

OCTOBER TERM, 1951

STATISTICS

	Original	Appellate	Miscellaneous	Total
Number of cases on dockets.....	9	827	532	1,368
Cases disposed of.....	0	714	508	1,222
Remaining on dockets.....	9	113	24	146

Cases disposed of—Appellate Docket:

By written opinions.....	95
By per curiam opinions.....	96
By motion to dismiss or per stipulation (merit cases).....	5
By denial or dismissal of petitions for certiorari.....	518

Cases disposed of—Miscellaneous Docket:

By written opinion.....	1
By per curiam opinions.....	5
By denial or dismissal of petitions for certiorari.....	386
By denial or withdrawal of other applications.....	101
By transfer to Appellate Docket.....	15

Number of written opinions.....	83
Number of printed per curiam opinions.....	13
Number of petitions for certiorari granted.....	113
Number of appeals in which jurisdiction was noted or postponed.....	35
Number of admissions to bar.....	988

REFERENCE INDEX

Court convened October 1.	Page
Mrs. Hugo L. Black, death of (Dec. 7, 1951) announced.....	79
Thomas E. Waggaman, Marshal—announcement of retirement June 30.....	234
T. Perry Lippitt—appointed Marshal effective June 30.....	234
Conference room sessions.....	157, 193

Special Master—one Justice noted a dissent to award of compensation (6 Orig.)-----	63
Special Master—order continuing appointment (6 Orig.)-----	74
Attorney—resignation as member of Bar accepted (Robert E. Kleinschmidt)-----	130
Disbarment—In re Lewis E. Barnes (1 Misc.)-----	25
In re Alger Hiss (229 Misc., three Justices not participating)-----	90
In re Albert Woodruff Gray (124 Misc.)-----	43, 89
In re Abraham J. Isserman (469 Misc.)-----	222
Counsel appointed (79, 80–82, 95, 96, 78, 375, 162 appellee, 331 respondent). At this term the Court adopted the practice of reimbursing appointed counsel for transportation-----	4, 40, 47, 72
Associate counsel appointed (95)-----	4
Per curiam and judgment announced on a Thursday—“Full opinion * * * when prepared, will be filed with the Clerk” (649)-----	166
Judgment announced—no opinion of the Court (94)-----	61
Judgment affirmed by equally divided Court (10, 46, 169, 134–5, 78)-----	31, 105, 110, 144, 174
Judgment affirmed on jurisdictional statements with one Justice dissenting “to action of the Court in disposing of the case without oral argument” and another filing a dissenting memorandum (346, see also 410)-----	62, 72
Judgment affirmed with three Justices voting to note probable jurisdiction and hear argument (541, 560)-----	129
Judgment state court vacated on petition for certiorari and cause remanded for such proceedings as deemed appropriate, it appearing cause has become moot (92)-----	3
Judgment state court vacated on petition for certiorari and case remanded for further proceedings citing <i>Jennings v. Illinois</i> , 342 U. S. 104 (35 Misc., 49 Misc., 235 Misc.)-----	129, 226
Judgment state court vacated on petition for certiorari and case remanded for further consideration in the light of the response filed by the Attorney General of Illinois (485 Misc.)-----	226
Judgment vacated on petition for certiorari and case remanded to District Court with directions to vacate and dismiss as moot (31) (759)-----	2, 225
Judgment vacated, after argument, and case remanded to District Court with directions to dismiss petition for habeas corpus as moot (517)-----	225
Judgment vacated on petition for certiorari and case remanded to Court of Appeals to determine whether there was jurisdiction by virtue of diversity of citizenship (147)-----	30

	Page
Judgment vacated and case remanded for further consideration in light of recent decision of this Court (159)-----	30
Judgment vacated and case remanded to District Court for specific findings as to certain matters (421-2)-----	85
Judgment vacated with directions to District Court to vacate its judgment and to direct petitioner's release from custody (275 see opinion)-----	109
Judgment vacated and case remanded to Court of Appeals for further consideration in the light of recent decision of state court (529)-----	159
Judgment reversed on jurisdictional statements (89, 90, 707— with concurring statements by two Justices)-----	2, 217
Judgment Court of Appeals reversed “upon consideration of respondent's confession of error and the record” and case remanded to District Court with directions to vacate its order (166)-----	3
Judgment reversed on petition for certiorari (189, 666)-----	128, 200
Amicus curiae briefs—statement by one Justice regarding refusal of Solicitor General to consent to filing (293-4)-----	106
Amicus curiae briefs—leave to file denied with a memorandum by one Justice and a statement of another regarding the operation of the rule and practice in regard thereto (543)-----	175
Argument on motion for bail and petition for writ of habeas corpus, referred to the Court by an individual Justice (<i>Stack v. Boyle</i> later filed as No. 400). Subsequently certiorari was granted and counsel stipulated that argument on motions should stand as argument on merits. (See opinion)-----	39, 46
Argument—court declined to hear further argument (120)---	101
Argument—case assigned specially after suspension of call of regular docket (<i>Steel case 744-5</i>)-----	193
Argument pro hac vice (95)-----	53
Argument pro se (474)-----	181
Argument—motions to postpone, objected to, denied (230, 428) _	145
Argument—order of, where both parties petitioned for certiorari before judgment. (See <i>Steel case 744-5</i>)-----	203
Reargument ordered (1, 456, 44, 626, 643, 670, 669)-----	47, 175, 226
Case continued after argument to enable petitioner to secure determination from state court as to basis of decision (79 see opinions)-----	46, 200
Case continued to enable appellant to secure determination from state court as to effect of repeal of statute involved (301-2 see opinion)-----	46

	Page
Case continued to await action in same cause in another court (71 Misc. see opinion)-----	81
Motion filed at previous term continued (353 O. T. 1950)-----	226
Consideration of petitions for certiorari deferred pending fur- ther action in case on the docket (623, 233 Misc., 484 Misc.)---	227
Attorneys' fees—motion for award of in compensation case where certiorari denied, granted (743)-----	227
Costs—printing of record to be paid by United States pursuant to 28 U. S. C. Sec. 1915 (b). Requisition furnished by Ad- ministrative Office of United States Courts (391)-----	86
In forma pauperis—motion for leave to proceed denied upon showing made by applicant (203 Misc.)-----	175
Bail denied in a federal habeas corpus case, the application hav- ing been presented to the Court rather than to an individual Justice (414 Misc.)-----	162
Stay granted (election case 649), application referred to the Court by an individual Justice. Certiorari also granted, with- out awaiting response, and case set for argument within one week (649)-----	150
Stay—motion to vacate or modify denied (649)-----	157
Stay granted (Steel case 744-5)-----	193
Mandate stayed as to one party pending his trial in another case, three Justices dissenting (35)-----	230
Mandamus—leave to file granted and rule ordered to issue (71 Misc., 159 Misc.)-----	8, 34
Certificates—court ordered up entire record (792-3)-----	227
Motion as to printing record granted (86, 224, and 295)-----	57
Motion to transfer from summary docket granted (172)-----	57
Motion for return of record to petitioner denied (241 Misc.)---	90
Motion for leave to add additional parties plaintiff in this court, made after argument, granted (329 see opinion)-----	127
Motion of petitioner to vacate and remand, after certiorari granted, denied (334)-----	200
Motion for leave to apply to District Court for leave to dismiss indictment denied (387)-----	81
Stipulation to abide judgment in companion case (771)-----	217
Appeal—application for leave to docket case denied where order allowing appeal had been vacated (<i>Adams v. Jensen</i>)--	34
Appeal from District Court “dismissed for want of a substan- tial federal question” (427)-----	85
Appeal dismissed with three Justices voting to note probable jurisdiction (520)-----	128

Certiorari:

Before judgment granted with two Justices noting their vote to deny in a written memorandum (Steel case 744-5) -----	Page 193
Before judgment denied (494) -----	97
Granted under 28 U. S. C. Sec. 1651 (15 Misc.) -----	7
Denied for reason application not made within time provided by law (153, 216) -----	18
Denied for want of final judgment (325) -----	59
Denied for reason judgment of court below based upon a nonfederal ground adequate to support it (451) -----	133
Denied with dissenting memorandum by one Justice (199) -----	33
Denied with three Justices voting to grant (271) -----	51
Denied with one Justice noting his vote to grant and reverse (417) -----	87
Denied with one Justice filing opinion in connection with denial (413) -----	112
Denied with dissenting memorandum by two Justices and a statement by another (387) -----	152
Denied with notation that an individual Justice "will file" a memorandum with the Clerk (524) -----	177
Denied with two Justices noting their vote to grant and another filing a memorandum (326 Misc.) -----	202
Writ dismissed as improvidently granted (474 see opinion) -----	209
Rehearing granted (201 O. T. 1950) -----	41
Rehearing granted and order denying certiorari as out of time vacated, and certiorari denied without more (321 Misc.) -----	188
Rehearing denied for reason application not made within time provided by Rule 33 (152 Misc.) -----	88
Order suspending call of docket entered April 28; regular arguments completed April 30 -----	190
Order fixing adjournment date -----	203
Final order—June 9, 1952 -----	234

SUPREME COURT OF THE UNITED STATES

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

Harold Wellington McKinney, of Washington, D. C.; Thomas Russell Roper, of Fayette, Ala.; William James Boyd, Jr., of Birmingham, Ala.; G. William Horsley, of Springfield, Ill.; Harvey Walker, of Worthington, Ohio; Coy Ulice Spawn, Jr., of Houston, Tex.; Ben D. Atwell, of Dallas, Tex.; Eugene Mark Hines, of Chicago, Ill.; Francis V. O'Brien, of Port Washington, N. Y.; Elve A. Hancock, of Little Rock, Ark.; William E. Balter, of Los Angeles, Calif.; Harold L. Jenkins, of Allison Park, Pa.; Henry Hirschberg, of Newburgh, N. Y.; Stephen S. Townsend, of San Francisco, Calif.; Herbert L. Shepard, of San Francisco, Calif.; James R. Carnes, of Paramount, Calif.; Robert B. Morgan, of Columbia, S. C.; Webb C. Hayes III, of Washington, D. C.; William O. Bissonett, of Duluth, Minn.; LeRoy G. Charles, of Chicago, Ill.; Marvin Lee Ritch, of Charlotte, N. C.; Robert A. Muldonian, of Washington, D. C.; Charles Frank Brockus, of Kansas City Mo.; and Robert Richard Roberts, of Houston, Tex., were admitted to practice.

