and Theodore D. Parsons, Attorney General of 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. 412. People of the State of Illinois on relation of George E. Sankstone, appellant, *v.* Edmund K. Jarecki, Judge of the County Court of Cook County, Illinois, et al. Appeal from the United States District Court for the Northern District of Illinois. *Per Curiam:* The motions to dismiss are granted and the appeal is dismissed for the 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. — Original. State of Alabama, complainant, *v.* State of Texas et al. The motions of the defendants for time within which to file objections to the motion for leave to file the complaint are granted, and 40 days are allowed for that purpose. The Chief Justice took no part in the consideration or decision of these motions.

No. 11, Original. The State of Mississippi, plaintiff, *v.* The State of Louisiana. It is ordered that D. K. McKamy, Esquire, of Birmingham, Alabama, be, and he is hereby, appointed special master in this cause, with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem it necessary to call for. The master is directed to find the facts specially and state separately his conclusions of law thereon, and to submit the same to this Court with all convenient speed, together with a draft of the decree recommended by him. The findings, conclusions,

and recommended decree of the master shall be subject to consideration, revision, or approval by the Court. The master shall be allowed his actual expenses and a reasonable compensation for his services to be fixed hereafter by the Court. The allowances to him, the compensation paid to his stenographic and clerical assistants, and the cost of printing his report shall be charged against and be borne by the parties in such proportion as the Court hereafter may direct. If the appointment herein made of a master is not accepted, or if the place becomes 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.

No. 274. Commercial Pictures Corporation, appellant, *v.* The Regents of the University of the State of New York. Appeal from the Court of Appeals from the State of New York. In this case probable jurisdiction is noted. The case is transferred to the summary docket and assigned for argument immediately following No. 217.

No. 271. William Adams, petitioner, *v.* State of Maryland. The petition for writ of certiorari to the Court of Appeals of Maryland is granted limited to question No. I presented by the petition for the writ.

No. 128, Misc. A. Elwood North, petitioner, *v.* State of Florida. The motion for leave to proceed in forma pauperis is granted. The petition for writ of certiorari to the Supreme Court of Florida is granted and the case is transferred to the appellate docket.

No. 104. Lewis M. Dabney, Jr., as Trustee of Associated Gas and Electric Company, Debtor, petitioner, *v.* The Chase National Bank of the City of New York; and

No. 105. The Chase National Bank of the City of New York, petitioner, *v.* Lewis M. Dabney, Jr., as Trustee. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit dismissed per stipulation of counsel.

No. 167. Stuyvesant Town Corporation, a Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 260. Morris S. Kitzen, 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. 263. James F. Maroney, Successor to J. W. Claudy, Warden, Western State Penitentiary, petitioner, *v.* United States of America,

ex rel. David Darcy. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 266. Frank J. Falsone, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 269. Virginia Metal Products Corporation, petitioner, *v.* James Hay Taylor. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 270. Walter Rouse, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 275. Public Common Stockholders Protective Committee, petitioners, *v.* Arkansas Natural Gas Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 276. Woodruff L. Clark, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 277. General Artists Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 278. Joseph H. Hirshhorn, petitioner, *v.* Mine Safety Appliances Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 282. J. B. Londono, petitioner, *v.* Citizens National Trust and Savings Bank of Los Angeles et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 284. Seacoast Gas Company, Inc. and St. Paul Mercury Indemnity Company, as Surety, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 285. Federal Insurance Company et al., petitioners, *v.* Isbrandtsen Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 286. Millard Narehood et al., Taxpayers of Clearfield County, petitioners, *v.* A. W. Pearson et al., County Commissioners of Clearfield County, etc. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 288. Johnson and Johnson, petitioner, *v.* Q-Tips, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 290. Tito Neri, Doing Business Under the Name of Impresa di Salvataggi Fratelli Neri (Neri Brothers Salvage Enterprise),

petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 292. William C. Ferguson and Annie Mae Fellers, Administratrix of the Estate of Lonnie Moore, Deceased, petitioners, *v.* Philadelphia Transportation Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 293. William E. Cooper, petitioner, *v.* Dewitt Sinclair, as Custodian of the Lakeland City Jail. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 236. Fannie Mae Whittington, petitioner, *v.* Dr. John D. Johnston et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

No. 265. Mildred M. Wetherbee, Administratrix of the Estate of John P. Wetherbee, Deceased, petitioner, *v.* Elgin, Joliet and Eastern Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

No. 65, Misc. Anna Marie Holland, petitioner, *v.* Safeway Stores, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied for the reason that application therefor was not made within the time provided by law.

No. 82, Misc. Edward B. McCullough, petitioner, *v.* United States Fidelity & Guaranty Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

Adjourned until Monday, November 9, next, at 12 o'clock.

The day call for Monday, November 9, will be as follows: Nos. 5, 6, 7, 11, 34, 61, and 87.

SUPREME COURT OF THE UNITED STATES

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

Emanuel Butter of New York, N. Y., on motion of Mr. David Findling; Robert James Rosthal, of New York, N. Y., Frederick J. Rundbaken, of Hartford, Conn., and Charles Levine, of Washington, D. C., on motion of Mr. Acting Solicitor General Robert L. Stern; Archie H. Cohen, of Chicago, Ill., on motion of Mr. Henry P. Chandler; Jack Streeter, of Reno, Nev., on motion of Mr. Thos. C. Hennings, Jr.; Henry T. Rathbun, of Washington, D. C., on motion of Mr. John H. Pickering; Richard M. Taylor, of Spanish Fork, Utah, on motion of Mr. Charles Morris Ireland; George Franklin Gilleland, of Miami, Fla., on motion of Mr. William D. Donnelly; Matto Paul Scalici, of Birmingham, Ala., Clifford Walker Norris, of Birmingham, Ala., and William Soroka, of Birmingham, Ala., on motion of Mr. Frank M. Ludwick; John Joseph Schlick, of Washington, D. C., on motion of Mr. E. C. Alvord; Wilfred L. Davis, of New York, N. Y., on motion of Mr. William A. Blank; Richard W. Tompkins, of Washington, D. C., on motion of Mr. Reginald B. Jackson; Gerard M. Bloomfield, of New York, N. Y., on motion of Mr. Jerry N. Griffin; Agnes M. Kasper, of Chicago, Ill., on motion of Mrs. Carolyn Royall Just; Regina Brelsford, of Houston, Tex., on motion of Mr. W. D. McFarlane; Stanley J. Madden, of San Francisco, Calif., and James Philip Bowman, of San Francisco, Calif., on motion of Mr. Rolla C. Van Kirk; Ira D. Dorian, of Cranford, N. J., on motion of Mr. Cornelius J. Peck; Timothy D. Parkman, of Tucson, Ariz., on motion of Mr. Henry G. Zipf; Adele Braelow, of Newark, N. J., on motion of Mr. Leonard J. Emmerglick; Dugald S. McDougall, of Chicago, Ill., on motion of Mr. William B. Kerkam; Walter Loring Broomhall, of Englewood, Colo., and Byron McReynolds Myers, of Denver, Colo., on motion of Mr. Norris C. Bakke; Thomson F. Edwards, of Philadelphia, Pa., on motion of Mr. Harold F. Watson; J. B. H. Carter, of Philadelphia, Pa., on motion of Mr. William B. Jones; James Curry Bernhardt, of Washington, D. C., on motion of Mr. Charles F. Diggs; Douglas C. McKeever, of Enid, Okla., on motion of Mr. Roscoe Rizley; Voula Davanis Waters, of Los Angeles, Calif., and Laughlin E. Waters, of Los Angeles, Calif., on motion of Mr. Northcutt Ely; John Mulford, of Philadelphia, Pa., on motion of Mr. M. Quinn Shaughnessy; Charles Rothenberg, of

Takoma Park, Md., on motion of Mr. David S. Allshouse; Charles A. Loring, of Los Angeles, Calif., on motion of Mr. William H. Dorsey, Jr.; Howard I. Bobbitt, of Portland, Oreg., on motion of Mr. Daniel L. O'Connor; and LeRoy S. Maxwell, of Waynesboro, Pa., on motion of Mr. C. F. R. Ogilby; were admitted to practice.

No. 22. The Atchison, Topeka and Santa Fe Railway Company, appellant, *v.* Public Utilities Commission of the State of California and City of Los Angeles; and

No. 43. Southern Pacific Company, appellant, *v.* Public Utilities Commission of California et al. Appeals from the Supreme Court of the State of California. Judgments affirmed with costs. Opinion by Mr. Justice Minton. The Chief Justice took no part in the consideration or decision of these cases.

No. 27. S. G. Olberding, Doing Business as Vess Transfer Company, and Charles Darnell, petitioners, *v.* Illinois Central Railroad Company, Inc. 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 Western District of Kentucky for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Mr. Justice Douglas concurs in the result. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Minton joins.

No. 30. Louis Lober et al., as Executors of the Last Will and Testament of Morris Lober, Deceased, petitioners, *v.* The United States. On writ of certiorari to the United States Court of Claims. Judgment affirmed. Opinion by Mr. Justice Black. Mr. Justice Douglas and Mr. Justice Jackson dissent.

No. 20. Hugh A. Voris, Deputy Commissioner, Bureau of Employees' Compensation, U. S. Department of Labor, etc., petitioner, *v.* Charles Eikel and B. D. Harris, d/b/a Southern Stevedoring & Contracting 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 Texas for such further proceedings as it deems necessary, not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

No. 18. George Earl Toolson, petitioner, *v.* New York Yankees, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit;

No. 23. Walter J. Kowalski, petitioner, *v.* Albert B. Chandler, Individually and as Commissioner of Baseball, et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit; and

No. 25. Jack Corbett and El Paso Baseball Club, Inc., petitioners, *v.* Albert B. Chandler, Individually and as Commissioner of Baseball, et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgments affirmed with costs. No. 18 is remanded to the United States District Court for the Southern District of California. Nos. 23 and 25 are remanded to the United States District Court for the Southern District of Ohio. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Reed concurs.

No. 44. Avondale Marine Ways, Inc., petitioner, *v.* Joseph H. Henderson, Deputy Commissioner, 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 Eastern District of Louisiana. Opinion *per curiam* announced by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Douglas. Opinion by Mr. Justice Burton concurring in the affirmance of the judgment of the Court of Appeals. Mr. Justice Reed took no part in the consideration or decision of this case.

The Chief Justice announced the following order of the Court:

No. 323. Wallace C. Franklin, Jr., Regional Counsel, Wage Stabilization Board, Region X., et al., appellants, *v.* Jonco Aircraft Corporation, a Delaware Corporation, of Shawnee, Oklahoma. Appeal from the United States District Court for the Northern District of Texas. *Per curiam*: The appellee having failed to exhaust its administrative remedy, the judgment is reversed. *Myers v. Bethlehem Shipbuilding Corp.*, 303 U. S. 41; *Public Service Commission of Utah v. Wycoff Company, Inc.*, 344 U. S. 237, 246.

The Chief Justice said:

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

No. 308. The New Jersey and New York Railroad Company, appellant, *v.* Board of Public Utility Commissioners of the State of New Jersey et al. Appeal from the Supreme Court of New Jersey; and

No. 343. G. Seals Aiken, appellant, *v.* William Richardson. Appeal from the Supreme Court of Georgia. *Per curiam*: The motions to dismiss are granted and the appeals are dismissed for the want of a substantial federal question.

No. 309. Nicholas J. Tweel, appellant, *v.* West Virginia Racing Commission, a Statutory Corporation, et al. Appeal from the Supreme Court of Appeals of West Virginia; and

No. 320. Mark William Sackett, appellant, *v.* State of Louisiana. Appeal from the Criminal District Court for the Parish of Orleans, Louisiana, Appellate Division. *Per curiam*: The appeals are dismissed for the want of a substantial federal question.

No. 315. The Western Union Telegraph Company and Charles H. Frake, appellants, *v.* State of New Jersey. Appeal from the Supreme Court of the State of New Jersey. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. Mr. Justice Black and Mr. Justice Reed are of the opinion that probable jurisdiction should be noted.

No. 325. Columbia Properties, Incorporated, appellant, *v.* State Board of Tax Commissioners of the State of Indiana, et al. Appeal from the Supreme Court of Indiana. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of jurisdiction. 28 U. S. C. 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by 28 U. S. C. 2103, certiorari is denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that probable jurisdiction should be noted.

No. 198. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.;

No. 199. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.;

No. 200. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.; and

No. 201. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al. The motion to advance is denied.

No. 335. General Electric Company and United States of America, appellants, *v.* The State of Washington. Appeal from the Supreme Court of Washington. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 300. Herbert Brownell, Attorney General of the United States, petitioner, *v.* Serge Rubinstein. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 318. Allan Gordon and Eli Tempkin, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case transferred to the summary docket. Motion to use the certified record in No. 688, October Term, 1952, granted.

No. 347. Vito Giallo, Antonino Valenti and Joseph C. Juliano, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary docket.

No. 189. Michael Battiato, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 267. Paul J. Glenn and Harvey C. Summers, petitioners, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 279. Winifred McCoy, petitioner, *v.* Paul Siler and T. A. Siler, Individually and Trading as Siler Brothers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 294. Fred J. Howarth, petitioner, *v.* Mae K. Howarth. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 295. Estate of Arthur S. Dwight, Deceased, Barbara Chapin Hamby and Joseph C. Benson, Executors, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit, denied.

No. 296. Eureka Williams Corporation, petitioner, *v.* Wilmer E. McCorquodale. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 297. Frank B. Watson, Jr., petitioner, *v.* Sinclair Refining Company, a Corporation. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 298. Bertie C. Forbes, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 301. Maurice A. Garbell, Inc., a Corporation, et al., petitioners, *v.* Consolidated Vultee Aircraft Corporation, a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 302. August P. Kugler, petitioner, *v.* Philadelphia Fire and Marine Insurance Company of Philadelphia, Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 303. Raymond B. Fisher, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 305. Lynn Chastain, petitioner, *v.* Henry A. McKinney et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 306. Estate of Lloyd E. Crellin, Deceased, Central Bank, a Corporation, Executor, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 310. Marine Welding, Scaling and Sales Company, Incorporated, et al., petitioners, *v.* Carolyn Ann Ellis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 312. Adelaida Lita Demos, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 314. Charles R. Whitworth and Estate of Sarah M. Whitworth, Charles R. Whitworth, Executor, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 316. John Cifolo, Fred Cope, Joseph Cisulo, et al., petitioners, *v.* General Electric Company. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 317. Elisabeth Wenning Goepf, Individually and as Administratrix, etc., petitioner, *v.* American Overseas Airlines, Incorporated. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 321. Bradley Mining Company, a Corporation, petitioner, *v.* Edward H. Boice. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 324. J. and L. Snouffer, Incorporated, etc., petitioner, *v.* Wilbur B. Adams, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 327. Mary B. Johnson, petitioner, *v.* James N. Johnson. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 328. Commonwealth of Pennsylvania, petitioner, *v.* Mellon National Bank and Trust Company, Successor to Mellon National Bank. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 333. Everett Ward Hack, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 334. Nina Dye Works Co., Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 336. United States of America, petitioner, *v.* Mrs. Millie Landsman. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 337. United States of America, petitioner, *v.* Elizabeth C. Morrell. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 338. Mose Hightower, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 339. Avondale Marine Ways, Inc., petitioner, *v.* Sadie Anthony Wilson, Individually, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 340. Wallace O. Leonard, Harry W. Holt, Rodney B. Pierce, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 341. White Cap Company, petitioner, *v.* Owens-Illinois Glass Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 345. John Boyd, District Director of Immigration and Naturalization Service, and Robert D. Cummings, petitioners, *v.* Ernest Arcebal Mangaoang. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 346. Eugene F. Evarts, petitioner, *v.* Eloy Gin Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 348. George Kemp Real Estate Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 350. The Lawrence-Cedarhurst Bank, petitioner, *v.* Mortimer J. Davis, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 264. Jeffery M. Addison, James Aaron, et al., petitioners, *v.* Huron Stevedoring Corp., Bay Ridge Operating Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 313. Nelson L. Drummond, Jr., petitioner, *v.* Commonwealth of Virginia. Motion to dispense with printing petition and record granted. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 322. Iowa State Traveling Men's Association, petitioner, *v.* Martha Scott Parmalee. Petition for writ of certiorari to the United

States Court of Appeals for the Fifth Circuit denied. Mr. Justice Reed and Mr. Justice Jackson are of the opinion certiorari should be granted.

No. 326. Edmond C. Fletcher, petitioner, *v.* Katharina Nostadt et al. Motion to proceed on typewritten copies of the record and petition granted. Motion to dispense with printing brief for respondent granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 308, October Term, 1952. Elizabeth H. Dalehite, Henry G. Dalehite, Jr., et al., petitioners, *v.* United States of America. Motion for leave to file petition for rehearing denied. The Chief Justice, Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 139. Erik A. Bertel, Laurits Sorensen, Borge A. R. Jensen, et al., petitioners, *v.* Panama Transport Company et al. Motion for leave to file petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. 74. Bernice Feitler and Irwin Feitler, Individually and Trading as Gardner and Company, petitioners, *v.* Federal Trade Commission;

No. 122. Martin O. Weisbrod, petitioner, *v.* The United States of America;

No. 131. John Collins, appellant, *v.* The People of the State of California;

No. 135. Marvin L. Gehman, petitioner, *v.* Frances R. Smith, Collector of Internal Revenue;

No. 146. James P. Finnegan, petitioner, *v.* United States of America;

No. 151. Eva Simpson, Betty Burrell, and Grace Proudfoot, etc., et al., appellants, *v.* City of Los Angeles, George E. Uhl, Richard L. Bonner, et al.;

No. 164. Hy Goldbaum, George Capri, and Edward Cooke, petitioners, *v.* United States of America;

No. 214. Joseph A. Daugherty, petitioner, *v.* The People of the State of California;

No. 268. John Daniel Brown, appellant, *v.* People of the State of Illinois;

No. 45, Misc. Ex parte Robert Keith Cooper, petitioner;

No. 86, Misc. Robert Hendrickson, petitioner, *v.* F. S. Baldi, Superintendent, Philadelphia County Prison, Pennsylvania; and

No. 113, Misc. Annie Mary Timmons, petitioner, *v.* Commissioner or Internal Revenue. Petitions for rehearing denied. The Chief

Justice took no part in the consideration or decision of these applications.

No. 388, Misc., October Term, 1952. Frank A. Hourihan, petitioner, *v.* National Labor Relations Board et al. Third petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 511, Misc., October Term, 1952. John Harry Lee, petitioner, *v.* State of Tennessee. Second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 59, Misc. John Daniel Beeler, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 73, Misc. George Crutchers, petitioner, *v.* Orel J. Skeen, Warden of the West Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

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

No. 99, Misc. John Susanec, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 103, Misc. Nathan Strahl, petitioner, *v.* V. L. Peppersack, Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 104, Misc. Vito W. Rizzi, 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. 106, Misc. Jonie Barrett, petitioner, *v.* State of Kansas et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 111, Misc. Edward Gilbert, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 116, Misc. Wesley Leon Colbert, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 118, Misc. William Wells, petitioner, *v.* Illinois Parole and Pardon Board et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 119, Misc. Harold Bristol, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 120, Misc. Carl Zubr, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 121, Misc. Joseph Bortnyak, alias Joseph Placex, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 122, Misc. Edward Emmett, petitioner, *v.* John R. Cranor, Supt., etc. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 123, Misc. Kenneth Pardee, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 129, Misc. Clay Ward, petitioner, *v.* Jerome J. Waters, Warden. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 131, Misc. Fred Tate, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 133, Misc. William Bird, 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. 134, Misc. Onofrio Tricarico, petitioner, *v.* Ralph H. Walker, Warden. Petition for writ of certiorari to the Superior Court for Hartford County, Connecticut, denied.

No. 137, Misc. Joseph Plachno, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 183, Misc. John Michael Higgins, petitioner, *v.* Walter S. Binns, U. S. Attorney, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit dismissed on motion of petitioner.

The Court will take a recess from Monday, November 16, until Monday, November 30, next.

No. 5. The Radio Officers' Union of the Commercial Telegraphers Union, AFL, petitioner, *v.* National Labor Relations Board. Re-

argued by Mr. Emanuel Butter for the petitioner and by Mr. Bernard Dunau for the respondent.

No. 6. National Labor Relations Board, petitioner, *v.* International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America et al. Reargument commenced by Mr. Bernard Dunau for the petitioner and continued by Mr. John J. Manning for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 10, will be as follows: Nos. 6, 7, 11, 34, 61, and 87.

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SUPREME COURT OF THE UNITED STATES

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

J. Kenneth Riley, of Monticello, Miss., on motion of Mr. John Kenton Chapman; Wilson Eattason Cline, of Orinda, Calif., on motion of Mr. Everett C. McKeage; Marvin G. Schmid, of Omaha, Nebr., on motion of Mr. W. M. Whitman; Ferdinand Pecora, of New York, N. Y., and Everett A. Frohlich, of New York, N. Y., on motion of Mr. Arthur H. Schwartz; Frank H. Strickler, of Washington, D. C., on motion of Mr. Ross O'Donoghue; Harold H. Bacon, of Washington, D. C., on motion of Mr. Robert M. Scott; Herbert L. Packer, of Washington, D. C., on motion of Mr. Louis F. Oberdorfer; David Cobb, of Washington, D. C., on motion of Mr. Russell D. Burchard; Earl H. Moore, Jr., of Dayton, Ohio, and Laurence E. Seibel, of Washington, D. C., on motion of Mr. Robert L. Heald; and Paul Philip Lipton, of Milwaukee, Wis., on motion of Mr. Paul E. Treusch, were admitted to practice.

No. 6. National Labor Relations Board, petitioner, *v.* International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America, et al. Reargument continued by Mr. John J. Manning for the respondents and concluded by Mr. Bernard Dunau for the petitioner.

No. 7. Gaynor News Company, Inc., petitioner, *v.* National Labor Relations Board. Reargued by Mr. Julius Kass for the petitioner and by Mr. Bernard Dunau for the respondent.

No. 11. Maryland Casualty Company et al., petitioners, *v.* Gertrude Picard Cushing et al. Reargument commenced by Mr. Eberhard P. Deutsch for the petitioners and continued by Mr. James J. Morrison for the respondents.

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

The day call for Thursday, November 12, will be as follows: Nos. 11, 34, 61, and 87.

SUPREME COURT OF THE UNITED STATES

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

Geo. Stephen Leonard, of Washington, D. C., on motion of Mr. W. Graham Claytor, Jr.; Dugald Walker Hudson, of Greenville, S. C., on motion of Mr. William J. Hughes, Jr.; Bernard Gekoski, of Alexandria, Va., on motion of Mr. Acting Solicitor General Robert L. Stern; Loren J. Bullock, of Canandaigua, N. Y., on motion of Mr. Franklin P. Shaw; Peter H. Smolka, of Washington, D. C., on motion of Mr. William F. Weigester; Erwin Lerten, of Los Angeles, Calif., on motion of Mr. Fred A. Potruch; Alfred E. Santangelo, of New York, N. Y., on motion of Mr. Benton C. Tolley, Jr.; Melvin J. Law, of Logan, Utah, on motion of Mr. Roger Wilfred Marcoux; Mitchell Eisenstat, of Bayonne, N. J., on motion of Mr. Jackson Brodsky; Donald Q. Taylor, of Louisville, Ky., on motion of Mr. Meade C. Patrick; and Vernon C. Ryder, of New York, N. Y., and Richard D. Lalanne, of New York, N. Y., on motion of Mr. Carl A. Phillipps, were admitted to practice.

No. 11. Maryland Casualty Company et al., petitioners, *v.* Gertrude Picard Cushing et al. Reargument continued by Mr. James J. Morrison for the respondents and concluded by Eberhard P. Deutsch for the petitioners.

No. 34. Howell Chevrolet Company, a Corporation, petitioner, *v.* National Labor Relations Board. Argued by Mr. Erwin Lerten for the petitioner and by Mr. Marvin E. Frankel for the respondent.

No. 61. State of Nevada and the People of the State of New York, petitioner, *v.* Joseph Stacher. Argued by Mr. Jack Streeter and by Mr. Paul D. Williams for the petitioners. No brief filed for respondent.

No. 87. Public Utilities Commission of the State of California et al., appellants, *v.* United Air Lines, Inc., Catalina Air Transport, and Civil Aeronautics Board. Argument commenced by Mr. Wilson E. Cline for the appellants and continued by Mr. H. Templeton Brown for appellee, United Air Lines, Inc., and by Mr. John F. Davis for appellee, Civil Aeronautics Board.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, November 13, will be as follows: No. 87.

SUPREME COURT OF THE UNITED STATES

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

David M. Levitan, of New York, N. Y., on motion of Mr. Henry Kaiser; Alvis Yates Dowell, Jr., of Washington, D. C., on motion of Mr. A. Yates Dowell; Stephen L. Kelly, of St. Louis, Mo., on motion of Mr. Monroe Karasik; George H. Gangwere, Jr., of Kansas City, Mo., on motion of Mr. Albert L. Reeves, Jr.; and Lorimer Denner, of New York, N. Y., on motion of Mr. Charles M. Metzner, were admitted to practice.

No. 87. Public Utilities Commission of the State of California et al., appellants, *v.* United Air Lines, Inc., Catalina Air Transport, and Civil Aeronautics Board. Argument continued by Mr. H. Templeton Brown for the appellee, United Air Lines, Inc., by Mr. Wilson E. Cline for the appellants, by Mr. John F. Davis for the appellee, Civil Aeronautics Board, and concluded by Mr. Everett C. McKeage for the appellants.

Adjourned until Monday, November 16, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Abraham Miller, of Jersey City, N. J., Abraham J. Slurzberg, of Jersey City, N. J., and Frank J. O'Brien, of San Francisco, Calif., on motion of Mr. Acting Solicitor General Robert L. Stern; John George Fox, of Fayetteville, W. Va., on motion of Mr. Thomas B. Jackson; Henry J. McDonald, of Chicago, Ill., on motion of Mr. Robert E. Cummings; Harold Clair Petrowitz, of Detroit, Mich., on motion of Mr. Charles J. Zinn; Harry Scheiner, of New York, N. Y., and Arthur J. Sullivan, of New York, N. Y., on motion of Mr. David D. Porter; Sigmund R. Kallins, of Baltimore, Md., on motion of Mr. James Joseph Doherty; Joan C. Murphy, of Washington, D. C., on motion of Mr. William P. MacCracken, Jr.; John E. Stipp, of Chicago, Ill., on motion of Mr. Kenneth G. Heisler; Edmund C. Grainger, Jr., of New York, N. Y., and William H. Bowen, of Altheimer, Calif., on motion of Mr. William G. Hamilton; Frank Aubrey Holloway, of Atlanta, Ga., on motion of Mr. John Wilson Ellis; Eugene T. Liipfert, of Washington, D. C., on motion of Mr. John R. Turney; Ben N. Hatcher, of Oklahoma City, Okla., on motion of Mr. Hugh T. Fullerton; Herbert Alfred Waterman, of San Francisco, Calif., on motion of Mr. Gerald D. Finney; Nathan M. Cohen, of Chicago, Ill., and Robert Seymour Fiffer, of Chicago, Ill., on motion of Mr. Archie H. Cohen; Raymond W. Barclay, of New York, N. Y., on motion of Mr. Richard K. Stevens; J. Paul Marshall, of Chevy Chase, Md., on motion of Mr. Newell W. Ellison; William Tomar, of Camden, N. J., on motion of Mr. I. Martin Leavitt; Joseph Michael Francis Ryan, Jr., of Philadelphia, Pa., on motion of Mr. Maurice A. Fitzgerald; Arthur Walter Lee, of Bellevue, Ohio, on motion of Mr. Norman A. Sugarman; James Robert Gavin Wilson, of Akron, Ohio, on motion of Mr. Marcus A. Hollabaugh; Thomas A. Johnson, of Neosho, Mo., and Austin Leonard Roberts, Jr., of Washington, D. C., on motion of Mr. John P. Randolph; and Martin Pence, of Hilo, T. H., on motion of Mr. Myron Weiner, were admitted to practice.

No. 51. United States of America, petitioner, *v.* Henry Debrow;

No. 52. United States of America, petitioner, *v.* James H. Wilkinson;

- No. 53. United States of America, petitioner, *v.* Roy F. Brashier;
No. 54. United States of America, petitioner, *v.* Curtis Rogers; and
No. 55. United States of America, petitioner, *v.* Forrest B. Jackson.

On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgments reversed and cases remanded to the United States District Court for the Southern District of Mississippi for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton. Mr. Justice Reed took no part in the consideration or decision of these cases.

No. —, Original. State of Arkansas, complainant, *v.* State of Texas et al. Motion for leave to file complaint continued until the litigation in the Texas courts has been concluded. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter, Mr. Justice Clark, and Mr. Justice Minton 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. 342. National Union of Marine Cooks and Stewards Association, appellant, *v.* George Arnold et al. Appeal from the Supreme Court of Washington. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. The motion for damages and double costs is denied. Mr. Justice Black is of the opinion that probable jurisdiction should be noted.

No. —. Alexander P. Tureaud, Jr., a Minor, etc., petitioner, *v.* Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, et al. This is an application by the relator for a stay of the judgment of the Court of Appeals which is to be brought here for review in a petition for certiorari. The application is granted and the judgment of the Court of Appeals is stayed until the final disposition here of the petition for certiorari to be filed. Mr. Justice Reed dissents on the ground that the status of the applicant at the institution of the litigation should be preserved pending final judgment.

No. 228. Emanuel L. Mazer and William Endicter, Doing Business as June Lamp Manufacturing Company, petitioners, *v.* Benjamin Stein and Rena Stein, Doing Business as Reglor of California. The application of the Solicitor General for leave to appear and present oral argument on behalf of the Register of Copyrights as *amicus curiae* is granted and one-half hour is allowed for that purpose.

No. 338. Mose Hightower, petitioner, *v.* People of the State of Illinois. The application of petitioner to withhold the order denying certiorari pending filing of petition for rehearing is denied.

No. 407. Robert Norbert Galvan, petitioner, *v.* U. L. Press, Officer in Charge, Immigration and Naturalization Service, etc. The application for bail is granted and it is ordered that petitioner be admitted to bail upon the posting of a good and sufficient surety bond in the amount of two thousand (\$2,000) dollars. The bond is to be approved by the United States District Court for the Southern District of California or a judge thereof and when approved to be filed with the clerk of that court. The application for leave to proceed on the typewritten record is granted.

No. 5, Original. October Term, 1950. The State of New Jersey, complainant, *v.* The State of New York and the City of New York. The applications of New Jersey and Pennsylvania for an extension of time within which to answer the amended petition of the City of New York are granted and the time is extended to and including December 14, next.

No. 304. Elmer F. Remmer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. The Chief Justice took no part in the consideration or decision of this application.

No. 331. United States of America, petitioner, *v.* Guy W. Capps, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 366. United States of America, *ex rel.* Joseph Accardi, petitioner, *v.* Edward J. Shaughnessy, District Director of the Immigration and Naturalization Service, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 352. Julia Thompson, petitioner, *v.* Richard P. Lawson, as Deputy Commissioner of the United States Bureau of Employees Compensation, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary docket.

No. 272. Book-of-the-Month Club, Inc., a Corporation, et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit dismissed on motion of petitioners.

No. 180. Kenneth L. Elges, petitioner, *v.* State of Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 311. United States of America, petitioner, *v.* Frank Fryer. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 332. William Benz, M. D. MacRae, Jeff Morrison, et al., petitioners, *v.* Compania Naviera Hidalgo, S. A., a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 351. Anna M. Schulz, Marie S. Hartley, Paul R. Schulz, et al., petitioners, *v.* Dorothy V. Flora. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 353. James J. Boyle, petitioner, *v.* Walter LaRue, Treasurer of Trumbull County, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 354. Aubrey Aeby and Norene Aeby, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 355. W. B. Follett, petitioner, *v.* Hugh A. Voris, Deputy Commissioner. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 358. D. E. Whelan and R. J. Whelan, petitioners, *v.* Joe A. Riley, Assessor-Collector of Taxes in and for Harrison County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 359. William Kelly, petitioner, *v.* General Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 360. Thomas Fontana, petitioner, *v.* Huron Stevedoring Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 361. The Guiberson Corporation, petitioner, *v.* Garrett Oil Tools, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 362. Florence B. Bigelow, et al., petitioners, *v.* RKO Radio Pictures, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 363. Stronghold Screw Products, Inc., petitioner, *v.* Independent Nail and Packing Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 365. The Hillsboro National Bank, petitioner, *v.* J. Paul Buscher, Trustee in Bankruptcy of the Estate of Gill-Owen Co., a

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

No. 367. The American Automobile Association (Incorporated) et al., petitioners, *v. Murray Spiegel, Doing Business as Lake Service Station*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 368. Earnest Lallak, petitioner, *v. The Farmers' Mutual Insurance Company of Marysville, Kansas, et al.* Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 369. Keystone Metal Company, petitioner, *v. City of Pittsburgh et al.* Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 370. Reed and Prince Manufacturing Company, petitioner, *v. National Labor Relations Board*. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 291. Russell S. Serio, petitioner, *v. United States of America*. Motion to dispense with printing petition and addition to record granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 299. Kentucky River Mills, petitioner, *v. G. Harry Jackson*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 371. Los Angeles County Pioneer Society, a Corporation in the Process of Voluntarily Winding Up, petitioner, *v. The Historical Society of Southern California*. Motion to dispense with printing record granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 376. Bert Wilbur Paul, petitioner, *v. United States of America, United States Maritime Commission*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 8, Misc. Glenn N. Bigness, petitioner, *v. State of Nevada*. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 42, Misc. Alfred D. Slack, petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76, Misc. Robert L. Bradford, petitioner, *v. Hon. Mortimer W. Byers, as Judge of the United States District Court, etc.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 107, Misc. Lincoln C. McDade, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 109, Misc. Gilmore J. Horton, petitioner, *v.* Orel J. Skeen, Warden, etc. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 117, Misc. State of Louisiana, ex rel. Relic Dartez, petitioner, *v.* Reed Cozart, Superintendent of Louisiana State Penitentiary, et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 125, Misc. John Henry Dauer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 135, Misc. I. H. Spears, petitioner, *v.* Transcontinental Bus System, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 139, Misc. Charles Frederick Wheeler, petitioner, *v.* West India Steamship Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 148, Misc. Richard Sharp, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 154, Misc. Dorwood D. Clark, petitioner, *v.* H. E. Moore, Warden, etc. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 166, Misc. Henry Cephas, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 169, Misc. George Shilakes, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 114, Misc. Albert Henderson, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the Recorder's Court of the City of Detroit, Michigan, denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 158, Misc. Earl W. Taylor, petitioner, *v.* E. B. Swope, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 138, Misc. Earl W. Taylor, petitioner, *v.* United States Board of Parole. Motion for leave to file petition for writ of mandamus denied.

No. 151, Misc. Albert Fischer Levy, petitioner, *v.* People of the State of California. Application denied. The Chief Justice took no part in the consideration or decision of this application.

No. 152, Misc. Earl W. Taylor, petitioner, *v.* United States Board of Parole. Motion for leave to file petition for writ of quo warranto denied.

Adjourned until Monday, November 30, next, at 12 o'clock.

The day call for Monday, November 30, will be as follows: Nos. 12, 121, 19, 65, 92, 94, 184, 209, 228, and 241.

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SUPREME COURT OF THE UNITED STATES

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

Wallace Edwin Sturgis, of Ocala, Fla., on motion of Mr. Oscar H. Davis; Elizabeth Miller, of Los Angeles, Calif., on motion of Mr. Acting Solicitor General Robert L. Stern; Jerome Beaudrias, of Yonkers, N. Y., on motion of Mr. John A. Selby; Arthur B. Sachs, of Chicago, Ill., on motion of Mr. Jerome Harvey Simonds; R. Dorsey Watkins, of Baltimore, Md., on motion of Mr. J. Cookman Boyd, Jr.; Irwin E. Yarus, of Cleveland, Ohio, and Sidney B. Yarus, of Cleveland, Ohio, on motion of Mr. Jack B. Dworken; Daniel F. Foley, of Wabasha, Minn., on motion of Mr. John R. Foley, Jr.; Philip Strachman, of Washington, D. C., on motion of Mr. Walter H. E. Jaeger; Pershing Boe, of Fargo, N. Dak., on motion of Mr. John C. Herberg; Lucille B. Lambert, of Arlington, Va., and Bruce E. Lambert, of Arlington, Va., on motion of Mr. Robert Allen McGinnis; Benjamin Sweedler, of New York, N. Y., on motion of Mr. Martin T. Fisher; Roger E. Brooks, of Washington, D. C., on motion of Mr. Ernest H. Henry; Frank Robert Kennedy, of Springfield, Mo., and Harold Koplowitz, of New Britain, Conn., on motion of Mr. Joseph Rotwein; Norman H. Nitzkowski, of Mankato, Minn., Daniel J. Gross, of Omaha, Nebr., Harold W. Kauffman, of Omaha, Nebr., and Philip J. Willson, of Council Bluffs, Iowa, on motion of Mr. Raymond A. Smith; Leo Paul Burd, of Minneapolis, Minn., on motion of Mr. Irvin H. Rimel; Palmer L. Bevis, of New Haven, Conn., on motion of Mr. Herbert L. Packer; Harriss Hassell Jarrell, of High Point, N. C., on motion of Mr. Wilmer Mechlin; Harold Norris, of Detroit, Mich., on motion of Mr. David Rein; Philip A. Roll, of Panama City, Fla., on motion of Mr. James R. Golden; Thomas Robert Mulroy, of Chicago, Ill., on motion of Mr. Samuel H. Horne; George Van Duzee Walker, of Oakland, Calif., on motion of Mr. Carl Edward Lundin, Jr.; Bessie Ray Geffner, of New York, N. Y., Bebe Aron Kline, of Woodmere, N. Y., Fulvia Mombello, of Bayside, N. Y., Lillians S. Rinenberg, of Long Island City, N. Y., Lillian Ungar, of New York, N. Y., Florence Walton, of Jamaica, N. Y., Frances Kuchler, of Forest Hills, N. Y., Freda S. Fineman, of New York, N. Y., Ann B. Dufficy, of Richmond Hill, N. Y., Katherine Spyros Bitses, of Astoria, N. Y., Mary M. Bleecker, of Beechurst, N. Y., Nancy Carley, of Jackson Heights, N. Y., Mary

J. Mulé, of Jackson Heights, N. Y., Dora Aberlin, of Belle Harbor, N. Y., Geraldine T. Eiber, of Forest Hills, N. Y., Pearl C. Basta, of Jackson Heights, N. Y., Frieda K. Bromberg, of Queens Village, N. Y., Harriet J. Brown, of Middle Village, N. Y., and Fortune Rita Vecchiarelli, of Long Island City, N. Y., on motion of Mr. William B. Groat, Jr., were admitted to practice.

No. 16. Bankers Life and Casualty Company, petitioner, *v.* The Honorable John W. Holland, as Chief Judge of the United States District Court for the Southern District of Florida, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed and case remanded to the Court of Appeals. Opinion by Mr. Justice Clark. Mr. Justice Douglas concurs in the result. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Minton join.

No. 57. George Lewis Dickinson, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of California for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Jackson, in which Mr. Justice Burton and Mr. Justice Minton join.

No. 87. Public Utilities Commission of the State of California et al., appellants, *v.* United Air Lines, Inc., Catalina Air Transport and Civil Aeronautics Board. Appeal from the United States District Court for the Northern District of California. Judgment reversed and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion per curiam announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Reed joins. The Chief Justice took no part in the consideration or decision of this case.