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

The day call for Monday, October 8, will be as follows: Nos. 5, 94, 6 (and 7), 10, 11, 12, 14, 18, 25, and 22.

×

SUPREME COURT OF THE UNITED STATES

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

William E. Dougherty, of Portland, Oreg.; Dean F. Bryson, of Portland, Oreg.; John M. Webster, of Washington, D. C.; Clifford O. Lawrence, of Kerrville, Tex.; William C. Peticolas, of El Paso, Tex.; John J. Alder, of Kansas City, Mo.; Homer L. Kyle, of Lincoln, Nebr.; Paul R. Connolly, of Washington, D. C.; Robert G. Simmons, Jr., of Scottsbluff, Nebr.; Walter E. Nolte, of Lincoln, Nebr.; Alfred D. Fears, of Jackson, Ga.; Richard W. Watkins, Jr., of Jackson, Ga.; William J. Grove, of Norristown, Pa.; Ebb J. Ford, Jr., of Gulfport, Miss.; George F. Galland, of Alexandria, Va.; James H. Simmonds, of Arlington, Va.; Miles H. Draper, of Tampa, Fla.; John H. Skeen, Jr., of Baltimore, Md.; Carl Layton Shipley, of Washington, D. C.; Abner Goldstone, of New York, N. Y.; and Clifford Hoof, of Seattle, Wash., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 31. Los Angeles Building and Construction Trades Council, and its agent, Lloyd A. Mashburn, et al., petitioners, *v.* Howard F. LeBaron, Regional Director of the Twenty-first Region of the National Labor Relations Board, etc. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to the United States District Court for the Southern District of California with directions to vacate its judgment and to dismiss the petition upon the ground that the cause is moot.

No. 89. Alabama Public Service Commission et al., appellants, *v.* Louisville and Nashville Railroad Co., and

No. 90. Alabama Public Service Commission et al., appellants, *v.* Louisville and Nashville Railroad Co. Appeals from the United States District Court for the Middle District of Alabama. *Per Curiam*: Judgments reversed. Alabama Public Service Comm'n *v.* Southern Railway Co., 341 U. S. 341. Mr. Justice Frankfurter and Mr. Justice Jackson adhere to the views expressed in their concurring opinion in Alabama Public Service Comm'n *v.* Southern Railway Co., 341 U. S. 341, 351, as to the jurisdictional issue in these cases.

No. 92. George B. Thorp, petitioner, *v.* The Board of Trustees of Schools for Industrial Education, Newark College of Engineering. On petition for writ of certiorari to the Supreme Court of New Jersey, *Per Curiam*: The petition for writ of certiorari is granted. It appearing that the cause has become moot, the judgment of the Supreme Court of New Jersey is vacated and the cause is remanded for such proceedings as by that Court may be deemed appropriate.

No. 116. Max W. Winn and Samuel Bloom, appellants, *v.* The Pittston Company. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 163. North Side Laundry Company, appellant, *v.* Board of Property Assessment, Appeals and Review, Allegheny County. Appeal from the Supreme Court of Pennsylvania. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 155. Albion R. Allen, Lee R. Adams, et al., appellants, *v.* City of Long Beach, A. L. Parmley, Joseph R. Ramsey, et al. Appeal from the District Court of Appeal of the State of California, Second Appellate District. *Per Curiam*: The motion for leave to file brief of American Federation of Labor is denied. The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 166. Samuel D. Cates, trading as Glory Bee Products, and Glory Bee, petitioners, *v.* John Haderlein, as Postmaster of the City of Chicago, in the County of Cook and State of Illinois. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The petition for writ of certiorari is granted. Upon consideration of respondent's confession of error and the record, the judgment of the Court of Appeals is reversed and the case is remanded to the District Court with directions to vacate its order dismissing the complaint.

No. 205. Herman Weinmann, appellant, *v.* J. Howard McGrath, Attorney General of the United States, as Successor to the Alien Property Custodian, et al. Appeal from the District Court of Appeal of the State of California, Second Appellate District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. Mr. Justice Black dissents.

No. 243. Earl David Bircham, appellant, *v.* Commonwealth of Kentucky. Appeal from the Court of Appeals of Kentucky. *Per Curiam*: 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.

The Chief Justice said :

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

No. 17. Thomas P. McMahon, petitioner, *v.* The United States of America and United States Maritime Commission. The motion of petitioner for leave to proceed in forma pauperis is granted.

No. 79. Charles Augustus Dixon, petitioner, *v.* Clinton T. Duffy, Warden, San Quentin Prison. It is ordered that Franklin C. Stark, Esq., of Oakland, California, a member of the bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 80. Edward J. Keenan, petitioner, *v.* C. J. Burke, Warden, New Eastern State Penitentiary ;

No. 81. Walter Jankowski, petitioner, *v.* Cornelius J. Burke, Warden, New Eastern State Penitentiary, etc. ; and

No. 82. Orville Foulke, Petitioner, *v.* C. J. Burke, Warden, New Eastern State Penitentiary, etc. It is ordered that Archibald Cox, Esq., of Cambridge, Massachusetts, a member of the bar of this Court, be appointed to serve as counsel for the petitioners in these cases.

No. 95. Talbot Jennings, petitioner, *v.* People of the State of Illinois ; and

No. 96. Arthur La Frana, petitioner, *v.* People of the State of Illinois. It is ordered that Nathaniel L. Nathanson, Esq., of Chicago, Illinois, a member of the bar of this Court, be appointed to serve as counsel for the petitioners in these cases. It is further ordered that Calvin P. Sawyer, Esq., of Chicago, Illinois, be appointed to serve as associate counsel for the petitioner in No. 95.

No. 86. Howard Hughes, appellant, *v.* The United States of America. In this case probable jurisdiction is noted and the case is transferred to the summary docket. Mr. Justice Clark took no part in the consideration or decision of this question.

No. 91. The United States of America, appellant, *v.* Perry Halseth. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 134. A/S. J. Ludwig Mowinckels Rederi et al., appellants, *v.* Isbrandtsen Co., Inc., et al. ; and

No. 135. Federal Maritime Board, appellant, *v.* The United States of America et al. ;

No. 151. The United States of America, Interstate Commerce Commission et al., appellants, *v.* Great Northern Railway Company ;

No. 184. The Standard Oil Company, an Ohio Corporation, appellant, *v.* John W. Peck, Tax Commissioner, State of Ohio, et al. ; and

No. 253. Memphis Steam Laundry Cleaner, Inc., appellant, *v.* A. H. Stone, Chairman, State Tax Commission of the State of Mississippi. In these cases probable jurisdiction is noted.

No. 162. The United States of America, appellant, *v.* Arnold L. Dailey. In this case probable jurisdiction is noted. The case is transferred to the summary docket and assigned for argument immediately following No. 20.

No. 165. Norman H. Buck, Miguel R. Guerra, appellants, *v.* The People of the State of California; and

No. 176. Morris Leland, appellant, *v.* The State of Oregon. In these cases the motions for leave to proceed in forma pauperis are granted and probable jurisdiction is noted.

No. 230. Besser Manufacturing Company and Jesse H. Besser, appellants, *v.* The United States of America; and

No. 250. The United States of America, appellant, *v.* New Wrinkle, Inc., and The Kay and Ess Company. In these cases probable jurisdiction is noted. Mr. Justice Clark took no part in the consideration or decision of this question.

No. 206. Luigi Mascitti, appellant, *v.* J. Howard McGrath, Attorney General of the United States; and

No. 264. Dora Coleman, appellant, *v.* J. Howard McGrath, Attorney General of the United States and A. R. Mackey, Acting Commissioner of Immigration and Naturalization. In these cases probable jurisdiction is noted. Mr. Justice Clark took no part in the consideration or decision of this question. The cases are transferred to the summary docket. No. 206 is assigned for argument immediately following case No. 43, and No. 264 is assigned for argument immediately following No. 206.

No. 35. Frank Carlson, Miriam Christine Stevenson, David Hyun, and Harry Carlisle, petitioners, *v.* Herman R. Landon, District Director of Immigration and Naturalization Service, United States Department of Justice. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit granted and the case transferred to the summary docket.

No. 47. The United States of America, petitioner, *v.* Samuel M. Shannon, Patti A. Shannon and W. L. Shannon. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit granted and case transferred to the summary docket.

No. 85. Idonah Slade Perkins, petitioner, *v.* Benquet Consolidated Mining Company, an Alien Business Association known as Sociedad Anonima, et al. Petition for writ of certiorari to the Supreme Court of Ohio granted and case transferred to the summary docket.

No. 158. Thomas B. Lilly and Helen W. Lilly, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit granted and case transferred to the summary docket.

No. 195. James Rutkin, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit granted and the case transferred to the summary docket.

No. 209. The United States, petitioner, *v.* John Stuart Kelly et al. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary docket.

No. 43. Peter Harisiades, petitioner, *v.* Edward J. Shaughnessy, District Director of Immigration and Naturalization of the Port of New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted and case transferred to the summary docket. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 169. J. Howard McGrath, Attorney General, as successor to the Alien Property Custodian, petitioner, *v.* Kaku Nagano. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted and case transferred to the summary docket. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 46. The United States of America, petitioner, *v.* Mrs. Lucy Jordan et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted limited to question No. 3 presented by the petition for the writ and the case is transferred to the summary docket.

No. 62. Halcyon Lines and Vinke and Company, petitioners, *v.* Haenn Ship Ceiling and Refitting Corporation; and

No. 197. Haenn Ship Ceiling and Refitting Corporation, petitioner, *v.* Halcyon Lines and Vinke and Company. Petitions for writs of certiorari to the Court of Appeals for the Third Circuit granted.

No. 118. Joseph Beauharnais, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois granted.

No. 126. National Labor Relations Board, petitioner, *v.* American National Insurance Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted.

No. 180. Kerotest Manufacturing Company, petitioner, *v.* C-O-Two Fire Equipment Company. Petition for writ of certiorari to the Court of Appeals for the Third Circuit granted.

No. 78. Marianna Von Moltke, petitioner, *v.* A. Blake Gillies, Superintendent of the Detroit House of Correction. Motion to dispense with printing the record granted. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 136. James W. Butterfield, Director of the Immigration and Naturalization Service, etc., petitioner, *v.* John Zydok. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted and the case is transferred to the summary docket and assigned for argument immediately following No. 35.

No. 173. Joseph T. Lykes, petitioner, *v.* The United States of America. Motion to dispense with printing portions of the record granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted and the case is transferred to the summary docket.

No. 204. Richard Guessfeldt, petitioner, *v.* J. Howard McGrath, as Successor to the Alien Property Custodian, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit granted and the case is transferred to the summary docket and assigned for argument immediately following No. 169. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 5, Misc. Fred Stroble, petitioner, *v.* People of the State of California. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of California granted and case transferred to the appellate docket and placed on the summary docket.

No. 16, Misc. John F. Dice, petitioner, *v.* The Akron, Canton and Youngstown Railroad Company. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of Ohio granted and case transferred to the appellate docket and placed on the summary docket.

No. 29, Misc. Julius Bernard Sherman, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of Illinois granted and the case is transferred to the appellate docket, placed on the summary docket, and assigned for argument immediately following Nos. 95 and 96.

No. 15, Misc. Far East Conference, United States Lines Company, et al., petitioners, *v.* The United States of America et al. Motion for leave to file petition for writ of certiorari granted. Petition for writ of certiorari to the United States District Court for the District of

New Jersey granted and the case is assigned for argument immediately following Nos. 134 and 135. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 71, Misc. Valerie Cogdell, Wallace Morris, Felicia Brown, et al., petitioners, *v.* Hon. Matthew F. McGuire and Hon. Walter M. Bastian, etc. Motion for leave to file petition for writ of mandamus granted. A rule is ordered to issue, returnable within thirty days, requiring the respondents to show cause why the petition for writ of mandamus should not be granted.

No. 24. Robert A. Fay, Administrator of the Estate of Gloria Ann Fay, deceased, and Abelyn Lara, petitioners, *v.* Howard B. Swicker and the Republic Mutual Insurance Company. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 27. Quest-Shon Mark Brassiere Co., Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 28. Fremont Cake and Meal Company, a corporation, petitioner, *v.* Wilson and Company, Inc., a corporation. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 29. Joseph A. Kelly, petitioner, *v.* The Delaware River Joint Commission, a corporation, et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 33. Commonwealth of Pennsylvania, ex rel. Dominic Daverse, petitioner, *v.* William Hohn, Warden of Westmoreland County Jail, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 36. David D. Jackson, on behalf of himself and all others similarly situated, et al., petitioners, *v.* Northwest Airlines, Inc. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 39. Seamprufe, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 41. Harry B. Greene and Glenn I. Toney, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 42. William F. Brack, petitioner, *v.* Dora Gross. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 45. William B. Mack, petitioner, *v.* Peter Males et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 48. The United States, petitioner, *v.* The Loyal Band or Group of Creek Indians, et al. Petition for writ of certiorari to the United States Court of Claims denied.

No. 50. Canadian Aviator, Ltd., petitioner, *v.* The United States of America and J. Jason Jones, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 51. A. Haas, petitioner, *v.* Palace Hotel Company of San Francisco, a corporation, et al. Petition for writ of certiorari to the District Court of Appeals of the State of California, First Appellate District, denied.

No. 52. Nick W. Maroosis, petitioner, *v.* James G. Smyth, United States Collector of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 53. Louis Rubino and Catherine Rubino, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 55. John P. Clougherty, in behalf of himself and other present and former employees, similarly situated, of the defendant corporation, petitioner, *v.* James Vernor Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 56. Gerald B. Winrod, petitioner, *v.* McFadden Publications, Inc. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 57. Vincente Moreno, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 58. Carrier Corporation, petitioner, *v.* Refrigeration Engineering, Inc. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 59. Haleston Drug Stores, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 60. Sea View, Inc., et al., petitioners, *v.* M. J. Weinstein, Guardian of Maher Jacob Weinstein and Judith Ann Weinstein. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 61. Gladys Noel Bates and Richard Jess Brown, individually and on behalf of the Negro Teachers and Principals in the Jackson Separate School District, petitioners, *v.* John C. Batte, President, et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 63. Andrew A. Augustine and Salvatore J. Augustine, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 64. Union Starch and Refining Co., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 65. Latvian State Cargo and Passenger Steamship Line, petitioner, *v.* J. Howard McGrath, Attorney General of the United States and Successor to the Alien Property Custodian. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 66. The North Arlington National Bank, petitioner, *v.* Kearny Federal Savings and Loan Association. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 67. Ambrose Oldland, Carrie Knowles, Ernest Oldlands, et al., petitioners, *v.* Phillips Petroleum Company; and

No. 107. Phillips Petroleum Company, petitioner, *v.* Ambrose Oldland, Carrie Knowles, Ernest Oldland, et al. Petition for writs of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 68. The United States of America, petitioner, *v.* William Sims. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 69. Thelma M. Almy Murray, petitioner, *v.* The United States of America and Citizens Commercial and Savings Bank, Administrator for George Almy, Jr. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 70. James F. Boyle, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 71. Joseph W. Jones, petitioner, *v.* Motorola, Inc., Davega Stores Corp., and Motorola-New York, Inc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 72. Hugo V. Loewi, Inc., petitioner, *v.* Fred Geschwill. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 73. Hugo V. Loewi, Inc., petitioner, *v.* Kilian W. Smith. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 74. Columbia Hospital for Women and Lying-In Asylum, a corporation, petitioner, *v.* United States Fidelity and Guaranty Company. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 75. Louise McGrew Moffett, as an individual and executrix of the Estate of Thomas S. Moffett, petitioner, *v.* Commerce Trust Company, a corporation, et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 76. P. G. Taylor, Seaton Porter, Henry W. Butler, et al., petitioners, *v.* John E. Hubbell, Wilma Hubbell, Tucson Gas, Electric Light and Power Co., et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 84. Charles M. Jackson, petitioner, *v.* American Fire and Casualty Co. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 87. Harold R. Dalton and Austin G. Cooley, petitioners, *v.* John A. Marzall, as Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 88. M. Dorsky, petitioner, *v.* Bradley G. Brown, License Inspector of Jefferson County, Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 93. Jack Galter, Dora M. Galter, William R. Galter, and Arnold F. Shapiro, petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 97. William A. Goodloe, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 98. Harold S. Baird, petitioner, *v.* Guaranty Trust Company of New York, as Trustee, etc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 99. Obie Fauster Hunter et al., petitioners, *v.* C. D. Shepherd et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 101. Tillie Blum, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 105. Frank L. Thorpe, Lenah Thorpe, Charles W. Waters, et al., etc., petitioners, *v.* Ivan E. Landstrom et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 108. Blanche M. Kenyon, individually and as Executrix under the last will and testament of Bertram C. Kenyon, deceased, petitioner, *v.* Automatic Instrument Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 109. Raymond M. Crane, doing business as Associated Fruit Distributors, petitioners, *v.* Joseph Denunzio Fruit Company et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 110. Eddie Mattox and Bertha Mattox, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 111. Jacksonville Gas Corporation, petitioner, *v.* Florida Railroad and Public Utilities Commission. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 114. Wabash Corporation and Hartford National Bank and Trust Company (Trustee), petitioners, *v.* Ross Electric Corporation and General Electric Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

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

No. 117. The Board of Commissioners for the Atchafalaya Basin Levee District, petitioner, *v.* Mrs. Mary A. Smyth, widow of Frank G. Nelson, et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 119. School District of the Borough of Shenandoah and the Borough of Shenandoah, etc., petitioners, *v.* City of Philadelphia, Trustee under the will of Stephen Girard, deceased. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 124. Boeing Airplane Company, petitioner, *v.* Aeronautical Industrial District Lodge No. 751 of the International Association of Machinists, etc., et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 125. Dominion National Bank of Bristol, Virginia, Trustee, and Pauline M. De Friece, Trustee, petitioners, *v.* Jofe F. Hale, individually and as former Collector of Internal Revenue for the District of Tennessee, et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 127. E. C. Bagsby, Eugene Robinson, and Edward Radford, petitioners, *v.* Trustees of Pleasant Grove Independent School District. Petition for writ of certiorari to the Court of Civil Appeals of the State of Texas, Seventh Supreme Judicial District, denied.