The Chief Justice said:

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

No. 384. Cecelia S. Larson and Russell T. Thompson, appellants, *v.* City of Long Beach. Appeal from the Superior Court of the County of Los Angeles, State of California, Appellate Department; and

No. 391. F. H. Vahlsing, Inc., appellant, *v.* State of Maine. Appeal from the Supreme Judicial Court of Maine. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for the want of a substantial federal question.

No. 386. Riss & Company, Inc., appellant, *v.* The United States of America, Interstate Commerce Commission, The Akron, Canton & Youngstown Railroad Company, et al. Appeal from the United States District Court for the Western District of Missouri; and

No. 409. The Baltimore Transfer Company, Davidson Transfer and Storage Company, et al., appellants, *v.* Interstate Commerce Commission and United States of America. Appeal from the United States District Court for the District of Maryland. *Per Curiam:* The motions to affirm are granted and the judgments are affirmed.

No. 393. State of Tennessee, Railroad and Public Utilities Commission of the State of Tennessee, et al., appellants, *v.* United States of America, Interstate Commerce Commission, Carolina, Clinchfield and Ohio Railway, etc., et al. Appeal from the United States District Court for the Middle District of Tennessee. *Per Curiam:* The motions to affirm are granted and the judgment is affirmed. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 420. Meyer Schwartz, Harold B. Coleman, David Lefferman, et al., appellants, *v.* John C. Kelley et al., Members of the Liquor Control Committee of the State of Connecticut. Appeal from the Supreme Court of Errors of Connecticut. *Per Curiam:* The appeal is dismissed for the want of a substantial federal question.

No. 174. Everett E. White, petitioner, *v.* Baltimore and Ohio Railroad Company. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Dismissed on motion of petitioner.

No. 459. United States of America, appellant, *v.* Henry Jacobs, Jr. Appeal from the United States District Court for the Eastern District of Wisconsin. Dismissed on motion of the appellant.

No. 354. Aubrey Aeby and Norene Aeby, petitioners, *v.* United States of America. The motion of petitioner to withhold order denying petition for writ of certiorari pending disposition of petition for rehearing is denied.

No. 366. United States of America, ex rel. Joseph Accardi, petitioner, *v.* Edward J. Shaughnessy, District Director of the Immigration and Naturalization Service, etc. The application for bail is granted and it is ordered that petitioner, Joseph Accardi, be admitted to bail upon the posting of a good and sufficient surety bond in the amount of twenty-five hundred (\$2,500) dollars. The bond is to be approved by the United States District Court for the Southern District of New York or a judge thereof and when approved to be filed with the clerk of that court.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Clark would deny the application without prejudice to an application to proper authority.

No. 389. Frank Walters and Edward Williams, Jr., appellants, *v.* The City of St. Louis et al. Appeal from the Supreme Court of Missouri;

No. 439. United States of America, appellant, *v.* Employing Lathers Association of Chicago and Vicinity, Local No. 74 of Wood, Wire, and Metal Lathers International Union of Chicago, et al. Appeal from the United States District Court for the Northern District of Illinois; and

No. 440. United States of America, appellant, *v.* Employing Plasterers Association of Chicago et al. Appeal from the United States District Court for the Northern District of Illinois. In these cases probable jurisdiction is noted and cases are transferred to the summary docket.

No. 394. United Shoe Machinery Corporation, appellant, *v.* United States of America. Appeal from the United States District Court for the District of Massachusetts. In this case probable jurisdiction is noted. Mr. Justice Clark took no part in the consideration or decision of this question.

No. 307. Harold Sacher, also known as "Harry" Sacher, an Attorney, petitioner, *v.* Association of the Bar of the City of New York and New York County Lawyers' Association. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to the following question:

"Accepting the facts as found in the memorandum decision of Chief Judge Hincks, does permanent disbarment exceed the bounds of fair discretion, particularly in view of the punishment of petitioner's individual misconduct as a contempt and the finding that the proof does not establish that he so behaved pursuant to a conspiracy or a deliberate and concerted effort?"

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

No. 401. Herbert Brownell, Jr., Attorney General of the United States, as Successor to the Alien Property Custodian, petitioner, *v.* Eugene T. Singer; and

No. 402. The Superintendent of Banks of the State of New York, etc., petitioner, *v.* Eugene T. Singer. Petitions for writs of certiorari to the Court of Appeals of New York granted. The Chief Justice took no part in the consideration or decision of these applications.

No. 404. Alice D. Jacobson, Administratrix, petitioner, *v.* New York, New Haven and Hartford Railroad Company. Petition for

writ of certiorari to the United States Court of Appeals for the First Circuit granted limited to question No. 1 presented by the petition for the writ which reads as follows:

“Was there diversity of citizenship even though the defendant (a multiple corporation) was also incorporated in Massachusetts, which would confer jurisdiction upon the United States District Court for the District of Massachusetts?”

Case transferred to the summary docket.

No. 280. Phillips Petroleum Company, petitioner, *v.* State of Wisconsin et al.;

No. 281. State of Texas et al., petitioners, *v.* State of Wisconsin et al.; and

No. 418. Federal Power Commission, petitioner, *v.* State of Wisconsin, Public Service Commission of Wisconsin, et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 319. The Denver and Rio Grande Western Railroad Company, a Corporation, petitioner, *v.* John H. Wheat. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 329. T. W. Jones Grain Company, petitioner, *v.* State of Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 344. John Arbulich, Jr., petitioner, *v.* Thomas Arbulich. Petition for writ of certiorari to the Supreme Court of California denied.

No. 373. Hoxsey Cancer Clinic, a Partnership, and Harry M. Hoxsey, an Individual, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 377. Benjamin Arthur Bourne, petitioner, *v.* Luther Jones. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 378. Paul C. Fisher, d/b/a Fisher Pen Company, petitioner, *v.* Martin P. Durkin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 379. Steamship “Fletero” and Compania Argentina de Navegacion Dodero, S. A., petitioners, *v.* Hugo Arias. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 387. Julia Gallagher, as Administratrix of the Estate of James Gallagher, Deceased, and Julia Gallagher, petitioners, *v.* United States

Lines Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 388. Wheeling Dollar Savings and Trust Company, as Executor of the Estate of Charles J. Wolf, Deceased, petitioner, *v.* F. Roy Yoke, Collector of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 390. William Stoffel, petitioner, *v.* The New York, New Haven and Hartford Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 392. Robert J. Sivalls, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 395. M. M. Meredith, petitioner, *v.* John Deere Plow Company of Moline, Illinois, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 396. Lewis E. Denny, Jr., and Vera Ann Denny, petitioners, *v.* The Automobile Insurance Company of Hartford, Connecticut. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 400. Louis Comi, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 405. Jack Smith, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 408. Sidney S. Henis, Henry H. Abrams, Harold Price, et al., petitioners, *v.* Thomas C. Egan et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 411. Reserve Life Insurance Company, a Corporation, petitioner, *v.* C. H. Simpson. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 413. Fidelity-Philadelphia Trust Company, Trustee, petitioner, *v.* Pioche Mines Consolidated, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 415. Atlantic Coast Line Railroad Company, petitioner, *v.* C. W. Joiner, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 417. William Bradshaw and United States Fidelity and Guaranty Co., a Corporation, petitioners, *v.* Carrie Robinson. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 419. Continental Distilling Corporation, petitioner, *v.* Century Distilling Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 421. John McShain, Inc., petitioner, *v.* District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 426. L. B. Glover, George Franklin Humphries, et al., petitioners, *v.* W. P. H. McFaddin et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 357. John Louis Vaszorich, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 372. City of Galveston, petitioner, *v.* Dolores R. Miranda, and 130 Libellants, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 403. Annette S. Lunn, petitioner, *v.* F. W. Woolworth Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 380. Elmer Vogt, petitioner, *v.* The State of Texas. Motion to dispense with printing record granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 410. Board of Governors of the Federal Reserve System, petitioner, *v.* Transamerica Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 416. Thorvold Repsholdt, petitioner, *v.* United States of America. Motion to dispense with printing petition and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 129. James Jones, petitioner, *v.* The United States of America ;

No. 232. Charles D. Clark, petitioner, *v.* The State of Texas ;

No. 235. George V. Tawes, petitioner, *v.* Cie. Des Messageries Maritimes ;

No. 248. Schwegmann Brothers Giant Super Market et al., petitioners, *v.* Eli Lilly & Company ;

No. 252. Universal Manufacturing Company, a Corporation, et al., petitioners, *v.* Federal Trade Commission ; and

No. 257. Henry J. Jones, petitioner, *v.* Lykes Brothers Steamship Company, Inc. Petitions for rehearing denied.

No. 131. John Collins, appellant, *v.* The People of the State of California. Second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 150. Russell Box Company, petitioner, *v.* Grant Paper Box Company;

No. 169. Luther Carlyle Wheeler, appellant, *v.* State of Mississippi;

No. 181. Jennie E. Dargel et al., petitioners, *v.* Glenwood J. Sherard, Director of Rent Stabilization, et al., and

No. 90. Misc. Samuel Lesser, petitioner, *v.* People of the State of New York. Petitions for rehearing denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 9, Misc. William Kemmerer, petitioner, *v.* Warden, Michigan State Penitentiary, Jackson, Michigan; and

No. 23, Misc. Bernard M. Shotkin, petitioner, *v.* Atchison, Topeka & Santa Fe R. R. Co., et al. Petitions for rehearing denied.

No. 61, Misc. Wesley Robert Wells, petitioner, *v.* State of California. Motion for leave to file brief of John Pierce and others as *amicus curiae* denied. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 368, Misc., October Term, 1952. Florence McMillan Goodman and Frances Brodsky, petitioners, *v.* Ed Leigh McMillan. Petition to withdraw the order of October 19, 1953, and for further consideration denied. The Chief Justice took no part in the consideration or decision of this application.

No. 372, Misc., October Term, 1952. Frank Severa, petitioner *v.* State of New Jersey. Fifth petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 548, Misc., October Term, 1952. Frank Severa, petitioner, *v.* Lloyd W. McCorkle, Acting Warden. Second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 143, Misc. Jay Paul Shelton, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit dismissed on motion of petitioner.

No. 127, Misc. Bernard P. Nimro, petitioner, *v.* Glen B. Davis et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 140, Misc. Ben F. Mason, petitioner, *v.* John R. Cranor, Superintendent, etc. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 144, Misc. Albert Sorimpt, petitioner, *v.* John R. Cranor, Superintendent. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 147, Misc. Grady Geraldson, petitioner, *v.* C. A. Edmondson, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 149, Misc. Donald H. Lilyroth, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Lee County, Dixon, Illinois, denied.

No. 150, Misc. Edward Cross, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 153, Misc. Robert Landgraver, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Woodford County, Illinois, denied.

No. 155, Misc. Russell Pickwell, petitioner, *v.* Montgomery County Court et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 156, Misc. Anthony Baerchus, petitioner, *v.* Walter Tees, Warden. Petition for writ of certiorari to the United States Court of Appeal for the Third Circuit denied.

No. 157, Misc. William E. Koken, petitioner, *v.* Oregon State Bar. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 159, Misc. Mary L. Nicol and Frances Nicol McKone, petitioners, *v.* Frederick E. Johnston. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 163, Misc. Emmett J. Hoover, Administrator c. t. a. of the Estate of Eva V. Hoover, petitioner, *v.* Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 165, Misc. Raymond Cannon, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 167, Misc. Leland Ferre, petitioner, *v.* Ross V. Randolph, Warden, Illinois State Penitentiary, Menard, Illinois. Petition for writ of certiorari to the Circuit Court of Piatt County, Illinois, denied.

No. 168, Misc. James E. Ross, petitioner, *v.* John R. Cranor, as Superintendent of the Washington State Penitentiary at Walla Walla,

Wash. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 170, Misc. Maurice Allen, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 174, Misc. Anna Horton, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 175, Misc. David Rhodes, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 176, Misc. James R. Smith, petitioner, *v.* Joseph E. Ragen et al. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 177, Misc. James B. Morris, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 181, Misc. George T. Titus, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 185, Misc. Marion Francis Charles, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 189, Misc. Nicholas Tiscio, petitioner, *v.* Walter Tees, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 192, Misc. Paul Lane, petitioner, *v.* People of State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 199, Misc. George H. Houston, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the District Court of Appeal of California, Third Appellate District, denied.

No. 200, Misc. Carl William Burkholder, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 209, Misc. Charles DePompeis, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 146, Misc. Charles Norton Outcalt, petitioner, *v.* Harley O. Teets, Warden;

No. 162, Misc. Ira E. Robertson, petitioner, *v.* State of Maryland;

No. 171, Misc. Carl W. Burkholder, petitioner, *v.* United States of America;

No. 172, Misc. Ray F. Krell, petitioner, *v.* State of South Carolina;

No. 173, Misc. John Edwin Byers, petitioner, *v.* United States of America;

No. 188, Misc. Carl William Burkholder, petitioner, *v.* United States of America;

No. 196, Misc. Eldred K. Wadlington, Jr., petitioner, *v.* Frank G. Sain, Supt.;

No. 197, Misc. Earl W. Taylor, petitioner, *v.* E. B. Swope, Warden;

No. 202, Misc. Ralphael J. Shaffer, petitioner, *v.* Dr. E. Ralph May, Supt.; and

No. 213, Misc. Harry Allen Allbee, petitioner, *v.* Bert O. Webb, Warden, et al. Motions for leave to file petitions for writs of habeas corpus denied.

No. 180, Misc. Byron A. Piner, petitioner, *v.* United States of America. Motion for leave to file petition for writ of certiorari denied.

No. 187, Misc. Daniel Curry, petitioner, *v.* United States of America; and

No. 193, Misc. James B. Smith, petitioner, *v.* People of the State of New York. Applications denied.

No. 198, Misc. Earl W. Taylor, petitioner, *v.* Judge M. J. Roche, District Judge. Motion for declaratory judgment denied.

No. 235, Misc. Ex parte John Kedroff and Benjamin Fedchenkoff, as Archbishop, etc., petitioners. Motion for leave to file petition for writ of mandamus denied. Mr. Justice Black and Mr. Justice Douglas would issue a rule to show cause why leave to file should not be granted.

No. 12. Patrick E. Irvine, petitioner, *v.* People of the State of California. Argued by Mr. Morris Lavine for the petitioner and by Mrs. Elizabeth Miller and Mr. Clarence A. Linn for the respondent. Leave granted petitioner to file reply brief by Friday next.

No. 121. Sam Walder, petitioner, *v.* United States of America. Argued by Mr. Paul A. Porter for the petitioner and by Mr. Robert S. Erdahl for the respondent.

No. 19. Theatre Enterprises, Inc., petitioner, *v.* Paramount Film Distributing Corp., et al. Three hours allowed for oral argument. Argument commenced by Mr. Philip B. Perlman for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 1, will be as follows: Nos. 19, 65, 92, 94, 184, 209, 228, and 241.

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SUPREME COURT OF THE UNITED STATES

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

Marjorie Lumsden Temple, of Baltimore, Md., on motion of Mr. John Marshall Butler; Theodore R. Johnson, of Sioux Falls, S. Dak., on motion of Mr. Solicitor General Robert L. Stern; David Carliner, of Washington, D. C., on motion of Mr. Jack Wasserman; Abian Adelbert Church, of Bartow, Fla., on motion of Mr. Justin Miller; Sam S. Canterbury, of Tulsa, Okla., on motion of Mr. Ross O'Donoghue; James B. Hutton, Jr., of Alexandria, Va., on motion of Mr. James W. Cassedy, Jr.; Robert Nachman Grosby, of New York, N. Y., on motion of Mr. Edward M. Logan; Walter J. Rockler, of Washington, D. C., on motion of Mr. Joseph J. O'Connell, Jr.; and Philip Noel Brophy, of Falls Church, Va., on motion of Mr. John A. K. Donovan, were admitted to practice.

No. 19. Theatre Enterprises, Inc., petitioner, *v.* Paramount Film Distributing Corp. et al. Argument continued by Mr. Bruce Bromley for the respondents, Paramount Film Distributing Corp. et al., by Mr. Ferdinand Pecora for the respondents, Warner Bros. Pictures Distributing Corp. et al., and concluded by Mr. Holmes Baldrige for the petitioner.

No. 65. The United States, petitioner, *v.* Binghamton Construction Co., Inc. Argued by Mr. Assistant Attorney General Burger for the petitioner and by Mr. Jerome Beaudrias for the respondent.

No. 92. United States of America, petitioner, *v.* City of New Britain, Connecticut, et al. Argued by Mr. Marvin E. Frankel for the petitioner and by Mr. Frank R. Kennedy for the respondents. Leave granted respondent to file additional brief in two weeks.

No. 94. United States of America, petitioner, *v.* Harold T. Lindsay et al. Argument commenced by Mr. Paul A. Sweeney for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 2, will be as follows: Nos. 94, 184, 209, 228, and 241.

SUPREME COURT OF THE UNITED STATES

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

Ralph Morgan Jones, of Kansas City, Mo., on motion of Mr. Albert L. Reeves, Jr.; Robert Eugene Rice, of Duncan, Okla., on motion of Mr. Edmond A. Edmonson, Jr.; Bennett A. Webster, Jr., of Des Moines, Iowa, on motion of Mr. Alden B. Howland; George B. Bronfen, of Washington, D. C., on motion of Mr. William J. Hughes, Jr.; Richard Griffith Logan, of San Francisco, Calif., on motion of Mr. John A. O'Kane; Edward A. Haight, of Chicago, Ill., on motion of Mr. George Raymond Jones; Warren J. Carey, of Chicago, Ill., on motion of Mr. Frank Joseph Delaney; John Milton Peters, of Council Bluffs, Iowa, on motion of Mr. Raymond A. Smith; Gordon W. Lamphere, of Detroit, Mich., on motion of Mr. Alfred K. Cherry; John Jonas Chester III, of Columbus, Ohio, on motion of Mr. Milo J. Warner; Robert M. Willan, of Martinsville, Ind., on motion of Mr. Sherman S. Cohen; and George Edward Frost, of Chicago, Ill., on motion of Mr. Will Freeman, were admitted to practice.

No. 94. United States of America, petitioner, *v.* Harold T. Lindsay et al. Argument continued by Mr. Paul A. Sweeney for the petitioner and by Mr. Edward C. Park for the respondent and concluded by Mr. Paul A. Sweeney for the petitioner.

No. 184. The General Protective Committee for the Holders of Option Warrants of the United Corporation, petitioner, *v.* The Securities and Exchange Commission et al. Argued by Mr. John Mulford for the petitioner and by Mr. William H. Timbers for the respondent, Securities and Exchange Commission, by Mr. Richard Joyce Smith for the respondent, The United Corporation, and by Mr. Randolph Phillips, pro se.

No. 209. Chicago, Rock Island and Pacific Railroad Company, petitioner, *v.* Archie C. Stude, William Lumpkin, and Pottawattomie County, Iowa. Argument commenced by Mr. Alden B. Holland for the petitioner and continued by Mr. Raymond A. Smith for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 3, will be as follows: Nos. 209, 228, and 241.

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SUPREME COURT OF THE UNITED STATES

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

Arthur Charles Nordhoff, of Jasper, Ind., on motion of Mr. Will Shafroth; Lamont B. Koontz, of Minneapolis, Minn., on motion of Mr. Will Freeman; Morton M. Z. Lynn, of Albany, N. Y., on motion of Mr. Elgood Edward Stephens; LeRoy Augustus Broun III, of Centerville, Calif., on motion of Mr. Harold Irving Baynton; and Jacob P. Lefkowitz, of New York, N. Y., on motion of Mr. Edward A. Martin, were admitted to practice.

No. 209. Chicago, Rock Island and Pacific Railroad Company, petitioner, *v.* Archie C. Stude, William Lumpkin and Pottawattomie County, Iowa. Argument continued by Mr. Harold W. Kauffman for the respondents and concluded by Mr. B. A. Webster, Jr., for the petitioner.

No. 228. Emanuel L. Mazer and William Endicter, Doing Business as June Lamp Manufacturing Company, petitioners, *v.* Benjamin Stein and Rena Stein, Doing Business as Reglor of California. Argument commenced by Mr. Max R. Kraus for the petitioners and continued by Mr. George E. Frost for the respondents, and by Mr. Benjamin Forman for the Register of Copyrights, *amicus curiae* by special leave of Court, and concluded by Mr. Robert L. Kahn for the petitioners.

No. 241. Tom We Shung, by his next Friend Tom Wing, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, et al. Argument commenced by Mr. Jack Wasserman for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, December 4, will be as follows: No. 241.

SUPREME COURT OF THE UNITED STATES

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

Edward D. Neuhoff, of Los Angeles, Calif., on motion of Mr. Samuel D. McIlwain, was admitted to practice.

No. 241. Tom We Shung, by his next Friend Tom Wing, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, et al. Argument continued by Mr. Jack Wasserman for the petitioner and concluded by Mr. Murray L. Schwartz for the respondents.

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

The day call for Monday, December 7, will be as follows: Nos. 2 (and 4), 1, 8, 10, and 222 (223, 224, and 225).

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SUPREME COURT OF THE UNITED STATES

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

William Grant, of Denver, Colo., on motion of Mr. Will Shafroth; Ross E. Traphagen, Jr., of New York, N. Y., and Ralph Wade Kittle, of New York, N. Y., on motion of Mr. John W. Davis; Thomas J. Campbell, of San Francisco, Calif., on motion of Mr. George D. Neilson; Lotus C. Bliss, of Columbus, Ohio, on motion of Mr. John W. Bricker; Robert Howell Hall, of Atlanta, Ga., on motion of Mr. Lamar Wheeler Sizemore; H. Merrill Pasco, of Richmond, Va., on motion of Mr. John W. Riely; Robert Kroner, of New York, N. Y., on motion of Mr. William H. Timbers; Charles Francis Going, of Sacramento, Calif., on motion of Mr. Daniel O. Omer; T. Justin Moore, Jr., of Richmond, Va., on motion of Mr. T. Justin Moore; Maurice R. Whitebook, of New York, N. Y., on motion of Mr. Emanuel E. Minskoff; Robert Lee Brokenburr, of Indianapolis, Ind., on motion of Mr. Perry W. Howard; Ralph W. Ross, of Canton, Ohio, on motion of Mr. Henderson H. Carson; Warren L. Patton, of Los Angeles, Calif., on motion of Mr. Edward S. Irons; William H. Bennison, of Amsterdam, N. Y., on motion of Mr. J. Fielding Jones; Carl R. Johnson, of Kansas City, Mo., and Lawrence R. Bailey, of New York, N. Y., on motion of Mr. Thurgood Marshall; and John J. McKay, of Austin, Tex., on motion of Mr. E. Jake Jacobsen, were admitted to practice.

No. 15. National Labor Relations Board, petitioner, *v.* Local Union No. 1229, International Brotherhood of Electrical Workers. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Order of the Court of Appeals remanding the cause to the National Labor Relations Board set aside and cause remanded to the Court of Appeals with instructions to dismiss respondent's petition to modify the order of the Board. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Black and Mr. Justice Douglas join.

No. 14. United States of America, appellant, *v.* Five Gambling Devices, Labeled in Part "Mills", and Bearing Serial Numbers 593-221; etc. Appeal from the United States District Court for the Middle District of Tennessee;

No. 40. United States of America, appellant, *v.* Roscoe Denmark. Appeal from the United States District Court for the Southern District of Georgia; and

No. 41. United States of America, appellant, *v.* Milton M. Braun; Appeal from the United States District Court for the Southern District of Georgia. Judgments affirmed. Mr. Justice Jackson announced the judgment of the Court and an opinion in which Mr. Justice Frankfurter and Mr. Justice Minton join. Concurring opinion by Mr. Justice Black in which Mr. Justice Douglas joins. Dissenting opinion by Mr. Justice Clark in which the Chief Justice, Mr. Justice Reed, and Mr. Justice Burton concur.

No. 39. Anthony Wilko, petitioner, *v.* Joseph E. Swan et al., Individually and Doing Business Under the Firm Name and Style of Hayden Stone and Co., et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of the Court of Appeals reversed with costs and case remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Concurring: Mr. Justice Jackson. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Minton joins.

No. 13. Pope & Talbot, Inc., petitioner, *v.* Charles Hawn and Haenn Ship Ceiling and Refitting Corporation. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of Court of Appeals affirmed with costs and case remanded to the United States District Court for the Eastern District of Pennsylvania. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Reed and Mr. Justice Burton concur.

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. 61. State of Nevada and the People of the State of New York, petitioners, *v.* Joseph Stacher. On writ of certiorari to the Seventh Judicial District Court of Nevada, in and for the County of White Pine. *Per Curiam*: Judgment reversed. *Biddinger v. Commissioner of Police*, 245 U. S. 128; *Pierce v. Creecy*, 210 U. S. 387.

No. 241. Tom We Shung, by his next Friend Tom Wing, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam*: The judgment is vacated and the case is remanded to the District Court with directions to dis-

miss the complaint. *Heikkila v. Barber*, 345 U. S. 229. Mr. Justice Black would reverse the judgment of the Court of Appeals. Mr. Justice Douglas and Mr. Justice Jackson dissent.

No. 375. United States of America, petitioner, *v. State of Arizona et al.* On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Hoiness v. United States*, 335 U. S. 297.

No. 443. Guy E. Foster et al., appellants, *v. Emory Bay et al.* Appeal from the Court of Civil Appeals of Texas, First Supreme Judicial District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 427. The Franklin National Bank of Franklin Square, appellant, *v. The People of the State of New York.* Appeal from the Court of Appeals of New York. In this case probable jurisdiction is noted.

No. 423. Lloyd M. Bentsen, Sr., et al., petitioners, *v. Emery C. Blackwell et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary docket.

No. 289. Edward David Reed and Jack Henry Parkhurst, petitioners, *v. United States of America.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 349. Southern Pacific Company, a Corporation, petitioner, *v. Mary Miller, Administratrix of the Estate of Fred A. Miller, Deceased.* Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 364. Investors Royalty Company, Inc., a Delaware Corporation, petitioner, *v. Market Trend Survey, Inc., a Corporation, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 399. Land Settlement and Development Corporation, petitioner, *v. The United States.* Petition for writ of certiorari to the United States Court of Claims denied.

No. 424. Westinghouse Electric Corporation, a Corporation, petitioner, *v. Bulldog Electric Products Company, a Corporation.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 432. Morand Brothers Beverage Co. et al., petitioners, *v. National Labor Relations Board.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 436. Drew Pearson and American Broadcasting Company, Inc., a Corporation, petitioners, *v.* Mary G. Gariepy. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 441. Western Pacific Railroad Corporation et al., petitioners, *v.* Western Pacific Railroad Company et al.; and

No. 463. Meredith H. Metzger et al., petitioners, *v.* Western Pacific Railroad Company et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 446. Robert E. Overman, petitioner, *v.* Frank Loesser. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 356. Wallace A. Crisco, petitioner, *v.* Murdock Acceptance Corporation et al. Motion to dispense with printing petition, brief, and record granted. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 428. Harley O. Teets, as Warden of the California State Prison at San Quentin, California, petitioner, *v.* Henry Thomas. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Reed and Mr. Justice Jackson are of the opinion certiorari should be granted. The Chief Justice took no part in the consideration or decision of this application.

No. 447. Bearing Jobbers, Inc., M. H. Lescure and M. M. Lescure, petitioners, *v.* Nice Ball Bearing Company, a Corporation. Motion to dispense with printing certain exhibits granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 177. Cap S. McElroy, petitioner, *v.* Perlina McElroy;

No. 245. Cap S. McElroy, petitioner, *v.* Cobourn, Yager, Notnagel, Smith and Moran;

No. 320. Mark William Sackett, appellant, *v.* State of Louisiana; and

No. 326. Edmond C. Fletcher, petitioner, *v.* Katharina Nostadt et al. Petitions for rehearing denied.

No. 190. International Workers Order, Inc., petitioner, *v.* The People of the State of New York, by Alfred J. Bohlinger, Superintendent of Insurance of the State of New York, et al.; and

No. 283. Herman A. Seligson et al., petitioners, *v.* The People of the State of New York, by Alfred J. Bohlinger, Superintendent of Insurance of the State of New York. Petitions for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 43, Misc. John (Joseph Reeder) Reader, petitioner, *v.* People of the State of Illinois. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 3, Misc. Lee Scalf, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied for the reason that the judgment below is based upon a non-federal ground adequate to support it.

No. 186, Misc. Charles W. Garton and R. L. Freeman, petitioners, *v.* People of the State of Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 190, Misc. Maurine D. Hayslip, petitioner, *v.* J. Thomas Wellford et al. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 191, Misc. Alfred L. DeMarios, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 195, Misc. Juan Supero, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 203, Misc. LeRoy Dohrman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 205, Misc. A. B. Farmer, petitioner, *v.* Orel J. Skeen, Warden, et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 206, Misc. Durward Putnam, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 207, Misc. James E. Marron, Jr., petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 208, Misc. Charles Davis, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 214, Misc. Angelo Maddalena, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 215, Misc. Earl Hunter, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 219, Misc. Leonard B. Willis, petitioner, *v.* O. B. Ellis, General Manager, etc. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 221, Misc. Tyree Holloway, petitioner, *v.* C. H. Looney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 223, Misc. William Ford, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 229, Misc. Edward Craig, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 230, Misc. Martlick Nelson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 233, Misc. Harry Baldrige, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Madison County, Illinois, denied.

No. 248, Misc. John E. Hinderhan, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Madison County, Illinois, denied.

No. 112, Misc. Russell Sage Emerson, petitioner, *v.* Harlan S. Callahan, Sheriff; and

No. 201, Misc. Charles Williams, petitioner, *v.* W. Frank Smyth, Jr., Supt. Motions for leave to file petitions for writs of habeas corpus denied.

No. 204, Misc. John Valykeo, petitioner, *v.* State of West Virginia; and

No. 227, Misc. Earl W. Taylor, petitioner, *v.* United States District Court for the Northern District of California et al. Motions for leave to file petitions for writs of mandamus denied.

No. 222, Misc. Charles Van Newkirk, petitioner, *v.* State of New York et al. Application denied.

The Court will take a recess from Monday, December 14, until Monday, January 4, 1954.

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District No. 22, Clarendon County, S. C., et al.; and

No. 4. Dorothy E. Davis, Bertha M. Davis and Inez D. Davis, etc., et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al. Four hours allowed for oral argument. Reargument commenced by Mr. Spottswood Robinson, III and continued by Mr. Thurgood Marshall for the appellants, and by Mr. John W. Davis and Mr. T. Justin Moore for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 8, will be as follows: Nos. 2 (and 4), 1, 8, 10, and 222 (223, 224, and 225).

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SUPREME COURT OF THE UNITED STATES

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

Lewis M. Robinson, of Pine Bluff, Ark., Thomas S. Lovett, Jr., of Star City, Ark., and Dennis W. Horton, of Little Rock, Ark., on motion of Mr. E. C. Gathings; Godfrey P. Schmidt, of New York, N. Y., on motion of Mr. Charles J. Zinn; William C. Carter, of Cumberland, Va., Thomas Maurice Miller, of Richmond, Va., and Frederick T. Gray, of Richmond, Va., on motion of Mr. Henry T. Wickham; Thomas William Sommer, of Charleston, W. Va., on motion of Mr. Lloyd C. Hooks; Delia E. Phillips, of Detroit, Mich., on motion of Mr. George M. Johnson; James M. Fitzpatrick, of Washington, D. C., on motion of Mr. Drexel A. Sprecher; Michael Waris, Jr., of Washington, D. C., on motion of Mr. Frederic J. Ball; Charles P. Grimes, of New York, N. Y., on motion of Mr. W. K. Hopkins; Norman E. Johnson, of Chicago, Ill., on motion of Mr. John F. Donelan; Arthur J. Bernstein, of Chicago, Ill., on motion of Mr. Sheldon E. Bernstein; and Donald Vergne Potter, of Washington, D. C., on motion of Mr. Carlton G. Schenken, were admitted to practice.

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District No. 22, Clarendon County, S. C., et al.; and

No. 4. Dorothy E. Davis, Bertha M. Davis, and Inez D. Davis, etc., et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al. Reargument continued by Mr. T. Justin Moore and Mr. J. Lindsay Almond, Jr., for the appellees and by Mr. Thurgood Marshall for the appellants, and concluded by Mr. Assistant Attorney General J. Lee Rankin for the United States, as *amicus curiae*, by special leave of Court.

No. 1. Oliver Brown, Mrs. Richard Lawton, Mrs. Sadie Emmanuel, et al., appellants, *v.* Board of Education of Topeka, Shawnee County, Kansas, et al. Reargued by Mr. Robert L. Carter for the appellants and by Mr. Paul E. Wilson for the appellees.

No. 8. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al. Reargument commenced by Mr. George E. C. Hayes for the petitioners, continued by Mr. James M. Nabrit for the petitioners, and continued by Mr. Milton D. Korman for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 9, will be as follows: Nos. 8, 10, and 222 (223, 224, and 225).

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SUPREME COURT OF THE UNITED STATES

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

Ben B. Mathews, of Ramona, Calif., on motion of Mr. Ernest W. McFarland; George Lynde Richardson, of Exeter, N. H., on motion of Mr. Dugald Walker Hudson; Joseph H. A. Rogan, of Baltimore, Md., and J. Francis Ford, of Baltimore, Md., on motion of Mr. James A. Cobb; J. F. McClellan, of Nashville, Tenn., on motion of Mr. Z. Alexander Looby; Robert Y. Patterson, Jr., of Tallahassee, Fla., on motion of Mr. Lewis W. Petteway; Gaetano V. Strati, of Bronxville, N. Y., on motion of Mr. Albert M. Kuhfeld; Jerry Peter Hontas, of Canton, Ohio, on motion of Mr. Henderson H. Carson; Chas. L. Barnard, of San Francisco, Calif., on motion of Mrs. Muriel S. Paul; and C. Ashley Johnson, of San Diego, Calif., on motion of Mr. Charles T. Akre, were admitted to practice.

No. 8. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al. Reargument continued by Mr. Milton D. Korman for the respondents and concluded by Mr. James M. Nabrit for the petitioners.

No. 10. Francis B. Gebhart, William B. Horner, Eugene H. Shallcross, et al., petitioners, *v.* Ethel Louise Belton, an Infant, by her Guardian ad litem, Ethel Belton, et al. Reargued by Mr. H. Albert Young for the petitioners and by Mr. Jack Greenberg and Mr. Thurgood Marshall for the respondents.

No. 222. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General;

No. 223. Delta Air Lines, Inc., petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States and the United States of America, on Behalf of the Postmaster General;

No. 224. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, the United States of America, on Behalf of the Postmaster General and Western Air Lines, Inc.; and

No. 225. Western Air Lines, Inc., petitioner, *v.* Civil Aeronautics Board, Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General. Three hours allowed for oral argument. Argument commenced by Mr. Emory T. Nunneley, Jr., for the Civil Aeronautics Board, continued by Mr. L. Welch Pogue for Delta Air Lines, Inc., by Mr. Hugh W. Darling for the Western Air Lines, Inc., and by Mr. Daniel Friedman for Summerfield, et al.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 10, will be as follows: Nos. 222 (223, 224, and 225).

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SUPREME COURT OF THE UNITED STATES

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

Bennette E. Geer, Jr., of Alexandria, Va., and Richard M. Cox, of Washington, D. C., on motion of Mr. T. Ellis Allison, were admitted to practice.

No. 222. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General;

No. 223. Delta Air Lines, Inc., petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States and the United States of America, on Behalf of the Postmaster General;

No. 224. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, the United States of America, on Behalf of the Postmaster General and Western Air Lines, Inc.; and

No. 225. Western Air Lines, Inc., petitioner, *v.* Civil Aeronautics Board, Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General. Argument continued by Mr. Daniel Friedman for Summerfield et al. and concluded by Mr. Hugh W. Darling for Western Air Lines, Inc.

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

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SUPREME COURT OF THE UNITED STATES

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

Charles D. Johnson, of Indianapolis, Ind., Willis Cornell Donnelly, of Tacoma, Wash., W. Winton Warren, of Camilla, Ga., J. Donald Ratcliff, of Chillicothe, Ohio, Gene P. Cole, of Charlotte, N. C., I. Maurice Miller, of DeLand, Fla., Joseph A. Sullivan, of Montreal, Wis., Fred W. Doerner, Jr., of St. Louis, Mo., James F. Bland, of Gower, Mo., Peter R. Durland, of Norfolk, Nebr., Richard Joseph Gallagher, of Providence, R. I., George H. Scatterday, of Caldwell, Idaho, Eldon D. Rudd, of Cottonwood, Ariz., John Thomas Conway, of New York, N. Y., John Thomas Hilsbos, of New York, N. Y., A. Glenwood Gilliland, of Cameron, Mo., Everett Clark Murrish, of Xenia, Ohio, James Myers Cole, of Charlotte, N. C., Joseph Leo Gormley, of Somerville, Mass., Herman Olin Bly, of Arlington, Va., and Clarence Edward Bohn, of Washington, D. C., on motion of Mr. Acting Solicitor General Robert L. Stern; Edward H. Berry, of Sikeston, Mo., on motion of Mr. Thos. C. Hennings, Jr.; Joseph John Urciolo, of Washington, D. C., on motion of Mr. Raphael Gerald Urciolo; Odis W. Bertlesman, of Fort Thomas, Ky., on motion of Mr. Brent Spence; Michael Francis Xavier Dolan, of Washington, D. C., on motion of Mr. Peter J. Connolly; Bruno Schachner, of New York, N. Y., on motion of Mr. Arthur W. A. Cowan; I. Walton Bader, of New York, N. Y., on motion of Mr. Maximilian Bader; Thomas Joseph Pearson, of Washington, D. C., on motion of Mr. Wilbur Brice O'Brien; Enser William Cole, Jr., of Salisbury, N. C., Katherine E. Shilling, of Washington, D. C., and George M. Lhamon, of Washington, D. C., on motion of Mr. Archibald King; Selma M. Levine, of New Haven, Conn., and William John Risteau, of Chicago, Ill., on motion of Mr. William Wolcott Goodrich; James L. McDonnell, of New York, N. Y., on motion of Mr. Joseph P. Tumulty, Jr.; Rois L. Brockman, of Beaumont, Tex., on motion of Mr. Dwight D. Taylor; Joseph M. Glickstein, Jr., of Jacksonville, Fla., on motion of Mr. Frank F. Roberson; John Laurence Strauss, of St. Louis, Mo., on motion of Mr. Rolla C. Van Kirk; Robert J. Ahern, of Buffalo, N. Y., on motion of Mr. Irvin M. Kent; David L. Smith, of Washington, D. C., on motion of Mr. Benjamin Feld; James C. Toomey, of Washington, D. C., on motion of Mr. Richard Arnd Mehler; Donal Lloyd Turkal, of Silver Spring, Md., on motion of Mr. Edward M. Reidy;

Joshua Stuart James, of Raleigh, N. C., on motion of Mr. Ralph M. Moody; Joseph H. Schneider, of Washington, D. C., and Albert Ginsberg, of Hillside, Md., on motion of Mr. Ben Lindas; John B. O'Brien, of Easton, Pa., on motion of Mr. Thomas E. Harris; and J. Ralph Gasque, of Marion, S. C., on motion of Mr. J. Austin Latimer, were admitted to practice.

No. 56. Joseph Garner and A. Joseph Garner, Trading as Central Storage and Transfer Company, petitioners, *v.* Teamsters, Chauffeurs, and Helpers Local Union No. 776 (A. F. L.) et al. On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania, Middle District. Judgment affirmed with costs. Opinion by Mr. Justice Jackson.

No. 34. Howell Chevrolet Company, a Corporation, petitioner, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals affirmed. Opinion by Mr. Justice Black announced by Mr. Justice Reed. Mr. Justice Douglas dissents.

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. 5, Original, October Term, 1950. The State of New Jersey, Complainant, *v.* The State of New York and the City of New York. The applications of New Jersey and Pennsylvania for an extension of time within which to answer the amended petition of the City of New York are granted and the time is extended to and including December 31, next.

No. 352. Julia Thompson, petitioner, *v.* Richard P. Lawson, as Deputy Commissioner of the United States Bureau of Employees Compensation, etc., et al. The petition for rehearing is granted and the order entered November 16, 1953, granting certiorari is vacated.

No. 464. United States of America, appellant, *v.* The Borden Company et al. Appeal from the United States District Court for the Northern District of Illinois. In this case probable jurisdiction is noted.

No. 287. Alaska Steamship Company, Inc., petitioner, *v.* John O. Petterson; and

No. 431. Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco, California, petitioner, *v.* Pedro Gonzales. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit granted and cases transferred to the summary docket.

No. 449. United States of America, petitioner, *v.* Mead Gilman, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 374. Charles F. Harad, and Sara E. Harad, Co-Partners Doing Business as Industrial Engineering Associates, petitioners, *v.* Sears, Roebuck and Co. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 385. Leona Henderson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 422. The Romanian Orthodox Missionary Episcopate of America, Through his Grace Bishop Andrei Moldovan, petitioner, *v.* Ioan Trutza et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 430. David Swidler, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 437. William F. Wall, petitioner, *v.* Rudolph F. King. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 442. Fidelity-Phenix Fire Insurance Company of New York, petitioner, *v.* Flota Mercante Del Estado et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 444. City of Erlanger, Kentucky, petitioner, *v.* Raymond J. Berkemeyer, the Weil Roth and Irving Company, John D. Exterkamp. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 448. Edward A. Petermichl, petitioner, *v.* Chicago and Northwestern Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 18. George Earl Toolson, petitioner, *v.* New York Yankees, Inc., et al.;

No. 23. Walter J. Kowalski, petitioner, *v.* Albert B. Chandler, Individually and as Commissioner of Baseball, et al.; and

No. 25. Jack Corbett and El Paso Baseball Club, Inc., petitioners, *v.* Albert B. Chandler, Individually and as Commissioner of Baseball, et al.;

No. 229. Roland O. Haines et al., Comprising Keystone Policy-holders' Committee, appellants, *v.* Commonwealth of Pennsylvania et al.;

No. 323. Wallace C. Franklin, Jr., Regional Counsel, Wage Stabilization Board, Region X, et al., appellants, *v.* Jonco Aircraft Corporation, a Delaware Corporation, of Shawnee, Oklahoma;

No. 340. Wallace O. Leonard, Harry W. Holt, Rodney B. Pierce, et al., petitioners, *v.* Commissioner of Internal Revenue;

No. 343. G. Seals Aiken, appellant, *v.* William Richardson;

No. 354. Aubrey Aeby and Norene Aeby, petitioners, *v.* United States of America;

No. 361. The Guiberson Corporation, petitioner, *v.* Garrett Oil Tools, Inc.; and

No. 369. Keystone Metal Company, petitioner, *v.* City of Pittsburgh et al. Petitions for rehearing denied.

No. 64. Del A. Fehsenfeld, John Wilkes, John Dickerson, et al., petitioners, *v.* Ivan Whipple, Arthur C. Brown, Frank A. Taylor, et al.;

No. 238. Charles B. McGee, appellant, *v.* State of North Carolina;

No. 15, Misc. William B. Neal, petitioner, *v.* Ross V. Randolph, Warden;

No. 151, Misc. Albert Fischer Levy, petitioner, *v.* People of the State of California; and

No. 525, Misc. October Term, 1952. Paul Woodward Brink, petitioner *v.* United States of America. Petitions for rehearing denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 388, Misc. October Term, 1952. Frank A. Hourihan, petitioner, *v.* National Labor Relations Board et al. Fourth petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 511, Misc. October Term, 1952. John Henry Lee, petitioner, *v.* State of Tennessee. Third petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 135, Misc. I. H. Spears, petitioner, *v.* Transcontinental Bus System, Inc., et al.; and

No. 138, Misc. Earl W. Taylor, petitioner, *v.* United States Board of Parole;

No. 152, Misc. Earl W. Taylor, petitioner, *v.* United States Board of Parole; and

No. 158, Misc. Earl W. Taylor, petitioner, *v.* E. B. Swope, Warden. Petitions for rehearing denied.

No. 105, Misc. George K. Vascovich, petitioner, *v.* Orel J. Skeen, Warden, etc. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 182, Misc. Susie Ann Sanders, a Minor, etc., et al., petitioners, *v.* Glenshaw Glass Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 217, Misc. Robert E. Lang, petitioner, *v.* Richard A. McGee, Director of Corrections, State of California, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 218, Misc. James Joy Bishop, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 232, Misc. Martin Vola, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 237, Misc. Harrison Stewart, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 245, Misc. Harrison Stewart, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 259, Misc. Nemecio Cervantes, petitioner, *v.* Daniel E. Bergan, Warden, Illinois State Penitentiary, Pontiac, Ill. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 239, Misc. Caryl Chressman, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. The Chief Justice took no part in the consideration or decision of this application.

Adjourned until Monday, January 4, 1954, next, at 12 o'clock.

The day call for Monday, January 4, will be as follows: Nos. 67, 69, 115, 128, 160, 163, 198 (199, 200, and 201), 195, 217, and 274.

SUPREME COURT OF THE UNITED STATES

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

Bill Penix, of Jonesboro, Ark., on motion of Mr. Acting Solicitor General Robert L. Stern; Mary Burt Nash, of Little Rock, Ark., and William Nash, of Little Rock, Ark., on motion of Mr. H. Brian Holland; William V. Geppert, of Austin, Tex., on motion of Mr. Price Daniel; Edgar Frank Conly, of Denver, Colo., on motion of Mr. Byron G. Rogers; Richard A. Edwards, of Easton, Pa., on motion of Mr. Earl W. Kintner; William W. Guild, of Austin, Tex., on motion of Mr. John Ben Shepperd; Howard A. Rankin, of Portland, Oreg., on motion of Mr. Clyde B. Aitchison; Henry L. Stern, of Washington, D. C., on motion of Miss Elizabeth Barnes Aduston Rogers; Joseph Sitnick, of Silver Spring, Md., on motion of Mr. Myron G. Ehrlich; Russell L. Furbee, of Fairmont, W. Va., and C. Howard Hardesty, Jr., of Fairmont, W. Va., on motion of Mr. I. Martin Leavitt; James B. Cobb, of Washington, D. C., on motion of Mr. George B. Parks; and Carlos C. Cadena, of San Antonio, Tex., on motion of Mr. Paul J. Kilday, were admitted to practice.

No. 19. Theatre Enterprises, Inc., petitioner, *v.* Paramount Film Distributing Corp. et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed with costs and case remanded to the United States Court for the District of Maryland. Opinion by Mr. Justice Clark. Dissenting: Mr. Justice Black. Mr. Justice Douglas withdrew from the case after its submission and took no part in the decision.

No. 184. The General Protective Committee for the Holders of Option Warrants of the United Corporation, petitioner, *v.* The Securities and Exchange Commission et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals affirmed in taking jurisdiction over the controversy insofar as it related (1) to the sale by United of its holdings and (2) to the offers it made to its stockholders who wanted to withdraw. Judgment of the Court of Appeals reversed in taking jurisdiction over the provisions of the voluntary plan of reorganization which the Securities and Exchange Commission in its

order made operative on enforcement by the District Court. The case is remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 31. United States of America, petitioner, *v.* Robert Patrick Morgan. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Northern District of New York. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Minton in which the Chief Justice, Mr. Justice Jackson, and Mr. Justice Clark 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. 81. National Labor Relations Board, petitioner, *v.* Bill Daniels, Inc., Walker Motors, Inc., and Gilbert Motor Sales, Inc. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Howell Chevrolet Co. v. National Labor Relations Board*, No. 34, October Term, 1953, decided December 14, 1953.

No. 433. David Rines, Administrator of the Estate of Lucy L. Rines, appellant, *v.* The Honorable Justices of the Superior Court; and

No. 434. David Rines, Administrator of the Estate of Lucy L. Rines, appellant, *v.* The Honorable Justices of the Superior Court. Appeals from the Supreme Judicial Court of Massachusetts. *Per Curiam*: The appeals are dismissed for the want of a substantial federal question.

No. 478. Dr. George H. Buck, appellant, *v.* Board of Medical Examiners of the State of Oregon. Appeal from the Supreme Court of Oregon. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. Mr. Justice Burton took no part in the consideration or decision of this case.

No. 486. Southern Pacific Company, a Corporation, appellant, *v.* Public Utilities Commission of the State of California et al. Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. The Chief Justice took no part in the consideration or decision of this case.

No. 423. Lloyd M. Bentsen, Sr., et al., petitioners, *v.* Emery C. Blackwell et al. The motion to permit the use of multilith instead of printed copies of the record is denied.

No. 505. Government and Civic Employees Organizing Committee, CIO., an Unincorporated Association, E. J. Habshey, appellants, *v.* S. F. Windsor et al. The motion for an injunction is denied. Mr. Justice Black took no part in the consideration or decision of this motion.

No. 450. Arthur P. Allen, Chairman, Twelfth Region Wage Stabilization Board, et al., appellants, *v.* Grand Central Aircraft Co., a California Corporation. Appeal from the United States District Court for the Northern District of California. In this case probable jurisdiction is noted.

No. 476. Braniff Airways, Incorporated, appellant, *v.* Nebraska State Board of Equalization and Assessment et al. Appeal from the Supreme Court of Nebraska. In this case probable jurisdiction is noted. Pursuant to a stipulation of counsel, George W. Peterson, present Nebraska State Tax Commissioner, is substituted as a party appellee in the place and stead of Norris J. Anderson, resigned.

No. 352. Julia Thompson, petitioner, *v.* Richard P. Lawson, as Deputy Commissioner of the United States Bureau of Employees Compensation, etc., et al. The petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted and the case is transferred to the summary docket.

No. 196. J. B. Noble, petitioner, *v.* J. W. Cooke, R. Lacy, Incorporated, a Corporation, Mrs. Lawson Lacy Individually and as Independent Executrix of the Estate of Rogers Lacy, Deceased, et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Sixth Supreme Judicial District, denied.

No. 330. American Bottling Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 381. State Corporation Commission of the State of Kansas, petitioner, *v.* Federal Power Commission;

No. 382. Northern Natural Gas Company, petitioner, *v.* Federal Power Commission; and

No. 469. Federal Power Commission, petitioner, *v.* Northern Natural Gas Company et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 397. Arthur N. Field, as Temporary Receiver of the Property and Assets of United Greek Shipowners Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 425. Oliver United Filters, Incorporated, petitioner, *v.* Harold F. Silver (an Individual). Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 429. Silvio DeVita, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 445. J. Wolfe Chassen, as Trustee in Bankruptcy of Krieger Steel Sections, Inc., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 451. Alejandro D. Llanos et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 452. Buzza-Cardozo, a California Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 453. Charles Rhoten Fine, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 455. Philip Weiss, petitioner, *v.* James W. Johnson, Collector of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 461. William Stevens Coaker, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 462. S. L. Kilgore, petitioner, *v.* Alfred A. McKethan et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 466. Mrs. Carolyn M. Abney, et vir, James K. Abney, petitioners, *v.* Ellis Campbell, Jr., Collector of Internal Revenue for the Second Collection District of Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 467. Adele Weiss, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 470. Rose Publicker, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 473. Harry J. Alker, Jr., and Mamie DuBan, Individually and as Executrix of the Estate of Alfred A. DuBan, Deceased, petitioners,

v. Butcher and Sherrerd and Fidelity-Philadelphia Trust Company, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 456. Hughes Construction Company, petitioner, *v. Secretary of Labor.* Motion to substitute James P. Mitchell, present Secretary of Labor, as the party respondent granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 465. Edmond L. Viles, petitioner, *v. William H. Scofield et al.* Motion to dispense with printing the petition and record granted. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 265. Mildred M. Wetherbee, Administratrix of the Estate of John P. Wetherbee, Deceased, petitioner, *v. Elgin, Joliet and Eastern Railway Company;*

No. 311. United States of America, petitioner, *v. Frank Fryer;*

No. 324. J. and L. Snouffer, Incorporated, etc., petitioner, *v. Wilbur B. Adams et al.;*

No. 371. Los Angeles County Pioneer Society, a Corporation in the Process of Voluntarily Winding Up, petitioner, *v. The Historical Society of Southern California;*

No. 378. Paul C. Fisher, d/b/a Fisher Pen Company, petitioner, *v. Martin P. Durkin, Secretary of Labor;*

No. 384. Cecelia S. Larson and Russell T. Thompson, appellants, *v. City of Long Beach;*

No. 393. State of Tennessee, Railroad and Public Utilities Commission of the State of Tennessee, et al., appellants, *v. United States of America, Interstate Commerce Commission, Carolina, Clinchfield and Ohio Railway, etc., et al.;*

No. 403. Annette S. Lunn, petitioner, *v. F. W. Woolworth Company;* and

No. 416. Thorvold Repsholdt, petitioner, *v. United States of America.* Petitions for rehearing denied.

No. 343. G. Seals Aiken, appellant, *v. William Richardson.* Second petition for rehearing denied.

No. 23, Misc. Bernard M. Shotkin, petitioner, *v. Atchison, Topeka & Santa Fe R. R. Co. et al.* Second petition for rehearing denied.

No. 42, Misc. Alfred D. Slack, petitioner, *v. United States of America;* and

No. 131, Misc. Fred Tate, petitioner, *v. People of the State of California.* Petitions for rehearing denied.

No. 368, Misc., October Term, 1952. Florence McMillan Goodman and Frances Brodsky, petitioners, *v.* Ed Leigh McMillan as Trustee, et al. Petition to withdraw the order of November 30, 1953, and for further consideration denied. The Chief Justice took no part in the consideration or decision of this application.

No. 102, Misc. John M. Johnson, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 130, Misc. Henry Ferguson, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 136, Misc. Emory Newton Brown, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 141, Misc. James Henderson, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Circuit Court for the County of Macomb, Michigan, denied.

No. 142, Misc. John Ikey Esters, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 212, Misc. Otis Harrod, petitioner, *v.* Porter B. Lady, Warden, Kentucky State Reformatory, La Grange, Kentucky, and Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 220, Misc. Louis T. Lepera, petitioner, *v.* Cornelius J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 224, Misc. Guy N. Stafford, petitioner, *v.* G. M. Russell, Joseph R. Vaughan, et al. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 228, Misc. Glen Earl Losinger, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 231, Misc. Henry Lewis, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 234, Misc. James Arterburn, petitioner, *v.* Herbert H. Hahn, Warden. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 238, Misc. Walter Irvin, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 240, Misc. Robert Kitzinger, petitioner, *v.* John W. Claudy and Acting Warden Maroney, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 241, Misc. Henry O. Prudeaux, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 242, Misc. Andrew Foley, petitioner, *v.* State of Illinois et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 246, Misc. Harry Meyers, petitioner, *v.* James V. Bartley, Judge, etc. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 249, Misc. Henry Thompson, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 252, Misc. Charles A. Byrnes, petitioner, *v.* Joseph E. Ragen, Warden of Illinois State Penitentiary, Joliet, Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 256, Misc. Burley J. Orr, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 257, Misc. Leverett Blackwell, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 263, Misc. Robert Dayton, petitioner, *v.* Orel J. Skeen, Warden, etc. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 267, Misc. James E. Hollenbeck, petitioner, *v.* John R. Cranor, as Superintendent, etc. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 270, Misc. James Wright, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 271, Misc. John Henry Davis, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 160, Misc. Robert Eugene Hyser, petitioner, *v.* United States of America. Motion for leave to file petition for writ of mandamus or writ of certiorari denied.

No. 260, Misc. Commodore Perry Sam, petitioner, *v.* John R. Cranor, Superintendent of the Washington State Penitentiary, Walla Walla, Washington; and

No. 261, Misc. Gordon Rolland, petitioner, *v.* State of Michigan. Motions for leave to file petitions for writs of habeas corpus denied.

No. 184, Misc. John Henry Davis, petitioner, *v.* State of West Virginia et al.; and

No. 262, Misc. Ex parte John H. Jacobs, petitioner. Motions for leave to file petitions for writs of mandamus denied.

No. 280, Misc. Byron A. Piner, petitioner, *v.* United States of America. Motion for leave to file petition for writ of certiorari denied.

No. 69. Dr. Edward K. Barsky, appellant, *v.* The Board of Regents of the University of the State of New York. Argued by Mr. Abraham Fishbein for the appellant and by Mr. Henry S. Manley for the appellee.

No. 115. Kern-Limerick, Inc., and United States of America, appellants, *v.* Carl F. Parker, Commissioner of Revenue for the State of Arkansas. Argued by Mr. Assistant Attorney General H. Brian Holland for the appellants and by Mr. O. T. Ward for the appellee.

No. 128. The County Board of Arlington County, Virginia, et al., appellants, *v.* State Milk Commission. Argued by Mr. Malcolm D. Miller for the appellants and by Mr. Roger J. Whiteford for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 5, will be as follows: Nos. 160, 163, 198 (199, 200, and 201), 195, 217, 274, 271, 300, 347, and 318.

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SUPREME COURT OF THE UNITED STATES

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

H. Coleman McGehee, Jr., of Richmond, Va., on motion of Mr. J. Lindsay Almond, Jr.; James K. Gaynor, of Greensburg, Ind., on motion of Mr. Frederick Bernays Wiener; Arthur W. Machen, Jr., of Baltimore, Md., and Francis D. Murnaghan, Jr., of Baltimore, Md., on motion of Mr. William L. Marbury, Jr.; B. M. Britain, of Amarillo, Tex., on motion of Mr. Samuel A. L. Morgan; Earl Simeon Dowell, of Washington, D. C., and Palmer Seymore Steenerson, of Silver Spring, Md., on motion of Mr. Joseph A. Nacrelli; Elmer C. Martin, of Kansas City, Mo., on motion of Mr. Allen H. Gardner; Franklin Joseph Healy, of Fayetteville, Ark., on motion of Mr. Francis Joseph Ortman; Bertram Maurice Saxe, of Atlantic City, N. J., on motion of Mr. Donald H. Dalton; and Harold L. Herzstein, of New York, N. Y., on motion of Mr. Henry J. Fox, were admitted to practice.

No. 160. Miller Brothers Company, appellant, *v.* State of Maryland. Argued by Mr. William L. Marbury for the appellant and by Mr. Francis D. Murnaghan, Jr., for the appellee.

No. 163. Railway Express Agency, Incorporated, appellant, *v.* Commonwealth of Virginia. Argued by Mr. Thomas B. Gay for the appellant and by Mr. Frederick T. Gray for the appellee.

No. 198. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.;

No. 199. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.;

No. 200. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.; and

No. 201. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al. Argument commenced by Mr. D. H. Culton for the appellants, continued by Mr. W. V. Geppert and Mr. John Ben Shepperd for the appellees and by Mr. Samuel A. L. Morgan for the appellants.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 6, will be as follows: Nos. 198 (199, 200, and 201), 195, 217, 274, 271, 300, 347, 318, 406, and 407.

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SUPREME COURT OF THE UNITED STATES

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

Frank Whitney Tenney, of San Francisco, Calif., on motion of Mr. Stanley N. Barnes; Leon Morris Shinberg, of Washington, D. C., on motion of Mr. Albert F. Adams; Joseph Shively Gill, of Columbus, Ohio, and Gwynne Bonnell Myers, of Columbus, Ohio, on motion of Mr. C. William O'Neill; Morphis Albert Jamiel, of Warren, R. I., on motion of Mr. Robert T. Murphy; William Martin Curran, Jr., of Los Angeles, Calif., on motion of Mr. John C. Harrington; Alfred Long Scanlan, of Bethesda, Md., on motion of Mr. Francis M. Shea; and Oliver Lloyd Onion, of Washington, D. C., on motion of Mr. William P. MacCracken, Jr., were admitted to practice.

No. 198. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.;

No. 199. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.;

No. 200. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.; and

No. 201. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al. Argument concluded by Mr. Samuel A. L. Morgan for the appellants.

No. 195. International Longshoremen's and Warehousemen's Union, Local 37, et al., appellants, *v.* John P. Boyd, District Director, Immigration and Naturalization Service. Argued by Mr. A. L. Wirin for the appellants and by Mr. Charles Gordon for the appellee. Leave granted appellants to file a reply brief within one week.

No. 217. Superior Films, Inc., appellant, *v.* Department of Education of the State of Ohio, Division of Film Censorship, Clyde Hisson, Superintendent. Argued by Mr. John C. Harlor for the appellant and by Mr. C. William O'Neill for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 7, will be as follows: Nos. 274, 271, 300, 347, 318, 406, 407, 435, and 67.

SUPREME COURT OF THE UNITED STATES

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

H. Clifton Owens, of Baltimore, Md., on motion of Mr. Joseph H. A. Rogan; William J. Stetter, of Alexandria, Va., on motion of Mr. Christopher A. Ray; John F. Mullaney, of Watford City, N. Dak., on motion of Mr. Maurice R. Barnes; Walter Giles Parker, of Luther-ville, Md., on motion of Mr. Daniel E. Klein; Marjorie Norman Rob- bins, of Commack, N. Y., on motion of Mr. Sidney H. Willner; and George Conner Webster, of Washington, D. C., on motion of Mr. John H. Myers, were admitted to practice.

No. **274.** Commercial Pictures Corporation, appellant, *v.* The Re- gents of the University of the State of New York. Argued by Mrs. Florence Perlow Shientag for the appellant and by Mr. Charles A. Brind, Jr., for the appellees.

No. **271.** William Adams, petitioner, *v.* State of Maryland. Argu- ment commenced by Mr. J. Francis Ford for the petitioner, continued by Mr. W. Giles Parker for the respondent, and concluded by Mr. George E. C. Hayes for the petitioner.

No. **300.** Herbert Brownell, Attorney General of the United States, petitioner, *v.* Serge Rubinstein. Argument commenced by Mr. Robert W. Ginnane for the petitioner and continued by Mr. Edward J. Ennis for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, January 8, will be as follows: Nos. **300, 347, 318, 406, 407, 435, and 67.**

SUPREME COURT OF THE UNITED STATES

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

W. Troy Hall, Jr., of Tavares, Fla., on motion of Mr. James R. Golden; Frank L. Eddens, Jr., of Birmingham, Ala., and Robert E. Rickles, of Florence, Ala., on motion of Mr. J. Fielding Jones; T. G. Gillespie, Jr., of Indianapolis, Ind., on motion of Mr. Raymond Underwood; and Dee W. Douglass, of Muscatine, Iowa, on motion of Mr. George D. Sullivan, were admitted to practice.

No. 300. Herbert Brownell, Attorney General of the United States, petitioner, *v.* Serge Rubinstein. Argument continued by Mr. Edward J. Ennis for the respondent and concluded by Mr. Robert M. Ginnane for the petitioner.

No. 347. Vito Giallo, Antonino Valenti, and Joseph C. Juliano, petitioners, *v.* United States of America. Argued by Mr. Henry K. Chapman for the petitioners and by Mr. John F. Davis for the respondent.

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

The day call for Monday, January 11, will be as follows: Nos. 318, 406, 407, 435, and 67.

SUPREME COURT OF THE UNITED STATES

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

Horace Wimberly, Jr., of Yoakum, Tex., and Gus C. Garcia, of San Antonio, Tex., on motion of Mr. Price Daniel; George J. Joseph, of Allentown, Pa., M. Jack Morgan, of Allentown, Pa., and Bernard B. Naef, of Allentown, Pa., on motion of Mr. Elmore Whitehurst; Harvey Rosenberg, of Wharton, Tex., and John J. Herrera, of Houston, Tex., on motion of Mr. Richard G. Garties; James L. Nelson, of St. Paul, Minn., on motion of Mr. Arthur E. Nelson; Louis Johnson, of Colorado Springs, Colo., on motion of Mr. Jacob Goldberg; Clifton W. Enfield, of Salem, Oreg., on motion of Mr. Ashley Sellers; John Joseph Nugent, of Providence, R. I., on motion of Mr. Robert T. Murphy; Raymond Anthony Thomas, of Bristol, R. I., on motion of Mr. Harvey M. Spear; Francis William Sams, of Miami, Fla., on motion of Mr. Frederick Stewart Gilbert, Jr.; James Nathan Wood, of Muncie, Ind., on motion of Mr. William E. Jenner; Gilberto R. Padró-Díaz, of Arecibo, P. R., on motion of Mr. Ira M. Lowe; and John W. Neville, of Detroit, Mich., on motion of Mr. Stanley N. Barnes, were admitted to practice.

No. 38. Julius Salsburg, appellant, *v.* State of Maryland. Appeal from the Court of Appeals of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Reed took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 300. Herbert Brownell, Attorney General of the United States, petitioner, *v.* Serge Rubinstein. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 347. Vito Giallo, Antonino Valenti, and Joseph C. Juliano, petitioners, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: Judgment affirmed.

The Chief Justice said:

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

No. 115. Kern-Limerick, Inc., and United States of America, appellants, *v.* Carl F. Parker, Commissioner of Revenues for the State of Arkansas. The motion of the Solicitor General to substitute Vance Scurlock, present Commissioner of Revenues, as the party appellee in the place and stead of Carl F. Parker is granted, all parties consenting.

No. 423. Lloyd M. Bentsen, Sr., et al., petitioners, *v.* Emery C. Blackwell et al. The application of the Solicitor General on behalf of the Securities and Exchange Commission for leave to appear and present oral argument as *amicus curiae* is granted and one-half hour is allowed for that purpose.

No. 500. United States of America, appellant, *v.* Floyd Dixon. Appeal from the United States District Court for the Northern District of Georgia. In this case probable jurisdiction is noted and case transferred to the summary docket.

No. 154. Edward R. Downing, Randolph Phillips, and 22,081 Stockholders of the United Corporation, petitioners, *v.* Securities and Exchange Commission and the United Corporation. Petition for writ of certiorari to the United States Court for Appeals for the District of Columbia Circuit denied.

No. 460. Chicago and North Western Railway Company, petitioner, *v.* Ben C. Davenport et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 474. R. B. Colbert, E. J. Barret, John A. Gross, et al., petitioners, *v.* Brotherhood of Railroad Trainmen, Brotherhood of Railroad Trainmen Lodge No. 448, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 28, Misc. Joseph Bednarik, petitioner, *v.* R. W. Alvis, Warden, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied for the reason that the judgment below is based on state procedural grounds adequate to support it.

No. 226, Misc. S. Leon Levy, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 244, Misc. Lester A. Hall, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 253, Misc. Elmer Newman, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary, Moundsville, West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 269, Misc. William F. Krell, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 275, Misc. George Parker, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 276, Misc. Charles V. Hammack, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 277, Misc. Charles S. Sheppard, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 282, Misc. Hayden C. Jones, petitioner, *v.* Captain James F. Maroney, Warden, etc. Petition for writ of certiorari to the Court of Common Pleas of Allegheny County, Pennsylvania, denied.

No. 178, Misc. *Ex parte* Emil Sztwiertnia, petitioner. The motion for leave to file petition for writ of habeas corpus is denied. Mr. Justice Black and Mr. Justice Douglas would grant leave to file. Leave to file not being granted, they would deny only without prejudice to petitioner's right to file a petition for writ of habeas corpus in the United States District Court. In either case they would appoint counsel to represent petitioner.

No. 250, Misc. Thomas Stephenson, petitioner, *v.* State of New Jersey et al. Motion for leave to file petition for writ of habeas corpus denied.

The Court will take a recess from Monday, January 18, until Monday, February 1, next.

No. 318. Allan Gordon and Eli Tempkin, petitioners, *v.* United States of America. Argued by Mr. John S. Boyden for the petitioners and by Mr. John R. Benney for the respondent.

No. 406. Pete Hernandez, petitioner, *v.* The State of Texas. Argument commenced by Mr. Carlos C. Cadena for the petitioner, continued by Mr. Gus C. Garcia for the petitioner and concluded by Mr. Horace Wimberly for the respondent.

No. 407. Robert Norbert Galvan, petitioner, *v.* U. L. Press, Officer in Charge, Immigration and Naturalization Service, etc. Argument commenced by Mr. Harry Wolpin for the petitioner, and continued by Mr. A. L. Wirin for the petitioner and by Mr. Oscar H. Davis for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 12, will be as follows: Nos. 407, 435, and 67.

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SUPREME COURT OF THE UNITED STATES

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

Martin Adolphus Coyle, of Hamilton, Ohio, on motion of Mr. John W. Bricker; Bart L. Cohen, of Tallahassee, Fla., on motion of Mr. Robert James Rosthal; John W. Graff, of St. Paul, Minn., on motion of Mr. A. Jerome Hoffmann; Armin J. Herz, of Springfield, Pa., on motion of Mr. M. E. Jones; H. Gunter Stephenson, of Winter Haven, Fla., on motion of Mr. James R. Golden; Rodney J. McMahon, of Meriden, Conn., on motion of Mr. Eugene Xavier Murphy; Robert A. Koch, of Chicago, Ill., on motion of Mr. Robert C. Barnard; and John Bofinger Miller, of Savannah, Ga., on motion of Mr. John K. Carlock, were admitted to practice.

No. 407. Robert Norbert Galvan, petitioner, *v.* U. L. Press, Officer in Charge, Immigration and Naturalization Service, etc. Argument continued by Mr. Oscar H. Davis for the respondent and concluded by Mr. A. L. Wirin for the petitioner. Leave granted petitioner to file a reply brief by tomorrow with leave to the respondent to respond thereto within seven days.

No. 435. A. Elwood North, petitioner, *v.* State of Florida. Argued by Mr. Claude Pepper for the petitioner and by Mr. Bart L. Cohen for the respondent.

No. 67. Julius Emspak, petitioner, *v.* United States of America. Argument commenced by Mr. David Scribner for the petitioner and continued by Mr. Acting Solicitor General Stern for the respondent

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 13, will be as follows: No. 67.

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SUPREME COURT OF THE UNITED STATES

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

No. 67. Julius Emspak, petitioner, *v.* United States of America. Argument continued by Mr. Acting Solicitor General Stern for the respondent and concluded by Mr. David Scribner for the petitioner.

Adjourned until Monday, January 18, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Victor D. Tort, of Atlantic City, N. J., on motion of Mr. Acting Solicitor General Robert L. Stern; Frank Martin, Jr., of Boise, Idaho, on motion of Mr. Stanley N. Barnes; Edward Richard Callister, Jr., of Salt Lake City, Utah, on motion of Mr. Arthur V. Watkins; Howard B. Black, of Cheyenne, Wyo., on motion of Mr. Frank A. Barrett; Omer L. Griffin, of Denver, Colo., and Charles M. Soller, of Denver, Colo., on motion of Mr. Henry P. Chandler; Eugene R. Pietkiewicz, of Chicago, Ill., on motion of Mr. Thaddeus M. Machrowicz; Robert A. Forsythe, of Minneapolis, Minn., on motion of Mr. Warren E. Burger; Thomas Willis Kehr, of Chillicothe, Ill., on motion of Mr. Royal E. Jackson; Francis A. Mulhern, of Glen Ridge, N. J., Daniel B. Goldberg, of New York, N. Y., and Sidney Goldstein, of New York, N. Y., on motion of Mr. Wilbur LaRoe, Jr.; David Francis Keefe, of Northampton, Mass., on motion of Mr. Benedict F. Fitzgerald, Jr.; Sumner M. Lieberman, of Boston, Mass., on motion of Mr. Claude L. Dawson; Robert DeWitte Yeomans, of Olympia, Wash., on motion of Mr. Ronald J. Foulis; Joseph J. Brown, of Lincoln, Nebr., on motion of Mr. Walter R. Johnson; Laurence W. Beilenson, of Los Angeles, Calif., on motion of Mr. Thomas N. Tarleau; Richard W. Lund, of Los Angeles, Calif., on motion of Mr. Richard S. Doyle; Henry Bruce Keiser, of New York, N. Y., on motion of Mr. Norman J. Morrisson; George Sanford Indig, of New York, N. Y., on motion of Mr. Thomas Hayward Brown; Dean L. Weichman, of Cleveland, Ohio, on motion of Mr. Joseph Eugene Keller; John R. James, of Wichita Falls, Tex., on motion of Mr. Fred B. Hammond, Jr.; Horace A. Ruckel, of Springfield, Ill., on motion of Mr. Gerard Van Arkel; George B. White, of San Francisco, Calif., on motion of Mr. Howard H. Schmidt; and John J. Spriggs, Sr., of Lander, Wyo., and John J. Spriggs, Jr., of Lander, Wyo., on motion of Mr. Albert Ginsberg, were admitted to practice.

No. 209. Chicago, Rock Island and Pacific Railroad Company, petitioner, *v.* Archie C. Stude, William Lumpkin and Pottawattamie County, Iowa. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment of Court of Appeals

affirmed with costs and case remanded to the United States District Court for the Southern District of Iowa. Opinion by Mr. Justice Minton. Mr. Justice Jackson concurs in the result. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter.

No. 35. Manuel S. Madruga, petitioner, *v.* Superior Court of the State of California, in and for the County of San Diego. On writ of certiorari to the Supreme Court of California. Judgment affirmed with costs. Opinion by Mr. Justice Black. Mr. Justice Reed concurs in the judgment of the Court. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

No. 94. United States of America, petitioner, *v.* Harold T. Lindsay et al. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed and case remanded to the United States District Court for the District of Massachusetts. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Reed.

The Chief Justice announced the following orders of the Court:

No. 128. The County Board of Arlington County, Virginia, et al., appellants, *v.* State Milk Commission. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The judgment is affirmed. Milk Control Board *v.* Eisenberg Farm Products, 306 U. S. 346. Mr. Justice Black dissents.

No. 217. Superior Films, Inc., appellant, *v.* Department of Education of the State of Ohio, Division of Film Censorship, Clyde Hisong, Superintendent. Appeal from the Supreme Court of Ohio; and

No. 274. Commercial Pictures Corporation, appellant, *v.* The Regents of the University of the State of New York. Appeal from the Court of Appeals of New York. *Per Curiam*: The judgments are reversed. Joseph Burstyn, Inc. *v.* Wilson, 343 U. S. 495. Concurring opinion filed by Mr. Justice Douglas, with whom Mr. Justice Black agrees.

No. 435. A. Elwood North, petitioner, *v.* State of Florida. On writ of certiorari to the Supreme Court of Florida. *Per Curiam*: The judgment is affirmed.

No. 48. Building Trades Council et al., petitioners, *v.* Kinard Construction Company. On petition for writ of certiorari to the Supreme Court of Alabama. *Per Curiam*: The petition for writ of certiorari is granted, and the judgment is reversed. Garner *v.* Teamsters, Chauffeurs and Helpers, Local Union No. 776 (A. F. L.), et al., No. 56, October Term, 1953, decided December 14, 1953. Since there has been no clear showing that Respondent has applied to the National Labor Relations Board for appropriate relief, or that it would be futile to

do so, the Court does not pass upon the question suggested by the opinion below of whether the State court could grant its own relief should the Board decline to exercise its jurisdiction.

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. 188. United Construction Workers, Affiliated with United Mine Workers of America, et al., petitioners, *v.* Laburnum Construction Corporation. The petition for writ of certiorari to the Supreme Court of Appeals of Virginia is granted limited to the following question:

"In view of the type of conduct found by the Supreme Court of Appeals of Virginia to have been carried out by Petitioners, does the National Labor Relations Board have exclusive jurisdiction over the subject matter so as to preclude the State court from hearing and determining the issues in a common law tort action based upon this conduct."

The Government is invited to submit a memorandum setting forth the policy of the National Labor Relations Board in regard to: (1) the proviso in § 10 (a), 61 Stat. 146, 29 U. S. C. (Supp. 111) § 160 (a), and (2) other cases, apart from those in § 10 (a), in which the Board declines to exercise its statutory jurisdiction. The memorandum should indicate by what standards the Board declines to act and whether the standards are applied by rule or regulation or on a case by case method.

No. 398. Capital Service, Inc., a California Corporation, etc., et al., petitioners, *v.* National Labor Relations Board. The petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted limited to the following question:

"In view of the fact that exclusive jurisdiction over the subject matter was in the National Labor Relations Board, Garner *v.* Teamsters, Chauffeurs and Helpers, Local Union No. 776 (A. F. L.), et al., No. 56, October Term, 1953, decided December 14, 1953, could the Federal District Court, on application of the Board, enjoin Petitioners from enforcing an injunction already obtained from the State court."

No. 280. Phillips Petroleum Company, petitioner, *v.* State of Wisconsin et al.; and

No. 281. State of Texas et al., petitioners, *v.* State of Wisconsin et al. On petitions for rehearing and petitions for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Petitions for rehearing granted. The orders entered Novem-

ber 30, 1953, denying certiorari are vacated and the petitions for writ of certiorari are granted. Mr. Justice Black dissents. The motion for leave to file brief of the Independent Petroleum Ass'n et al., as *amici curiae*, is denied.

No. 418. Federal Power Commission, petitioner, *v.* State of Wisconsin, Public Service Commission of Wisconsin, et al. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The order entered November 30, 1953, denying certiorari is vacated and the petition for writ of certiorari is granted. Mr. Justice Black dissents.

— Original. State of Alabama, complainant, *v.* State of Texas et al.; and

— Original. State of Rhode Island and Providence Plantations, complainant, *v.* State of Louisiana et al. These cases are set for hearing on the motions for leave to file the complaints and are assigned for argument at the foot of the call for Monday, February 1, each side in each case to be allowed 30 minutes for oral argument. The Chief Justice took no part in the consideration or decision of this question.

No. 5, Original, October Term, 1950. The State of New Jersey, complainant, *v.* The State of New York and the City of New York. The answers of the State of New Jersey and of the Commonwealth of Pennsylvania to the amended petition of the City of New York to modify the decree are received and they, along with the amended petition, are referred to the Special Master.

No. 475. L. Ronney and Sons Furniture Manufacturing Company, a Co-Partnership Consisting of Sam Ronney and Milton Ronney, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 477. Samuel Kohlberg, petitioner, *v.* Carl Gray, Administrator of Veterans Affairs, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 482. Harvey Radio Laboratories, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 485. Food Fair Stores, Inc., petitioner, *v.* Square Deal Market Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 487. V. S. Anderson and M. C. Anderson, Copartners Doing Business as Pacific Moulded Products Company, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 488. William F. Spang et al., petitioners, *v.* Robert C. Watson, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 489. Howard Seaboy Tickle, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 491. Myra Page Wiren, petitioner, *v.* Paramount Pictures, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 496. Noah Dietrich, petitioner, *v.* Carol Dietrich. Petition for writ of certiorari to the Supreme Court of California denied.