No. 129. Edward McAndrews, petitioner, *v.* E. W. Bliss Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit, denied.

No. 130. State of Georgia, petitioner, *v.* J. B. Wenger. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 131. Marachowsky Stores Company, petitioner, *v.* Daniel C. O'Connor, Custodian. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 132. William L. Bales, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 133. Carl E. Kime, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 140. Alabama Marble Company, a corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 141. A. Lester Marks, Elizabeth Loy Marks, and Herbert M. Richards, Trustees, etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 142. Southern Pacific Company, a corporation, and T. C. Gerosusbeck, petitioners, *v.* Alice M. Smith, as administratrix, etc., et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 144. John G. Kurzen, Jr., petitioner, *v.* John A. Marzall, Commissioner of Patents. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 145. Dalton Telephone Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 146. Frank G. Lucero, Administrator of the Estate of Santiago G. Lucero, deceased, petitioner, *v.* A. E. Saindon and D. Atwood Knight. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 150. The Eastern Venetian Blind Company, petitioner, *v.* Acme Steel Company. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 152. S. Klein on the Square, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 154. Adam Pietrzak, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 156. Distillers Factors Corporation, petitioner, *v.* Joseph M. Jacobs, Receiver in Bankruptcy of Distillers Factors Corporation. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 157. Raymond Terrio, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 160. Strategical Demolition Torpedo Company, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 161. Clinton Foods, Inc., claimant, and Clinton Foods, Inc., a corporation, petitioner, *v.* The United States of America and Honorable Ben Moore, Judge, etc. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 168. Leon Friedman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 170. Illinois Central Railroad Company, petitioner, *v.* Arthur Alford et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 171. Anderson-Tully Company, owner of 8 acres of land in Warren County, Mississippi, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 175. Travelers Insurance Company, petitioner, *v.* Walter J. Toner, Deputy Commissioner, United States Employees' Compensation Commission, and Elizabeth H. Fredericks. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 179. Osterman and Hunter, Goldman Sachs and Co., Graham-Newman Corporation, et al., petitioners, *v.* Guaranty Trust Company of New York, as Trustee, etc., et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, denied.

No. 181. Kam Koon Wan, on his own behalf and on behalf of all other persons and employees of defendant who are similarly situated, petitioners, *v.* E. E. Black, Ltd., a Hawaiian Corporation. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 182. Louis Miller and Mrs. Louis Miller, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 185. Fara Investors, Inc., petitioner, *v.* Morris Lourie, Lena Glantz, and Joseph Bornholz. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 188. George Gillette, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 190. American Stores Company, petitioner, *v.* Gustave Betterman. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 191. Clifton E. Weldon, petitioner, *v.* Interstate Commerce Commission. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 192. Jacob Freidus, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 196. Kimbell-Diamond Milling Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 198. Gordon Louk, Joseph J. Blondell, Jane L. Louk, and Elizabeth B. Blondell, petitioners, *v.* Harry D. Friedman, Edward N. Lightbown, and Nicholas Orem, Jr. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 200. Peter A. Asseff and the Lubrizol Corporation, petitioners, *v.* John A. Marzall, Commissioner of Patents. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 201. Sunray Oil Corporation, petitioner, *v.* G. T. Allbritton. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 202. Government Services, Inc., petitioner, *v.* District of Columbia. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 208. A. B. T. Manufacturing Corporation, petitioner, *v.* National Rejectors, Inc. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 210. Mrs. Odile V. Hubert Tucker, as a stockholder, on behalf of Crescent City Laundries, Inc., petitioner, *v.* New Orleans Laundries, Inc., et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 211. Mrs. Odile V. Hubert Tucker, as a stockholder, on behalf of Crescent City Laundries, Inc., petitioner, *v.* National Linen Service Corporation et al. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 212. American Elastics, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 213. Robert Stroud, petitioner, *v.* E. B. Swope, Warden, United States Penitentiary, Alcatraz, California. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 215. Bernard Realty Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 217. Benjamin Stein, Rena Stein, and Henry Kutner, doing business as Reglor of California, petitioners, *v.* Expert Lamp Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 221. C. E. King and Juanita M. King, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 222. C. C. Dixon, petitioner, *v.* Atlantic Coast Line Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 223. Railway Express Agency, Incorporated, petitioner, *v.* William J. Kennedy et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 225. Porto Rico Telephone Company, petitioner, *v.* Puerto Rico Communications Authority. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 226. Mary Ellyson Dowdy, Nannie Ellyson Pollard, and Hattie Ellyson Maddox, petitioners, *v.* Clayton Hawfield, individually, etc., et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 227. United Truck Lines, Inc., petitioner, *v.* Interstate Commerce Commission. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 228. Scripps-Howard Radio, Inc., petitioner, *v.* Federal Communications Commission. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 235. Norfolk and Western Railway Company, petitioner, *v.* Rosa Charles. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 255. Sterling L. Hicks, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 102. Emmanouil Neapolidis et al., petitioners, *v.* The Theopana Maritime Company, Ltd., etc., et al. Motion to dispense with print-

ing the petition, brief, and record, granted. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 164. Marcus Sigurjonsson, Jorgen Jorgensen, Ben Hodapp, Jr., et al., petitioners, *v. Trans-American Traders, Inc.* Motion to dispense with printing the petition, brief, and record, granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 194. John William Lynch and William M. Hartline, petitioners, *v. The United States of America.* Motion to dispense with printing the petition, brief, and record, granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 103. Swift and Company, petitioner, *v. Reconstruction Finance Corporation*; and

No. 104. The Cudahy Packing Company, petitioner, *v. Reconstruction Finance Corporation.* The petitions for writs of certiorari to the United States Emergency Court of Appeals are denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 112. Tadayasu Abo, Mary Kaname Furuya, et al., etc., petitioners *v. J. Howard McGrath*, as the Attorney General of the United States, et al;

No. 113. Shinichi Jimmy Aoki, Kiyoshi Wakabayashi, et al., petitioners, *v. Bruce G. Barber*, as District Director of the Immigration and Naturalization Service for the Northern District of California;

No. 121. J. Howard McGrath, as Attorney General of the United States, et al., petitioners, *v. Tadayasu Abo, Mary Kaname Furuya, et al., etc.*; and

No. 122. Bruce G. Barber, as District Director of the United States Immigration and Naturalization Service, petitioner, *v. Shinichi Jimmy Aoki, Kiyoshi Wakabayashi, et al.* In No. 121 the motion of the Solicitor General to substitute Chauncey F. Tramutolo, present United States Attorney for the Northern District of California, as a party petitioner in the place and stead of Frank J. Hennessy is granted. The petitions for writs of certiorari to the Court of Appeals for the Ninth Circuit are severally denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 128. Robert Risberg, petitioner, *v. Duluth, Missabe and Iron Range Railway Company*, a corporation. Motion to dispense with printing the petition and portions of the record granted. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 148. Remington Rand, Inc., petitioner, *v. Societe Internationale Pour Participations Industrielles et Commerciales, S. A., etc.*, et al. Petition for writ of certiorari to the Court of Appeals for the

District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 149. Luther E. Johnson and L. Ray Temple, petitioners, *v.* The Chesapeake and Ohio Railway Company. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied. Mr. Justice Reed took no part in the consideration or decision of this application.

No. 153. Hope Basket Company, Walter Verhalen, R. A. Dennison, et al., etc., petitioners, *v.* Product Advancement Corporation and St. Joe Machines, Inc.; and

No. 216. Delphi Frosted Foods Corporation, petitioner, *v.* Illinois Central Railroad Company. Petitions for writs of certiorari to the Court of Appeals for the Sixth Circuit denied for the reason that applications therefor were not made within the time provided by law. 28 U. S. C. § 2101 (c).