No. 364. Investors Royalty Company, Inc., a Delaware Corporation, petitioner, *v.* Market Trend Survey, Inc., a Corporation, et al. ;

No. 387. Julia Gallagher, as Administratrix of the Estate of James Gallagher, Deceased, and Julia Gallagher, petitioners, *v.* United States Lines Company et al. ;

No. 426. L. B. Glover, George Franklin Humphries, et al., petitioners, *v.* W. P. H. McFaddin et al. ;

No. 432. Morand Brothers Beverage Co. et al., petitioners, *v.* National Labor Relations Board; and

No. 441. Western Pacific Railroad Corporation et al., petitioners, *v.* Western Pacific Railroad Company et al. Petitions for rehearing denied.

No. 236, Misc. Wilfred Keys, petitioner, *v.* Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 254, Misc. James Garraffa, 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 Department, denied.

No. 258, Misc. Valerie Rubinstein, etc., petitioner, *v.* Serge Rubinstein, etc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 274, Misc. Cecil Swain, petitioner, *v.* H. O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 283, Misc. Frank Schanda, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 286, Misc. Lendal L. Lair, petitioner, *v.* Ross V. Randolph, Warden of Illinois State Penitentiary, Menard, Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 288, Misc. Edward T. Curley, petitioner, *v.* State of Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 294, Misc. Samuel Appice, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 296, Misc. Donald H. Lilyroth, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. Petition for writ of certiorari to the Circuit Court of Lee County, Illinois, denied.

No. 298, Misc. Raymond Orrie, petitioner, *v.* State of Wisconsin and John C. Burke, Warden, Wisconsin State Prison. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 299, Misc. Donald J. Hammond, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 307, Misc. C. E. Walters, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 265, Misc. Alden William Brooks, petitioner, *v.* Dr. Ivan W. Steele, Warden, United States Medical Center, Springfield, Missouri. Motion for leave to file petition for writ of habeas corpus denied.

Adjourned until Monday, February 1, next, at 12 o'clock.

The day call for Monday, February 1, will be as follows: 117 (118 and 119), 304, 335, 366, 389, 404, 439, 440, — Original, Alabama *v.* Texas et al., and — Original, Rhode Island *v.* Louisiana et al.

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SUPREME COURT OF THE UNITED STATES

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

Salvatore E. Guiffre Oddo, of Chicago, Ill., Joseph Walter Mioduski, of Chicago, Ill., and Jennings Patrick Felix, of Tacoma, Wash., on motion of Mr. Acting Solicitor General Robert L. Stern; Lloyd Louis Wiehl, of Yakima, Wash., on motion of Mr. Warren G. Magnuson; Walter Lee Mitchell, of Atlanta, Ga., on motion of Mr. Richard B. Russell, Jr.; Edward E. Murane, of Casper, Wyo., and Charles R. Leick, of Kansas City, Mo., on motion of Mr. Frank A. Barrett; Gerald E. Dennis, of Fort Wayne, Ind., on motion of Mr. E. Ross Adair; George Jonathan Danforth, Jr., of Sioux Falls, S. Dak., on motion of Mr. Garrett Fuller; Frank E. Maloney, of Gainesville, Fla., on motion of Mr. Wm. Armstrong Hunter; Kenelm Lawrence Shirk, Jr., of Lancaster, Pa., on motion of Mr. Kenelm L. Shirk; George Churchill Allen, of Cincinnati, Ohio, on motion of Mr. Robert E. Freer; E. Robert Pratt, of Rockville Centre, N. Y., and Edward M. O. Pratt, of Rockville Centre, N. Y., on motion of Mr. Harry Marselli; Orville F. Grahame, of Worcester, Mass., on motion of Mr. Thomas Ellsworth Martin; George G. Grover, of La Canada, Calif., on motion of Mr. Edmund G. Brown; Prentiss Moore, of Los Angeles, Calif., on motion of Mr. William V. O'Connor; Burton F. Ellis, of Cascade, Mont., on motion of Mr. Arnold G. Eger, Rudolf Wedemeyer, of Memphis, Tenn., on motion of Mr. Nicholas E. Allen; John P. McCammon, of St. Louis, Mo., on motion of Mr. Samuel H. Liberman; Rudolph J. Anderson, Jr., of Fanwood, N. J., on motion of Mr. H. Linwood Godfrey; Dudley B. Tenney, of New York, N. Y., and Thomas E. Ervin, of New York, N. Y., on motion of Mr. Paul Whitcomb Williams; John R. Golden, of San Francisco, Calif., and Leslie C. Gillen, of San Francisco, Calif., on motion of Mr. J. Louis Monarch; Fred N. Fishman, of New York, N. Y., on motion of Mr. Philip Elman; Frank M. Catlin, of Wolf Point, Mont., on motion of Mr. Henry Kaiser; Neil R. McCluhan, of Winnebago, Nebr., on motion of Mr. Ray W. Nedrow; Lowell C. Kindig, of Sioux Falls, Iowa, on motion of Mr. I. Martin Leavitt; Levert J. Able, of Houston, Tex., on motion of Mr. Arthur C. Perry; Fred M. Burns, of Tallahassee, Fla., on motion of Mr. George Bailey Walsh; Fred M. Mock, of Oklahoma City, Okla., on motion of Mr. Roscoe Rizley; Florence G. Denton, of Columbus, Ohio, on motion of Miss Marion J. Harron; and

Henry H. Glassie, of Washington, D. C., on motion of Mr. Henry B. Weaver, Jr., were admitted to practice.

No. 92. United States of America, petitioner, *v.* City of New Britain, Connecticut et al. On writ of certiorari to the Supreme Court of Errors of the State of Connecticut. Judgment vacated and case remanded to the Supreme Court of Errors to have determined the order of priority of the various liens asserted, in accordance with the opinion of this Court. Opinion by Mr. Justice Minton.

No. 222. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General; and

No. 223. Delta Air Lines, Inc., petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and cases remanded to the Court of Appeals. Opinion by Mr. Justice Douglas.

No. 224. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, the United States of America, on Behalf of the Postmaster General, and Western Air Lines, Inc.; and

No. 225. Western Air Lines, Inc., petitioner, *v.* Civil Aeronautics Board, Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on Behalf of the Postmaster General. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and cases remanded to the Court of Appeals. Opinion by Mr. Justice Douglas.

No. 121. Sam Walder, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Missouri. Opinion by Mr. Justice Frankfurter. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 5. The Radio Officers' Union of the Commercial Telegraphers Union, AFL, petitioner, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Second Circuit;

No. 6. National Labor Relations Board, petitioner, *v.* International Brotherhood of Teamsters, Chauffers, Warehousemen and Helpers of America, et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit; and

No. 7. Gaynor News Company, Inc., petitioner, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment in No. 5 affirmed. Judgment in No. 6 reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Judgment in No. 7 affirmed. Opinion by Mr. Justice Reed. Concurring opinion by Mr. Justice Frankfurter. Mr. Justice Burton and Mr. Justice Minton, having joined in the opinion of the Court, also join in the opinion of Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

No. 50. Victor Emanuel Pereira and Eugene H. Brading, petitioners, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Texas. Opinion by Mr. Chief Justice Warren. Opinion by Mr. Justice Minton concurring in part and dissenting in part in which Mr. Justice Black and Mr. Justice Douglas join. Mr. Justice Reed took no part in the consideration or decision of this case.

The Chief Justice said:

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

No. 468. Arthur Jost, petitioner, *v.* United States of America. On petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the District Court of Appeal is reversed and the cause is remanded with instructions to proceed not inconsistent with the findings of fact and conclusions of law and recommendations of the Commissioner of Immigration and Naturalization, on confession of error by the Government.

No. 505. Government and Civic Employees Organizing Committee, CIO, an Unincorporated Association, E. J. Habshey, appellants, *v.* S. F. Windsor et al. Appeal from the United States District Court for the Northern District of Alabama. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Black took no part in the consideration or decision of this case.

No. 389. Frank Walters and Edward Williams Jr., appellants, *v.* The City of St. Louis et al. Pursuant to a stipulation of the parties, Raymond R. Tucker, present Mayor of the City of St. Louis, Missouri, is substituted as a party appellee in the place and stead of Joseph M. Darst.

No. 480. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, The Baltimore & Ohio Railroad Company, et al.; and

No. 481. Florida Citrus Commission, Growers and Shippers League of Florida, et al., appellants, *v.* United States of America, Interstate Commerce Commission, The Baltimore & Ohio Railroad Company, et al. Appeals from the United States District Court for the Southern District of Florida. In these cases probable jurisdiction is noted and the cases are consolidated for argument.

No. 484. City National Bank of Fairmont, a National Banking Corporation, petitioner, *v.* The Fidelity Mutual Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 492. J. Minor Sullivan III, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 493. Jacques Codray, petitioner, *v.* Herbert Brownell, Jr., Attorney General and Successor to the Alien Property Custodian. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 494. Hollis Williams, petitioner, *v.* Burney J. Lindsey, Administrator of the Estate of Verna Helen Lindsey, Deceased. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 516. Chemical Bank & Trust Company, petitioner, *v.* Prudence-Bonds Corporation (New Corporation) et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 497. Morton Sobell, petitioner, *v.* United States of America. Motion for leave to file brief of Dr. Harold C. Urey et al., as *amici curiae* denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 498. Winton L. Welch, petitioner, *v.* State of Texas. Motion to dispense with printing record granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 508. Lewis C. Dougall, petitioner, *v.* Spokane, Portland and Seattle Railway Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 344. John Arbulich, Jr., petitioner, *v.* Thomas Arbulich. Motion for leave to file petition for rehearing denied.

No. 409. The Baltimore Transfer Company, Davidson Transfer and Storage Company, et al., appellants, *v.* Interstate Commerce Commission and United States of America;

No. 433. David Rines, Administrator of the Estate of Lucy L. Rines, appellant, *v.* The Honorable Justices of the Superior Court;

No. 434. David Rines, Administrator of the Estate of Lucy L. Rines, appellant, *v.* The Honorable Justices of the Superior Court;

No. 465. Edmond L. Viles, petitioner, *v.* William H. Scofield et al.; and

No. 467. Adele Weiss, petitioner, *v.* United States of America. Petitions for rehearing denied.

No. 239, Misc. Caryl Chessman, petitioner, *v.* People of the State of California et al. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 334, Misc. October Term, 1952. Jesse Maughs, petitioner, *v.* M. L. Royster, Supt. of State Prison Farm. Second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 179, Misc. Thomas Shaw, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 243, Misc. Estelle Marrion Brown, petitioner, *v.* Rose M. Jensen. Petition for writ of certiorari to the Supreme Court of California denied.

No. 255, Misc. Paul Richard Small, petitioner, *v.* Herbert H. Hann. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 266, Misc. Earl C. Weldon, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 273, Misc. Guy N. Stafford, petitioner, *v.* Superior Court of the State of California in and for the County of Los Angeles. Petition for certiorari to the Superior Court of California, in and for the County of Los Angeles, denied.

No. 278, Misc. Luther T. Medlin et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 285, Misc. Tony Giarratano, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 292, Misc. James Shawver, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary, Moundsville, West Vir-

ginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 293, Misc. Herbert W. Peters, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Supreme Court of New York, Appellate Division, Third Judicial Department, denied.

No. 300, Misc. Willie Williams, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 301, Misc. Peter Ivers, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the County Court of Otsego County, New York, denied.

No. 302, Misc. Brogie Norris, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 304, Misc. Fred Allen, petitioner, *v.* W. Frank Smyth, Jr., Supt., etc. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 305, Misc. Lander Ray Gantt and Shelton H. Gainey, petitioners, *v.* State of South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 306, Misc. Robert Meyers, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 308, Misc. Ethel M. Weakly, petitioner, *v.* James W. Baxter et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 310, Misc. Robert V. Longley, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 311, Misc. Lloyd Woodson, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 313, Misc. William Mahler, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 318, Misc. Leonard J. Vraniak, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 319, Misc. Casimir Jablonski, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 323, Misc. Dick Day, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Peoria County, Illinois, denied.

No. 324, Misc. Joseph J. Lewis, petitioner, *v.* W. Frank Smyth, Jr., Supt., etc. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 326, Misc. John Lindsey, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 328, Misc. Billie Richardson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 331, Misc. Wilbur Pearl Britton, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Shelby County, Illinois, denied.

No. 332, Misc. Armando Negron and Joseph Cruz, petitioners, *v.* State of New York. Petition for writ of certiorari to the Supreme Court of New York, Appellate Division, First Judicial Department, denied.

No. 333, Misc. Willie Frazier, petitioner, *v.* State of Indiana et al. Petition for writ of certiorari to the Circuit Court of Allen County, Indiana, denied.

No. 335, Misc. Andrew Bradley, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 339, Misc. Thomas J. Cunningham, petitioner, *v.* Dr. John F. McNeill, Superintendent of Matteawan State Hospital. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 340, Misc. Cecil Lovedahl, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 225, Misc. Carlo L. Anselmi, petitioner, *v.* Attorney General of the United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 334, Misc. Leslie Holloway, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 289, Misc. Homer J. Whelehon, petitioner, *v.* R. N. Eidson, Warden, Missouri State Penitentiary;

No. 315, Misc. LeRoy Dohrman, petitioner, *v.* Dr. Ivan W. Steele;

No. 316, Misc. Carl William Burkholder, petitioner, *v.* United States of America;

No. **325**, Misc. Harold H. Green, petitioner, *v.* State of Missouri;
 No. **327**, Misc. Leonard Marion Bayless, petitioner, *v.* Ralph N. Eidson, Warden; and

No. **337**, Misc. George F. Sholter, petitioner, *v.* James F. Maroney, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. **295**, Misc. Samuel D. Collins, petitioner, *v.* Bert O. Webb, Warden, State Prison at Soledad, California. Motion for leave to file petition for writ of certiorari denied.

No. **322**, Misc. Ex parte The Lincoln Electric Company, petitioner. Motion for leave to file petition for writ of mandamus denied.

The Court will take a recess from Monday, February 8, until Monday, March 8, next.

No. **117**. Federal Communications Commission, appellant, *v.* American Broadcasting Company, Inc.;

No. **118**. Federal Communications Commission, appellant, *v.* National Broadcasting Company, Inc.; and

No. **119**. Federal Communications Commission, appellant, *v.* Columbia Broadcasting System, Inc. Argued by Mr. Roger Wollenberg for the appellant, and by Mr. Alfred McCormack for the appellee in No. **117**, by Mr. Paul W. Williams for the appellee in No. **118**, and by Mr. Max Freund for the appellee in No. **119**.

No. **304**. Elmer F. Remmer, petitioner, *v.* United States of America. Argument commenced by Mr. J. Louis Monarch for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, February 2, will be as follows: Nos. **304**, **335**, **366**, **389**, **404**, **439**, **440**, — Original, Alabama *v.* Texas et al., and — Original, Rhode Island *v.* Louisiana et al.

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SUPREME COURT OF THE UNITED STATES

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

Charles Wilson, of Brooklyn, N. Y., on motion of Mr. Eugene J. Keogh; David Henry Marshall, of Honolulu, T. H., on motion of Mr. Edward T. Miller; Robert LeRoy Chipley, Jr., of Greenwood, S. C., on motion of Mr. J. Austin Latimer; Thomas MacPherson Thomas, of Chicago, Ill., on motion of Mr. Perry S. Patterson; Milton P. Rice, of Nashville, Tenn., on motion of Mr. Allison B. Humphreys, Jr.; Arthur Glover, of Amarillo, Tex., on motion of Mr. Walter E. Rogers; Edith I. Miller, of Boise, Idaho, on motion of Mr. Addison T. Smith; Eugene J. Murphy, of Boston, Mass., on motion of Mr. George Lynde Richardson; and Stanley M. Rosenblum, of St. Louis, Mo., on motion of Mr. Joseph L. Rauh, Jr., were admitted to practice.

No. 304. Elmer F. Remmer, petitioner, *v.* United States of America. Argument continued by Mr. J. Louis Monarch for the petitioner and concluded by Mr. Philip Elman for the respondent. Memorandum to come from petitioner.

No. 335. General Electric Company and United States of America, appellants, *v.* The State of Washington. Argued by Mr. M. S. Isenbergh for the appellants and by Mr. Jennings P. Felix for the appellees.

No. 366. United States of America, *ex rel.* Joseph Accardi, petitioner, *v.* Edward J. Shaughnessy, District Director of the Immigration and Naturalization Service, etc. Argued by Mr. Jack Wasserman for the petitioner and by Mr. Marvin E. Frankel for the respondent.

No. 389. Frank Walters and Edward Williams, Jr., appellants, *v.* The City of St. Louis et al. Argument commenced by Mr. Stanley M. Rosenblum for the appellants.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 3, will be as follows: Nos. 389, 404, 439, 440, — Original. Alabama *v.* Texas et al., and — Original. Rhode Island *v.* Louisiana et al.

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SUPREME COURT OF THE UNITED STATES

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

Lee S. Kreindler, of New York, N. Y., on motion of Mr. Acting Solicitor General Robert L. Stern; James L. Sloan, of Little Rock, Ark., and Thorp Thomas, of Little Rock, Ark., on motion of Mr. E. G. Gathings; Horace R. Alexius, Jr., of Covington, La., on motion of Mr. James H. Morrison; Phillip Robinson, of Austin, Tex., on motion of Mr. John Ben Shepperd; Charles L. Stewart, Jr., of Chicago, Ill., on motion of Mr. Leo F. Tierney; Vincent T. Wasilewski, of Cantrall, Ill., on motion of Mr. Justin Miller; Noel W. Deering, of Boston, Mass., on motion of Mr. Robert M. Peet; Marc A. White, of Washington, D. C., on motion of Mr. Eugene F. Bogan; and Lawrence Edward Smith, of Washington, D. C., on motion of Mr. Richard W. Tompkins, were admitted to practice.

No. 389. Frank Walters and Edward Williams, Jr., appellants, *v.* The City of St. Louis et al. Argument continued by Mr. Stanley M. Rosenblum for the appellants, by Mr. Samuel H. Liberman for the appellees, and concluded by Mr. Stanley M. Rosenblum for the appellants.

No. 404. Alice D. Jacobson, Administratrix, petitioner, *v.* New York, New Haven and Hartford Railroad Company. Argued by Mr. George P. Lordan for the petitioner and by Mr. Edward R. Brumley for the respondent.

No. 439. United States of America, appellant, *v.* Employing Lathers Association of Chicago and Vicinity, Local No. 74 of Wood, Wire and Metal Lathers International Union of Chicago, et al. Argued by Mr. Charles H. Weston for the appellant and by Mr. Leo F. Tierney for the appellees, Employing Lathers Association of Chicago and Vicinity et al. and submitted by Mr. Lester Asher, Mr. Nathan M. Cohen, and Mr. Robert S. Fiffer for the appellee, Local No. 74 of Wood, Wire and Metal Lathers International Union of Chicago, Illinois and Vicinity.

No. 440. United States of America, appellant, *v.* Employing Plasterers Association of Chicago et al. Argued by Mr. Charles H. Wes-

ton for the appellant and by Mr. Thomas M. Thomas for the appellee, Employing Plasterers Association of Chicago, and by Mr. Daniel D. Carmell for the appellees, Journeymen Plasterers and Benevolent Society, Local No. 5, et al.

No. — Original. State of Alabama, complainant, *v.* State of Texas et al.; and

No. — Original. State of Rhode Island, complainant, *v.* State of Louisiana et al. Argument on the motions for leave to file the complaints commenced by Mr. William E. Powers for the complainants and continued by Mr. Ben Cohen for the complainants.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, February 4, will be as follows: Nos. — Original. Alabama *v.* Texas et al., and — Original. Rhode Island *v.* Louisiana et al.

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SUPREME COURT OF THE UNITED STATES

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

Edwin W. Paul, of Louisville, Ky., on motion of Mr. Emmet V. Mittlebeeler; and B. Abbott Goldberg, of San Francisco, Calif., on motion of Mr. Edmund G. Brown, were admitted to practice.

No. — Original. State of Alabama, complainant, *v.* State of Texas et al.; and

No. — Original. State of Rhode Island, complainant, *v.* State of Louisiana et al. Argument on the motions for leave to file the complaints continued by Mr. Ben Cohen, Mr. Si Garrett, and Mr. Marx Leva for the complainants, by Mr. Edmund G. Brown, Mr. John L. Madden, and Mr. Jesse P. Luton, Jr., for the defendants, and concluded by Mr. Oscar H. Davis for the defendants.

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

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SUPREME COURT OF THE UNITED STATES

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

Harold G. Leffler, of Newton, Ill., Carl Everett Hennrich, of Arlington, Va., and James Q. Riordan, of New York, N. Y., on motion of Mr. Acting Solicitor General Robert L. Stern; Jackson Littleton, of Edinburg, Tex., and George Lawrence Crown, of Harlingen, Tex., on motion of Mr. Price Daniel; Robert H. Scholl, of New Canaan, Conn., and Einar Bernhardt Paust, of Englewood, N. J., on motion of Mr. Cecil Morgan; Frank F. Vesper, of Mansfield, Ohio, on motion of Mr. James E. Kilday; Robert Weiner, of Springfield, Ill., on motion of Mr. Paul Dobin; Everett Loring R. Giles, of Brunswick, Maine, on motion of Mr. Robert Hale; John F. Guinee, of San Francisco, Calif., on motion of Mr. Edward J. Taggart; James Douglas Johnson, of Crossett, Ark., on motion of Mr. Oren Harris; James W. Hastain, of Tulsa, Okla., on motion of Mr. Robert M. Scott; Thomas B. Lawrence, of Leonardtown, Md., on motion of Mr. John B. Cullen; Charles E. Lapp, Jr., of Cedarhurst, N. Y., Paul J. Leach, of Mineola, N. Y., and Ero K. Djerf, of New York, N. Y., on motion of Mr. Robert T. Murphy; William J. McAuliffe, Jr., of Boston, Mass., on motion of Mr. Robert M. Johnson; James P. Hume, of Chicago, Ill., on motion of Mr. Charles Willard Hayes; Thomas E. Blade, of Milwaukee, Wis., on motion of Mr. Chester W. Wilson; Salvatore Fabiano, of Boston, Mass., on motion of Mr. John Joseph Graham; Samuel Keene Clagett Kopper, of New York, N. Y., on motion of Mr. Charles F. Barber; Robert F. Martin, of Lost Creek, W. Va., on motion of Mr. Matthew Mansfield Neely; Bruce A. Werlhof, of Red Bluff, Calif., on motion of Mr. Clair Engle; Robert Brandt von Mehren, of New York, N. Y. on motion of Mr. Wilbur R. Lester; Carswell H. Cobb, of Savannah, Ga., and Orrie P. Stevens, of Arlington, Va., on motion of Mr. Leon Yudkin; John W. Nairn, of Washington, D. C., on motion of Mr. John A. Calhoun; and Downey Rice, of Washington, D. C., on motion of Mr. Rufus King, were admitted to practice.

No. 198. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.; and

No. 200. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et. al. Appeals from the Court of Civil Appeals of Texas, Third Supreme Judicial District;

No. 199. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.; and

No. 201. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al. Appeals from the Supreme Court of Texas. Appeals in Nos. 199 and 201 dismissed. Judgments in Nos. 198 and 200 reversed with costs and cases remanded to the Court of Civil Appeals for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark.

No. 12. Patrick E. Irvine, petitioner, *v.* People of the State of California. On writ of certiorari to the District Court of Appeal of California, Second Appellate District. Judgment affirmed with costs. Mr. Justice Jackson announced the judgment of the Court and an opinion in which the Chief Justice, Mr. Justice Reed, and Mr. Justice Minton join. Concurring opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins. Dissenting opinion by Mr. Justice Douglas.

No. 17. Partmar Corporation and Fanchon and Marco, Inc., petitioners, *v.* Paramount Pictures Theatres Corporation et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Southern District of California. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Chief Justice Warren in which Mr. Justice Black joins. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 115. Kern-Limerick, Inc., and United States of America, appellants, *v.* Vance Scurlock, Commissioner of Revenues for the State of Arkansas. Appeal from the Supreme Court of the State of Arkansas. Judgment reversed and case remanded to the Supreme Court of Arkansas for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Black in which the Chief Justice and Mr. Justice Douglas concur. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Black join.

The Chief Justice announced the following orders of the Court:

No. 335. General Electric Company and United States of America, appellants, *v.* The State of Washington. Appeal from the Supreme

Court of Washington. *Per Curiam*: The judgment is reversed. *Carson v. Roane-Anderson Co.*, 342 U. S. 232.

No. 404. Alice D. Jacobson, Administratrix, petitioner, *v.* New York, New Haven and Hartford Railroad Company. On writ of certiorari to the United States Court of Appeals for the First Circuit. *Per Curiam*: The judgment is affirmed. *Patch v. Wabash R. R. Co.*, 207 U. S. 277; *Memphis & Charleston R. R. Co. v. Alabama*, 107 U. S. 581; *Seavey v. Boston & Maine R. R.*, 197 F. 2d 485.

No. 318. Allan Gordon and Eli Tempkin, petitioners, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. *Per Curiam*: Petitioners are business partners in the sale of appliances. They were convicted under section 603 of the Defense Production Act of 1950 (64 Stat. 789, 812, 814), which provides that "Any person who *willfully* violates" regulations promulgated under the Act shall be guilty of crime. The jury was instructed that the knowledge of petitioners' employees was chargeable to petitioners in determining petitioners' wilfulness. Because of the instruction, the Government has confessed error. We agree, and accordingly reverse the judgment and remand the case to the District Court for retrial.

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. 501. J. A. White, George L. Sheldon, Nelson E. Taylor, and Mrs. John Hancock, appellants, *v.* Perry W. Howard, Sr., et al. Appeal from the United States District Court for the Southern District of Mississippi. *Per Curiam*: The judgment is vacated and the cause is remanded to the District Court with instructions to dismiss the complaint. Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas dissent. They would postpone the question of jurisdiction to the merits. The Chief Justice took no part in the consideration or disposition of this case.

No. 539. Lattavo Brothers, Inc., appellant, *v.* Captain Andrew J. Hudock, Commanding Squadron One, Pennsylvania State Police. Appeal from the United States District Court for the Western District of Pennsylvania. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 540. Amere Gas Utilities Company, a Corporation, appellant, *v.* Public Service Commission of the State of West Virginia. Appeal from the Supreme Court of Appeals of West Virginia. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 184. The General Protective Committee for the Holders of Option Warrants of the United Corporation, petitioner, *v.* The Securities and Exchange Commission et al.; and

No. 154. Edward R. Downing, Randolph Phillips, and 22,081 Stockholders of the United Corporation, petitioners, *v.* Securities and Exchange Commission and the United Corporation. The applications to stay the mandate in No. 184 and for leave to file petitions for rehearing out of time in Nos. 154 and 184 are denied. Mr. Justice Douglas took no part in the consideration or decision of these applications.

No. 427. The Franklin National Bank of Franklin Square, appellant, *v.* The People of the State of New York. The application of the Solicitor General on behalf of the Government for leave to appear and present oral argument as *amicus curiae* is granted and one-half hour is allowed for that purpose.

No. 431. Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco, California, petitioner, *v.* Pedro Gonzales. The motion to remove this case from the summary docket is denied.

No. 464. United States of America, appellant, *v.* The Borden Company et al. The motion of the appellant to supplement the record is granted. The motion of appellees to further supplement the record is also granted.

— In the Matter of Samuel B. Wasserman. The motion to amend the attorney's roll to show the change of name of Samuel B. Wasserman to Samuel B. Waterman is granted.

No. 531. Sonia Herrup Alton, petitioner, *v.* David Elie Alton. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 182. Metallic Building Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 210. Harry Epstein, Irving Epstein and Lena Epstein, Co-Partners, d/b/a Top Mode Manufacturing Co., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 483. United States Gypsum Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 490. The P. Dougherty Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 502. American Fire and Casualty Company, petitioner, *v.* Florence C. Finn. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 504. Switzer Brothers, Inc., Robert C. Switzer, and Joseph L. Switzer, petitioners, *v.* Harry P. Locklin and Elmer J. Brant, General Partners Doing Business Under the Name of Radiant Color Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 507. The Cincinnati Butchers' Supply Company et al., petitioners, *v.* Helene I. Pfeifer et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 509. Parmelee Transportation Company, a Corporation, petitioner, *v.* Zoe Grivas. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 512. Milwaukee Electric Tool Corporation, a Wisconsin Corporation, petitioner, *v.* Albert S. Johann. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 515. John D. Pichitino, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 518. Vincenzo Panebianco, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 506. William Walter Remington, petitioner, *v.* United States of America. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 475. L. Ronney and Sons Furniture Manufacturing Company, a Co-partnership Consisting of Sam Ronney and Milton Ronney, petitioner, *v.* National Labor Relations Board;

No. 65, Misc. Anna Marie Holland, petitioner, *v.* Safeway Stores, Inc.; and

No. 238, Misc. Walter Irvin, petitioner, *v.* State of Florida. Petitions for rehearing denied.

No. 268, Misc. Jesse Dukes, also known as Sim or Sam Dukes, petitioner, *v.* William J. Hanna, Warden, etc. Petition for writ for certiorari to the Supreme Court of New Jersey denied.

No. 287, Misc. Walter John Lowry, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 291, Misc. Sigmund Pollack, petitioner, *v.* James T. Aspbury et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 312, Misc. David Adams, petitioner, *v.* W. Frank Smyth, Jr., Supt., etc. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 341, Misc. Louis E. Lomax, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 344, Misc. Robert Henderson, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 346, Misc. Ex parte Emil Lustig, petitioner. Motion for leave to file petition for writ of habeas corpus denied.

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

The day call for Monday, March 8, will be as follows: Nos. 401 (and 402), 287, 307, 352, 423, 427, 431, 449, 450, and 476.

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SUPREME COURT OF THE UNITED STATES

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

Mr. Attorney General Brownell presented the Honorable Simon E. Sobeloff, of Maryland, Solicitor General of the United States.

The Chief Justice said:

“Mr. Solicitor General, the Court welcomes you to the performance of the important duty with which you are specially charged, the duty of representing the Government at the Bar of this Court in all cases in which it asserts an interest. Your commission will be recorded by the Clerk.”

Wm. V. Crosswhite, of Mound City, Kans., and Ray S. Schulz, of Great Bend, Kans., on motion of Mr. Andrew W. Schoeppel; Nathan R. Bickford, of Springdale, Ark., on motion of Mr. James William Trimble; Martin E. Rothenberg, of Pittsburg, Calif., on motion of Mr. Robert L. Condon; Paul G. Simpson, of Marion, Ohio, on motion of Mr. Jackson E. Betts; Leo J. Crowley, of Denver, Colo., on motion of Mr. Byron G. Rogers; Stanley R. Caidin, of Beverly Hills, Calif., and Cecil L. Woodgate, of Dallas, Tex., on motion of Mr. Robert L. Stern; George M. Billings, of New York, N. Y., on motion of Mr. Albert R. Connelly; Guy H. Jones, of Conway, Ark., on motion of Mr. Wilbur D. Mills; Harold Grove Knight, of Ambler, Pa., on motion of Mr. Howard C. Westwood; Jack Cochran Morgan, of Kaufman, Tex., Owen M. Giles, of Dallas, Tex., Robert Michael Martin, Jr., of Dallas, Tex., H. Leslie Williams, of Albuquerque, N. Mex., Robert Lee Guthrie, of Dallas, Tex., Freeman Lee Mittenthal, of Dallas, Tex., Thomas D. Schall, of Albuquerque, N. Mex., Pat Sheehan, of Albuquerque, N. Mex., Charles A. Kelley, of Boston, Mass., Benjamin Osuna, of Albuquerque, N. Mex., Samuel Edwin Daugherty, of Dallas, Tex., Neil Brans, of Dallas, Tex., Rolando J. Matteucci, of Albuquerque, N. Mex., Thomas N. Keltner, of Albuquerque, N. Mex., John B. McManus, Jr., of Albuquerque, N. Mex., James E. Sperling, of Albuquerque, N. Mex., Samuel L. Dazzo, of Albuquerque, N. Mex., on motion of Mr. Reginald Carl Harmon; Leslie Hawes Fisher, of Washington, D. C., Jon Henry Shurette, of Dallas, Tex., William M. Parks, of Dallas, Tex., Grover Hartt, Jr., of Dallas, Tex., Ford W. Hall, of Dallas, Tex., Reo C. Knowles, of

Dallas, Tex., Charles T. Banister, of Corsicana, Tex., Ernest T. Foree, of Dallas, Tex., John Calvin Ford, of Dallas, Tex., Royal H. Brin, Jr., of Dallas, Tex., Henry David Akin, Jr., of Dallas, Tex., and Roy L. Cole, of Dallas, Tex., on motion of Mr. Edward N. Logan; Maurice J. McKeown, of Newark, N. J., and Charles V. Webb, Jr., of Newark, N. J., on motion of Mr. Edward Schoen, Jr.; Noel Joseph Cipriano, of New Orleans, La., on motion of Mr. James C. Hamilton; Robert H. Hughes, of Dallas, Tex., on motion of Mr. Maury Hughes; Henry J. Sorenson, of Newark, N. J., S. Allen Craft, of Bernardsville, N. J., Jay E. Bailey, of Newark, N. J., and Earle Ogden Bennett, of Newark, N. J., on motion of Mr. George W. Grimm, Jr.; Plato Ernest Papps, of Bethesda, Md., on motion of Mr. John Maktos; Ernest Hey Beck, of Wilmington, Del., on motion of Mr. Harold Alden Jewett; Charles E. Mahan, of Fayetteville, W. Va., on motion of Mr. John George Fox; Shirley N. Holland, of Seattle, Wash., and Robert Victor Holland, of Seattle, Wash., on motion of Mr. Robert H. Duff; Olavi M. Hendrickson, of Miami, Fla., and George Richard Christ, Jr., of Tampa, Fla., on motion of Mr. Eugene F. Mullin, Jr.; George R. Andersen, of San Francisco, Calif., on motion of Mr. James E. Forer; Arthur K. Trask, of Honolulu, T. H., on motion of Mr. Edward A. Martin; Philip E. Pugsley, of White Plains, N. Y., on motion of Mr. John W. Nairn; Harold D. Burgess, of Chicago, Ill., on motion of Mr. Hugh Lynch; Milton Yawitz, of St. Louis, Mo., on motion of Mr. Monroe Oppenheimer; Fayette Gere Taylor, of Washington, D. C., on motion of Mr. Oscar Shienbrood; Martin Anthony Schnorr, of Rochester, N. Y., on motion of Mr. Stanley L. Temko; Dayton G. Wiley, of Memphis, Tenn., on motion of Mr. John Roy Thompson, Jr.; Milton S. Prince, of Brooklyn, N. Y., and William S. Parisi, of Brooklyn, N. Y., on motion of Mr. Joseph M. Bonuso; Allen Moore, of Denver, Colo., on motion of Mr. Will Shafroth; Myles J. Lane, of New York, N. Y., on motion of Mr. John Egan Shea; Elaine F. Friedman, of New York, N. Y., and Daniel P. A. Sweeney, of New York, N. Y., on motion of Mr. Frederick J. Ludwig; Carl A. Julien, of Washington, D. C., on motion of Mr. F. Gerald Teye; John Markham Freese, of Tulsa, Okla., on motion of Mr. Robert M. Scott; Clee Fitzgerald, of Stillwater, Okla., on motion of Mr. Russell Chapin; John Geisness, of Seattle, Wash., on motion of Mr. Ray R. Murdock; Edward Holland McIlheran, of Weslaco, Tex., on motion of Mr. Garland F. Smith; George T. Hagen, of Crookston, Minn., on motion of Mr. Conrad E. Snow; and Ivan Edward Merrick, Jr., of Washington, D. C., on motion of Mr. Eugene Mills Meacham, were admitted to practice.

No. 304. Elmer F. Remmer, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for

the Ninth Circuit. Judgment of Court of Appeals vacated and the case remanded to the United States District Court for the District of Nevada with directions to hold a hearing to determine whether the incident complained of respecting a juror was harmful to the petitioner, and if after hearing it is found to have been harmful, to grant a new trial. Opinion by Mr. Justice Minton. The Chief Justice took no part in the consideration or decision of this case.

No. 195. International Longshoremen's and Warehousemen's Union, Local 37, et al., appellants, *v.* John P. Boyd, District Director, Immigration and Naturalization Service. Appeal from the United States District Court for the Western District of Washington. Judgment vacated and case remanded to the District Court with directions to dismiss the complaint. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs.

No. 228. Emanuel L. Mazer and William Endicter, doing business as June Lamp Manufacturing Company, petitioners, *v.* Benjamin Stein and Rena Stein, doing business as Reglor of California. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment of Court of Appeals affirmed with costs and case remanded to the United States District Court for the District of Maryland. Opinion by Mr. Justice Reed. Separate opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

No. 271. William Adams, petitioner, *v.* State of Maryland. On writ of certiorari to the Court of Appeals of the State of Maryland. Judgment of Court of Appeals of Maryland affirming conviction reversed with costs and case remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Mr. Justice Frankfurter concurs in the result. Concurring opinion by Mr. Justice Jackson.

No. 439. United States of America, appellant, *v.* Employing Lathers Association of Chicago and Vicinity, Local No. 74 of Wood, Wire and Metal Lathers International Union of Chicago, et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment reversed and case remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Douglas joins.

No. 440. United States of America, appellant, *v.* Employing Plasterers Association of Chicago et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment reversed and case remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Douglas joins.

No. 65. The United States, petitioner, *v.* Binghamton Construction Co., Inc. On writ of certiorari to the United States 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. Chief Justice Warren.

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. 87. Public Utilities Commission of the State of California et al., appellants, *v.* United Air Lines, Inc., Catalina Air Transport and Civil Aeronautics Board. The motion of appellants for the allowance of costs is granted and it is ordered that the mandate be recalled and that allowable costs be taxed against the appellees, United Air Lines, Inc., and Catalina Air Transport, a Corporation. The Chief Justice took no part in the consideration or decision of this motion.

No. 19. Theatre Enterprises, Inc., petitioner, *v.* Paramount Film Distributing Corp. et al. The motion of respondents for allowance of costs is denied. Mr. Justice Douglas took no part in the consideration or decision of this motion.

No. 184. The General Protective Committee for the Holders of Opinion Warrants of the United Corporation, petitioner, *v.* The Securities and Exchange Commission et al. The motion of petitioner for taxation of costs to respondents, Downing and Phillips, is denied.

No. 196. J. B. Noble, petitioner, *v.* J. W. Cooke, R. Lacy, Incorporated, a Corporation, Mrs. Lawson Lacy Individually and as Independent Executrix of the Estate of Rogers Lacy, Deceased, et al. The motion of petitioner to assess printing costs against respondents is denied.

No. 550. Max R. Morris, appellant, *v.* Andrew Parker, John A. Remon, James E. Colliflower, et al. Appeal from the United States District Court for the District of Columbia. In this case probable jurisdiction is noted.

No. 529. National Union of Marine Cooks and Stewards, a Voluntary Association, petitioner, *v.* George Arnold et al. Petition for writ of certiorari to the Supreme Court of Washington granted and case transferred to the summary docket.

No. 536. Ray Brooks, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 454. Robert Lehman, Joseph A. Thomas, and Frederick L. Ehrman, petitioners, *v.* Civil Aeronautics Board, Continental Air Lines, Inc., and National Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 499. Jack C. Vaughan, petitioner, *v.* Carneal Warfield, C. A. Mewis and Mrs. C. A. Mewis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 510. David Friedberg, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 511. Elwood C. Martin et al., a Co-Partnership Doing Business as Nemece Combustion Engineers, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 522. Michael Joseph Lynch, petitioner, *v.* Lewis B. Hershey, Director of Selective Service. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 523. Rebecca Swidler and Sara Miller, petitioners, *v.* Knock-long Corp., Gresa Realty Co., Inc. and Grace E. Connolly. Petition for writ of certiorari to the Supreme Court of New York denied.

No. 524. Carolina Scenic Stages, Debtor, petitioner, *v.* Paul Stevens, Receiver of Carolina Scenic Stages, and the B. F. Goodrich Company, a Creditor. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 525. Nonles Parnacher, Devet Parnacher, Nannie Parnacher, now Johnson and Salina Scott, petitioners, *v.* Houston B. Mount. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 526. Washington National Insurance Company, a Corporation, petitioner, *v.* Ernst Sturm, Jr., Administrator of the Estate of Anne Sturm, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 528. Philip Oxman, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 530. Commissioner of Internal Revenue, petitioner, *v.* C. P. Chamberlin et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 532. Hall C. Smith, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 535. William J. Rochelle, Jr., Trustee, Liberty Broadcasting System, Inc., No. 4,333 in Bankruptcy, petitioner, *v.* Hal Shideler. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 538. Theodore W. Keller and Dorothy L. Keller, Co-Partners Trading under the Name of Howard Manufacturing Company, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 541. Harvey Stoller, d/b/a Richland Laundry and Dry Cleaners, petitioner, *v.* National Labor Relations Board; and

No. 542. Laundry and Dry Cleaners Union, Local 197, Affiliated with Laundry Workers International Union, A. F. L., petitioner, *v.* National Labor Relations Board. Petitions for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 544. Arnold Swartz and Max Goodman, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 547. C-O-Two Fire Equipment Company, petitioner, *v.* Specialties Development Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 549. Charles D. Clark, Relator (on the relation of Colquitt Clark), petitioner, *v.* J. F. Bryson, Sheriff of Tom Green County, Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 551. Audria Hart, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 556. James F. Hickey, an Individual, and Bankers Securities Corporation, a Corporation, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 567. United States of America, petitioner, *v.* Richard W. Douglas. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 581. Simplex Cloth Cutting Machine Co., Inc., petitioner, *v.* The Honorable Alexander Holtzoff, United States District Judge and Eastman Machine Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 438. Forest Lawn Memorial-Park Association, Inc., petitioner, *v.* National Labor Relations Board; and

No. 479. Pierce Brothers, petitioner, *v.* National Labor Relations Board. Motion to defer consideration denied. Petitions for writs

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

No. 519. Jeoffroy Mfg., Inc., Roy Jeoffroy, and Ray L. Jeoffroy, petitioners, *v.* William T. Graham and Graham-Hoeme Plow Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 533. Charles Ichiro Suehiro et al., petitioners, *v.* Herbert Brownell, Jr., Attorney General of the United States as Successor to the Alien Property Custodian. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 545. Dayless Manufacturing Company, Inc., and Leslie Hoffman, petitioners, *v.* Artmoore Company and Niles Metalcraft Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 546. Clayton M. Jones and Aimee Jones, his wife, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 81. National Labor Relations Board, petitioner, *v.* Bill Daniels, Inc., Walker Motors, Inc., and Gilbert Motor Sales, Inc.;

No. 209. Chicago, Rock Island and Pacific Railroad Company, petitioner, *v.* Archie C. Stude, William Lumpkin, and Pottawattomie County, Iowa;

No. 224. Civil Aeronautics Board, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, The United States of America, on behalf of the Postmaster General and Western Air Lines, Inc.;

No. 225. Western Air Lines, Inc., petitioner, *v.* Civil Aeronautics Board, Arthur E. Summerfield, Postmaster General of the United States, and the United States of America, on behalf of the Postmaster General;

No. 435. A. Elwood North, petitioner, *v.* State of Florida;

No. 473. Harry J. Alker, Jr., and Mamie DuBan, Individually and as Executrix of the Estate of Alfred A. DuBan, Deceased, petitioners, *v.* Butcher and Sherrerd and Fidelity-Philadelphia Trust Company, Trustee; and

No. 474. R. B. Colbert, E. J. Barret, John A. Gross, et al., petitioners, *v.* Brotherhood of Railroad Trainmen, Brotherhood of Railroad Trainmen, Lodge No. 448, et al. Petitions for rehearing denied.

No. 128. The County Board of Arlington County, Virginia, et al., appellants, *v.* State Milk Commission. Motion for leave to file petition for rehearing denied.

No. 308, October Term, 1952. Elizabeth H. Dalehite, Henry G. Dalehite, Jr., et al., petitioners, *v.* United States of America. Motion for leave to file a second petition for rehearing on behalf of certain petitioners denied. The Chief Justice, Mr. Justice Douglas, and Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 131, Misc. Fred Tate, petitioner, *v.* People of the State of California. Second petition for rehearing denied.

No. 288, Misc. Edward T. Curley, petitioner, *v.* State of Wisconsin; and

No. 304, Misc. Fred Allen, petitioner, *v.* W. Frank Smyth, Jr., Supt., etc. Petitions for rehearing denied.

No. 145, Misc. Harry Dwight Smith, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 164, Misc. Alfred Brawer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 216, Misc. Morris Berman, petitioner, *v.* Bernard J. Gillroy, Commissioner, Department of Housing and Buildings of the City of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 309, Misc. William L. Toelle, petitioner, *v.* Colorado Seminary et al. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 321, Misc. Feranda Jones, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 347, Misc. William J. Aycock, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 348, Misc. Roosevelt Cash, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 350, Misc. James Clementi, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 352, Misc. Francis Haines, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 353, Misc. Frank Severa, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia, denied.

No. 358, Misc. Vincenzo Fortoloni, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 359, Misc. James Marco, alias John Gasper, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 360, Misc. Robert Landgraver, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 361, Misc. William Rollins, petitioner, *v.* Joseph E. Ragen, Warden, et al. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 362, Misc. Donald Nordell, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 363, Misc. Calvin Elton Barnett, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 365, Misc. Joseph L. DeLevay, petitioner, *v.* Geo. E. Keneipp et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 367, Misc. James C. Cole, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 368, Misc. Walter J. Shaw, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 370, Misc. Clarence Dunlap, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 372, Misc. Lewis D. Marsh, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Superior Court of Indiana, La-porte County, denied.

No. 375, Misc. Ernest Grandville Booth, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 376, Misc. George E. Johnson, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 377, Misc. William Wells, petitioner, *v.* Joseph E. Ragen, Warden, et al. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 378, Misc. Frank Severa, petitioner, *v.* Fred Malpass, Parole Officer. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 381, Misc. Harvey G. Thomas, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 383, Misc. Donald Nordell, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 387, Misc. John Zucco, petitioner, *v.* Joseph E. Ragen, Warden, etc. Petition for writ of certiorari to the Circuit Court of Lake County, Illinois, denied.

No. 393, Misc. Walter James Hall, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 395, Misc. Paul Malek, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 396, Misc. Willard B. Ward, petitioner, *v.* O. B. Ellis, General Manager. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 351, Misc. Nancy Cross, petitioner, *v.* Supreme Court of California; and

No. 392, Misc. Robert Hendrickson, petitioner, *v.* Commonwealth of Pennsylvania. Motions for leave to file petitions for writs of mandamus denied.

No. 354, Misc. Harry Lee Dodd, petitioner, *v.* Dr. I. W. Steele, Warden;

No. 364, Misc. Clarence Schell, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Penitentiary;

No. 366, Misc. Ambrose J. W. Frazier, petitioner, *v.* United States of America;

No. 371, Misc. Ex parte William Ernest Hinkle, petitioner; and
No. 374, Misc. Lawrence Woods, petitioner, *v.* C. H. Looney,
Warden. Motions for leave to file petitions for writs of habeas corpus
denied.

The Court will take a recess from Monday, March 15, until Monday,
April 5, next.

No. 401. Herbert Brownell, Jr., Attorney General of the United
States as successor to the Alien Property Custodian, petitioner, *v.*
Eugene T. Singer; and

No. 402. The Superintendent of Banks of the State of New York,
etc., petitioner, *v.* Eugene T. Singer. Argued by Mr. James D. Hill
for the petitioner in No. 401, and by Mr. Albert R. Connelly for the
respondent and submitted by Mr. Edward Feldman and Mr. Daniel
Gersen for the petitioner in No. 402.

No. 287. Alaska Steamship Company, Inc., petitioner, *v.* John O.
Petterson. Argument commenced by Mr. Robert V. Holland for the
petitioner and continued by Mr. John Geisness for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 9, will be as follows: Nos. 287,
352, 423, 427, 431, 449, 307, 450, 476, and 500.

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SUPREME COURT OF THE UNITED STATES

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

Ted E. Killingsworth, Jr., of Arlington, Va., on motion of Mr. Arthur V. Watkins; Burton S. Hill, of Buffalo, Wyo., on motion of Mr. Frank A. Barrett; H. Edward Krause, of New York, N. Y., on motion of Mr. Will Shafroth; James Franklin Giddens, Jr., of Troy, Ala., and William Oliver McDaniel, of Birmingham, Ala., on motion of Mr. John Sparkman; Robert Joseph Norvell, of Washington, D. C., on motion of Mr. J. Howard McGrath; Paul J. Andrews, of Northumberland, Pa., on motion of Mr. Daniel J. Andersen; Daniel M. Cohen, of Brooklyn, N. Y., on motion of Mr. Leonard E. Ackermann; Norman Ray Nashem, Jr., of Yakima, Wash., on motion of Mr. Bryce Rea, Jr.; Chauncey C. Sheldon, of Lincoln, Nebr., on motion of Mr. Walter R. Johnson; Julian N. Stern, of Washington, D. C., and Thomas Vernon Lefevre, of Washington, D. C., on motion of Mr. Randolph E. Paul; and Francis Matthew Lee, of Dedham, Mass., on motion of Mr. Dwight D. Taylor, were admitted to practice.

No. 287. Alaska Steamship Company, Inc., petitioner, *v.* John O. Petterson. Argument continued by Mr. John Geisness for the respondent and concluded by Mr. Robert V. Holland for the petitioner.

No. 352. Julia Thompson, petitioner, *v.* Richard P. Lawson, as Deputy Commissioner of the United States Bureau of Employees Compensation, etc., et al. Argued by Mr. David Carliner for the petitioner and by Mr. George W. Erickson for the respondents, Gulf Florida Terminal Company et al. and by Mr. Lester S. Jayson for the respondent, Deputy Commissioner.

No. 423. Lloyd M. Bentsen, Sr., et al., petitioners, *v.* Emery C. Blackwell et al. Argued by Mr. Paul A. Porter and Mr. Milton V. Freeman for the petitioners and by Mr. Edward Holland McIlheran for the respondents and by Mr. John F. Davis for the Securities and Exchange Commission amicus curiae, by special leave of Court.

No. 427. The Franklin National Bank of Franklin Square, appellant, *v.* The People of the State of New York. Argument commenced by Mr. Samuel O. Clark, Jr., for the appellant.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 10, will be as follows: Nos. 427, 431, 449, 307, 450, 476, and 500.

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SUPREME COURT OF THE UNITED STATES

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

Frances C. Elge, of Helena, Mont., on motion of Mr. Solicitor General Simon E. Sobeloff; Earl E. James, of Oklahoma City, Okla., on motion of Mr. Edmond A. Edmondson, Jr.; Jay Oren Kramer, of New York, N. Y., on motion of Mr. Robert L. Stern; James P. Burns, Jr., of Syracuse, N. Y., on motion of Mr. Frederick Bernays Wiener; Wm. C. Wetherbee, of Los Angeles, Calif., on motion of Mr. Paul J. Sedgwick; Roger L. Burum, of Berkeley, Calif., on motion of Mr. Eugene Newcomb Curtis; Robert Warren Katz, of Newton, Mass., and Antonio de J. Cardozo, of Cambridge, Mass., on motion of Mr. Herbert E. Tucker, Jr.; Floyd J. Curtis, of Redwood City, Calif., on motion of Mr. Dee W. Pincock; Chaim H. Zimbalist, of University City, Mo., on motion of Mr. Russell Hardy; Paul David Heyman, of Kew Gardens Hills, N. Y., on motion of Mr. Robert J. Ahern; Edward James Whalen, of Belleville, N. J., on motion of Mr. William Brecht Hanback; John Holbrook, of New York, N. Y., on motion of Mr. Carl E. Williamson; William Leopold Shea, of Washington, D. C., on motion of Mr. H. Loy Anderson; Samuel Sandor Markovitz, of McKeesport, Pa., on motion of Mr. Sidney M. Goldstein; and Daniel Hubbard Politt, of Washington, D. C., on motion of Mr. Joseph H. Rauh, Jr., were admitted to practice.

No. 427. The Franklin National Bank of Franklin Square, appellant, *v.* The People of the State of New York. Argument continued by Mr. Solicitor General Sobeloff for the United States *amicus curiae* by special leave of Court, by Mr. Daniel M. Cohen for the appellee, and concluded by Mr. Samuel O. Clark, Jr., for the appellant.

No. 431. Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco, California, petitioner, *v.* Pedro Gonzales. Argued by Mr. Robert W. Ginnane for the petitioner and by Mrs. Blanch Freedman for the respondent.

No. 449. United States of America, petitioner, *v.* Mead Gilman, Jr. Argument commenced by Mr. Paul A. Sweeney for the petitioner and continued by Mr. William C. Wetherbee for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 11, will be as follows: Nos. 449, 307, 450, 476, and 500.

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SUPREME COURT OF THE UNITED STATES

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

Stuyvesant Wainwright II, of Wainscott, N. Y., Henry Jepson Latham, of Queens Village, N. Y., and Steven B. Derounian, of Roslyn, N. Y., on motion of Mr. Daniel A. Reed; Robert W. Johnson, of LaCrosse, Kans., on motion of Mr. Andrew W. Schoepel; William J. Kenealy, of Boston, Mass., on motion of Mr. William J. Hughes, Jr.; Charles D. T. Lennhoff, of Hartford, Conn., on motion of Mr. William R. Ward; Benjamin Offner, of Brooklyn, N. Y., on motion of Mr. Eugene F. Mullin, Jr.; Charles Myron Moulton, of Arlington, Va., on motion of Mr. Francis Joseph Ortman; Iris Yvonne Bell, of Miami, Fla., and Ann Wentworth Anderson, of Hampton, Va., on motion of Mr. Julius Silverstein; Kendall A. Young, of Towson, Md., on motion of Mr. William E. Davis; Kenneth H. Lundmark, of New York, N. Y., on motion of Mr. Thomas J. Herbert; and Samuel P. King, of Honolulu, T. H., on motion of Mr. Chauncey P. Carter, Jr., were admitted to practice.

No. 449. United States of America, petitioner, *v.* Mead Gilman, Jr. Argument continued by Mr. William C. Wetherbee for the respondent and concluded by Mr. Paul A. Sweeney for the petitioner.

No. 307. Harold Sacher, also known as "Harry" Sacher, an Attorney, petitioner, *v.* Association of the Bar of the City of New York and New York County Lawyers' Association. Argued by Mr. Telford Taylor for the petitioner and by Mr. Eli Whitney Debevoise for the respondent.

No. 450. Arthur P. Allen, Chairman, Twelfth Region Wage Stabilization Board, et al., appellants, *v.* Grand Central Aircraft Co., a California Corporation. Argument commenced by Mr. Robert L. Stern for the appellants and continued by Mr. Richard W. Lund for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, March 12, will be as follows: Nos. 450, 476, and 500.

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SUPREME COURT OF THE UNITED STATES

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

Emmer Martin Lancaster, of Akron, Ohio, on motion of Mr. Frazier Ream; John Charles Mason, of Lincoln, Nebr., on motion of Mr. James Lee Rankin; Howard J. Vorder Bruegge, of Memphis, Tenn., Frederick Boyd Ugast, of Washington, D. C., and James X. Kilbridge, of Chicago, Ill., on motion of Mr. Joseph M. Howard; Leslie Burgess Downing, of Washington, D. C., on motion of Mr. J. Ambrose Kiley; and Millard L. Midonick, of New York, N. Y., on motion of Mr. Harold Leventhal, were admitted to practice.

No. 450. Arthur P. Allen, Chairman, Twelfth Region Wage Stabilization Board, et al., appellants, *v.* Grand Central Aircraft Co., a California Corporation. Argument continued by Mr. Richard W. Lund for the appellee and concluded by Mr. Robert L. Stern for the appellants.

No. 476. Braniff Airways, Incorporated, appellant, *v.* Nebraska State Board of Equalization and Assessment et al. Argued by Mr. William J. Hotz, Sr., for the appellant and by Mr. C. C. Sheldon for the appellees.

No. 500. United States of America, appellant, *v.* Floyd Dixon. Argued by Mr. Philip Elman for the appellant. No appearance for the appellee.

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

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SUPREME COURT OF THE UNITED STATES

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

Oliver John Butler, Jr., of Fayetteville, Ark., and Lester J. Dencker, of Milwaukee, Wis., on motion of Mr. Solicitor General Simon E. Sobeloff; Leopoldo N. Duran, of Corpus Christi, Tex., on motion of Mr. Price Daniel; William H. Donham, of Little Rock, Ark., on motion of Mr. Brooks Hays; Henry Lapum Pringle, of Leesburg, Fla., on motion of Mr. James R. Golden; W. J. Huffman, of Miami Springs, Fla., on motion of Mr. W. C. Lantaff; William John Schloth, of Columbus, Ga., on motion of Mr. Martin K. Worthy; Lansdale G. Sasscer, of Upper Marlboro, Md., Henry Contee Bowie Clagett, Jr., of Upper Marlboro, Md., and Jerrold V. Powers, of Upper Marlboro, Md., on motion of Mr. John F. Lillard; Ralph D. Dinklage, of New York, N. Y., on motion of Mr. Wilbur Burgess; Harold D. Shrader, of Holton, Kans., on motion of Mr. Edward T. Johnson; Omer Poos, of Hillsboro, Ill., on motion of Miss Anna Rosina Bullington; Henry C. Ikenberry, Jr., of Washington, D. C., on motion of Mr. I. Martin Leavitt; Charles L. MacDonald, of New York, N. Y., on motion of Mr. E. Riggs McConnell; Robert H. Allphin, of Warsaw, Ky., on motion of Mr. Neville Miller; Samuel Van Dorsten Holch, of Daytona Beach, Fla., Ollie Lancaster, Jr., of Daytona Beach, Fla., Homer C. Conkling, Jr., of Titusville, Fla., Thomas L. Henderson, of Titusville, Fla., Albert L. Lewis, of Orlando, Fla., and Gilbert Bentley, of Orlando, Fla., on motion of Mr. Albert M. Kuhfeld; Louis E. Charnley, Jr., of Yonkers, N. Y., on motion of Mr. Cecil A. Beasley, Jr.; Thomas Reese Lloyd, of Cambridge, Ohio, on motion of Mr. Charles A. Webb; Philip I. Palmer, of Dallas, Tex., and John Plath Green, of Dallas, Tex., on motion of Mr. Lloyd Fletcher, Jr.; John Gibson Semmes, of Washington, D. C., on motion of Mr. Harry H. Semmes; and Thomas J. Shannon, of Pittsburgh, Pa., on motion of Mr. Joseph R. Jackson, were admitted to practice.

No. 366. United States of America, ex rel. Joseph Accardi, petitioner, *v.* Edward J. Shaughnessy, District Director of the Immigration and Naturalization Service, etc. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals reversed and case remanded to the United States

District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Reed, Mr. Justice Burton, and Mr. Justice Minton join.

No. 28. Federal Power Commission, petitioner, *v.* Niagara Mohawk Power Corporation. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the Court of Appeals affirmed. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Minton concur. Mr. Justice Reed withdrew from the consideration and decision of this case. Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 389. Frank Walters and Edward Williams, Jr., appellants, *v.* The City of St. Louis et al. Appeal from the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Jackson. Mr. Justice Douglas and Mr. Justice Black concur in the result.

No. — Original. State of Alabama, complainant, *v.* State of Texas, State of Louisiana, State of Florida, et al.; and

No. — Original. State of Rhode Island and Providence Plantations, complainant, *v.* State of Louisiana, State of Florida, State of Texas, et al. Motions for leave to file bills of complaint denied. Opinion *per curiam* announced by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Douglas. The Chief Justice took no part in the consideration or decision of these cases.

The Chief Justice announced the following order of the Court:

No. 423. Lloyd M. Bentsen, Sr., et al., petitioners, *v.* Emery C. Blackwell et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The argument having developed the undesirability of deciding the questions in this case on the pleadings, the writ of certiorari is dismissed.

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. 601. Joe Towery, appellant, *v.* State of North Carolina. Appeal from the Supreme Court of North Carolina. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question.

No. 9, Original. The State of Texas, plaintiff, *v.* The State of New Mexico et al. The report of the Special Master is received and ordered filed. Exceptions, if any, to the report of the Special Master may be filed by the parties within 60 days.

No. 534. James R. Ellis, as President of the Yonkers Committee for Peace, an Unincorporated Association, petitioner *v.* William Dixon et al., as Members of the Board of Education of the City of Yonkers, etc. The petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Department, is granted and the case is transferred to the summary docket.

No. 385, Misc. Camilo Weston Leyra, petitioner, *v.* Wilfred L. Denno, Warden. The motion for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the United States Court of Appeals for the Second Circuit is granted and the case is transferred to the appellate docket.

No. 78. Binghamton Construction Co., Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 414. Austin F. McFee, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 503. Faustino Herrera, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 517. Harry Edward Florentine, petitioner, *v.* H. R. Landon, as District Director of Immigration and Naturalization at Los Angeles, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 520. Edwin M. Ricker and William O. McKay, Copartners Doing Business under the Firm Name and Style of Edw. M. Richer and Co., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 543. William C. Clay, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 555. Levi Wilson, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 559. Ellsworth Johnson and Nat Pettigrew, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 561. Anthony Adamo, petitioner, *v.* Lloyd W. McCorkle, Acting Principal Keeper of the New Jersey State Prison at Trenton. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 565. Walter Williams, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 572. Jennie Louise Davidson Meadows, petitioner, *v.* Western Reserve Life Insurance Company. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 576. United States of America, petitioner, *v.* Siegfried Ranulf Taffs. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 472. United Railroad Operating Crafts, a Railroad Labor Organization National in Scope, et al., petitioners, *v.* William Wyer, as Trustee of the Long Island Railroad Company, a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Reed and Mr. Justice Jackson are of the opinion certiorari should be granted.

No. 513. United Railroad Operating Crafts, a Labor Organization, et al., etc., petitioners, *v.* Northern Pacific Railway Company and Brotherhood of Railroad Trainmen. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Reed and Mr. Justice Jackson are of the opinion certiorari should be granted.

No. 548. United Railroad Operating Crafts, a Railway Labor Organization National in Scope, et al., petitioners, *v.* The Pennsylvania Railroad Company, a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Reed and Mr. Justice Jackson are of the opinion certiorari should be granted.

No. 12. Patrick E. Irvine, petitioner, *v.* People of the State of California; and

No. 198. Michigan-Wisconsin Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al.; and

No. 200. Panhandle Eastern Pipe Line Company, appellant, *v.* Robert S. Calvert, Comptroller of Public Accounts, et al. Petitions for rehearing denied.

No. 17. Partmar Corporation and Fanchon and Marco, Inc., petitioners, *v.* Paramount Pictures Theaters Corporation et al. Petition for rehearing denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 501. J. A. White, George L. Sheldon, Nelson E. Taylor, and Mrs. John Hancock, appellants, *v.* Perry W. Howard, Sr., et al. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 108, Misc. Fred Farro, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 210, Misc. Wilbur Johnson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 272, Misc. John Valykeo, petitioner, *v.* State of West Virginia et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 317, Misc. Commonwealth of Pennsylvania ex rel. Edward Haines, petitioner, *v.* Cornelius J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 329, Misc. William A. Reed, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and the United States District Court for the Eastern District of Washington denied.

No. 379, Misc. Alton R. Woolford, petitioner, *v.* Warden, Maryland House of Correction. Petition for writ of certiorari to the Supreme Bench of Baltimore City, Maryland, denied.

No. 401, Misc. Guy E. Tripp, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 403, Misc. Charles Edward Mauck Klinedinst, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 417, Misc. Wilbur Willams, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 418, Misc. William Patskin, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 320, Misc. Marian Joan Haeussler, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 390, Misc. Willie Ray Watson, petitioner, *v.* William H. Bannan, Warden; and

No. 407, Misc. Silvio DeVita, petitioner, *v.* Lloyd W. McCorkle, Acting Warden of the State Prison of the State of New Jersey, et al. Motions for leave to file petitions for writs of habeas corpus denied.

No. 444, Misc. Ex parte Leonard D. Long, petitioner. Motion for leave to file petition for writ of prohibition denied.

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

The day call for Monday, April 5, will be as follows: Nos. 188, 398, 280 (281 and 418), and 531.

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SUPREME COURT OF THE UNITED STATES

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

Beale Dean, of Fort Worth, Tex., and Robert Swift Trotti, of Austin, Tex., on motion of Mr. Price Daniel; Herman L. Midlo, of New Orleans, La., on motion of Mr. Hale Boggs; Charles Donofrio, Jr., of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Louis G. Hart, Jr., of Williston Park, N. Y., on motion of Mr. Steven B. Derounian; John F. Kilkenny, of Pendleton, Oreg., on motion of Mr. Guy Cordon; Don W. Woods, of Los Angeles, Calif., Thomas Edward Haven, of San Francisco, Calif., and Noble McCartney, of Washington, D. C., on motion of Mr. Frederick Bernays Wiener; Ralph H. Logan, of Louisville, Ky., on motion of Mr. Henry P. Chandler; John Hampton Baumgartner, Jr., of Washington, D. C., on motion of Mr. Chester H. Gray; Sydney R. Prince, Jr., of Derwood, Md., and James M. Landis, of New York, N. Y., on motion of Mr. Robert L. Stern; Charles Romick, of Dallas, Tex., on motion of Mr. Elmore Whitehurst; Lloyd B. Fortner, of Atlanta, Ga., Arthur Otis Gunter, Jr., of Atlanta, Ga., Thomas Hill Goodman, of Knoxville, Tenn., William W. Davis, of Knoxville, Tenn., Earl Holman Marsh, Sr., of Knoxville, Tenn., John A. Rowntree, of Knoxville, Tenn., Jack B. Dickson, of Carrollton, Ga., and Ottis B. Meredith, of La Follette, Tenn., on motion of Mr. Reginald Carl Harmon; Louis H. Pollak, of New York, N. Y., and William J. Isaacson, of New York, N. Y., on motion of Mr. Philip Elman; Marshall A. Pipin, of Chicago, Ill., on motion of Mr. Robert Ash; Oscar Gonzalez-Suarez, of New York, N. Y., on motion of Mr. Frank Torres; John R. Willett, of Alexandria, Va., on motion of Mr. Ralph L. Payne; Florence Thacker Bradley, of Nashville, Ind., on motion of Miss Laura Maria Berrien; Francis V. Lowden, Jr., of Richmond, Va., on motion of Mr. Archibald G. Robertson; Robert M. Winokur, of Washington, D. C., on motion of Mr. Leonard Raum; Adrian B. Fink, Jr., of Cleveland, Ohio, Sidney J. Machtinger, of Falls Church, Va., on motion of Mr. Solicitor General Simon E. Sobeloff; Paul W. Westerlund, of Long Beach, Calif., on motion of Mr. Richard F. Harless; James Wm. Moore, of New Haven, Conn., and Irving M. Strauch, of Memphis, Tenn., on motion of Mr. Harry H. Hill, Jr.; Linwood G. Koger, Sr., of Baltimore, Md., Linwood G. Koger, Jr., of Baltimore, Md., and

Emory R. Cole, of Baltimore, Md., on motion of Mr. William H. Murphy; Ashby B. Allen, of Richmond, Va., and Wilbur Coleman Allen, of Richmond, Va., on motion of Mr. George E. Allen; Richard F. Ralph, Jr., of Valley Park, Mo., on motion of Mr. Carl E. Williamson; Willard P. Owens, of Washington, D. C., on motion of Mr. W. K. Hopkins; George S. Prugh, of San Francisco, Calif., on motion of Mr. Burton F. Ellis; Irving D. Gaines, of Milwaukee, Wis., on motion of Mr. Russell Sherman Bernhard; Morris Goldschlager, of Mount Vernon, N. Y., on motion of Mr. Harvey A. Katz; James C. Davis, of Cleveland, Ohio, on motion of Mr. William D. Denson; Arthur D. Liva, of New York, N. Y., on motion of Mr. Herbert J. Jacobi; Florence Mayne Merrick, of Pasco, Wash., on motion of Mr. Ivan Edward Merrick, Jr.; Solomon Sachs, of Chicago, Ill., on motion of Miss Ruth Weyand; Reuben Wolk, of Rahway, N. J., on motion of Mr. Gustave Miller; Earle K. Moore, of New York, N. Y., on motion of Mr. Charles M. Goetz; William Barrett Taylor III, of Gainesville, Fla., on motion of Mr. Robert E. Masters; Cornelius Means, of Bethesda, Md., on motion of Mr. James Francis Reilly; William T. Hannan, of Washington, D. C., on motion of Mr. Joseph F. Castiello; Joseph W. Creagh, of Arlington, Va., on motion of Mr. Jonathan Foster Hagen; Edward H. Norton, of Chicago, Ill., on motion of Mr. Norton Jay Come; and Gerard H. Schreiber, of New Orleans, La., on motion of Mr. Meredith M. Daubin, were admitted to practice.

No. 500. United States of America, appellant, *v.* Floyd Dixon. Appeal from the United States District Court for the Northern District of Georgia. Judgment reversed and case remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Minton concur.

No. 427. The Franklin National Bank of Franklin Square, appellant, *v.* The People of the State of New York. Appeal from the Court of Appeals of the State of New York. Judgment reversed with costs and case remanded to the Court of Appeals of New York for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Jackson announced by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Reed.

No. 160. Miller Brothers Company, appellant, *v.* State of Maryland. Appeal from the Court of Appeals of Maryland. Judgment reversed with costs and case remanded to the Court of Appeals of Maryland for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Jackson announced by Mr.

Justice Reed. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice, Mr. Justice Black, and Mr. Justice Clark concur.

No. 163. Railway Express Agency, Incorporated, appellant, *v.* Commonwealth of Virginia. Appeal from the Supreme Court of Appeals of the Commonwealth of Virginia. Judgment reversed with costs and case remanded to the Supreme Court of Appeals of Virginia for any further proceeding not inconsistent with the opinion of this Court. Opinion by Mr. Justice Jackson announced by Mr. Justice Reed. Dissenting opinion by Mr. Justice Clark in which the Chief Justice, Mr. Justice Black, and Mr. Justice Douglas join.

No. 24. St. Joe Paper Co., Jessie Ball DuPont, Elbert Dent, et al., petitioners, *v.* The Atlantic Coast Line Railroad Co.;

No. 33. S. A. Lynch, S. A. Lynch Corporation, et al., petitioners, *v.* The Atlantic Coast Line Railroad Company;

No. 36. J. Bryson Aird and Bank of the Manhattan Company, Successor Mortgage Trustees, petitioners, *v.* The Atlantic Coast Line Railroad Company; and

No. 37. W. G. Welbon, E. N. Claughton, and A. W. Corbett, petitioners, *v.* The Atlantic Coast Line Railroad Company. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the Southern District of Florida for further proceedings in accordance with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Burton and Mr. Justice Minton concur. Mr. Justice Black and Mr. Justice Clark took no part in the consideration or decision of these cases.

No. 352. Julia Thompson, petitioner, *v.* Richard P. Lawson, as Deputy Commissioner of the United States Bureau of Employees Compensation, etc., 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 Frankfurter. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas and Mr. Justice Minton concur.

No. 117. Federal Communications Commission, appellant, *v.* American Broadcasting Company, Inc.;

No. 118. Federal Communications Commission, appellant, *v.* National Broadcasting Company, Inc.; and

No. 119. Federal Communications Commission, appellant, *v.* Columbia Broadcasting System, Inc. Appeal from the United States District Court for the Southern District of New York. Judgments affirmed. Opinion by Mr. Chief Justice Warren. Mr. Justice Douglas took no part in the decision of these cases.

No. 307. Harold Sacher, also known as "Harry" Sacher, an Attorney, petitioner, *v.* Association of the Bar of the City of New York and New York County Lawyers' Association. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the Southern District of New York for further consideration and appropriate action not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Burton would affirm the judgment of the Court of Appeals. Dissenting opinion by Mr. Justice Reed. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 287. Alaska Steamship Company, Inc., petitioner, *v.* John O. Petterson. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Washington. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Frankfurter, and Mr. Justice Jackson join.

No. 401. Herbert Brownell, Jr., Attorney General of the United States, as Successor to the Alien Property Custodian, petitioner, *v.* Eugene T. Singer; and

No. 402. The Superintendent of Banks of the State of New York, etc., petitioner, *v.* Eugene T. Singer. On writs of certiorari to the Court of Appeals of the State of New York. Judgment reversed, petitioner in No. 402 to recover his costs in this Court, and cases remanded to the Court of Appeals of New York for proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Justice Black. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter, and Mr. Justice Douglas join. The Chief Justice did not participate in the consideration or decision of this case.

The Chief Justice said:

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

No. 280. Phillips Petroleum Company, petitioner, *v.* State of Wisconsin, et al.;

No. 281. State of Texas et al., petitioners, *v.* State of Wisconsin et al.; and

No. 418. Federal Power Commission, petitioner, *v.* State of Wisconsin, Public Service Commission of Wisconsin, et al. The motions for leave to file briefs of B. J. Essex and O. C. Harper, and of Independent Petroleum Association et al. as *amici curiae* are denied.

No. 566. Robert A. McAllister, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 587. Meacham Corporation and National Tanker Corporation, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 589. Dorsey K. Offutt, an Attorney, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 574. Commissioner of Internal Revenue, petitioner, *v.* Estate of Louis Sternberger, the Chase National Bank of the City of New York, Executor. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary docket.

No. 161, Misc. William C. Chandler, petitioner, *v.* Warden Fretag. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of Tennessee granted and case transferred to the appellate docket and placed on the summary docket.

No. 495. D. C. Gillaspie, Individually and as Next Friend of James D. Gillaspie, a Minor, petitioner, *v.* Department of Public Safety of the State of Texas. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 527. Theo Mosely, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 554. William V. Stepp, Sr., Administrator of the Estate of William V. Stepp, Jr., Deceased, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 562. Anne Halbach Bumsted and Mary Elizabeth Kemmerer, Successors in Interest to Elizabeth S. Halbach, et al., etc., petitioners, *v.* James E. Markham, as Alien Property Custodian. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 563. Irma Hogan, petitioner, *v.* Lee J. Ricketts, Executor of the Estate of Elizabeth Henschen, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 564. Isaac M. Eller and Jack V. Eller, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 568. United States of America, petitioner, *v.* Sandy Praylou, in His Own Right, and Marion Moise, as Guardian ad litem for Sarah Louise Praylou, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 570. C. Clarence Kaskel, a Taxpayer of the City of New York, petitioner, *v.* Vincent R. Impellitteri, as Mayor of the City of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 573. Edward Valves, Inc., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 575. United Biscuit Company of America, Union Biscuit Division, a Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 578. Duffy Theatres, Inc., a Corporation, petitioner, *v.* Griffith Consolidated Theatres, Inc., a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 579. Kendall A. Young and Elisabeth R. Young, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 580. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, a Corporation, petitioner, *v.* William J. Woodrow. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 582. Industrial Cotton Mills (Division of J. P. Stevens & Co., Inc.), petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 585. Q-Tips, Inc., petitioner, *v.* Johnson and Johnson. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 586. William Skally and William Russo, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 588. D. O. Norton and Son and United States Fidelity and Guaranty Company, a Corporation, petitioners, *v.* Industrial Accident Commission of the State of California and William R. Biter. Petition for writ of certiorari to the Supreme Court of California denied.

No. 590. Clarence H. Hickok, Ruth Hickok Marvin, et al., petitioners, *v.* Toledo Society for Crippled Children, Toledo, Ohio, et

al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 594. Humble Oil and Refining Company, petitioner, *v.* John Ben Shepperd, Attorney General of Texas. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Ninth Supreme Judicial District, denied.

No. 600. John L. Dorris, M. D., County Chairman of the Democratic Party of Luzerne County, petitioner, *v.* Robert Lloyd et al., County Commissioners of Luzerne County, etc. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 514. State of Washington Department of Game et al., petitioners, *v.* Federal Power Commission and City of Tacoma. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 552. State of Idaho, petitioner, *v.* David Arthur. Petition for writ of certiorari to the Supreme Court of Idaho denied. Mr. Justice Reed and Mr. Justice Jackson are of the opinion certiorari should be granted.

No. 553. Ione L. Dresden Swan, petitioner, *v.* Board of Education of the City of Los Angeles. Motion to dispense with printing the record granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 560. Ernest Michael Schino, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. The Chief Justice took no part in the consideration or decision of this application.

No. 473. Harry J. Alker, Jr., and Mamie DuBan, Individually and as Executrix of the Estate of Alfred A. DuBan, Deceased, petitioners, *v.* Butcher and Sherrerd and Fidelity-Philadelphia Trust Company, Trustee. Second petition for rehearing denied.

No. 65. The United States, petitioner, *v.* Binghamton Construction Co., Inc.;

No. 519. Jeoffroy Mfg. Inc., Roy Jeoffroy, and Ray L. Jeoffroy, petitioners, *v.* William T. Graham and Graham-Hoeme Plow Co., Inc.;

No. 525. Nonles Parnacher, Devet Parnacher, Nannie Parnacher, now Johnson and Salina Scott, petitioners, *v.* Houston B. Mount;

No. 546. Clayton M. Jones and Aimee Jones, his wife, petitioners, *v.* United States of America;

No. 225, Misc. Carlo L. Anselmi, petitioner, *v.* Attorney General of the United States et al.;

No. 332, Misc. Armando Negron and Joseph Cruz, petitioners, *v.* State of New York;

No. 346, Misc. Ex parte Emil Lustig, petitioner; and

No. 352, Misc. Francis Haines, petitioner, *v.* People of the State of Illinois. Petitions for rehearing denied.

No. 211, Misc. Elizabeth and Bruce Reed, petitioners, *v.* W. C. Blevins et al. Petition for certiorari to the Supreme Court of Arkansas denied.

No. 247, Misc. Charles Wesley Johnson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 336, Misc. Gordon W. Schindler, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 373, Misc. Joe Doyle Banning, petitioner, *v.* C. H. Looney, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 382, Misc. Thomas Graziano, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 386, Misc. Roy Stevens, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 389, Misc. Russell Muskus, petitioner, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 391, Misc. Shirley Collins, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 397, Misc. Theodore W. Thomas, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 408, Misc. George Edward Grammer, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 413, Misc. Mary Palanuk, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 419, Misc. Bernard Tabor, petitioner, *v.* William H. Hiatt, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 422, Misc. Willard Grady Barringer, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 426, Misc. Russell Merriman, petitioner, *v.* State of Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 430, Misc. Louis E. Wade, petitioner, *v.* State of Connecticut. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 434, Misc. Robert John Sheehan, petitioner, *v.* John R. Cranor, Superintendent. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 439, Misc. Ralph Verlin Leedy, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 445, Misc. Charles Edwin Beck, petitioner, *v.* John R. Cranor, Superintendent of the Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 450, Misc. Robert Holland, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 451, Misc. Joseph Owens, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 453, Misc. Harold Beard and Roy Beard, petitioners, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Lake County, Illinois, denied.