No. 177. John F. Hartmaier et al., petitioners, *v.* John C. Long et al. Motion to dispense with printing the record granted. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 193. Nemours Corporation, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 266. Edith O. Maske, petitioner, *v.* Washington, Marlboro and Annapolis Motor Lines, Inc. (also known as W. M. and A. Motor Lines, Inc.) Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 313, October Term, 1950. National Labor Relations Board, petitioner, *v.* International Rice Milling Company, Inc., et al.;

No. 338, October Term, 1950. Jack B. Tenney, the Senate Fact-Findings Committee on Un-American Activities (a California Legislative Committee), et al., petitioners, *v.* William Patrick Brandhove;

No. 387, October Term, 1950. United Brotherhood of Carpenters and Joiners of America, District Council of Kansas City, Missouri, and Vicinity, et al., petitioners, *v.* National Labor Relations Board;

No. 399, October Term, 1950. Jack H. Breard, appellant, *v.* City of Alexandria;

No. 421, October Term, 1950. Reginald Hammerstein, petitioner, *v.* The Superior Court of the State of California, in and for the County of Los Angeles, et al.;

No. 453, October Term, 1950. Ray H. Garner et al., petitioners, *v.* Board of Public Works of the City of Los Angeles et al.;

No. 466, October Term, 1950. West Texas Utilities Company, Inc., petitioner, *v.* National Labor Relations Board;

No. 511, October Term, 1950. Beatrice Sickman, Paul L. Ryal, Kenneth L. Martin, et al., petitioners, *v.* The United States of America;

No. 611, October Term, 1950. Joe Maloy, petitioner, *v.* State of Florida;

No. 652, October Term, 1950. Carl E. Ring, petitioner, *v.* Harold Spina, Edward Heyman, Walter Hannan and the Author's League of America, Inc.;

No. 655, October Term, 1950. Aurea Calderon, Ruby Calderon, and James Calderon, petitioners, *v.* Maurice J. Tobin, Secretary of Labor, and Employees Compensation Appeals Board;

No. 661, October Term, 1950. Fred A. Carlson, E. D. Ditto, Smiley F. Griffey, et al., petitioners, *v.* The United States of America;

No. 667, October Term, 1950. Oro Fino Consolidated Mines, Incorporated, petitioner, *v.* The United States;

No. 680, October Term, 1950. Auckland Holmes, petitioner, *v.* The United States of America;

No. 691, October Term, 1950. T. C. Saucier, petitioner, *v.* State of Texas; and

No. 714, October Term, 1950. Eastern Air Lines., Inc., petitioner, *v.* Civil Aeronautics Board. The petitions for rehearing in these cases are severally denied.

No. 336, October Term, 1950. Eugene Dennis, John B. Williamson, Jacob Stachel, et al., petitioners, *v.* The United States of America. The motion for leave to file supplemental petition for rehearing is granted. The motion for leave to file brief of Richard E. Westbrooks and Earl B. Dickerson, as *amici curiae*, is denied. The petitions for rehearing are denied. The motion for leave to file petitions for rehearing of order limiting certiorari is denied. Mr. Justice Black is of the opinion the petition for rehearing of the order limiting certiorari should be granted. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 656, October Term, 1950. Frederick E. Anderson, petitioner, *v.* Commissioner of Internal Revenue. Motion for leave to file petition for rehearing denied.

No. 374, Misc., October Term, 1950. Heinrich Roedel, petitioner, *v.* The United States of America;

No. 458, Misc., October Term, 1950. Rogers Henry Porch, petitioner, *v.* State of Georgia;

No. 469, Misc., October Term, 1950. In the Matter of the Application of Anna M. Phyle on behalf of William Jerome Phyle; and

No. 521, Misc., October Term, 1950. Frank Green, petitioner, *v.* The United States of America. The petitions for rehearing in these cases are severally denied.

No. 409, Misc., October Term, 1950. Fred Tate, appellant, *v.* People of the State of California et al. The second petition for rehearing is denied.

No. 2, Misc. W. A. Scholl, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 3, Misc. W. E. Lanham, Sr., et al., petitioners, *v.* Robert L. Howell et al. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 4, Misc. Thomas A. Johnson, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 8, Misc. Nils Aresen, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 10, Misc. Cleveland Thompson, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 11, Misc. Everett D. Hewitt, petitioner, *v.* City of Jacksonville. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 12, Misc. Edmond A. Rohde, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, et al. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 13, Misc. Joseph Grenya, petitioner, *v.* Dr. John W. Claudy, Warden, Western State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 14, Misc. William W. Coble, petitioner, *v.* Commonwealth of Pennsylvania, J. W. Claudy, Warden, etc., et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 17, Misc. Joseph Riehl, petitioner, *v.* Erwin C. Gackenback, Warden, Northampton County Prison. Petition for writ of certiorari to the Superior Court of Pennsylvania denied.

No. 18, Misc. Bernie Beason, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 20, Misc. Harry Eyer, petitioner, *v.* Edwin T. Swenson, Warden of the Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 21, Misc. David MacBlain, petitioner, *v.* Cornelius J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 22, Misc. William L. Cronholm, petitioner, *v.* Robert E. Murphy, Warden, New York State Prison. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 23, Misc. Albert Bandi, petitioner, *v.* Dr. J. W. Claudy, Warden, Western State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 24, Misc. Juan Supero, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 26, Misc. Frances J. Mays, Administratrix of the Estate of Moses A. Mays, deceased, petitioner, *v.* Southern Railway Co. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 27, Misc. Roy Bute, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 28, Misc. Edward Hogan, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 30, Misc. Nell Sanders Aspero, petitioner, *v.* Memphis and Shelby County Bar Association. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 31, Misc. Commonwealth of Pennsylvania, ex rel. David Darcy, petitioner, *v.* Dr. John W. Claudy, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 34, Misc. Steve Bielenski, petitioner, *v.* Bound Brook Oil-Less Bearing Co. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 36, Misc. Morgan A. Israel, petitioner. *v.* Robert A. Heinze, Warden of California Prison at Folsom. Petition for writ of certiorari to the Supreme Court of California denied.

No. 38, Misc. Carl Frisco, petitioner, *v.* Ralph W. Alvis, Warden, Ohio State Penitentiary. Petition for writ of certiorari to the Court of Appeals of Franklin County, Ohio, denied.

No. 39, Misc. John J. Berger, Jr., petitioner, *v.* People of the State of Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 40, Misc. John W. Armstrong, Jr., petitioner, *v.* Missouri-Kansas-Texas Railroad Co. of Texas. Petition for writ of certiorari to the Court of Civil Appeals of the State of Texas, Fifth Supreme Judicial District, denied.

No. 44, Misc. John R. Brooks, petitioner, *v.* Pennsylvania Railroad Co. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 46, Misc. Charles Skinner, petitioner, *v.* Browning Robinson, Warden of Menard Branch of Illinois State Penitentiary. Petition for writ of certiorari to the Circuit Court of Lee County, Illinois, denied.

No. 47, Misc. Ralph Brink, petitioner, *v.* Crawford County Court Officials, Meadville, Pennsylvania, et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 51, Misc. Roland R. Pitts, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 52, Misc. Everett C. Lyle, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Penitentiary. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 54, Misc. James Richardson, Jr., petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 55, Misc. Walter Pekovitch, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 56, Misc. Herbert John Burgman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 57, Misc. William Beatty, petitioner, *v.* Dr. J. W. Claudy, Warden, Western State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 58, Misc. Simon J. Nash, on behalf of Sergeant Takishi Hashimoto, et al., petitioner, *v.* General of the Army Douglas MacArthur et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 59, Misc. Joseph A. Farrell, petitioner, *v.* John J. O'Brien, Warden, Massachusetts State Prison. Petition for writ of certiorari to the Court of Appeals for the First Circuit denied.

No. 61, Misc. Jesse Williams, petitioner, *v.* Union Railway Company. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 63, Misc. Luther Terry, Jr., petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 64, Misc. Lucien Burns, petitioner, *v.* Criminal Court of Cook County, Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 67, Misc. Matthew Nelson, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 68, Misc. Patrick J. Hirons, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 69, Misc. Joseph Kennedy, petitioner *v.* R. N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 70, Misc. Richard O'Neill, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72, Misc. Allan Coulter et al., petitioners, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 73, Misc. Donald Borday, petitioner, *v.* Cornelius J. Burke, Warden, Eastern State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

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

No. 75, Misc. Joseph Lukie, 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. 76, Misc. Alexander G. Jeronis, petitioner, *v.* Henry E. Jacques, Warden of the Branch State Prison, Marquette, Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 80, Misc. Lloyd Woodson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Pike County, Illinois, denied.

No. 83, Misc. James R. Bruno, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 84, Misc. Oscar O. Frazier, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System. Petition for certiorari to the Court of Criminal Appeals of Texas denied.

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

No. 86, Misc. Carl S. Seely, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 89, Misc. In the Matter of Elizabeth Sprague, petitioner. Petition for writ of certiorari to the Supreme Court of California denied.

No. 90, Misc. Claude Boone, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 91, Misc. Ralph Bindrin, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

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

No. 93, Misc. John H. Johnson, petitioner, *v.* Illinois Supreme Court. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 95, Misc. Roman Barutha, d/b/a R. B. Trucking Co., petitioner, *v.* George D. Prentice, Jr., Trustee. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 97, Misc. Fred C. Maringer, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 100, Misc. Clark Tipton, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, First Appellate District, denied.

No. 102, Misc. Andrew Presecan, petitioner, *v.* J. W. Claudy, Warden, Western State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 104, Misc. Daniel David Mack, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 106, Misc. Ralph Melvin Cannon, Jr., petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 107, Misc. George S. Miller, petitioner, *v.* Superintendent of Spring Grove State Hospital. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 110, Misc. Hyman Goldberg, petitioner, *v.* Robert Moses, Park Commissioner of the City of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 111, Misc. Billy Anderson, petitioner, *v.* Clinton T. Duffy, Warden, California State Penitentiary. Petition for writ of certiorari to the Supreme Court of California denied.

No. 112, Misc. Fred G. Schultz, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 114, Misc. Clarence Mahurin, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 19, Misc. Frank Severa, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 33, Misc. Jesse Willard Connor, petitioner, *v.* State of Florida;

No. 50, Misc. Stanley D. Lawson, petitioner, *v.* C. J. Shuttleworth, Warden, Federal Correctional Institution;

No. 62, Misc. Jesse Bowe, petitioner, *v.* Orel J. Skeen, Warden, West Virginia Penitentiary; and

No. 78, Misc. William D. Kerr, petitioner, *v.* Robert A. Heinze, Warden of the California State Prison at Folsom. Motions for leave to file petitions for writs of habeas corpus in these cases severally denied.