No. 457, Misc. Jack Motley, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Superior Court of Rockingham County, North Carolina, denied.

No. 458, Misc. Wilbur L. Newton, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

Mr. Justice Jackson took no part in the consideration or decision of the cases in which orders are this day announced except as noted in case No. 552.

It is ordered that the Commission of the Chief Justice be recorded and that his oaths be filed.

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

“DWIGHT D. EISENHOWER

“President of the United States of America

“*To All Who Shall See These Presents, Greeting:*

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

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

“Done at the city of Washington this second day of March, in the year of our Lord one thousand nine hundred and fifty-four, and of the Independence of the United States of America the one hundred and seventy-eighth.

“DWIGHT D. EISENHOWER.

“By the President:

“HERBERT BROWNELL, JR.,

“*Attorney General.*”

The Court will take a recess from Monday, April 12, until Monday, April 26, next.

No. 188. United Construction Workers, Affiliated with United Mine Workers of America, et al., petitioners, *v.* Laburnum Construction Corporation. Argued by Mr. M. E. Boiarsky for the petitioners and by Mr. Archibald G. Robertson and Mr. George E. Allen for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 6, will be as follows: Nos. 398, 280 (281 and 418), and 531.

SUPREME COURT OF THE UNITED STATES

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

William J. Cashill, of Reno, Nev., on motion of Mr. Patrick A. McCarran; Allen E. Gramza, of Racine, Wis., on motion of Mr. Lawrence H. Smith; Kathleen Ann McDonnell, of Hawley, Pa., and Robert Campbell Wise, of Williamsport, Pa., on motion of Mr. Elmore Whitehurst; George David Le Brint, of Chicago, Ill., on motion of Mr. Edgar A. Jonas; Donald El Roy Powers, of Chandler, Okla., on motion of Mr. Mac Q. Williamson; Jack Edward Kennedy, of Denver, Colo., on motion of Mrs. Madaline Kinter Remmlein; Grover C. Richman, Jr., of Trenton, N. J., on motion of Mr. Leonard J. Emmerglick; Edgar Irving Shott, Jr., of Cincinnati, Ohio, on motion of Mr. Melvin Edward Schaengold; Gayle Howard Nichols, of Grants Pass, Oreg., on motion of Mr. Arthur Mills Scheid; Robert Newton Ziegler, of Cincinnati, Ohio, on motion of Mr. John H. Coffman; Harold Edward White, of Los Angeles, Calif., on motion of Mr. Edward E. O'Neill; George A. Graham, of Santa Fe, N. Mex., on motion of Mr. Peter N. Chumbris; Jewel Stradford Rogers, of Chicago, Ill., and John W. Rogers, of Chicago, Ill., on motion of Mr. Barrington D. Parker; Earl E. Strayhorn, of Chicago, Ill., on motion of Mr. Frank D. Reeves; Davis Goodwin Maraspin, of Barnstable, Mass., on motion of Mr. Maurice H. Thatcher; James Joseph Bierbower, of Washington, D. C., on motion of Mr. John C. Miller, Jr.; Jay W. Glassmann, of Ogden, Utah, and Joseph E. McAndrews, of Falls Church, Va., on motion of Mr. Richard B. Barker; George H. T. Dudley, of Saint Thomas, V. I., on motion of Mr. Abe Fortas; Robert P. Eckert, Jr., of Freeport, Ill., and Robert J. Schmelzle, of Freeport, Ill., on motion of Mr. Frank T. Bow; Robert E. Johnson, of Staten Island, N. Y., and Ralph M. Kelton, of Baton Rouge, La., on motion of Mr. Nicholas E. Allen; Samuel Francis Allison, of Norfolk, Va., on motion of Mr. Richard B. McEntire; and John F. Bell, of Missoula, Mont., on motion of Mr. Fred B. Hammond, Jr., were admitted to practice.

No. 398. Capital Service, Inc., a California Corporation, etc., et al., petitioners, v. National Labor Relations Board. Argued by Mr. Carl

M. Gould for the petitioners and by Mr. Philip Elman for the respondent.

No. 280. Phillips Petroleum Company, petitioner, *v.* State of Wisconsin et al.;

No. 281. State of Texas et al., petitioners, *v.* State of Wisconsin et al.; and

No. 418. Federal Power Commission, petitioner, *v.* State of Wisconsin, Public Service Commission of Wisconsin, et al. Argument commenced by Mr. Solicitor General Sobeloff for the Federal Power Commission, continued by Mr. Hugh B. Cox for the Phillips Petroleum Company, by Mr. Dan Moody for the State of Texas et al., and by Mr. Stewart G. Honeck and Mr. William E. Torkelson for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 7, will be as follows: 280 (281 and 418) and 531.

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SUPREME COURT OF THE UNITED STATES

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

John Forrest Floberg, of Chicago, Ill., on motion of Mr. H. Struve Hensel; Eldridge Jones Butler, of Forrest City, Ark., on motion of Mr. E. C. Gathings; Sydney Gordon Glaysher, of Chicago, Ill., on motion of Mr. Chauncey P. Carter, Jr.; and Fred J. Milligan, of Columbus, Ohio, on motion of Mr. Thomas J. Herbert, were admitted to practice.

No. 280. Phillips Petroleum Company, petitioner, *v.* State of Wisconsin et al.;

No. 281. State of Texas et al., petitioners, *v.* State of Wisconsin et al.; and

No. 418. Federal Power Commission, petitioner, *v.* State of Wisconsin, Public Service Commission of Wisconsin, et al. Argument continued by Mr. William E. Torkelson, Mr. Charles S. Rhyne, Mr. James H. Lee, and Mr. Harry G. Slater for the respondents and concluded by Mr. Hugh B. Cox for Phillips Petroleum Company.

No. 531. Sonia Herrup Alton, petitioner, *v.* David Elie Alton. Argued by Mr. Abe Fortas and Mr. George H. T. Dudley for the petitioner and submitted by Mr. Hyman Smollar for the respondent.

Adjourned until Monday, April 12, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Theodore Rabinowitz, of Jersey City, N. J., on motion of Mr. Solicitor General Simon E. Sobeloff; Tom Brantley Mobley, of Kennett, Mo., on motion of Mr. Thos. C. Hennings, Jr.; William K. Woodburn, of Reno, Nev., on motion of Mr. Patrick A. McCarran; Clarence Worth Rowley, Jr., of Fairfax, Va., on motion of Mr. Stanley N. Barnes; Jas. L. Moore, of Atlanta, Ga., on motion of Mr. Jas. C. Davis; H. M. Ted McCastlain, of Brinkley, Ark., on motion of Mr. John L. McClellan; Charles W. Haas, of Lincoln, Nebr., on motion of Mr. Carl T. Curtis; Donald G. Adams, of Riverside, Calif., on motion of Mr. James B. Utt; Richard J. Hogan, of San Francisco, Calif., on motion of Mr. J. Frank Staley; Daniel P. Ward, of Chicago, Ill., on motion of Mr. Robert C. Eardley; Gates W. Clancy, of Geneva, Ill., on motion of Mr. George P. Lamb; Roland Boyd, of McKinney, Tex., on motion of Mr. William Robert Poage; Garner J. Waddel, of Webster, S. Dak., on motion of Mr. Jesse Drake Coon; Robert Parrish Tomlinson, of Duffield, Va., and Anthony Thomas Dealy, of Newton, Kans., on motion of Mr. Frederick Bernays Wiener; Willard C. Mills, of Washington, D. C., on motion of Mr. Martin Atlas; Harold Raymond Cotton, of Miami, Fla., on motion of Mr. Charles A. Webb; Victor Hilton Fall, of Helena, Mont., on motion of Mr. Charles A. Horsky; Frank C. Niswander, of Washington, D. C., and James P. Jones, of Washington, D. C., on motion of Mr. K. Martin Worthy; Dickinson Thatcher, of Los Angeles, Calif., on motion of Mr. Joseph M. Howard; John S. Finn, of New York, N. Y., on motion of Mr. John T. Casey; Samuel B. Loizzo, of Kenosha, Wis., on motion of Mr. William M. Burkhalter; Edmund S. Johnson, of Jersey City, N. J., and Fredrick J. Waltzinger, of Newark, N. J., on motion of Mr. Leonard J. Emmerglick; Abe F. Levy, of Los Angeles, Calif., on motion of Mr. Phineas Indritz; W. Fred Turner, of Panama City, Fla., on motion of Mr. John J. O'Keefe; Howard Thornton Savage, of Chicago, Ill., and Chas. B. Evins, of Chicago, Ill., on motion of Mr. James A. Cobb; Robt. A. Roessel, of Saint Louis, Mo., on motion of Mr. Plato Ernest Papps; Stephen M. Reynolds, of Silver Spring, Md., on motion of Mr. Owsley Vose; Philip M. Hak, of Pawtucket, R. I., on motion of Mr. Clarence D. Todd, Jr.; Robert H. Doherty, of

Jersey City, N. J., on motion of Mr. James C. Toomey; Maurice L. Dannin, of Newport, R. I., on motion of Mr. Robert T. Murphy; and John B. Smullin, of Baton Rouge, La., on motion of Mr. George Bailey Walsh, were admitted to practice.

No. 11. Maryland Casualty Company et al., petitioners, *v.* Gertrude Picard Cushing et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of Court of Appeals vacated and case remanded to the United States District Court for the Eastern District of Louisiana with instructions to continue this case until after the completion of the limitation proceeding filed in admiralty by the owner and charterer of the "Jane Smith." Mr. Justice Frankfurter announced the judgment of the Court and an opinion in which Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Burton join. Concurring opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Black in which the Chief Justice, Mr. Justice Douglas and Mr. Justice Minton concur.

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. 557. John J. Linehan, as President of Local 1346 of the International Longshoremens's Association, et al., appellants, *v.* Waterfront Commission of New York Harbor et al.; and

No. 558. Staten Island Loaders, Inc., et al., appellants, *v.* Waterfront Commission of New York Harbor et al. Appeals from the United States District Court for the Southern District of New York. *Per Curiam:* The motions to affirm are granted and the judgments are affirmed. Dissenting opinion filed by Mr. Justice Douglas in which Mr. Justice Black joins.

No. 606. Interstate Motor Freight System, Inc., appellant, *v.* Otto F. Messner, Secretary of the Department of Revenue of the Commonwealth of Pennsylvania, et al.; and

No. 615. Shirks Motor Express Corporation, appellant, *v.* Otto F. Messner, Secretary of the Department of Revenue of the Commonwealth of Pennsylvania, et al. Appeals from the Supreme Court of Pennsylvania, Middle District. *Per Curiam:* The motions to dismiss are granted and the appeals are dismissed for the want of a substantial federal question.

No. 5, Original. October Term, 1950. The State of New Jersey, complainant, *v.* The State of New York and the City of New York. The motion of the State of Delaware for leave to intervene and to

file an answer to the amended petition of the City of New York for modification of the decree is granted and the answer is referred to the Special Master.

No. 471. Famous Rogers, petitioner, *v.* United States Lines. The motion of respondent for leave to file an additional brief is granted.

No. 591. Evelyn Rice, petitioner, *v.* Sioux City Memorial Park Cemetery, Incorporated, a Corporation, et al. Petition for writ of certiorari to the Supreme Court of Iowa granted.

No. 626. Baltimore Contractors, Inc., petitioners, *v.* Jacob H. Bodinger. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 537. Mary Young Moore, petitioner, *v.* Commissioner of Internal Revenue; and

No. 596. Commissioner of Internal Revenue, petitioner, *v.* Mary Young Moore. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 584. Theodore K. Nitterhouse, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 597. Guy Farmer, Chairman of the National Labor Relations Board, et al., petitioners, *v.* United Electrical, Radio and Machine Workers of America (UE), et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 598. Guy Farmer, Chairman of the National Labor Relations Board, et al., petitioners, *v.* International Fur and Leather Workers Union of United States and Canada. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 603. The Baltimore and Ohio Railroad Company, petitioner, *v.* Signa Johnson, Administratrix of the Estate of George Johnson, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 604. Alexis I. duPont Bayard et al., petitioners, *v.* Joseph H. Martin. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 605. George Washington Pierce, petitioner, *v.* American Communications Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 607. Paul A. Pigott, Eugene E. Murphy, William F. Menard, et al., petitioners, *v.* Detroit, Toledo and Ironton Railroad Company, a Corporation, and Brotherhood of Railroad Trainmen. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 610. John Leidman, petitioner, *v.* Sidney H. Bingham, Chairman, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 627. William B. Collins, Individually and as Trustee for Jeremiah F. Collins et al., petitioners, *v.* Ann O'Brien et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 228. Emanuel L. Mazer and William Endicter, Doing Business as June Lamp Manufacturing Company, petitioners, *v.* Benjamin Stein and Rena Stein, Doing Business as Reglor of California; and

No. 351, Misc. Nancy Cross, petitioner, *v.* Supreme Court of California. Petitions for rehearing denied.

No. 251, Misc. Wilbert M. Sheridan, petitioner, *v.* O. B. Ellis, General Manager, etc. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 330, Misc. Alex Calarco, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 355, Misc. M. Edward Herman, Alexander W. Herman, and Louis W. Herman, petitioners, *v.* Helen Herman, Committee of the Person and Property of M. Edward Herman, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 356, Misc. Joseph James Fontano, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 357, Misc. George H. Gibson, petitioner, *v.* Percy A. Lainson, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 394, Misc. Carlos E. Chandler, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 399, Misc. Robert L. Bradford, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 405, Misc. Frank Rzeppa, petitioner, *v.* People of the State of Michigan et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 406, Misc. Charles Greene, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 409, Misc. Gilmore J. Horton, petitioner, *v.* Orel J. Skeen, Warden, West Virginia Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 411, Misc. John Collins, petitioner, *v.* Supreme Court of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 416, Misc. James M. Kaumeyer, petitioner, *v.* Dr. I. W. Steele, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 420, Misc. Francis Furlong, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 421, Misc. William Broadbent, petitioner, *v.* Marjorie Broadbent. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 423, Misc. Hilton McGee, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 424, Misc. Nathaniel Germany, petitioner, *v.* R. H. Hudspeth, Warden, State Penitentiary, Lansing, Kansas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 425, Misc. Otto Schuch, petitioner, *v.* Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 428, Misc. Benjamin Levitas, petitioner, *v.* Association of the Bar of the City of New York. Petition for writ of certiorari to the Court of Appeals of New York and the Appellate Division of the Supreme Court of New York, First Department, denied.

No. 429, Misc. Loren Young, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 433, Misc. William Mack, petitioner, *v.* O. B. Ellis, General Manager. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 436, Misc. Dewey Becker, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Cook County, Illinois, denied.

No. 437, Misc. Walter Goldsmith, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 438, Misc. Edwin M. Walter, petitioner, *v.* Fred D. Bauman et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 440, Misc. Joe Doyle Banning, petitioner, *v.* State of Iowa et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 441, Misc. Erroll J. Shailer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 443, Misc. David Mack, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 448, Misc. James Cole, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Macoupin County, Illinois, denied.

No. 449, Misc. Erskine Gates, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 452, Misc. James Colemon, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 454, Misc. Dennis J. Pennenga, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 455, Misc. Kenneth G. Roleson, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 460, Misc. Albert Tumbiolo, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 461, Misc. Clifford Howard, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 463, Misc. Joseph Lee Milam, petitioner, *v.* State of West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 464, Misc. Edward J. Carroll, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 465, Misc. T. J. Farley, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 469, Misc. Leonard H. Lundberg, petitioner, *v.* Emery E. Jacques, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 471, Misc. Edwin M. Browning, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 473, Misc. James M. Smith, petitioner, *v.* Leo A. Rover et al. Petition for writ of certiorari to the United States District Court for the District of Columbia denied.

No. 474, Misc. James L. Davis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 478, Misc. Fred Gaston, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 486, Misc. Thomas Smith, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 492, Misc. S. P. Beecher, petitioner, *v.* Leavenworth State Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 431, Misc. Robert Lee Breeding, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 447, Misc. William Vanderwyde, petitioner, *v.* Wilfred L. Denno, Warden, Sing Sing Prison, Ossining, New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 380, Misc. Ex parte Arthur Allen, petitioner. Motion for leave to file petition for writ of mandamus denied.

No. 398, Misc. Edward Smith, petitioner, *v.* J. Ellis Overlade, Warden. Motion for leave to file petition for writ of certiorari denied.

No. 404, Misc. Ex parte Bruce James Ritchey, petitioner; and
No. 467, Misc. In the Matter of Frederic T. Marsh, petitioner.
Motions for leave to file petitions for writs of habeas corpus denied.

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

ORDER

The revision of the Rules of this Court has been this day lodged with the Clerk, and it is ordered that the said Rules shall become effective July 1, 1954, and be printed as an appendix to the United States Reports.

It is further ordered that the Rules promulgated February 13, 1939, appearing in volume 306 of the United States Reports, appendix, and all amendments thereof be and they hereby are rescinded, but this shall not affect any proper action taken under them before the Rules hereby adopted become effective.

A general idea of the Bar's appraisal of the needs and possibilities for changes in the form and content of the rules was obtained from the following gentlemen:

Warner W. Gardner, Esq., of the District of Columbia Bar;

Henry M. Hart, Esq., of Cambridge, Massachusetts, Professor of Law at Harvard University;

Charles A. Horsky, Esq., of the District of Columbia Bar;

James Wm. Moore, Esq., of New Haven, Connecticut, Professor of Law at Yale University;

Robert L. Stern, Esq., of Washington, D. C., at the time Acting Solicitor General;

Herbert Wechsler, Esq., of New York City, Professor of Law at Columbia University;

Frederick Bernays Wiener, Esq., of the District of Columbia Bar;

Harold B. Willey, Esq., Clerk of the Supreme Court of the United States.

The Court expresses its high appreciation of the services of all the gentlemen named. Their expert knowledge and painstaking collaboration have aided the Court in the formulation of rules designed to promote the simplification of procedure in this Court.

Special mention must be made of the services of Mr. Wiener who, for more than a year, as Reporter to the Committee of the Court on the Revision of the Rules, devoted himself to the preparation of drafts for the Committee.

We acknowledge, also, our indebtedness to our Clerk, Mr. Willey, for the experience and skill he contributed to the work of draftsmanship.

The Court directs that this order be spread upon the Journal of the Court.

Mr. Justice Black.

The revised rules contain some changes made necessary by legislation, with which I am of course in accord. There are also a few other changes which I think represent desirable improvements. But I believe it would be far better to make these changes simply by amending the old rules rather than by adopting a whole new set. The old rules and our interpretations of them are familiar to the bar, and, according to my observation, work about as well as could be expected of any rules. The principal function of procedural rules should be to serve as useful guides to help, not hinder, persons who have a legal right to bring their problems before the courts. But new rules without settled meanings breed mistakes and controversies that frequently make the way of litigants unnecessarily perilous. Volumes of new Rules Decisions in recent years attest to this. Judicial statistics would show, I fear, an unfortunately large number of meritorious cases lost due to inadvertent failure of lawyers to conform to procedural prescriptions having little if any relevancy to substantial justice. So much for my general objection to frequent, sweeping rules revisions.

I particularly object to the present revision because a number of the changes put unnecessarily burdensome conditions and restrictions on rights of review and appeal Congress has provided. Our rules should make appellate review easier, not harder.

Finally, I have never favored the almost insuperable obstacles our rules put in the way of briefs sought to be filed by persons other than the actual litigants. Most of the cases before this Court involve matters that affect far more people than the immediate record parties. I think the public interest and judicial administration would be better served by relaxing rather than tightening the rule against *amicus curiae* briefs.

ORDER

ORDERED, That Rule 37 of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

"RULE 37. TAKING APPEAL; AND PETITION FOR WRIT OF CERTIORARI

"(a) TAKING APPEAL TO A COURT OF APPEALS.

"(1) *Notice of Appeal.* An appeal permitted by law from a district court to a court of appeals is taken by filing with the clerk of the dis-

district court a notice of appeal in duplicate. Petitions for allowance of appeal, citations and assignments of error in cases governed by these rules are abolished. The notice of appeal shall set forth the title of the case, the name and address of the appellant and of appellant's attorney, a general statement of the offense, a concise statement of the judgment or order, giving its date and any sentence imposed, the place of confinement if the defendant is in custody and a statement that the appellant appeals from the judgment or order. The notice of appeal shall be signed by the appellant or appellant's attorney, or by the clerk if the notice is prepared by the clerk as provided in paragraph (2) of this subdivision. The duplicate notice of appeal and a statement of the docket entries shall be forwarded immediately by the clerk of the district court to the clerk of the court of appeals. Notification of the filing of the notice of appeal shall be given by the clerk by mailing copies thereof to adverse parties, but his failure so to do does not affect the validity of the appeal.

“(2) *Time for Taking Appeal.* An appeal by a defendant may be taken within 10 days after entry of the judgment or order appealed from, but if a motion for a new trial or in arrest of judgment has been made within the 10-day period an appeal from a judgment of conviction may be taken within 10 days after entry of the order denying the motion. When a court after trial imposes sentence upon a defendant not represented by counsel, the defendant shall be advised of his right to appeal and if he so requests, the clerk shall prepare and file forthwith a notice of appeal on behalf of the defendant. An appeal by the government when authorized by statute may be taken within 30 days after entry of the judgment or order appealed from.

“(b) TAKING APPEAL TO THE SUPREME COURT.

“An appeal to the Supreme Court when authorized by statute shall be taken in the manner and within the time prescribed by its rules.

“(c) PETITION FOR REVIEW ON WRIT OF CERTIORARI.

“Petition to the Supreme Court for writ of certiorari shall be made in the manner and within the time prescribed by its rules.”

That the foregoing amendment to the Federal Rules of Criminal Procedure shall take effect on July 1, 1954.

Adjourned until Monday, April 26, next, at 12 o'clock.

The day call for Monday, April 26, will be as follows: Nos. 394, 464, 480 (and 481), and 635.

SUPREME COURT OF THE UNITED STATES

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

Goodwin J. Knight, of Sacramento, Calif., A. Millard Taylor, of Camden, N. J., William G. Bischoff, of Camden, N. J., and William M. Musser, Jr., of Lancaster, Pa., on motion of Mr. Solicitor General Simon E. Sobeloff; Donald V. McCallum, of Baker, Oreg., and John D. Williams, of Portland, Oreg., on motion of Mr. Wayne Lynn Morse; Margaret Hills Fairleigh, of Atlanta, Ga., George W. West, of Atlanta, Ga., and Herbert Johnson, of Atlanta, Ga., on motion of Mr. Jas. C. Davis; Kathrine Robinson Everett, of Durham, N. C., Robinson O. Everett, of Durham, N. C., and R. O. Everett, of Durham, N. C., on motion of Mr. Clyde R. Hoey; William C. Wilson, of Wheat Ridge, Colo., on motion of Mr. D. Bailey Merrill; Carl Seet, of Indianapolis, Ind., on motion of Mr. Ben S. Fisher; Garver Oxley, of Findlay, Ohio, on motion of Mr. Jackson E. Betts; Richard L. Williams, of Richmond, Va., and G. Kenneth Miller, of Richmond, Va., on motion of Mr. J. Vaughan Gary; Albert James Ahern, Jr., of Washington, D. C., on motion of Mr. James J. Laughlin; Edward M. Jayne, of Kirksville, Mo., and Nathaniel B. Reiger, of Kirksville, Mo., on motion of Mr. Robert Burett Oliver III; Sidney M. Davis, of New York, N. Y., on motion of Mr. Benjamin V. Cohen; Bennett T. Waites, Jr., of Birmingham, Ala., and Carl L. Steiner, of Chicago, Ill., on motion of Mr. A. Yates Dowell; Payne Karr, of Seattle, Wash., on motion of Mr. Darius F. Prince; Mark P. Schlefer, of Washington, D. C., on motion of Mr. Odell Kominers; Mitchell G. Dredze, of Chicago, Ill., on motion of Mr. Archie K. Cohen; Isaac N. Habif, of Atlanta, Ga., on motion of Mr. Samuel Levine; Lucian L. Morrison, of San Antonio, Tex., and John H. Dittmar, of San Antonio, Tex., on motion of Mr. Paul J. Kilday; Aaron Cohen, of Pittsburgh, Pa., on motion of Mr. Samuel Sandor Markovitz; Gerald Bertram Wesley, of Chicago, Ill., and John C. Gekas, of Chicago, Ill., on motion of Mr. Edgar A. Jonas; Max Frank Deutz, of Los Angeles, Calif., on motion of Mr. Howard H. Schmidt; Andrew H. Thalheim, of Gretna, La., on motion of Mr. Hale Boggs; John R. Jones, of Milwaukee, Wis., on motion of Mr. Lawrence H. Smith; Arthur I. Beilin, of Reading, Pa., on motion of Mr. Robert L. Stern; Frank E. Holtzman, of Detroit, Mich., on motion of Mr. Douglas G. Mode; Werner

Windus, of Baltimore, Md., on motion of Mr. Wm. R. Furlong, Jr.; Stephen W. Langmade, of Phoenix, Ariz., on motion of Mr. Maurice R. Barnes; John Henry Cericola, of Easton, Pa., Arnold G. Hewett, of Santa Ana, Calif., William L. Otten, Jr., of Easton, Pa., and Norman Seidel, of Easton, Pa., on motion of Mr. John B. O'Brien; Carl Vaughan Eimbeck, of Clayton, Mo., on motion of Mr. Horace B. Ritchie, Jr.; William Rhett Withington, of Oklahoma City, Okla., and George H. Shirk, of Oklahoma City, Okla., on motion of Mr. Edward Schoen, Jr.; William Robert Senter, Jr., of Little Rock, Ark., on motion of Mr. George A. Keyfel; Ralph Hunter Tracy, of Silver Spring, Md., on motion of Mr. Mitchell S. Dvoret; Theodore Madsen Norton, of Los Gatos, Calif., on motion of Mr. Warren Price, Jr.; R. Lewis Townsend, of Poughkeepsie, N. Y., on motion of Mr. Laurence H. Axman; Richard W. Kemler, of Marshalltown, Iowa, on motion of Mr. Joseph R. Gorman; Louis J. Castellano, Jr., of Brooklyn, N. Y., on motion of Mr. Michael F. X. Dolan; Walter Powers, of Boston, Mass., on motion of Claude R. Branch; John B. Reigeluth, of Beverly, Mass., and Robert Proctor, of Beverly, Mass., on motion of Mr. John L. Hall; John Paul Stevens, of Chicago, Ill., on motion of Mr. L. Edward Hart, Jr.; W. Scott Davis, of Yonkers, N. Y., on motion of Mr. David Peterman; Joseph E. Stermer, of Cincinnati, Ohio, on motion of Mr. Charles Connolly; Robert D. Salinger, of Boston, Mass., on motion of Marvin F. Ashley; William W. Biddle, of Tulsa, Okla., Kenneth A. Burke, of Tulsa, Okla., Tilford Hillas Eskridge, of Tulsa, Okla., James O. Worrell, of Tulsa, Okla., Holcomb Bibb Latting, Jr., of Tulsa, Okla., Dan A. Rogers, of Tulsa, Okla., Louis O. Thomas, of Venila, Okla., Thomas C. Smith, Jr., of Oklahoma City, Okla., William D. Fore, of Oklahoma City, Okla., Edwin E. Riffel, of Oklahoma City, Okla., William S. Myers, Jr., of Oklahoma City, Okla., William R. Saied, of Oklahoma City, Okla., Joseph L. Hummert, of St. Louis, Mo., Francis Daley Abels, of St. Louis, Mo., Robert J. Callahan, Jr., of St. Louis, Mo., Ninian M. Edwards, of St. Louis, Mo., Harrison Don King, of St. Louis, Mo., Penrose C. Martindale, of St. Louis, Mo., Ralph Kenneth Soebbing, of University City, Mo., Barney Samelstein, of Syracuse, N. Y., Alfred J. Moorhead, of Syracuse, N. Y., Richard W. Cooney, of Fayetteville, N. Y., Richard N. Ames, of Syracuse, N. Y., Joseph F. Falco, of Syracuse, N. Y., John Edwin Shaffer, of Syracuse, N. Y., Russell Helms Classen, of Belleville, Ill., Jesse M. Johnson, of Richmond, Va., and Donald H. Smith, of Helena, Mont., on motion of Mr. David D. Porter; James T. Hallinan, of New York, N. Y., John F. Scileppi, of New York, N. Y., Daniel E. Fitzpatrick, of Jamaica, N. Y., Jenkin R. Hockert, of Jamaica, N. Y., Meyer Tobias, of Elmhurst, N. Y., Edward Thompson, of New York, N. Y., George J. Balbach, of Jackson Heights, N. Y., William H. Barr, of Jackson Heights, N. Y.,

William M. Blake, Jr., of Queens Village, N. Y., John T. Clancy, of Long Island City, N. Y., Martin A. Crean, of Jamaica, N. Y., Paul Farrell Diggins, Jr., of New York, N. Y., John C. Doyle, of Brooklyn, N. Y., Albert A. DuPont, of New York, N. Y., Daniel H. Farb, of Jamaica, N. Y., Charles K. Finch, of Long Island City, N. Y., William T. Garvin, of Jamaica, N. Y., Harold Gellman, of New York, N. Y., Samuel Gellman, of Corona, N. Y., Marvin T. Goodman, of Sunnyside, N. Y., Christopher J. Gorman, of Flushing, N. Y.; Harold Karmioli, of Ozone Park, N. Y., Thomas F. Keane, of Brooklyn, N. Y., Vincent L. Leibell, Jr., of New York, N. Y., Arnold R. Lewis, of Hollis Hills, N. Y., Ben. Lieblein, of Jamaica, N. Y., Joseph F. Longobardi, of Maspeth, N. Y., Arthur V. Lynch, of New York, N. Y., Thomas J. Mackell, of New York, N. Y., Jeremiah G. Mahony, of Bronxville, N. Y., Richard J. Maloney, of Brooklyn, N. Y., Joseph S. Moore, of Long Island City, N. Y., Harold D. Morrison, of Woodside, N. Y., James F. McArdle, of New York, N. Y., Frank R. McGlynn, of Jackson Heights, N. Y., John Whitten McKeon, of Flushing, N. Y., Harold F. McNiece, of Brooklyn, N. Y., Bernard P. McSherry, of New York, N. Y., Frank D. O'Connor, of New York, N. Y., Jacob Padawer, of Brooklyn, N. Y., Herman D. Pedowitz, of Jamaica, N. Y., Benjamin S. Rosenthal, of Elmhurst, N. Y., George J. Sandler, of New York, N. Y., Henry S. Salamon, of Jackson Heights, N. Y., Samuel S. Tripp, of Forest Hills, N. Y., and Albert P. Engeler, of Syosset, N. Y., on motion of Mr. William B. Groat, Jr., were admitted to practice.

No. 69. Dr. Edward K. Barsky, appellant, *v.* The Board of Regents of the University of the State of New York. Appeal from the Court of Appeals of the State of New York. Judgment of Court of Appeals of State of New York affirmed with costs. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

The Chief Justice said:

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

No. 644. Vissering Mercantile Company et al., appellants, *v.* Frank Annunzio, Director of Labor for the Department of Labor of the State of Illinois, et al. Appeal from the Supreme Court of Illinois; and

No. 652. Leo Arens and Eugene Frisette, appellants, *v.* The Village of Rogers, a Municipal Corporation. Appeal from the Supreme Court of Minnesota. *Per Curiam*: The appeals are dismissed for the want of a substantial federal question.

No. 417. William Bradshaw and United States Fidelity and Guaranty Co., a Corporation, petitioners, *v.* Carrie Robinson. The motion of counsel for respondent for the allowance of attorney's fees for services in this Court is granted and counsel is awarded the sum of \$650.00.

No. 647. The United States of America, appellant, *v.* Lee Shubert, Jacob J. Shubert, et al. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 47. Wilburn Boat Company et al., petitioners, *v.* Fireman's Fund Insurance Company. The petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

No. 612. The National City Bank of New York, petitioner, *v.* The Republic of China et al. The petition for writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

No. 654. United States of America, petitioner, *v.* Peter Brown. The petition for writ of certiorari to the United States Court of Appeals for the Second Circuit is granted and the case is transferred to the summary docket.

No. 130. Clarence Sorenson, Richard E. Pickett and Nick Voutsimas, et al., petitioners, *v.* City of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 592. Henry R. Witte, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 599. General Electric Company, a Corporation, petitioner, *v.* Averille L. Porter. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 602. Theobald Industries, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 608. Louis Pizitz Dry Goods Company, Inc., a Corporation, petitioner, *v.* E. L. Deal et al., Executors of the Last Will and Testa-

ment of Henry J. Willingham, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 613. O. L. Shannon, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 614. Settimo Accardo, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 616. Interstate Commerce Commission, petitioner, *v.* Claude A. Taylor. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 618. Savage Truck Line, Incorporated, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 619. Joseph C. Caprio, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 620. United States of America, petitioner, *v.* Paul J. Hooley. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 621. United States of America, petitioner, *v.* Donald T. O'Keefe. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 623. Ferroline Corporation, petitioner, *v.* General Aniline and Film Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 624. Pecheur Lozenge Co., Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 636. Supreme Grand Lodge, Modern Free and Accepted Colored Masons of the World, petitioner, *v.* Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons, Jurisdiction of Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 638. Salsbury Motors, Inc., Whose Name has been Changed to Wayne Manufacturing Co., petitioner, *v.* United States of America, George T. Goggin, Receiver of Salsbury Motors, Inc., Debtor. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 640. Victor Hemphill, as Executor of the Last Will and Testament of Joseph Bostick Liston, Deceased, petitioner, *v.* Wabash Railroad Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 646. Joseph Hamme and R. H. Hamme, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 677. W. H. Wilson, Executor of the Estate of Birdine Fletcher, Deceased, and Sisters of St. Francis, a Corporation, petitioners, *v.* A. J. Simler. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 571. Edith Bloedorn, Executrix of the Estate of Rose L. Sutherland, Deceased, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied for the reason that application therefor was not made within the time provided by law.

No. 617. Willie Applewhite et al., petitioners, *v.* William M. Jones et al. Motion to dispense with the printing of the record granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 629. T. H. Sumter and wife, Viola M. Sumter, petitioners, *v.* Buford R. Sheffield et al. Motion to dispense with the printing of the record granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 630. Charles Chaplin, petitioner, *v.* Honorable John W. Clancy, District Judge of the United States for the Southern District of New York. Motion of respondent to supplement the record denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 656. Mallonee, Bucklin, and Fergus, Shareholder's Protective Committee, et al., petitioners, *v.* Fahey, Ammann, as Conservator, Home Loan Bank Board, et al.; and

No. 659. Ernest R. Utley, as Receiver for Federal Home Loan Bank of Los Angeles, etc., petitioner, *v.* Fahey, Federal Home Loan Bank of San Francisco, et al. Petition for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 78. Binghamton Construction Co., Inc., petitioner, *v.* The United States;

No. 541. Harvey Stoller, d/b/a Richland Laundry and Dry Cleaners, petitioner, *v.* National Labor Relations Board; and

No. 542. Laundry and Dry Cleaners Union, Local 197, affiliated with Laundry Workers International Union, A. F. L., petitioner, *v.* National Labor Relations Board. Petitions for rehearing denied.

— Original. State of Alabama, complainant, *v.* State of Texas et al.; and

— Original. State of Rhode Island and Providence Plantations, complainant *v.* State of Louisiana et al. Petitions for rehearing denied. Motion for clarification of the decision also denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 264, Misc. Charles Franklin Johnson, petitioner, *v.* The State of Illinois. Motion to consolidate this case with No. 352, Misc. denied. Petition for writ of certiorari to the Supreme Court of Illinois and Criminal Court of Cook County, Illinois, denied.

No. 342, Misc. William Dessie Messamore, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 369, Misc. William H. Rice, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 388, Misc. Thomas Joseph Jones, petitioner, *v.* Illinois Terminal Railroad Co. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 400, Misc. Monroe Rex Bell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 412, Misc. John Henley, petitioner, *v.* H. E. Moore, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 466, Misc. Ozzie Jones, petitioner, *v.* R. P. Balkcom, Jr., Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 470, Misc. John Palakiko and James Edward Majors, petitioners, *v.* Joe C. Harper, Warden of Oahu Prison. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 476, Misc. Bill Jenkins, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 477, Misc. Louis J. Pult, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 479, Misc. Charles W. Simpson, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 480, Misc. Robert Barr, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 483, Misc. William T. Reed, petitioner, *v.* Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 484, Misc. William E. Selfridge, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 485, Misc. Amos Doris Cooper, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 489, Misc. William H. Chapman, petitioner, *v.* Ohio Department of Public Welfare, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 497, Misc. Marion Virgil Goss, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Circuit Court of Putnam County, Indiana, denied.

No. 505, Misc. Carl C. Hertz, petitioner, *v.* Ralph W. Alvis, Warden. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 506, Misc. Dexter C. Dayton, petitioner, *v.* James V. Bennett. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 511, Misc. H. Telford Persons, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 526, Misc. Issiah Stamps, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 494, Misc. James W. Byrne, petitioner, *v.* Frank A. Hooper, District Judge, United States District Court for the Northern District of Georgia. Motion for leave to file petition for writ of mandamus denied.

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

ORDER

Pursuant to the provisions of Title 28, U. S. C., § 42, It is ordered that Mr. Justice Reed be, and he is hereby temporarily assigned to the Second Circuit as Circuit Justice.

ORDER

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. 635.

The Court will take a recess from Monday, May 3, until Monday, May 17, next.

No. 394. United Shoe Machinery Corporation, appellant, *v.* United States of America. Argument commenced by Mr. John L. Hall for the appellant and continued by Mr. Robert Proctor and Mr. Claude R. Branch for the appellants and by Mr. Ralph S. Spritzer for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 27, will be as follows: Nos. 394, 464, 480 (and 481), and 635.

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SUPREME COURT OF THE UNITED STATES

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

Ferdinand T. Fletcher, of San Diego, Calif., and Holloway Jones, of San Francisco, Calif., on motion of Mr. Stanley N. Barnes; Alan A. Lindsay, of Oakland, Calif., Charles E. Sells, of Fresno, Calif., and David L. Luce, of Berkeley, Calif., on motion of Mr. Warren Olney III; Bert W. Kronmiller, of Hardin, Mont., on motion of Mr. James E. Murray; Robert J. Nolan, of Chicago, Ill., and Leslie O. Lynch, of Fort Worth, Tex., on motion of Mr. Price Daniel; John T. Davies, of Coronado, Calif., on motion of Mr. James B. Utt; Howard H. Baker, Jr., of Huntsville, Tenn., on motion of Mr. Howard H. Baker; Truman Burris Rucker, of Tulsa, Okla., on motion of Mr. Page Belcher; Cecile E. Reed, of Carter, Okla., on motion of Miss Vivien Irene McConnell; Francis Phillip Cotruvo, of Akron, Ohio, on motion of Mr. Jackson E. Betts; Kenneth R. Harkins, of Zanesville, Ohio, on motion of Mr. Leonard J. Emmerglick; Thomas William Collins, of Camp Lejeune, N. C., on motion of Mr. T. Emmett McKenzie; Roger Hayward Muzzall, of Washington, D. C., on motion of Mr. Charles B. McInnis; Jack Millender Cotton, of New York, N. Y., on motion of Mr. W. Blum, Jr.; Francis Joseph Kiernan, of North Providence, R. I., on motion of Mr. M. M. Heuser; Sidney Spencer Kallick, of Chicago, Ill., on motion of Mr. Abraham H. Maller; Henry Raymond Wasser, of Washington, D. C., on motion of Mr. Heber H. Rice; Joseph B. Kennedy, Jr., of Falls Church, Va., on motion of Mr. Burr Tracy Ansell; John Phleger Pollock, of Los Angeles, Calif., on motion of Mr. David M. Richmond; Royal L. Coburn, of Washington, D. C., and Aloys P. Kaufmann, of Saint Louis, Mo., on motion of Mr. Parke M. Banta; Paul N. Pfeiffer, of Falls Church, Va., on motion of Mr. Alexander Pfeiffer; and David B. Fitzgerald, of Philadelphia, Pa., on motion of Mr. Arthur L. Winn, Jr., were admitted to practice.

No. 394. United Shoe Machinery Corporation, appellant, *v.* United States of America. Argument continued by Mr. Ralph S. Spritzer for the appellee and concluded by Mr. Robert Proctor for the appellant.

No. 464. United States of America, appellant, *v.* The Borden Company et al. Argued by Mr. Assistant Attorney General Barnes for

the appellant and by Mr. Stuart S. Ball for the appellees, The Borden Co., et al. and by Mr. Leo F. Tierney for the appellee, Beloit Dairy Co.

No. 480. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, the Baltimore & Ohio Railroad Company, et al.; and

No. 481. Florida Citrus Commission, Growers and Shippers League of Florida, et al., appellants, *v.* United States of America, Interstate Commerce Commission, the Baltimore & Ohio Railroad Company, et al. Argument commenced by Mr. Maxwell W. Wells for the appellants in No. 481.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 28, will be as follows: No. 480 (and 481), and 635.

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SUPREME COURT OF THE UNITED STATES

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

Abraham E. Horn, of Memphis, Tenn., on motion of Mr. Clifford Davis; Vernon McDaniel, of Wichita Falls, Tex., on motion of Mr. Jack B. Brooks; Alexander T. Kardos, of Greenwich, Conn., on motion of Mr. Ellis Spear Middleton; Harold V. Kennedy, of New York, N. Y., on motion of Mr. Robert L. Stern; and Donald F. Pratt, of Minneapolis, Minn., on motion of Mr. Louis A. Gravelle, were admitted to practice.

No. 480. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, the Baltimore & Ohio Railroad Company, et al.; and

No. 481. Florida Citrus Commission, Growers and Shippers League of Florida, et al., appellants, *v.* United States of America, Interstate Commerce Commission, the Baltimore & Ohio Railroad Company, et al. Argument continued by Mr. Neil Brooks for the appellant in No. 480, by Mr. Edward M. Reidy for the appellee, Interstate Commerce Commission and by Mr. Hugh B. Cox for the appellees, Baltimore and Ohio Railroad Co., et al. and concluded by Mr. Maxwell W. Wells for the appellants in No. 481.

No. 635. Camilo Weston Leyra, petitioner, *v.* Wilfred L. Denno, Warden of Sing Sing Prison, Ossining, New York. Argued by Mr. Osmond K. Fraenkel for the petitioner and by Mr. William I. Siegel for the respondent.

Adjourned until Monday, May 3, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Craig Hosmer, of Long Beach, Calif., and Clarence Clifton Young, of Reno, Nev., on motion of Mr. Vice President Richard M. Nixon; Harry H. Allen, Jr., of Larchmont, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Robert Alexander Blackwood, of Atlanta, Ga., Lloyd Elmo Holt, of Atlanta, Ga., and Lewis Roger Slaton, Jr., of Atlanta, Ga., on motion of Mr. Jas. C. Davis; Lee Metcalf, of Helena, Mont., on motion of Mr. James E. Murray; William Mayo Lee, of Clarendon, Ark., on motion of Mr. Wilbur D. Mills; Erle William Francis, of Topeka, Kans., on motion of Mr. Andrew F. Schoepfel; Vernon L. Headrick, of Enid, Okla., on motion of Mr. Page Belcher; Kirk Patrick Banks, of Elizabethton, Tenn., and Robert Edward Banks, of Elizabethton, Tenn., on motion of Mr. B. Carroll Reece; H. B. Hill, of Sycamore, Tex., on motion of Mr. Walter Rogers; Robert S. Barnes, of Santa Ana, Calif., on motion of Mr. James B. Utt; Russell S. Munro, of Sacramento, Calif., on motion of Mr. Justin Leroy Johnson; James J. Carter, of Montgomery, Ala., and Thos. B. Hill, Jr., of Montgomery, Ala., on motion of Mr. Elmore Whitehurst; Arthur M. Cromarty, of Lindenhurst, N. Y., on motion of Mr. John J. Rhodes; Erwin M. Arnold, of Little Rock, Ark., on motion of Mr. Brooks Hays; Terence J. O'Neill, of Denver, Colo., on motion of Mr. Will Shafroth; Searcy Bracewell, of Houston, Tex., on motion of Mr. E. Jake Jacobsen; William Lee Springer, of Champaign, Ill., and H. Ogden Brainard, of Charleston, Ill., on motion of Mr. Charles J. Zinn; Donald Crichton Alexander, of Washington, D. C., on motion of Mr. Stanley L. Temko; Thomas Francis Brosnan, of Washington, D. C., on motion of Mr. Walter A. Slowinski, Jr.; Donald Levy, of Annapolis, Md., and Morris O. Wolk, of New York, N. Y., on motion of Mr. Pasquale J. Federico; Isador I. Smuckler, of Los Angeles, Calif., on motion of Mr. Frank W. Dahn; Lew D. Brundage, of Dillon, Mont., Charles Sidney Steinhardt, of New York, N. Y., Ralph J. Pearson, of Memphis, Tenn., William B. Kaliher, of Orangeburg, S. C., Roy M. Sullivan, Jr., of Atlanta, Ga., Clarence H. Shirley, of Alpharette, Ga., William L. Koch, of Columbus, Ohio, Eugene B. Sisk, Jr., of Houston, Tex., Theodore C. Huke, of Kerr-

ville, Tex., Edward Harry Posey, of Indian Rocks Beach, Fla., George Matthew Wilson, of Washington, D. C., Aubrey L. Turner, of Rison, Ark., Thomas R. Hennessey, of Augusta, Ky., William Francis Higgins, of Baltimore, Md., John Maynard Rankin, of Washington, D. C., and Ernest Ray Mattoon, of Woodstock, Md., on motion of Mr. Albert M. Kuhfeld; Vincent E. McGowan, of New York, N. Y., on motion of Mr. Martin J. Meenehan; Gerrit Paul Groen, of Chicago, Ill., on motion of Mr. Albert Arnold Brand, Jr.; William H. Ward, Jr., of Weston, Mass., and Marco J. Pettoruto, of Lawrence, Mass., on motion of Mr. Chester W. Wilson; Frederick Thompson Kingdon, of Mullens, W. Va., on motion of Mr. Heber H. Rice; John Gilbert Prendergast, of Baltimore, Md., on motion of Mr. Roszel C. Thomsen; Paul Joseph Kopp, of Washington, D. C., on motion of Mr. Joseph A. Nacrelli; Barnard Fulton Jennings, of Fairfax, Va., John Mullard Pendergrass, of Falls Church, Va., John Hamilton Aylor, of Arlington, Va., and LeRoy E. Berg, of Arlington, Va., on motion of Mr. Edward D. Gasson; Erwin A. Jones, of Alexandria, Va., on motion of Mr. Morris Goldschlager; Robert Warren Kell, of Old Greenwich, Conn., on motion of Mr. Ellis Spear Middleton; Thomas Ladnor Thistle, of Melrose, Mass., on motion of Mr. Alfred H. Myers; John Joseph Czyzak, of Arlington, Va., on motion of Mr. Carl H. Imlay; William Milner Kelly, of Montgomery, Ala., on motion of Mr. Joseph Chandler Burton; Harriet Matilda Hamner, of Nashville, Tenn., Virginia Morsey, of Washington, D. C., and Virginia Merrills Tomasulo, of Washington, D. C., on motion of Mr. John Ambrose Tyson; Don O. Russell, of Saint Louis, Mo., on motion of Mr. Edward H. Berry; Maurice H. Schy, of Chicago, Ill., on motion of Mr. Gerhard Van Arkel; Robert Alexander Kagan, of Arlington, Va., on motion of Mr. George Bronz; William P. McClure, of Washington, D. C., on motion of Mr. John E. McClure; and Jarrard Secrest, of Temple, Tex., on motion of Mr. Charles I. Francis, were admitted to practice.

No. 406. Pete Hernandez, petitioner, *v.* The State of Texas. On writ of certiorari to the Court of Criminal Appeals of the State of Texas. Judgment reversed with costs and case remanded to the Court of Criminal Appeals of Texas for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

The Chief Justice said:

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

No. 464. United States of America, appellant, *v.* The Borden Company et al. The motion for leave to file brief of Dean Milk Co. as *amicus curiae* is granted.

No. 29. B. Clinton Watson et ux., appellants, *v.* Employers Liability Assurance Corporation, Ltd., et al. Appeal from and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Further consideration of the question of the jurisdiction of this Court in this case on appeal is postponed to the hearing of the case on the merits. The petition for writ of certiorari is granted.

No. 521. Lena Califro and Andrew Mareck, petitioners, *v.* The People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 569. Byron E. Boring, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 593. Joseph G. Brand and Anton A. Morvay, petitioners, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 611. Collin County Levee Improvement District No. 1 et al., petitioners, *v.* United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 631. Northwest Steel Rolling Mills, Inc., a Washington Corporation, et al., petitioners, *v.* Charles H. Kendall, Assistant Administrator, Economic Stabilization Agency. Petition for writ of certiorari to the United States Emergency Court of Appeals denied.

No. 632. Pennsylvania Water and Power Company, petitioner, *v.* Consolidated Gas Electric Light and Power Company of Baltimore. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 633. Dr. Anthony J. Cincotta, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 653. Bernard Everett Klock, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 160. Miller Brothers Company, appellant, *v.* State of Maryland; and

No. 492, Misc. S. P. Beecher, petitioner, *v.* Leavenworth State Bank, et al. Petitions for rehearing denied.

No. 281, Misc. Robert Lee Cannon, petitioner, *v.* O. B. Ellis, General Manager of the Texas Prison System, Huntsville, Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 338, Misc. George P. Clokey, petitioner, *v.* C. H. Looney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 384, Misc. Bert Crabtree, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 402, Misc. Edward Powell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 432, Misc. Thomas B. Grayson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 435, Misc. James W. Sprading, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 442, Misc. Robert Edward Lipscomb, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 446, Misc. In the Matter of Edmond C. Fletcher, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 475, Misc. Ralph Walter Masse, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 482, Misc. Eugene Victor Blount, Sr., petitioner, *v.* State of Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 488, Misc. Samuel Foxall, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 490, Misc. Frank J. Anderson, petitioner, *v.* Dr. Reginald Rood, Supt. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 491, Misc. Robert Petraborg, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 493, Misc. Willis Altizer, petitioner, *v.* W. Frank Smyth, Jr., Supt. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 495, Misc. Jerome Williams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 496, Misc. William Bird, petitioner, *v.* Robert E. Murphy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 499, Misc. Kaiser Wyatt, petitioner, *v.* W. Frank Smyth, Jr., Supt. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 500, Misc. Robert J. Koalska, petitioner, *v.* Edwin Swenson, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 501, Misc. William Holzapple, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 502, Misc. Gerhard A. Puff, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 503, Misc. Don Jesse Neal, petitioner, *v.* State of Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 504, Misc. Vito W. Rizzi, petitioner, *v.* People of the State of New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 512, Misc. John J. Rollo and John J. Lannahan, petitioners, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 514, Misc. Clarence Jones, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 515, Misc. Irvin A. Sell, petitioner, *v.* Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 516, Misc. Fred Clark Robertson, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 507, Misc. Everett Crandall, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 487, Misc. Ex parte W. A. Marshall, petitioner. Motion for leave to file petition for writ of mandamus denied.

No. 508, Misc. Willie Ray Watson, petitioner, *v.* William H. Bannan, Warden. Motion for leave to file petition for writ of habeas corpus denied.

No. 519, Misc. Rufus Jackson Brown, petitioner, *v.* United States of America. Motion for leave to file petition for writ of certiorari denied.

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

Adjourned until Monday, May 17, at twelve o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Jerry Broadwell Stone, of Hillsboro, N. C., Mr. James N. Caldwell, Jr., of Columbia, S. C., Thomas S. Gordon, Jr., of Chicago, Ill., Harold Dexter Rhynedance, Jr., of Williamsville, N. Y., James Meador Smith, of Morenci, Ariz., Albert E. Arnstein, of Chicago, Ill., Mr. Henry Harry Levin, of Chicago, Ill., and Mr. John Thomas Grigsby, of Sioux Falls, S. Dak., on motion of Mr. Solicitor General Simon E. Sobeloff; Kathleen Parker, of Los Angeles, Calif., Calvin Camp McGregor, of Honolulu, T. H., Kazuhisa Abe, of Hilo, T. H., William Shaw Richardson, of Honolulu, T. H., Yasutaka Fukushima, of Honolulu, T. H., Edward A. Towse, of Honolulu, T. H., Jack H. Mizuha, of Koloa, T. H., and O. Vincent Esposito, of Honolulu, T. H., on motion of Mr. Patrick J. Hillings; Timothy P. Quinn, of St. Paul, Minn., John E. Daubney, of St. Paul, Minn., and Richard Ernst, of San Francisco, Calif., on motion of Mr. Warren E. Burger; John E. Stone, of Jackson, Miss., on motion of Mr. John Cornelius Stennis; Alvin H. Gershenson, of Beverly Hills, Calif., on motion of Mr. Harlan Hagen; Warren E. Baker, of Fort Wayne, Ind., on motion of Mr. E. Ross Adair; Stanford W. Gregory, of Denver, Colo., and Edwin Austin Williams, of Denver, Colo., on motion of Mr. Bryon G. Rogers; David Champion Acheson, of Washington, D. C., on motion of Mr. Dean G. Acheson; Hugh R. Couch, of Martinsville, Ind., on motion of Mr. William G. Bray; James A. Johnston, of San Francisco, Calif., on motion of Mr. Henry P. Chandler; Roger F. Dykes, of Cocoa, Fla., and John Marshall Haynes, of Jacksonville, Fla., on motion of Mr. James R. Golden; F. Keith Kelly, of Washington, D. C., on motion of Mr. Samuel O. Clark, Jr.; Romas L. Hruska, of Omaha, Nebr., and S. E. Torgeson, of Kimball, Nebr., on motion of Mr. Edward R. Burke; Merlin Howard Staring, of Washington, D. C., on motion of Mr. William J. Hughes, Jr.; Willard J. Wright, of Seattle, Wash., on motion of Mr. Eugene R. West; Albert D. Elledge, of San Francisco, Calif., on motion of Mr. John D. Conner; Edward D. E. Rollins, of Elkton, Md., on motion of Mr. J. Edgar Harvey; William Lawrence Shaw, of Sacramento, Calif., on motion of Mr. R. C. Van Kirk; George W. Hickman, Jr., of Washington, D. C., and William Robert Morrison,

of Ridgefield Park, N. J., on motion of Mr. Carl E. Williamson; William L. Wallace, of Lexington, Ky., and Job Darbin Turner, Jr., of Lexington, Ky., on motion of Mr. Thomas J. Beddow; Milton H. Camann, of Athol, Mass., on motion of Mr. Harry M. Plotkin; Robert T. Reynolds, of Washington, D. C., on motion of Mr. Fred Schwertner; William John McMahon, of Cleveland, Ohio, on motion of Mr. Vernon C. Kohlhaas; Edward McFadden, Jr., of New York, N. Y., on motion of Mr. Frederick A. Ballard; Robert P. Butler, of Hartford, Conn., and Valentine J. Sacco, of Hartford, Conn., on motion of Mr. William D. Donnelly; Peter Beter, of Washington, D. C., on motion of Mr. John P. Labofish; Arnold Schlossberg, of Roanoke, Va., on motion of Mr. Henry Hamill Fowler; Preston P. Taylor, of Norfolk, Va., on motion of Mr. William E. Stewart, Jr.; Ralph G. Mayer, of Arlington, Va., on motion of Mr. Jess H. Rosenberg; Louis A. Mankus, of Cheyenne, Wyo., on motion of Mr. Jackson Brodsky; Norton S. Johnson, of Greenwich, Conn., on motion of Mr. Ellis Spear Middleton; Sidney R. Siben, of Bay Shore, N. Y., on motion of Mr. Walter Siben; Helen R. MacGregor, of Oakland, Calif., on motion of Mr. Warren Olney III; Philip Erwin Biege, of Enumclaw, Wash., on motion of Mr. Dwight D. Taylor; Edward L. Barrett, Jr., of Berkley, Calif., on motion of Mr. J. Roger Wollenburg; William B. Carman, of Los Angeles, Calif., on motion of Mr. Stanley L. Temko; Wesley C. Blake, of St. Paul, Minn., on motion of Mr. Carl G. Lutz; James Russell Blease, of Pawtucket, R. I., and Walter Gilbert Andry, of New Orleans, La., on motion of Mr. Edward J. Taggart; Gilbert Hahn, Jr., of Washington, D. C., on motion of Mr. Milton W. King; Irving M. Wolff, of Miami Beach, Fla., on motion of Mr. William A. Kehoe, Jr.; Edward Gabriel Misey, of Washington, D. C., and Duard R. Barnes, of Washington, D. C., on motion of Mr. William R. Vallance; A. Roy Surles, Jr., of Lakeland, Fla., on motion of Mr. Burr Tracy Ansell; John Hill Paylor, of Farmville, N. C., on motion of Mr. Ralph M. Moody; Nahum A. Bernstein, of Rye, N. Y., Edward Sholom Silver, of Brooklyn, N. Y., and George H. Kaplan, of Teaneck, N. J., on motion of Mr. Donald Ray Seawell; Herman Sternstein, of Washington, D. C., on motion of Mr. Isaac Nathan Groner; Leo Richard Lichter, of Milwaukee, Wis., on motion of Mr. P. Michael Cook; William Alexander Dallis, of Columbia, S. C., on motion of Mr. T. C. Callison; Paul F. Robison, of Anchorage, Alaska, on motion of Mr. Charles Sager Collier; Reid C. Tait, of Washington, D. C., James C. Gregg, of Washington, D. C., and William Laverick, of Washington, D. C., on motion of Mr. Frederick T. M. Crowley; Charles H. Vaughn, of Washington, D. C., on motion of Mr. Anthony N. Zock; Frank H. Schmidt, of Los Angeles, Calif., on motion of Mr. Robert A. Littleton; Joseph A. McElwain, of

Deer Lodge, Mont., on motion of Mr. Ralph E. Becker; William P. Jaeger, Jr., of Berkeley, Calif., Walter Fitch Pettit, of San Francisco, Calif., and Robert Joseph Kelleher, of Beverly Hills, Calif., on motion of Mr. Howard H. Schmidt; Thomas J. Newton, of Corpus Christi, Tex., on motion of Mr. Arthur C. Perry; Edgar O. Appleby, of New York, N. Y., on motion of Mr. Jay W. Glasmann; Francis H. Caskin 3d, of Danvers, Mass., on motion of Mr. Harry A. Poth, Jr.; C. William Taylor, of Washington, D. C., on motion of Mr. H. G. Morison; Charles F. O'Neill, of Washington, D. C., on motion of Mr. David Walker Richmond; Merwin Kimball Hart, Jr., of Utica, N. Y., Emlyn I. Griffith, of Rome, N. Y., and Robert O. Wright, of Rome, N. Y., on motion of Mr. John Lord O'Brian; Charles Brundage Howard, of Seattle, Wash., on motion of Mr. Lane Summers; and Thomas M. Jenkins, of San Francisco, Calif., on motion of Mr. Marvin E. Frankel; Allan C. Schieck, of Washington, D. C., Bernard L. Trott, of Kansas City, Mo., Donald N. Glazier, of Miami, Fla., Adrian W. Tolen, of Annandale, Va., Ely R. Katz, of Miami, Fla., Billy B. Burton, of Miami, Fla., Tom Maxey, of Coral Gables, Fla., Arthur E. Sweet, of Miami, Fla., Helen T. Hope, of Miami, Fla., Raymond L. Parker, of Miami, Fla., Norman F. Carroll, of Garden City, N. Y., Bernard B. Weksler, of Miami, Fla., Stephen E. Ware, of Wichita, Kans., Clifford C. Alloway, of Miami, Fla., Marco Loffredo, of Miami, Fla., Lewis Horwitz, of Miami Beach, Fla., John J. Ensley, of Falls Church, Va., Robert K. Elliott, of North Kansas City, Mo., William E. Turnage, of Liberty, Mo., Donald W. Browne, of Kansas City, Mo., Walter R. James, of North Kansas City, Mo., Larry W. Becker, of Lincoln, Nebr., J. William Benton, of Kansas City, Mo., Lee Glenn Norris, of Denver, Colo., Harvey H. Shackelford, Jr., of Kansas City, Mo., and Charles A. Luehl, of Miami, Fla., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

No. 464. United States of America, appellant, *v.* The Borden Company et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment of dismissal as to the Sherman Act allegations affirmed. As to the Clayton Act allegations the case is remanded to the District Court for further consideration, and such further proceedings as may be necessary, in accordance with the opinion of this Court. Opinion by Mr. Justice Clark. Mr. Justice Black and Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 398. Capital Service, Inc., a California Corporation, etc., et al., petitioners, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judg-

ment affirmed and case remanded to the United States District Court for the Southern District of California. Opinion by Mr. Justice Douglas. Mr. Justice Black dissents. Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 449. United States of America, petitioner, *v.* Mead Gilman, Jr. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Southern District of California. Opinion by Mr. Justice Douglas.

No. 394. United Shoe Machinery Corporation, appellant, *v.* United States of America. Appeal from the United States District Court for the District of Massachusetts. Judgment affirmed. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Jackson and Mr. Justice Clark did not participate in the consideration or decision of this case.

No. 1. Oliver Brown et al., appellants, *v.* Board of Education of Topeka, Shawnee County, Kansas, et al. Appeal from the United States District Court for the District of Kansas;

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott et al. Appeal from the United States District Court for the Eastern District of South Carolina;

No. 4. Dorothy E. Davis et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al. Appeal from the United States District Court for the Eastern District of Virginia; and

No. 10. Francis B. Gebhart et al., petitioners, *v.* Ethel Louise Belton et al. On writ of certiorari to the Supreme Court of Delaware. Opinion of the Court delivered by Mr. Chief Justice Warren holding that the segregation complained of in these cases is a denial of the equal protection of the laws guaranteed by the Fourteenth Amendment. In order that the Court may have the full assistance of the parties in formulating decrees, the cases are restored to the docket and the parties are requested to present further argument on Questions 4 and 5 previously propounded by the Court for the reargument this Term. The Attorney General of the United States is again invited to participate. The Attorneys General of the states requiring or permitting segregation in public education will also be permitted to appear as *amici curiae* upon request to do so by September 15, 1954, and submission of briefs by October 1, 1954.

No. 8. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Opinion of the Court delivered by Mr. Chief Justice Warren holding that racial segregation in the public schools of the District of Columbia is a denial of

the due process of law guaranteed by the Fifth Amendment to the Constitution. For the reasons set out in *Brown v. Board of Education*, this case is restored to the docket for reargument on Questions 4 and 5 previously propounded by the Court.

The Chief Justice said:

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

No. 625. *Burton C. Johns, Sr., appellant, v. The Baltimore and Ohio Railroad Company, a Corporation, Brotherhood of Locomotive Firemen and Enginemen, and Brotherhood of Locomotive Engineers.* Appeal from the United States District Court for the Northern District of Illinois. *Per Curiam*: The judgment of the three-judge court is affirmed.

No. —. *William Arlow Butler, petitioner, v. The Superior Court of the State of California, County of San Bernardino.* The petition for a temporary restraining order, referred to the Court by Mr. Justice Douglas, is denied.

No. 531. *Sonia Herrup Alton, petitioner, v. David Elie Alton.* A rule is ordered to issue, returnable within ten days, requiring the parties to show cause why the judgments should not be vacated and the case dismissed by the trial court as moot. Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this question.

No. 120. *Lumbermen's Mutual Casualty Company, petitioner, v. Florence R. Elbert.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case assigned for argument on Monday, October 11, immediately following No. 29.

No. 609. *The United States, petitioner, v. Koppers Company, Inc., Successor on Merger to Koppers United Company and Subsidiaries.* Petition for writ of certiorari to the United States Court of Claims granted.

No. 637. *Alta Valentine, petitioner, v. Lester Lamont and Marion Lamont, his wife, Board of Education of the City of Jersey City, Hudson County, a Body Corporate, et al.* Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 645. *Syracuse Color Press, Inc., petitioner, v. National Labor Relations Board.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 649. Frank Rich, alias Ben Rich, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 657. Milton Duke et al., Receiver of the Bond Construction Corporation, petitioners, *v.* Reconstruction Finance Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 658. Wheatland Electric Cooperative, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 660. National Manufacturing Company et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 661. Spector Motor Service, Inc., petitioner, *v.* Otto F. Messner, Secretary of Revenue of the Commonwealth of Pennsylvania, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 663. United States of America, ex rel. Jaspere J. Matranga, petitioner, *v.* Argyle J. Mackey, Commissioner of Immigration and Naturalization, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 665. W. L. Kann and Stella H. Kann, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 669. The Monarch Machine Tool Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 670. Aerovox Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 672. Ivan N. Fraver, petitioner, *v.* The Studebaker Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 708. Copper Tan, Inc., petitioner, *v.* Douglas Laboratories Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 230. Mrs. Myrtis Trimble Pate Stout, petitioner, *v.* William Mitchell Pate. Motion to dispense with printing record granted. Petition for writ of certiorari to the Supreme Court of Georgia denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 634. William Mitchell Pate, petitioner, v. Myrtis Trimble Stout. Motion to dispense with printing record granted. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 648. Lester Brand and Mary Brand, petitioners, v. Commissioner of Internal Revenue. Motion to dispense with printing the petition, brief, and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 117. Federal Communications Commission, appellant, v. American Broadcasting Company, Inc.;

No. 118. Federal Communications Commission, appellant, v. National Broadcasting Company, Inc.; and

No. 119. Federal Communications Commission, appellant, v. Columbia Broadcasting System, Inc. The motion of Francis Emmett Williams for leave to intervene as *amicus curiae* and to file a petition for rehearing is denied.

No. 563. Irma Hogan, petitioner, v. Lee J. Ricketts, Executor of the Estate of Elizabeth Henschen, Deceased;

No. 584. Theodore K. Nitterhouse, petitioner, v. United States of America;

No. 605. George Washington Pierce, petitioner, v. American Communications Company, Inc.;

No. 606. Interstate Motor Freight System, Inc., appellant, v. Otto F. Messner, Secretary of the Department of Revenue of the Commonwealth of Pennsylvania, et al.;

No. 615. Shirks Motor Express Corporation, appellant, v. Otto F. Messner, Secretary of the Department of Revenue of the Commonwealth of Pennsylvania, et al.; and

No. 627. William B. Collins, Individually and as Trustee for Jeremiah F. Collins, et. al., petitioners, v. Ann O'Brien, et al. Petitions for rehearing denied.

No. 401. Herbert Brownell, Jr., Attorney General of the United States, as Successor to the Alien Property Custodian, petitioner, v. Eugene T. Singer; and

No. 402. The Superintendent of Banks of the State of New York, etc., petitioner, v. Eugene T. Singer; and

No. 78, Misc. Edward E. Bartholomew, petitioner, v. State of Illinois. Petitions for rehearing denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 397, Misc. Theodore W. Thomas, petitioner, v. People of the State of California et al.;

No. 398, Misc. Edward Smith, petitioner, *v.* J. Ellis Overlade, Warden;

No. 447, Misc. William Vanderwyde, petitioner, *v.* Wilfred L. Denno, Warden, Sing Sing Prison, Ossining, New York; and

No. 483, Misc. William T. Reed, petitioner, *v.* Commonwealth of Kentucky. Petitions for rehearing denied.

No. 462, Misc. Alfred Dusseldorf, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 510, Misc. Alfonso Thomas, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 518, Misc. Charles E. Williams, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 520, Misc. Ralph Bindrin, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 521, Misc. Freddie Nation, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 524, Misc. Charles Clark, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 535, Misc. Eleanor C. Moran, petitioner, *v.* Jesse Donaldson et al. Petition for writ of certiorari to the United States Court of Claims denied.

No. 536, Misc. Frank Mancini, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 540, Misc. Mike Marvich, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Third Appellate District, denied.

No. 546, Misc. John Allen, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 549, Misc. Carter Caldwell, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 561, Misc. Oscar Bragg, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 539, Misc. David H. Johnson, petitioner, *v.* State of Utah. Application denied.

No. 547, Misc. Clifford Daugharty, petitioner, *v.* Clarence T. Gladden, Warden. Motion for leave to file petition for writ of habeas corpus denied.

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

The Court will take a recess from today until Monday, May 24, from that day until Tuesday, June 1, and from that day until Monday, June 7, upon which day it will adjourn for the term unless otherwise ordered.

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

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SUPREME COURT OF THE UNITED STATES

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

Abraham Rotwein, of New York, N. Y., and John Morton Taylor, of Sinton, Tex., on motion of Mr. Solicitor General Simon E. Sobeloff; Leo Freund, of Los Angeles, Calif., and Glendon Tremaine, of Los Angeles, Calif., on motion of Mr. Stanley N. Barnes; W. P. Z. German, Jr., of Midland, Tex., William A. Miller, Jr., of Houston, Tex., and Bill Daniel, of Liberty, Tex., on motion of Mr. Price Daniel; Albert M. Rains, of Gadsden, Ala., George Raiford Oliver, Jr., of Gadsden, Ala., and Joseph T. Eddins, Jr., of Gadsden, Ala., on motion of Mr. John Sparkman; Walter Dworakowski, of Akron, Ohio, on motion of Mr. Jackson E. Betts; Richard K. Burke, of Helena, Ark., on motion of Mr. E. C. Gathings; Henry M. Britt, of Hot Springs, Ark., on motion of Mr. Chauncey W. Reed; Harold R. Spence, of Los Angeles, Calif., on motion of Mr. James B. Utt; Bernice M. Grieder, of Wichita Falls, Tex., on motion of Mr. John E. Lyle, Jr.; Fritz Klifton Knust, of San Antonio, Tex., on motion of Mr. Paul J. Kilday; David Leonard Lomenick, Jr., of Rossville, Ga., on motion of Mr. Jas. C. Davis; Charles M. Roberts, of Fort Myers, Fla., on motion of Mr. Dwight L. Rogers; Guy J. D'Antonio, of New Orleans, La., on motion of Mr. Hale Boggs; Mike McKool, of Dallas, Tex., and Bertran T. Bader, Jr., of Dallas, Tex., on motion of Mr. Elmore Whitehurst; James Montante, of Detroit, Mich., and Bert A. Gallegos, of Denver, Colo., on motion of Mr. Will Shafroth; C. Richard Grieser, of Columbus, Ohio, Louis H. Swartz, of New York, N. Y., and Ray Sandstrom, of Lakeland, Fla., on motion of Mr. Robert L. Stern; Robert Wendell Hainsworth, of Houston, Tex., L. A. Wyatt, of Jackson, Miss., L. Lamar Beacham, of Jackson, Miss., James Seaborn Dale, Jr., of Columbia, Miss., Dale Harbour McKibben, of Jackson, Miss., Woodrow Seals, of Houston, Tex., Charles A. Easterling, of Houston, Tex., Fred Much, of Houston, Tex., Wm. Alan Mudgett, of Houston, Tex., Young Frank Jungman, of Houston, Tex., and Robert Burns, of Atlanta, Ga., on motion of Mr. Albert M. Kuhfeld; E. Wiley Barker, of Kansas City, Mo., on motion of Mr. William Caverly; George W. Carter, Jr., of San Antonio, Tex., on motion of Mr. Richard F. Ralph, Jr.; John Alexander, of Fairfax, Va., on motion of Mr. Edward D. Gasson; Frank McReynolds Wozencraft, of Houston, Tex., on motion of Mr. Francis W. Wozencraft; Robert H. Law, Jr., of White Plains,

N. Y., on motion of Mr. Frederick U. Reel; Jacob Goodman, of Chicago, Ill., on motion of Mr. James A. Murray; Horace N. Lombardi, of Philadelphia, Pa., and John M. McNally, Jr., of Philadelphia, Pa., on motion of Mr. John Martin Doyle; Harold Appleby Kennedy, of Arlington, Va., on motion of Mr. Alexander Akerman; Edgar W. Driver, of Washington, D. C., on motion of Mr. Russell Chapin; Norman B. Gillis, Jr., of McComb, Miss., on motion of Mr. James W. Cassdey, Jr.; Luther Weston Gregory, of Baltimore, Md., on motion of Mr. Gordon S. Parker; Leo C. Krazinski, of New York, N. Y., on motion of Mr. Thomas J. MacKavanagh; Davis W. Morton, Jr., of Washington, D. C., on motion of Mr. Robert B. Ross; Howard A. Patrick, of Long Beach, Calif., on motion of Mr. Francis X. Driscoll; Kenneth David Thomas, of Hickory, N. C., on motion of Mr. Joseph E. McAndrews; Walter S. Forsyth, of Rochester, N. Y., on motion of Mr. Clayton Lee Burwell; Kitty Blair Frank, of Washington, D. C., on motion of Mr. Robert B. Frank; John D. Rode, of New York, N. Y., on motion of Mr. John R. Benney; Warren Emerson Blair, of Cleveland, Ohio, on motion of Mr. Martin J. Meenehan; Stuart W. Conner, of Billings, Mont., on motion of Miss Alida Smith; John Russell Carroll, of Algona, Iowa, on motion of Mr. Vernon C. Kohlhaas; Aram A. Arabian, of Cranston, R. I., and Joseph Mainelli, of Providence, R. I., on motion of Mr. Benjamin Feld; Walter R. Rouse, of Omaha, Nebr., and James H. Anderson, of Omaha, Nebr., on motion of Mr. Lawrence H. Cake; George Paige Ferebee, of New York, N. Y., on motion of Mr. Conder C. Henry; Edward D. Simsarian, of New York, N. Y., on motion of Mr. Casper Shepard McClelland; Donald G. Benn, of Falls Church, Va., on motion of Mr. William Robert Senter, Jr.; Frank D. MacDowell, of Los Angeles, Calif., on motion of Mr. John J. Carmody; Robert E. Coll, of Atlanta, Ga., on motion of Mr. William H. Timbers; J. Warren Kenney, Jr., of Cincinnati, Ohio, on motion of Mr. James M. Earnest; John Wm. Cummins, of Wheeling, W. Va., on motion of Mr. Philip R. Collins; Joseph S. Hertogs, of San Francisco, Calif., on motion of Mr. David Carliner; James Kieran Foley, of Washington, D. C., on motion of Mr. Reid C. Tait; Charles Blakey Blackmar, of Kansas City, Mo., on motion of Mr. Albert L. Reeves, Jr.; Robert Wallace McMillan, of Washington, D. C., on motion of Mr. Godfrey L. Munter; S. Stuart Wilson, of Alexandria, Va., on motion of Mr. Samuel Lebowitz; John A. Pettis, Jr., of Berkeley, Calif., on motion of Mr. Alan A. Lindsay; Jerome L. Yesko, of Paterson, N. J., on motion of Mr. Nathan M. Lubar; Stanley Cornelius Simon, of Memphis, Tenn., on motion of Mr. William M. Burkhalter; Richard Thomas Burress, of Washington, D. C., on motion of Mr. James I. Dolliver; Robert E. Fischer, of Binghamton, N. Y., on motion

of Mr. Robert W. Minor; Nicholas M. Pette, of Kew Gardens, N. Y., Charles Anthony Loreto, of New York, N. Y., Thomas S. Agresta, of Maspeth, N. Y., Peter Belsito, of Flushing Manor, N. Y., Stephen E. Burgio, of Astoria, N. Y., Frank Cacciatore, of Long Island City, N. Y., Joseph S. Calabretta, of Long Island City, N. Y., Albert F. Candia, of Long Island City, N. Y., Dante R. Cappa, of Elmhurst, N. Y., Philip J. Chetta, of Corona, N. Y., Frank L. Corrado, of Jackson Heights, N. Y., Joseph J. Crisa, of Long Island City, N. Y., Vincent J. Cuti, of Jackson Heights, N. Y., D. Donald D'Amato, of Bayside, N. Y., Charles Digangi, of New York, N. Y., Andrew J. Di Paola, of Long Island City, N. Y., William P. Donnino, of Richmond Hills, N. Y., N. Anthony Equale, of Bellerose, N. Y., Joseph F. Farlo, of New York, N. Y., Angelo M. Ferri, of Long Island City, N. Y., Edward Filardi, of Flushing, N. Y., Daniel A. Fuccello, of Jackson Heights, N. Y., Sylvester Joseph Garamella, of New York, N. Y., William G. Giaccio, of Corona, N. Y., James G. Giordano, of Kew Gardens, N. Y., Henry J. Grassotti, of Flushing, N. Y., Frank J. Guarino, of Flushing, N. Y., F. William Guma, Jr., of Flushing, N. Y., Vincent Liggio, of Jackson Heights, N. Y., Henry A. Maccaro, of Merrick, N. Y., Vincent S. Martenelli, of New York, N. Y., Joseph Modugno, of Whitestone, N. Y., Lawrence C. Mule, of Glendale, N. Y., George Napolino, of Flushing, N. Y., Frank J. Neglia, of New York, N. Y., Vincent J. Paterno, of Jamaica, N. Y., Thomas J. Peragine, of Jamaica Estates, N. Y., Joseph J. Perrini, of Queens Village, N. Y., Vincent L. Pitaro, of Flushing, N. Y., Joseph J. Previte, of Jackson Heights, N. Y., Michael Ruggiero, of Corona, N. Y., Rocco J. Scalone, of Jamaica Estates, N. Y., Natale C. Tedone, of New Hyde Park, N. Y., Joseph J. Traficanti, of Floral Park, N. Y., John G. Trapani, of Uniondale, N. Y., Sigismund J. Trapani, of Brooklyn, N. Y., and Charles J. Vallone, of New York, N. Y., on motion of Mr. John F. Scileppi, were admitted to practice.

No. 450. Arthur P. Allen, Chairman, Twelfth Region Wage Stabilization Board, et al., appellants, *v.* Grand Central Aircraft Co., a California Corporation. Appeal from the United States District Court for the Northern District of California. Judgment reversed and cause remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton.

No. 407. Robert Norbert Galvan, petitioner, *v.* U. L. Press, Officer in Charge, Immigration and Naturalization Service, etc. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed and case remanded to the United States Dis-

trict Court for the Southern District of California. Opinion by Mr. Justice Frankfurter. Mr. Justice Reed concurs in the judgment of the Court and in the opinion as written, except as to the deductions drawn from Senator McCarran's citation of *Colyer v. Skeffington*, 265 F. 17, 72. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

The Chief Justice said:

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

No. 9. State of Florida ex rel. Virgil D. Hawkins, et al., petitioners, v. Board of Control of Florida, etc., et al. On petition for writ of certiorari to the Supreme Court of Florida;

No. 85. James W. Muir, petitioner, v. Louisville Park Theatrical Association. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit; and

No. 595. Alexander P. Tureaud, Jr., a Minor, by Alexander P. Tureaud, Sr., his Father and Next Friend, petitioner, v. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded for consideration in the light of the Segregation Cases decided May 17, 1954, *Brown v. Board of Education*, etc., and conditions that now prevail.