No. 77, Misc. Albert Mulvey, petitioner, *v.* The Supreme Court of the State of Michigan;

No. 99, Misc. Albert Van Pelt, petitioner, *v.* Chicago Police Department; and

No. 103, Misc. Benjamin A. Joslin, petitioner, *v.* Chief Justice of the Supreme Court of Michigan et al. Motions for leave to file petitions for writs of mandamus in these cases severally denied.

No. 1, Misc. In re Disbarment of Lewis E. Barnes.

It having been reported to the Court that Lewis E. Barnes, of Washington, D. C., has been disbarred from the practice of the law by the United States District Court for the District of Columbia; and this Court by order of May 7, 1951, having suspended the said Lewis E. Barnes from the practice of the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the rule to show cause was duly issued and served upon the respondent, and that the time within which to file a return to the rule has expired;

It is ordered that the said Lewis E. Barnes be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the bar of this Court.

No. 6, Misc. Standard Oil Company of California et al., petitioners, *v.* United States of America. Leave granted petitioners to withdraw the motion for leave to file petition for writ of certiorari.

No. 37, Misc. James M. Smith, petitioner, *v.* The United States of America et al. Application denied.

No. 53, Misc. Albert Spader, petitioner, *v.* C. J. Burke, Warden, Eastern State Penitentiary. Motions for leave to file petitions for writs of certiorari and habeas corpus denied.

No. 60, Misc. MacArthur Mining Company, Inc., petitioner, *v.* The United States Circuit Court of Appeals, Eighth Circuit, et al. Motion for leave to file petition for writ of prohibition denied.

No. 65, Misc. James Di Stefano et al., petitioners, *v.* Hilda Beondy et al. Application denied.

No. 66, Misc. William Henry Roberts, petitioner, *v.* Richard A. McGee, Director of Corrections of California, et al. Motions for leave to file petitions for writs of certiorari and habeas corpus denied.

No. 5. The United States of America, petitioner, *v.* Harvey L. Carignan. Argued by Mr. Philip Elman for the petitioner and Mr. Harold J. Butcher for the respondent.

No. 94. Agapita Gallegos, petitioner, *v.* State of Nebraska. Argued by Mr. Robert G. Simmons, Jr., for the petitioner, and Mr. Homer L. Kyle and Mr. Walter E. Nolte for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 9, will be as follows: Nos. 6 (and 7), 10, 11, 12, 14, 18, 25, 22, 30, and 23.

×

SUPREME COURT OF THE UNITED STATES

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

Frank W. Shelton, Jr., of Westfield, N. J.; Charles W. Hill, of Pittsburg, Kans.; Ira Ratner, of Los Angeles, Calif.; Francis T. Martorana, of New York, N. Y.; William P. Schweppe, of St. Louis, Mo.; Milton C. Grace, of Alexandria, Va.; Noel C. Stevenson, of Yuba City, Calif.; and Edward J. Kilmartin, of Oakland, Calif., were admitted to practice.

No. 6. Charles F. Brannan, Secretary of Agriculture of the United States, petitioner, *v.* Delbert O. Stark et al.; and

No. 7. Dairymen's League Cooperative Association, Inc., petitioner, *v.* Delbert O. Stark et al. Argued by Mr. Neil Brooks for the petitioner in No. 6, and Mr. Edward B. Hanify for the respondents, and case submitted by Mr. Seward A. Miller, Mr. Frederic P. Lee, and Mr. Maurice A. Gellis for the petitioner in No. 7.

No. 10. United States of America, ex rel. William H. Giese, petitioner, *v.* Lieutenant General Steven J. Chamberlin, Commanding General of the Fifth Army, et al. Argued by Mr. Albert E. Hallett for the petitioner and Mr. John F. Davis for the respondents.

No. 12. Joseph Edward Morissette, petitioner, *v.* The United States of America. Argument commenced by Mr. Andrew J. Transue for the petitioner.

Adjourned until tomorrow, at 12 o'clock.

The day call for Wednesday, October 10, will be as follows: Nos. 12, 14, 18, 25, 22, 30, 23, 3, 2, and 79.

×

SUPREME COURT OF THE UNITED STATES

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

Meyer Green, of Manchester, N. H.; Stanley M. Brown, of Manchester, N. H.; Albert M. Crawford, of Prescott, Ariz.; Charles L. Coolahan, of Washington, D. C.; Raymond E. Stefferson, of New York, N. Y.; F. Harold Bennett, of Chicago, Ill.; Lloyd A. Phillips, of Sacramento, Calif.; Harrison W. Call, of Oakland, Calif.; Thomas A. Law, of Huntington Park, Calif.; and Daniel V. O'Keeffe, of Chicago, Ill., were admitted to practice.

No. 12. Joseph Edward Morissette, petitioner, *v.* The United States of America. Argument continued by Mr. Robert W. Ginnane for the respondent and concluded by Mr. Andrew J. Transue for petitioner.

No. 14. The United States of America, petitioner, *v.* Robert Fortier et al. Argued by Mr. Oscar H. Davis for petitioner and by Mr. Stanley M. Brown for respondents.

No. 18. Peter Alfons Bindzyck, petitioner, *v.* Thomas G. Finucane, individually and as Chairman of the Board of Immigration Appeals, et al. Argued by Mr. Joseph A. Fanelli for the petitioner and Mr. James L. Morrisson for the respondents.

Adjourned until tomorrow, October 11, at 12 o'clock.

The day call for Thursday, October 11, will be as follows: Nos. 25, 22, 30, 23, 3, 2, 79, 83, 26, and 17.

×

SUPREME COURT OF THE UNITED STATES

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

Armand F. Jones, of Toms River, N. J.; Paul V. Hutchins, of Detroit, Mich.; Charles K. Chaplin, of Washington, D. C.; Charles E. Hutsler, of Washington, D. C.; David I. Kraushaar, of New York, N. Y.; Edward H. Moler, of Oklahoma City, Okla.; and Paul M. Runnestrand, of Balboa Heights, C. Z., were admitted to practice.

No. 25. Sutphen Estates, Inc., appellant, *v.* The United States of America, Loew's, Inc., Warner Bros. Pictures, Inc. Argued by Mr. H. C. Pickering for the appellant; by Mr. Charles H. Weston for appellee, The United States; and by Mr. Joseph M. Proskauer for appellees Warner Bros. Pictures, Inc., et al.

No. 22. Evelyn C. Gardner, petitioner, *v.* Panama Railroad Company, a corporation. Argued by Mr. Eugene Eisenmann for petitioner and by Mr. Thomas J. Maginnis for respondent.

Adjourned until Monday, October 15, at 12 o'clock.

The day call for Monday, October 15, will be as follows: Nos. 23, 3, 2, 79, 83, 26, and 17.

×

SUPREME COURT OF THE UNITED STATES

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

N. Everett Frey, of Elkton, Ky.; Samuel L. Zuravsky, of Columbus, Ohio; Guy R. Martin, of Columbus, Ohio; Edward S. Szukelewicz, of Brooklyn, N. Y.; Walter D. McClain, of Denver, Colo.; Stanley W. Caufield, of El Paso, Tex.; Arthur C. O'Meara, of Chicago, Ill.; Ralph Porzio, of Boonton, N. J.; Richardson Bronson, of Washington, D. C.; Harry P. Levowich, of Boston, Mass.; C. William Caruso, of East Orange, N. J.; Richard J. Congleton, of Newark, N. J.; Howard Seymour Goldin, of Los Angeles, Calif.; Emma P. Lum, of San Francisco, Calif.; William Sanders Gramling, of Miami, Fla.; Isaac I. Bender, of Chicago, Ill.; Robert John Griffith, of East Orange, N. J.; Herbert G. Schoepke, of Mamaroneck, N. Y.; Edward Brodkey, of Chicago, Ill.; Frank J. Buldain, of Waco, Tex.; Arthur Gettleman, of Chicago, Ill.; Alonzo J. Drummond, of White Plains, N. Y.; Charles R. Garry, of San Francisco, Calif.; John Leonard Kearney, of Los Angeles, Calif.; and Joseph J. Karlin, of Chicago, Ill., were admitted to practice.

The Chief Justice announced the following orders of the Court:

No. 147. John J. Muth, petitioner, *v.* Aetna Oil Co., Johnston Drilling Co., Inc., Fred J. Keck, et al. On petition for writ of certiorari to the Court of Appeals for the Seventh Circuit. *Per Curiam:* The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court for the purpose of determining whether there was jurisdiction by virtue of diversity of citizenship. Mr. Justice Black dissents.

No. 159. Florida Railroad and Public Utilities Commission et al., appellants, *v.* Atlantic Coast Line Railroad Company. Appeal from the United States District Court for the Northern District of Florida. *Per Curiam:* The judgment is vacated and the case is remanded to the District Court for further consideration in the light of *Alabama Public Service Comm'n v. Southern Railway Co.*, 341 U. S. 341.

No. 283. George B. Franklin, Sr., and George B. Franklin, Jr., appellants, *v.* The Board of Commissioners of the Tensas Basin Levee

District. Appeal from the Supreme Court of Louisiana. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Eldridge v. Trezevant*, 160 U. S. 452; *Wolfe v. Hurley*, 283 U. S. 801. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 289. Chicago, Burlington and Quincy Railroad Company et al. v. The United States of America and Interstate Commerce Commission. Appeal from the United States District Court for the Northern District of Illinois. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. *United States v. American Sheet & Tin Plate Co.*, 301 U. S. 402; *United States v. United States Smelting Co.*, 339 U. S. 186. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 203. The United States of America, appellant, v. Ernest F. Pearson. Appeal from the United States District Court for the District of Columbia. The appeal is dismissed on motion of counsel for the appellant.