No. 655. William Turner and Mary Turner, appellants, v. People of the State of California. Appeal from the Superior Court of California, Appellate Department, County of Los Angeles. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. Mr. Justice Black and Mr. Justice Reed are of the opinion probable jurisdiction should be noted.

No. 666. State of Ohio ex rel. George S. Hawke, appellant, v. Ted W. Brown, as Secretary of State of Ohio, and as Chief Election Officer of Ohio. Appeal from the United States District Court for the Southern District of Ohio. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. —. Anthony Pino, petitioner, v. Henry Nicolls, District Director, Immigration and Naturalization Service, etc. The application

for bail, referred to the Court by Mr. Justice Frankfurter, is dismissed for the reason that the question is moot, petitioner having been admitted to bail.

No. 729. United States of America, appellant, *v.* International Boxing Club of New York, Inc., et al. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction is noted.

No. 641. United States of America, petitioner, *v.* Michael P. Acri et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary docket.

No. 642. United States of America, petitioner, *v.* The Liverpool and London and Globe Insurance Company, Limited, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary docket.

No. 643. United States of America, petitioner, *v.* R. P. Scovil, Dan Tasse, Inc., et al. Petition for writ of certiorari to the Supreme Court of South Carolina granted and case transferred to the summary docket.

No. 3. Oscar Holcombe, Mayor of the City of Houston, et al., petitioners, *v.* A. W. Beal et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 156. Wichita Falls Junior College District et al., petitioners, *v.* Willie Faye Battle et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 583. Housing Authority of the City and County of San Francisco, a Public Corporation, et al., petitioners, *v.* Mattie Banks et al., etc. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 662. Joseph John Sanzo, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 667. Morris V. Benatar and Benatars (a Corporation), petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 671. Isaac Mitchell, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 675. State of Florida *ex rel.* R. F. Shropshire, petitioner, *v.* Nathan Mayo, as Commissioner of Agriculture of the State of Florida

and Custodian of State Prisoners. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 676. Glenn Acord, and Chicago, Rock Island and Pacific Railroad Company, a Corporation, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 678. Puritan Church—The Church of America, and Puritan Church Building Fund, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 682. Averille L. Porter, petitioner, *v.* General Electric Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 683. Southern Silk Mills, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 684. The L. B. Hosiery Company, Incorporated, and Lee Maisel, Doing Business as Myerstown Hosiery Mills, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 693. Loew's Incorporated and Twentieth Century-Fox Film Corporation, petitioners, *v.* Cinema Amusements, Inc.; and

No. 694. RKO Radio Pictures, Inc., petitioner, *v.* Cinema Amusements, Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 715. Palmer Shipping Corporation, petitioner, *v.* William C. Luth. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 668. Giacomo Quattrone, petitioner, *v.* Henry Nicolls, District Director of Immigration and Naturalization. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 24. St. Joe Paper Co., Jessie Ball duPont, Elbert Dent, et al., petitioners, *v.* The Atlantic Coast Line Railroad Co.;

No. 33. S. A. Lynch, S. A. Lynch Corporation, et al., petitioners, *v.* The Atlantic Coast Line Railroad Company;

No. 36. J. Bryson Aird and Bank of the Manhattan Company, Successor Mortgage Trustees, petitioners, *v.* The Atlantic Coast Line Railroad Company; and

No. 37. W. G. Welbon, E. N. Claughton, and A. W. Corbett, petitioners, *v.* The Atlantic Coast Line Railroad Company. Petitions for

rehearing denied. Mr. Justice Black, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of these applications. Memorandum filed by Mr. Justice Douglas.

No. 677. W. H. Wilson, Executor of the Estate of Birdine Fletcher, Deceased, and Sisters of St. Francis, a Corporation, petitioners, *v.* A. J. Simler. Petition for rehearing denied. Motion to stay proceedings also denied.

No. 613. O. L. Shannon, petitioner, *v.* United States of America;

No. 623. Ferroline Corporation, petitioner, *v.* General Aniline and Film Corporation;

No. 353, Misc. Frank Severa, petitioner, *v.* Commonwealth of Pennsylvania;

No. 378, Misc. Frank Severa, petitioner, *v.* Fred Malpass, Parole Officer;

No. 402, Misc. Edward Powell, petitioner, *v.* United States of America; and

No. 470, Misc. John Palakiko and James Edward Majors, petitioners, *v.* Joe C. Harper, Warden of Oahu Prison. Petitions for rehearing denied.

No. 303, Misc. John E. Hinderhan, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 349, Misc. James W. Stidham, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 522, Misc. Ella S. Ledbetter, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 529, Misc. Reynolds Rousseau, petitioner, *v.* H. E. Moore, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 531, Misc. Carl William Burkholder, petitioner, *v.* United States Maritime Commission et al. Petition for writ of certiorari to the United States Court of Claims denied.

No. 533, Misc. Ollie C. Wiles, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 537, Misc. Julius Anthony Petro, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 543, Misc. Charles Junior Moore, petitioner, *v.* State of Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 550, Misc. Clarence Gehring, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 551, Misc. Clarence Tucker, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 553, Misc. Johnson Moore, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 555, Misc. R. L. Harding, petitioner, *v.* P. V. Cavanaugh et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 557, Misc. Ronald Harris, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 560, Misc. James Fisher, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 563, Misc. Willis Mullins, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 564, Misc. Edward F. Thomas, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 566, Misc. Commodore Perry Sam, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 567, Misc. Paul Schilaci, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 571, Misc. Sam McGee, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 572, Misc. Lester Lavern Richter, petitioner, *v.* Edwin Swenson, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 576, Misc. John Karafa, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 591, Misc. Charles Edward Estep, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 597, Misc. Printis Edwards, petitioner, *v.* Hon. Luther M. Swygert, Judge, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 410, Misc. Edward H. Bolesta, petitioner, *v.* Paul J. Madigan, Warden, et al. Motion for leave to file petition for writ of mandamus denied.

No. 552, Misc. Richard C. Brandon, petitioner, *v.* State of California. Application denied.

No. 569, Misc. David Tierson Graham, petitioner, *v.* State of New Jersey. Motion for leave to file petition for writ of habeas corpus denied.

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

Adjourned until Tuesday, June 1, next, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

Herman L. Brutton, of Brooklyn, N. Y., Charles A. McNelis, of Jersey City, N. J., Henry H. Arrington, of Tampa, Fla., James R. Hoyman, of Indianola, Iowa, Morris B. Chapman, of Granite City, Ill., and Max J. LeBoyer, of New York, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Wayne B. Miller, of Peoria, Ill., on motion of Mr. Everett McKinley Dirksen; Franklin T. Baldwin, of Houston, Tex., on motion of Mr. Price Daniel; John M. McCormick, of Winter Park, Fla., Nelson M. Harris, Jr., of Jacksonville, Fla., and Francis W. Blankner, of Orlando, Fla., on motion of Mr. George A. Smathers; John A. Storey, of Vernon, Tex., on motion of Mr. Frank Ikard; Richard S. Farr, of Denver, Colo., on motion of Mr. Byron G. Rogers; Simon S. Panush, of New York, N. Y., on motion of Mr. Isidore Dollinger; Michael J. Bartholomew, of Memphis, Mich., on motion of Mr. Jesse P. Wolcott; Melvin L. Kodas, of Kansas City, Mo., on motion of Mr. Errett P. Scrivner; Richard B. McCulloch, Jr., of Forrest City, Ark., on motion of Mr. E. C. Gathings; John Reardon Heath, of Chicago, Ill., on motion of Mr. Henry P. Chandler; James Bernie Lewis, of Ava, Mo., on motion of Mr. James P. Kem; John Patrick McNerney, of Des Moines, Iowa, on motion of Mr. Elmore Whitehurst; Lee A. Worrell, of Providence, R. I., on motion of Mr. Frederick Bernays Wiener; Benjamin E. Buente, of Evansville, Ind., on motion of Mr. Posey T. Kime; Max M. Smith, of Rison, Ark., on motion of Mr. Edwin D. Dupree, Jr.; Robert B. Krupansky, of Cleveland, Ohio, on motion of Mr. Charles A. Webb; Henry P. Trawick, Jr., of Lakeland, Fla., Joseph A. Perkins, of Miami, Fla., and Jephtha P. Marchant, of Miami, Fla., on motion of Mr. James R. Golden; Roland C. Davis, of San Francisco, Calif., and S. G. Lippman, of Chicago, Ill., on motion of Mr. Abraham J. Harris; William Arthur Lamkin, Jr., of Brandenburg, Ky., on motion of Mr. Neville Miller; Lewis W. Zoller, of Orlando, Fla., Finley M. Hamilton, of Orlando, Fla., William H. Beardall, of Orlando, Fla., Hubert A. Aultman, of Perry, Ga., John René Hawkins, of Macon, Ga., Robert Eugene Lanyon, of Fort Valley, Ga., John H. Murphy, of Washington, D. C., Will H. Carroll, of Washington, D. C., Durward B. Mercer, of Macon, Ga., and

Willoughby T. Cox, Jr., of Orlando, Fla., on motion of Mr. Reginald Carl Harmon; Thomas Tomokazu Kawahara, of Waimea, T. H., on motion of Mr. Eugenio M. Fonbuena; Edward J. McAnaney, of Yonkers, N. Y., on motion of Mr. David Peterman; Irving Wilner, of Washington, D. C., on motion of Mr. Keith L. Seegmiller; Ralph W. Totman, of Alstead, N. H., on motion of Mr. William H. Ward, Jr.; John R. Duree, of Mapleton, Iowa, on motion of Mr. Chester W. Wilson; James R. Zuckerman, of Detroit, Mich., on motion of Mr. Morton P. Fisher; Gilbert Chester Jacobus, of Arlington, Va., on motion of Mr. George MacClain; Harold Bieseimeier, of Daytona Beach, Fla., on motion of Mr. George M. Lhamon; Martin R. Fain, of Washington, D. C., on motion of Mr. Thomas Searing Jackson; Brainard H. Warner III, of Washington, D. C., and Bernard Rowitz, of Washington, D. C., on motion of Mr. William F. Fadler, Jr.; Donald P. Hertzog, of Washington, D. C., on motion of Mr. Edmund C. Grainger, Jr.; Francis J. Racioppi, of Washington, D. C., on motion of Mr. Hollie L. Mason; Arthur J. Swanick, of Washington, D. C., and Edward F. Streit, of Aurora, Ill., on motion of Mr. James M. Barnes; Howard J. Whelan, of Baltimore, Md., Robert R. Cohen, of Baltimore, Md., Stanley Paul, of Baltimore, Md., and Abraham Levin, of Baltimore, Md., on motion of Mr. Symone S. Spector; James Conforti, Jr., of New York, N. Y., on motion of Mr. Daniel J. Hanlon; Leo D. Epstein, of Los Angeles, Calif., on motion of Mr. Randolph E. Paul; Bernard P. Platshon, of Washington, D. C., on motion of Mr. Joseph John Urciolo; C. Dean Reasoner, of Washington, D. C., and E. Elwood Davis, of Washington, D. C., on motion of Mr. Smith Wildman Brookhart, Jr.; Dorothea M. B. Vermorel, of Miami, Fla., on motion of Miss Mary Frances Glenn; Marcus Whiting, of Winnetka, Ill., on motion of Mr. Frank Joseph Delany; Marvin J. Bloch, of New York, N. Y., on motion of Mr. Henry F. Butler; Le Roy H. Katz, of Bluefield, W. Va., on motion of Mr. Herbert J. Jacobi; Arthur Rogers Ivey, of Greenwich, Conn., and Robert E. Nickerson, of Greenwich, Conn., on motion of Mr. Philip Marcus; and William H. Phipps, Jr., of Darien, Conn., on motion of Mr. Leonard Raum, were admitted to practice.

No. 476. Braniff Airways, Incorporated, appellant, *v.* Nebraska State Board of Equalization and Assessment et al. Appeal from the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Reed. Mr. Justice Black concurs in the result. Mr. Justice Jackson dissents for the reasons stated in his concurring opinion in *Northwest Airlines v. Minnesota*, 322 U. S. 292. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Frankfurter.

No. 635. Camilo Weston Leyra, petitioner, *v.* Wilfred L. Denno, Warden of Sing Sing Prison, Ossining, New York. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals 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 Black. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed and Mr. Justice Burton join. Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 531. Sonia Herrup Alton, petitioner, *v.* David Elie Alton. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of the Court of Appeals vacated without costs and case remanded to the District Court of the Virgin Islands, Division of St. Thomas and St. John, with directions to vacate its judgment and to dismiss the proceeding upon the ground that the cause is moot. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting: Mr. Justice Black. Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

The Chief Justice said:

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

No. 471. Famous Rogers, petitioner, *v.* United States Lines. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. Mr. Justice Frankfurter, Mr. Justice Jackson, and Mr. Justice Burton, adhering to the views expressed in their dissent in No. 287, Alaska Steamship Co. *v.* Petterson, 347 U. S. 396, dissent.

No. 685. Luckenbach Steamship Company, Inc., appellant, *v.* United States of America, Interstate Commerce Commission, Isbrandtsen Company, Inc., et al. Appeal from the United States District Court for the Southern District of New York. *Per Curiam*: The motion to affirm is granted and judgment is affirmed.

No. 714. Geo. F. Alger Company of Detroit, Mich., a Michigan Corporation, et al., appellants, *v.* John W. Peck, Formerly Tax Commissioner, Department of Taxation, State of Ohio, et al. Appeal from the United States District Court for the Southern District of Ohio. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Douglas is of the opinion probable jurisdiction should be noted and the case set for argument.

No. 741. Charles Beyerbach, as a Stockholder of Juno Oil Co., a Nevada Corporation, appellant, *v.* Juno Oil Co., Maurice Henderson and Violet V. Carpenter, as Administratrix of the Estate of Scott Carpenter, Deceased. Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

— In the Matter of Roscoe B. Stephenson. The request by Roscoe B. Stephenson, of Covington, Virginia, that his name be removed from the roll of attorneys admitted to practice in this Court is granted and it is ordered that his name be stricken from the roll of attorneys admitted to practice in this Court.

No. 692. Premier Oil Refining Company of Texas, petitioner, *v.* United States of America. The petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted limited to the question presented by the petition for the writ which reads as follows:

“Where a deficiency in excess profits tax, based on the income and credits as shown in the taxpayer’s return, would have existed except for the subsequent application of Section 722 of the Internal Revenue Code, is the taxpayer liable for interest on the amount of such deficiency (hereinafter called the ‘potential deficiency’) which would have existed had it not been extinguished by the application of Section 722?”

The case is transferred to the summary docket and assigned for argument immediately following No. 609.

No. 10, Original. State of Arizona, plaintiff, *v.* State of California et al. The motion of the State of Nevada for leave to intervene is granted. The Chief Justice took no part in the consideration or decision of this motion.

No. 10, Original. State of Arizona, plaintiff, *v.* State of California et al.

IT IS ORDERED that George I. Haight, Esquire, of Chicago, Illinois, be, and he is hereby, appointed special master in this cause, with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem it necessary to call for. The master is directed to find the facts specially and state separately his conclusions of law thereon, and to submit the same to this Court with all convenient speed, together with a draft of the decree recommended by him. The findings, conclusions, and recommended decree of the master shall be subject to consideration, revision, or approval

by the Court. The master shall be allowed his actual expenses and a reasonable compensation for his services to be fixed hereafter by the Court. The allowances to him, the compensation paid to his stenographic and clerical assistants, and the cost of printing his report shall be charged against and be borne by the parties in such proportion as the Court hereafter may direct. If the appointment herein made of a master is not accepted, or if the place becomes vacant during the recess of the Court, the Senior Associate Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

The Chief Justice took no part in the consideration or decision of this order.

No. 628. H. Mark Solomon, Administrator d. b. n. c. t. a. of the Estate of Caroline L. Pleibel, Deceased, petitioner, *v.* Mary H. S. Beatty, also known as Mrs. George Myers and also known as Mrs. George H. S. Myers. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 674. Ng Yip Yee, petitioner, *v.* Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 679. Charles A. Williams, petitioner, *v.* George H. Kyger and Marie Kyger. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 680. Jack H. Stacy and Alvin Wolff, petitioners, *v.* David Greenberg and Charles Meltzer. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 686. West Coast Exploration Company, petitioner, *v.* Douglas McKay, as Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 687. Seven-Up Washington, Inc., a Corporation, the Dr. Pepper Bottling Co., of Washington, D. C., Inc., a Corporation, et al., petitioners, *v.* District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 688. Raymond O'Keefe, Antonio Romeo, et al., petitioners, *v.* People of the State of New York. Petition for writ of certiorari to the County Court of Broome County of New York denied.

No. 689. Fort Pitt Brewing Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 698. Carl A. Hillgren, petitioner, *v.* Kwikset Locks, Inc., Adolph Schoepe and Karl Reinhard. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 705. Switchmen's Union of North America, an Unincorporated Labor Union, et al., petitioners, *v.* The Ogden Union Railway and Depot Company, a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 759. United Supply & Manufacturing Company of Delaware, petitioner, *v.* Tucker, Bronson and Martin. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 700. Japan-Atlantic and Gulf Conference, et al., petitioners, *v.* United States of America, Federal Maritime Board, et al.; and

No. 703. Federal Maritime Board, petitioner, *v.* United States of America and Isbrandtsen Company, Inc. The motion for leave to file brief of Pacific Westbound Conference as *amicus curiae* is denied. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 727. Katherine Shellhammer, General Administratrix of the Estate of Walter R. Shellhammer, Deceased, petitioner, *v.* Lehigh Valley Railroad Company, a Corporation. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 728. Elizabeth Nowinski, petitioner, *v.* Randall H. Hagner and Company. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 287. Alaska Steamship Company, Inc., petitioner, *v.* John O. Petterson:

No. 557. John J. Linehan, as President of Local 1346 of the International Longshoremen's Association et al., appellants, *v.* Waterfront Commission of New York Harbor et al.;

No. 558. Staten Island Loaders, Inc., et al., appellants, *v.* Waterfront Commission of New York Harbor et al.; and

No. 592. Henry R. Witte, petitioner, *v.* The State of New Jersey. Petitions for rehearing denied.

No. 194, Misc. Robert Lee Braden, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Circuit Court of Cole County, Missouri, denied.

No. 527, Misc. Robert Connelly, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 530, Misc. Tom A. Gordy, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 532, Misc. Richard Henry Mitman, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 538, Misc. Lee Siglar, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 548, Misc. Milley Willey Aings, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 554, Misc. Samuel Wright, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 556, Misc. Eli Lear, petitioner, *v.* State of New Jersey et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 558, Misc. Ray Schrader, alias Raymond Schrader, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 559, Misc. Woodrow Nor Woods, petitioner, *v.* Harley O. Teets, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 562, Misc. Edward McKenna, petitioner, *v.* State of Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 565, Misc. Orion Nathaniel Johnson, petitioner, *v.* Nathan Mayo, Prison Custodian. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 568, Misc. Charles Williams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 570, Misc. John Winkler, petitioner, *v.* Dr. John W. Claudy, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 574, Misc. John W. Hobson, petitioner, *v.* John R. Cranor, Superintendent. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 578, Misc. Erby Lee Nicholson, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 579, Misc. John Dunlap, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 580, Misc. Frank Ciraolo, petitioner, *v.* Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 581, Misc. Joseph W. Cress, petitioner, *v.* John R. Cranor, Superintendent. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 583, Misc. George Adam Tokarchik, petitioner, *v.* Dr. John W. Claudy, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 584, Misc. Walter Stubbs, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 585, Misc. Wayman Brookman, petitioner, *v.* Joseph R. Blacklock, Supt., Southwestern State Hospital, Marion, Va. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 587, Misc. John Woods, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 588, Misc. Ralph Hickox, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 590, Misc. James Colburne Howard, petitioner, *v.* Dr. John W. Claudy, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 593, Misc. Ray Schrader, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 595, Misc. Earnest Connors, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 596, Misc. William B. Neal, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 598, Misc. Reuben B. Weitz, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 599, Misc. John Andrew Taylor, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 600, Misc. Sam Hicks, Jr., petitioner, *v.* Illinois State Authorities et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 601, Misc. Earl Jackson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 603, Misc. William Pikes, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 604, Misc. Walter Furmanski, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 605, Misc. Norman Dunbar, petitioner, *v.* John R. Cranor, Superintendent. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 534, Misc. William E. Howell, petitioner, *v.* Hon. John W. Delehant, U. S. District Judge, et al. Motion for leave to file petition for writ of certiorari is denied.

No. 582, Misc. Geoffrey L. M. Steele, petitioner, *v.* U. S. Immigration and Naturalization Service;

No. 586, Misc. Joseph Sgro, petitioner, *v.* Michael A. Skaff, Acting Superintendent, Central State Hospital, Waupun, Wisconsin; and

No. 594, Misc. John M. Holzworth, petitioner, *v.* Dr. James B. Pettis, Superintendent, Western State Hospital of Virginia. Motions for leave to file petitions for writs of habeas corpus denied.

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

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SUPREME COURT OF THE UNITED STATES

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

H. Alexander Smith, of Princeton, N. J., and Harry Tyson Carter, of Norristown, Pa., on motion of Mr. Vice President Richard M. Nixon; Joseph A. Barry, of Arlington, Va., Harold Birns, of New York, N. Y., and William White Oliver, of Bloomington, Ind., on motion of Mr. Solicitor General Simon E. Sobeloff; James Davies Williams, Jr., of Portsmouth, Ohio, and Thomas E. Shroyer, of Bowling Green, Ohio, on motion of Mr. John W. Bricker; Raymond Wallace Glasgow, of Heflin, Ala., on motion of Mr. John Sparkman; Carter Goode, of Atlanta, Ga., and Robert H. Corley, of Atlanta, Ga., on motion of Mr. Jas. C. Davis; Philip S. Pollock, of Powersville, Mo., Joe Samuel Wallace, of El Reno, Okla., and Paul Connole, of Great Falls, Mont., on motion of Mr. Edmond A. Edmondson, Jr.; Roman Ivan S. Smook, of Chicago, Ill., on motion of Mr. Edgar A. Jonas; Harry J. Chadderton, of Miami, Fla., on motion of Mr. W. C. Lantaff; Lee S. Jones, of Louisville, Ky., and Raymond K. Perkins, of Concord, N. H., on motion of Mr. Henry P. Chandler; Robert L. Farrington, of Washington, D. C., on motion of Mr. Page Belcher; Edward M. Rudolph, of Albertville, Ala., and Walter I. Horlick, of Boston, Mass., on motion of Mr. Albert M. Kuhfeld; Dorothy Favreau Fardon, of Kansas City, Mo., on motion of Mr. James P. Kem; James P. Donovan, of New York, N. Y., on motion of Mr. Robert L. Stern; Francis McHale, of Jacksonville, Fla., on motion of Mr. James R. Golden; Snyder J. King, of Seattle, Wash., on motion of Mr. John H. Pickering; Virginia Guild Watkin, of Washington, D. C., on motion of Mr. Stanley L. Temko; John Stuart Dwinell, of Brooklyn, N. Y., and Robert Eldridge Seiler, of Joplin, Mo., on motion of Mr. Richard F. Ralph, Jr.; George L. Farr, of Cherokee, Iowa, on motion of Mr. William J. Houston; James Edgar McDonald, of New York, N. Y., on motion of Mr. Robert D. Brooks; W. Oliver Rasch, of Bonne Terre, Mo., on motion of Mr. Tom Bellis; Arthur Vinograd, of New York, N. Y., on motion of Mr. Walter William Burns, Jr.; Frederick M. Haden, of Richmond, Va., on motion of Mr. Edward N. Logan; Frederick W. Winkelmann, of Washington, D. C., on motion of Mr. H. Douglas Weaver; John LaFayette Scott, of Milwaukee, Wis., and David Richard Lewis, of St. Petersburg, Fla., on motion of Mr. Edward J. Taggart; Philip H. Sheridan, of

Washington, D. C., on motion of Mr. John M. Mason; George Berkeley Young, of Chicago, Ill., on motion of Mr. Randolph E. Paul; Morris Monsees Seydel, of Washington, D. C., and Robert Rodney Marsh, of Geneva, Ohio, on motion of Mr. Wesley C. Blake; J. Taylor Buckley, of Philadelphia, Pa., on motion of Mr. Orville H. Walburn; Francis L. Coyle, of Washington, D. C., and Samuel Howard Larcombe, of Silver Spring, Md., on motion of Mr. Philip R. Collins; William Egan Whalen, of Norfolk, Conn., on motion of Mr. Sherry Basil Myers; Vincent H. D. Abbey, of Seattle, Wash., and Aaron D. Samuels, of Farmingdale, N. Y., on motion of Mr. Willard H. Shaffer; W. Jerrold Scoutt, Jr., of Washington, D. C., and John J. Myers, Jr., of Washington, D. C., on motion of Mr. Eugene F. Bogan; John W. Simpson, of Los Angeles, Calif., on motion of Mr. Oral D. Ozment; Kelley Litteral, of Silver Spring, Md., Harold T. Grier, of Silver Spring, Md., and Francis H. Farrell, of Boston, Mass., on motion of Mr. James C. Gregg; John Fritchle Lukens, of Washington, D. C., on motion of Mr. Nicholas E. Allen; Charles Tignor Duncan, of Washington, D. C., on motion of Mr. Aubrey E. Robinson, Jr.; James A. Dooley, of Chicago, Ill., on motion of Mr. Frank Joseph Delaney; Walter E. Alessandroni, of Philadelphia, Pa., on motion of Mr. Herbert J. Jacobi; Joseph V. Matatia, of New York, N. Y., on motion of Mr. Michael J. Kunstler; Goble D. Dean, of Miami, Fla., on motion of Mr. Stephen F. Dunn; Jean F. Williams, of Chicago, Ill., on motion of Mr. Roy Clayton Garvin; James A. Turley, Jr., of New Rochelle, N. Y., on motion of Mr. Harry A. Poth, Jr.; John O'Connell FitzGerald, of Chicago, Ill., on motion of Mr. Abraham J. Harris; John R. Nelligan, of Valhalla, N. Y., on motion of Mr. George Morris Fay; Adolph D. Pavlicek, of Houston, Tex., on motion of Mr. Arthur C. Perry; and Luella Alice Huggins, of Kerman, Calif., on motion of Mr. Eric Daenecke, were admitted to practice.

No. 280. Phillips Petroleum Company, petitioner, *v.* State of Wisconsin et al.;

No. 281. State of Texas et al., petitioners, *v.* State of Wisconsin et al.; and

No. 418. Federal Power Commission, petitioner, *v.* State of Wisconsin, Public Service Commission of Wisconsin, et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and cases remanded to the Court of Appeals. Opinion by Mr. Justice Minton. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Clark in which Mr. Justice Burton concurs. Mr. Justice Jackson took no part in the consideration or decision of these cases.

No. 188. United Construction Workers, Affiliated with United Mine Workers of America, et al., petitioners, *v.* Laburnum Construction Corporation. On writ of certiorari to the Supreme Court of Appeals of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs. Mr. Justice Jackson took no part in the consideration or decision of this case.

No. 480. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, The Baltimore & Ohio Railroad Company, et al.; and

No. 481. Florida Citrus Commission, Growers and Shippers League of Florida, et al., appellants, *v.* United States of America, Interstate Commerce Commission, The Baltimore & Ohio Railroad Company, et al. Appeals from the United States District Court for the Southern District of Florida. Judgment vacated and cases remanded to the District Court with directions to remand to the Interstate Commerce Commission for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting: The Chief Justice, Mr. Justice Black, and Mr. Justice Douglas. Mr. Justice Jackson took no part in the consideration or decision of these cases.

No. 32. United States of America, appellant, *v.* Robert M. Harriss et al. Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded to the District Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Dissenting opinion of Mr. Justice Douglas in which Mr. Justice Black concurs. Dissenting opinion by Mr. Justice Jackson. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 431. Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco, California, petitioner, *v.* Pedro Gonzales. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of the Court of Appeals affirmed and case remanded to the United States District Court for the Northern District of California. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed 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. 706. Hayes Freight Lines, Inc., appellant, *v.* Latham Castle, Attorney General of the State of Illinois, et al. Appeal from the Supreme Court of Illinois;

No. 716. National Surety Corporation, appellant, *v.* Louis Wilburn McDowell. Appeal from the Court of Appeal of Louisiana, First Circuit; and

No. 771. Cavalier Vending Corporation, etc., et al., appellants, *v.* The State Board of Pharmacy, etc., et al. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for the want of a substantial federal question.

——— R. A. Irwin, movant, *v.* Railroad Commission of Texas and Stanolind Oil and Gas Company. The application for a stay, referred to the Court by Mr. Justice Black, is denied.

No. 5, Original. October Term, 1950. The State of New Jersey, complainant *v.* The State of New York and the City of New York et al. The report of the Special Master is received, ordered filed and approved, and an amended decree is entered as recommended.

No. 5, Original. October Term, 1950. The State of New Jersey, complainant, *v.* The State of New York and the City of New York et al. An order is entered fixing the compensation of the Special Master and allowing his expenses.

No. 550. Max R. Morris, Deceased, appellant, *v.* Andrew Parker, John A. Remon, James E. Colliflower, et al. The motion to substitute Samuel Berman and Solomon H. Feldman, executors of the estate of Max R. Morris, deceased, as parties appellant, is granted.

No. 67. Julius Emspak, petitioner, *v.* United States of America. This case is ordered restored to the docket for reargument.

No. 66. Thomas Quinn, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. The case is consolidated for argument with No. 67, and one and one half hours are allowed to each side.

No. 510. David Friedberg, petitioner, *v.* United States of America. Petition for rehearing granted. The order denying certiorari is vacated and petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 577. United States of America, petitioner, *v.* Edward B. Calderon. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 650. Marion L. Holland and Ethel E. Holland, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 691. Bessie B. Cox and John G. Thompson, as Administrators of the Estate of Sid Cox, Deceased, et al., petitioners, *v.* Arthur Roth, as Administrator of the Estate of James Dean, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 696. The Tee-Hit-Ton Indians, as Identifiable Group of Alaska Indians, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims granted.

No. 697. Latham Castle, Attorney General of the State of Illinois, et al., petitioners, *v.* Hayes Freight Lines, Inc. Petition for writ of certiorari to the Supreme Court of Illinois granted.

No. 710. Federal Power Commission, petitioner, *v.* Colorado Interstate Gas Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 725. Association of Westinghouse Salaried Employees, petitioner, *v.* Westinghouse Electric Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 726. Daniel Smith, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 747. Odom Farrell Sullivan, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 730. Michael J. Regan, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York granted.

No. 719. William J. Opper, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted limited to questions 3, 4, and 5 presented by the petition for the writ which read as follows:

"3. Whether, where an admission is made to law enforcement officers after the date of the acts charged as crimes, it is to be so far treated as a confession that, in the absence of corroboration, it is inadmissible.

"4. Whether a conviction can be sustained where there is, apart from an admission made to law enforcement officers after the date of the acts charged as crimes, no proof of the *corpus delicti*.

"5. Whether, in convicting petitioner the jury, and in sustaining his conviction the court below, in fact admitted, as against him, statements of his codefendant which, as a matter of law, were not competent evidence against him."

The case is assigned for argument immediately following No. 726.

No. 5, Misc. Philip Bart, petitioner, *v.* United States of America. Motion for leave to proceed in forma pauperis granted. Petition for

writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted and case transferred to the appellate docket and assigned for argument immediately following No. 66.

No. 279, Misc. Carlos Alvarez Garcia, petitioner, *v. H. R. Landon*, District Director, Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the appellate docket and placed on the summary docket.

No. 290, Misc. O'Neal Massey, petitioner, *v. H. E. Moore*, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari granted and case transferred to the appellate docket and placed on the summary docket.

No. 481, Misc. Jeremiah Reeves, Jr., petitioner, *v. State of Alabama*. Petition for writ of certiorari to the Supreme Court of Alabama; and

No. 545, Misc. L. L. Moore, petitioner, *v. Mead's Fine Bread Company*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Motions for leave to proceed in forma pauperis granted. Petitions for writs of certiorari granted and cases transferred to the appellate docket.

No. 164. Hy Goldbaum, George Capri, and Edward Cooke, petitioners, *v. United States of America*;

No. 259. Thomas W. Banks, petitioner, *v. United States of America*; and

No. 414. Austin F. McFee, petitioner, *v. United States of America*. The orders denying certiorari in these cases are vacated and the cases are restored to the docket.

No. 622. David H. Mitchell, petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 651. C. Leon deAryan, petitioner, *v. John D. Butler*, as Mayor of the City of San Diego, California, et al. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 690. Thomas Kenneth Wolfe, petitioner, *v. Charles M. Taska*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 702. The Nebraska Seed Company (Transferor in Reorganization with United Seeds, Inc.) et al., petitioners, *v. The United States*. Petition for writ of certiorari to the United States Court of Claims denied.

No. 704. James Shay and Susie V. Brown, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 707. Harold Maxwell et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 709. Stewart-Jordan Distributing Company, Inc., petitioner, *v.* James P. Mitchell, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 711. Ralph G. Lemke, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 721. The Pilgrim Holiness Church Corporation, a Corporation, petitioner, *v.* James P. Mitchell, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 722. Mary D. Cain and Mary Lou Butler, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 723. Charles T. Fisher, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 724. James J. Breslin, 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. 737. The Maryland Jockey Club of Baltimore City, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 739. The Employers' Liability Assurance Corporation, Ltd., petitioner, *v.* V. J. Mitchell and Vola Evelyn Pullen. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 743. J. W. Boyt, Estate of Paul A. Boyt, Deceased, by Dorothy F. Boyt, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 744. Thomas J. Vandyke, petitioner, *v.* Bluefield Gas Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 746. Frances Elizabeth Bekins, a Minor, Charles Romick, Guardian of the Estate of Frances Elizabeth Bekins, a Minor, et al., petitioners, *v.* Bekins Van and Storage Company et al. Petition for

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

No. 748. E. Merl Young, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 756. S. Jacob Sens, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 758. Virgil D. Willis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 770. The Dixie Terminal Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 772. Lake Ontario Land Development and Beach Protection Association, Inc., petitioner, *v.* Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 773. Joseph Lombardi et al., Trading as Joseph Lombardi and Sons, petitioners, *v.* John R. Keefer et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 779. Mission Corporation, petitioner, *v.* Isadore Blau, a Stockholder of Tide Water Associated Oil Company, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 664. Anthony J. Cella, petitioner, *v.* United States of America and Ezra Taft Benson, Secretary of Agriculture of the United States; and

No. 782. Morris J. Meyer, petitioner, *v.* United States of America, and Ezra Taft Benson, Secretary of Agriculture of the United States. Motion in No. 664 to dispense with printing record granted. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 681. The State of California, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied. The Chief Justice took no part in the consideration or decision of this application.

No. 699. Arnold Joseph Wagner, petitioner, *v.* The State of Washington. Motion to dispense with printing petition and record granted. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 736. Gretchen McRae, petitioner, *v.* Tighe E. Woods, Acting Expediter, Office of Housing Expediter. Motion to dispense with

printing petition and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 797. Pherne N. Miller, petitioner, *v.* Charles E. Thorn and Katherine S. Thorn, his wife. Motion to dispense with printing petition and record granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 701. Dora Lee Bowman, Administratrix of the Estate of Fred E. Bowman, etc., petitioner, *v.* Joanne W. Bowman. Motion to dispense with printing record granted. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 718. Omri E. Daniels, Jr., Barge Hiskey and Bentley M. McMullin, petitioners, *v.* C. Sewell Thomas. Motion to proceed on typewritten record granted. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 112, October Term, 1952. Morton Sobell, petitioner, *v.* The United States of America. Motion for leave to file a second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

No. 381. State Corporation Commission of the State of Kansas, Petitioner, *v.* Federal Power Commission; and

No. 382. Northern Natural Gas Company, petitioner, *v.* Federal Power Commission;

No. 648. Lester Brand and Mary Brand, petitioners, *v.* Commissioner of Internal Revenue;

No. 264, Misc. Charles Franklin Johnson, petitioner, *v.* The State of Illinois;

No. 442, Misc. Robert Edward Lipscomb, petitioner, *v.* United States of America;

No. 502, Misc. Gerhard A. Puff, petitioner, *v.* United States of America; and

No. 535, Misc. Eleanor C. Moran, petitioner, *v.* Jesse Donaldson et al. Petitions for rehearing denied.

No. 5, Misc. October Term, 1952. In re Disbarment of Abraham J. Isserman. The petition for rehearing is continued.

No. 115, Misc. Walter Galloway, petitioner, *v.* Alfred F. Dowd, as Warden of the Indiana State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied without prejudice to petitioner to initiate a new proceeding alleging refusal to allow an appeal.

No. 284, Misc. Anthony Corpolongo, petitioner, *v.* R. William Legay, Superintendent of New Jersey State Prison Farm, #2. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 297, Misc. Ray Slechta, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 343, Misc. Marie Lucinda Richardson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 345, Misc. Gerald C. Broussard, petitioner, *v.* John R. Cranor, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 414, Misc. Allen Williams, petitioner, *v.* United States of America; and

No. 415, Misc. Edward Atkins, Leon James, Randolph Turner, petitioners, *v.* United States of America. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 456, Misc. Marguerite Elizabeth Fredericks, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 468, Misc. Fred Leonard Bringazi, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 472, Misc. Lawrence R. Seymour, petitioner, *v.* State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 509, Misc. Rodney F. Wheeler, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 523, Misc. Barry Jacobs and John Dale Green, petitioners, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 541, Misc. Maurice Allen, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 542, Misc. Richard Manfredonia and Lawrence Carrado, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 544, Misc. Edward A. Russell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 575, Misc. Henry Hughes, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 577, Misc. Fred Tate, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 589, Misc. William A. Neigut, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 592, Misc. Thomas White Gore, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 606, Misc. Hilliard Sanders, petitioner, *v.* Edwin B. Swope, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 607, Misc. William Miller, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 608, Misc. Henry J. Glover and William Nelson Beck, petitioners, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 611, Misc. Jerry Jerome, petitioners, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 612, Misc. Edward F. Jackson, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 613, Misc. Arthur Wright, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 614, Misc. Virgil Johnson, petitioner, *v.* O. B. Ellis, General Manager of the Texas State Penitentiary. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 615, Misc. Leland Ferre, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 616, Misc. Wilbur Williams, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 618, Misc. Robert B. Fiester, petitioner, v. Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Iroquois, Illinois, denied.

No. 314, Misc. Raleigh Raymond Wheatley, petitioner, v. Hon. Michael L. Igoe, U. S. District Judge, etc. Motion for leave to file petition for writ of mandamus denied without prejudice to petitioner to apply to the United States Court of Appeals for a writ of mandamus.

No. 620, Misc. Tony Johnson, petitioner, v. Hon. Allen B. Hannay, Judge, U. S. District Court. Motion for leave to file petition for writ of mandamus denied.

No. 573, Misc. Ambrose J. Frazier, petitioner, v. Warden, Lewisburg Penitentiary; and

No. 621, Misc. Ex parte Gunter Robert Herz. Motions for leave to file petitions for writs of habeas corpus denied.

No. 610, Misc. Harley V. Hurst, petitioner, v. C. H. Looney, Warden. Motion for leave to file petition for writ of certiorari denied.

The Chief Justice announced the following order of the Court:

"All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

"IT IS ORDERED by this Court that all cases on the docket be, and they are hereby, continued to the next term."

Adjourned to the time and place appointed by law.

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