No. 120. Gene Mitchell Gray, Lincoln Anderson Blakeney, Joseph Hutch Patterson and Jack Alexander, appellants, v. The Board of Trustees of the University of Tennessee, etc., et al. Further consideration of the question of the jurisdiction of this Court in this case and of the motion to dismiss is postponed to the hearing of the case on the merits.

No. 282. Swift and Company, appellant, v. The United States of America, Interstate Commerce Commission, et al. In this case probable jurisdiction is noted. Mr. Justice Minton took no part in the consideration or decision of this 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. 10. United States of America, ex rel. William H. Giese, petitioner, v. Lieutenant General Steven J. Chamberlin, Commanding General of the Fifth Army, et al. On writ of certiorari to the Court of Appeals for the Seventh Circuit. *Per Curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 143. Verna Leib Sutton, petitioner, v. R. Wells Leib. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted.

No. 167. Boyce Motor Lines, Inc., petitioner, v. The United States of America. Petition for writ of certiorari to the Court of Appeals

for the Third Circuit granted and case transferred to the summary docket.

No. 186. Sam K. Carson, Commissioner of Finance and Taxation for the State of Tennessee, petitioner, *v. Roane-Anderson Company et al.*; and

No. 187. Sam K. Carson, Commissioner of Finance and Taxation for the State of Tennessee, petitioner, *v. Carbide and Carbon Chemicals Corporation et al.* Petitions for writs of certiorari to the Supreme Court of Tennessee granted and cases transferred to the summary docket.

No. 229. Warren H. Pillsbury and Albert J. Cyr, Deputy Commissioners for the Thirteenth Compensation District, etc., petitioners, *v. United Engineering Company, a corporation, Firemen's Fund Insurance Company, et al.* Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit granted and case transferred to the summary docket.

No. 231. Anna Desper, Administratrix of the Estate of Thomas J. Desper, Jr., deceased, petitioner, *v. Starved Rock Ferry Company, a corporation.* Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted and case transferred to the summary docket.

No. 172. Eric G. Kaufman and Aenni C. Kaufman, petitioners, *v. Societe Internationale Pour Participations Industrielles et Commerciales, S. A., etc., et al.*; and

No. 178. Uebersee Finanz-Korporation, A. G., petitioner, *v. J. Howard McGrath, Attorney General and as Successor to the Alien Property Custodian.* Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit granted and the cases transferred to the summary docket. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 224. Public Utilities Commission of the District of Columbia, Capital Transit Company, et al., petitioners, *v. Franklin S. Pollak and Guy Martin*; and

No. 295. Franklin S. Pollak and Guy Martin, petitioners, *v. Public Utilities Commission of the District of Columbia, Capital Transit Company, and Washington Transit Radio, Inc.* Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit granted. The motion for leave to file brief of Radio Cincinnati, Inc., et al., as amici curiae in No. 224 is denied.

No. 40. Lillian Lynn, petitioner, *v. Jay J. Lynn.* Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 137. Jack Bazzell, petitioner, *v. The United States of America*; and

No. 138. William Alonzo Lasby, Jr., and Raymond Edward Ryan, petitioners, *v.* The United States of America. Petitions for writs of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 218. G. Ricordi and Company, petitioner, *v.* Paramount Pictures, Inc. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 220. Air Line Dispatchers Association, A. F. of L., and Marvin C. Merrill, petitioners, *v.* The National Mediation Board, John Thad Scott, Chairman, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 232. City and County of Honolulu, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 233. C. A. Durr Packing Company, Inc., petitioner, *v.* Frank J. Shaughnessy, Collector of Internal Revenue for the 21st District of New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 234. The United States of America, petitioner, *v.* Lula Hickey Thomas. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 236. David R. Blake and Betty H. Blake, petitioners, *v.* Wonder Products, Inc., a Michigan Corporation, and Edgar A. Isler. Petition for a writ of certiorari to the Supreme Court of Michigan denied.

No. 237. A. Brigham Rose and Zelletta Rose Lori, Ltd., Incorporated, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 240. Daniel Partridge III, Executor of the Estate of Grace S. Partridge, petitioner, *v.* Hanserd K. Presley, Executor of the Estate of Helen Draper Hoffman. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 241. Estate of Louis Solowey, by Lillian Halpern, Louis Shapiro, and Bessie Solowey, Executors, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 106. John Weber, petitioner, *v.* The United States of America. The motion to dispense with printing the petition and record is granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 199. Bruno A. Koehler and Hugo W. Ackermann, petitioners, *v.* The United States of America. Petition for writ of certiorari to

the Court of Appeals for the Fifth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted. Dissenting memorandum filed by Mr. Justice Jackson.

No. 239. N. L. Hudson et al., petitioners, *v.* T. D. Lewis et al. The motion to use the certified record in No. 262, October Term, 1947, and to dispense with the printing thereof is granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 244. American Fidelity and Casualty Company, Inc., petitioner, *v.* All American Bus Lines, Inc., and Security Mutual Casualty Company. The motion for leave to file brief of Rodman W. Keenon and others as amici curiae is denied. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 274, October Term, 1950. Autographic Register Co. *v.* Uarco, Inc. Motion for leave to file petition for rehearing denied.

No. —. Edwin L. Adams *v.* Irving Jensen et al. Application for leave to docket this case denied.

No. 159, Misc. Ex Parte Gene Mitchell Gray et al., petitioners. The motion for leave to file petition for writ of mandamus is granted. A rule is ordered to issue, returnable within 30 days, requiring the respondents to show cause why the petition for writ of mandamus should not be granted.

No. 94, Misc. Peter Dorsey, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 96, Misc. Woodrow H. Gauthier, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

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

No. 101, Misc. Roy Schechter, petitioner, *v.* C. P. Burford, Warden, Oklahoma State Penitentiary. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 108, Misc. John Sadowy, petitioner, *v.* Hon. Frederick A. Moran, as Chairman of the New York State Board of Parole, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 109, Misc. Turman G. Wilson and Utah E. Wilson, petitioners, *v.* The State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 115, Misc. Mary M. Riley, petitioner, *v.* George F. Titus et al. (The United States). Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 116, Misc. Dayton Dean, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

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

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

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

No. 120, Misc. Fred Tate, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the District Court of Appeal of the State of California, Third Appellate District, denied.

No. 122, Misc. Anthony Scialabba, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 128, Misc. Amos Doris Cooper, petitioner, *v.* John R. Cranor, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 129, Misc. Harold A. Gadsen, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 130, Misc. William Howard, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 132, Misc. Jake Hinley, petitioner, *v.* State of Oklahoma. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 137, Misc. Walter W. Bender, petitioner, *v.* P. A. Lainson, Warden of the Iowa State Penitentiary. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 139, Misc. James Mandell, petitioner, *v.* Robert A. Heinze, Warden, California State Prison at Folsom. Petition for writ of certiorari to the Supreme Court of California denied.

No. 125, Misc. Dewey Gilmore, petitioner, *v.* Dr. Ivan W. Steele, Warden, U. S. Medical Center. Motion for leave to file petition for writ of habeas corpus denied.

No. 131, Misc. M. Fitzallen Pridgen, petitioner, *v.* Paul Bubella et al. Application denied.

No. 145, Misc. Jasper Johnson, petitioner, *v.* The Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania. Dismissed on motion of petitioner.

ORDER

The Court will take a recess from Monday, October 22, until Monday, November 5, next.

No. 23. The United States of America, petitioner, *v.* Herman Hayman. Argued by Mr. Robert L. Stern for the petitioner and Mr. Paul A. Freund for the respondent.

No. 3. The United States of America, petitioner, *v.* Jesse W. Jeffers, Jr. Argued by Miss Beatrice Rosenberg for petitioner and by Mr. T. Emmett McKenzie for respondent.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, October 16, will be as follows: Nos. 2, 79, 83, 26, and 17.

×

SUPREME COURT OF THE UNITED STATES

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

Frank A. Pellegrini, of Seattle, Wash.; J. Kerwin Rooney, of Oakland, Calif.; John J. Enright, of Chicago, Ill.; Edward F. Conlin, of Ann Arbor, Mich.; Robert L. H. Rice, of Dallas, Tex.; Roy E. James, of Palmerton, Pa.; Richard Taylor Cardall, of Salt Lake City, Utah; Robert Whitney Barker, of Ogden, Utah; and Arthur V. Watkins, of Orem, Utah, were admitted to practice.

No. 2. George Stefanelli, Jerry Malanga, Joseph Maglione, and Frank D'Innocenzio, petitioners, *v.* Duane E. Minard, Jr., Prosecutor for Essex County, New Jersey, et al. Argued by Mr. Mordecai Michael Merker for the petitioners and by Mr. Charles Handler and Mr. Richard J. Congleton for the respondents.

No. 79. Charles Augustus Dixon, petitioner, *v.* Clinton T. Duffy, Warden, San Quentin Prison. Argued by Mr. Franklin C. Stark for petitioner and by Mr. Clarence A. Linn for respondent.

No. 83. Antonio Richard Rochin, petitioner, *v.* People of the State of California. Argued by Mrs. Dolly Lee Butler and Mr. A. L. Wirin for the petitioner and by Mr. Howard S. Goldin for the respondent.

Adjourned until tomorrow, October 17, at 12 o'clock.

The day call for Wednesday, October 17, will be as follows: Nos. 26, 17, and —, *Stack v. Boyle*.

×

SUPREME COURT OF THE UNITED STATES

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

Gordon B. Severance, of Los Angeles, Calif.; David Levinson, of Philadelphia, Pa.; Theodore L. Hazlett, Jr., of Pittsburgh, Pa.; Samuel Duker, of New York, N. Y.; and Herman Moskowitz, of Philadelphia, Pa., were admitted to practice.

No. 26. The Lorain Journal Company, Samuel A. Horwitz, Isadore Horwitz, et al., appellants, *v.* The United States of America. Argued by Mr. William E. Leahy for the appellants and Mr. Solicitor General Perlman for the appellee.

No. 17. Thomas P. McMahon, petitioner, *v.* The United States of America and United States Maritime Commission. Argued by Mr. Paul M. Goldstein for the petitioner and Mr. Leavenworth Colby for the respondents.

Adjourned until tomorrow, at 12 o'clock.

The day call for Thursday, October 18, will be as follows: No.—, *Stack v. Boyle*.

×

SUPREME COURT OF THE UNITED STATES

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

Malcolm B. Montgomery, of Jackson, Miss.; and Benjamin Margolis, of Los Angeles, Calif., were admitted to practice.

No. —. Loretta Starvus Stack et al. *v.* James J. Boyle, United States Marshal. On motion for bail and petition for writ of habeas corpus referred to the Court by Mr. Justice Douglas. Argued by Mr. Benjamin Margolis and Mr. A. L. Wirin for Stack et al., and by Mr. Solicitor General Perlman for Boyle.

Adjourned until Monday, October 22, at 12 o'clock.

×

SUPREME COURT OF THE UNITED STATES

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

Arthur A. Cohen, of Newport, R. I.; Otto Kerner, Jr., of Chicago, Ill.; Bill Justin Williams, of Fayetteville, Tenn.; J. McHenry Jones, of Pensacola, Fla.; Thomas J. Ryan, of New York, N. Y.; Vincent P. McCauley, of Columbus, Ga.; Kenneth M. McEwen, of New York, N. Y.; Berry C. Williams, of Fayetteville, Tenn.; Stanley W. Slagg, of Edgerton, Wis.; George W. Overton, of Chicago, Ill.; Ellis V. Gregory, of Kensington, Md.; Adrian B. Campbell, of Arlington, Va.; James C. Denton, Jr., of Tulsa, Okla.; Theodore French, of Chevy Chase, Md.; John S. Palmore, Jr., of Henderson, Ky.; James E. Hunt, of Henderson, Ky.; A. Mark Levien, of New York, N. Y.; Albert L. Ely, Jr., of Cleveland, Ohio; Bradley J. Schaeffer, of Dayton, Ohio; Harold Webster Perry, of Denver, Colo.; W. D. Girand, Jr., of Hobbs, N. Mex.; Ira Jefferson Allen, of Houston, Tex.; Hal J. Webb, of Washington, D. C.; Edward Hong, of New York, N. Y.; Ernest G. Young, of Springfield, Ill.; Jack L. Cohen, of Newark, N. J.; Emil C. Rassman, of Midland, Tex.; Charles Sapp, of Houston, Tex.; and Frank E. Gettleman, of Chicago, Ill., 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. 78. Marianna Von Moltke, petitioner, *v.* A. Blake Gillies, Superintendent of Detroit House of Correction. It is ordered that G. Leslie Field, Esquire, of Detroit, Michigan, a member of the bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 375. Julius Bernard Sherman, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. It is ordered that Nathaniel L. Nathanson, Esquire, of Chicago, Illinois, a member of the bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 280. International Longshoremen's and Warehousemen's Union et al., petitioners, *v.* Juneau Spruce Corporation. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit granted.

No. 87, Misc. Joseph B. Bruner, petitioner, *v.* United States of America. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit granted and the case transferred to the appellate docket and placed on the summary docket.

No. 201, October Term, 1950. Harry Sacher et al., petitioners, *v.* The United States of America. Petition for rehearing granted. The order entered June 4, 1951, denying certiorari is vacated and the petition for writ of certiorari to the Court of Appeals for the Second Circuit is granted. The sole question for review is: Was the charge of contempt, as and when certified, one which the accusing judge was authorized under Rule 42 (a) to determine and punish himself; or was it one to be adjudged and punished under Rule 42 (b) only by a judge other than the accusing one and after notice, hearing, and opportunity to defend? The motion for leave to file brief of National Lawyers Guild as *amicus curiae* is denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 77. Pacific Insurance Company, Ltd., petitioner, *v.* The United States of America. On petition for certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari in this case dismissed on motion of counsel for the petitioner.

No. 219. Commissioner of Internal Revenue, petitioner, *v.* Louis Visintainer. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 245. International Longshoremen's and Warehousemen's Union, etc., et al., petitioners, *v.* Walter D. Ackerman, Jr., individually and as Attorney General of the Territory of Hawaii, et al. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 251. Henry C. Wilson and Edith Y. Edwards, as Executors under the Last Will and Testament of Lewis G. Young, deceased, petitioners, *v.* Frank W. Kraemer, as Collector of Internal Revenue for the District of Connecticut, et al. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 252. John D. McNabb, petitioner, *v.* Katherine T. Slater et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 254. American Steel Foundries, petitioner, *v.* Holland Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 260. Ann Arbor Press, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 261. Standard Paving Company, a dissolved corporation, appearing through I. V. Gray, et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 263. Armour and Company, Swift and Company, The Cudahy Packing Company, et al., petitioners, *v.* Chicago, Milwaukee, St. Paul and Pacific Railroad Company et al. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 267. Southwest Natural Gas Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 268. American Fidelity and Casualty Company and Capital Motor Lines, petitioners, *v.* Manufacturers Casualty Insurance Company, Successor to Pennsylvania Casualty Company, et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 269. Ralph W. Moore, petitioner, *v.* Charles F. Brannan, Secretary of Agriculture, et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 270. Helen Blesi Pearson and J. Charles Pearson, Jr., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 274. The United States of America, petitioner, *v.* 88 Cases, etc., "Bireley's Orange Beverage," General Foods Corp., claimant. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 284. Leon Falk, Jr., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 256. Frank B. Killian and Company, petitioner, *v.* Allied Latex Corporation and Howard G. Strauss; and

No. 257. Youngs Rubber Corporation, petitioner, *v.* Allied Latex Corporation. Motions for leave to file briefs of J. Calvin Brown as amicus curiae denied. Petitions for writs of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Black is of the opinion that petitions should be granted.

No. 258. John Stefanidis et al., petitioners, *v.* Stellios Kakaroukas, as Master et al. Motion to dispense with printing the petition, brief, and record, granted. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 259. Cities Service Oil Company, petitioner, *v.* Park Steamship Company, Ltd. Motion for leave to file brief of States Marine

Corp. et al., as amici curiae, denied. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 262. Joseph B. Michel, petitioner, *v.* Louisville and Nashville Railroad Company. Motion to dispense with printing the petition and portions of the record granted. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 277. In re John W. Carter. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 25, Misc. Sylvester Middlebrooks, Jr., petitioner, *v.* John D. Ross, Sheriff of Santa Barbara County, California. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 146, Misc. Robert G. Van Beek, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 151, Misc. John J. Holly, petitioner, *v.* Commonwealth of Pennsylvania, John W. Claudy, Warden, etc. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 152, Misc. Julius Bayken, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 158, Misc. Gerald A. Coranato, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 160, Misc. William Kirsch, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 164, Misc. August Karhu, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan and the Circuit Court for the County of Ontongan, Michigan, denied. Motion for leave to file petition for writ of mandamus also denied.

No. 124, Misc. In re Disbarment of Albert Woodruff Gray. It is ordered that Albert Woodruff Gray, of New York City, be suspended from the practice of the law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of the law in this Court.

No. 153, Misc. Charles Alberts, petitioner, *v.* State of Iowa. Application denied.

No. 161, Misc. Ex parte John Weber, petitioner. Motion for leave to file petition for writ of mandamus denied. Mr. Justice Jackson

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

No. 166, Misc. Dan Williams, petitioner, *v.* The United States. Motion for leave to file petition for writ of habeas corpus denied.

Adjourned until Monday, November 5, at 12 o'clock.

The day call for Monday, November 5, will be as follows: Nos. 38, 80 (81 and 82), 95, 96, 375, 11, and 30.

×

SUPREME COURT OF THE UNITED STATES

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

John F. Cherry, of Leesburg, Fla.; Irwin A. Seibel, of Washington, D. C.; Benjamin Forman, of Silver Spring, Md.; Joseph Langbart, of Washington, D. C.; Ruth W. Loomis, of Honolulu, T. H.; Ernest R. Purdum, of Los Angeles, Calif.; Alexandre de Baillet-Latour, of New York, N. Y.; Arthur D. Wingeback, of New York, N. Y.; John L. Mace, of Los Angeles, Calif.; Harry D. Appel, of West New York, N. J.; Charles A. Malloy, of Trenton, N. J.; John D. Calamari, of New York, N. Y.; Raymond A. Smith, of Council Bluffs, Iowa; James D. Hill, of Burlington Iowa; David E. Varner, of Washington, D. C.; Allen Kirkpatrick III, of Washington, D. C.; Lawrence E. Walsh, of Altamont, N. Y.; Gerald D. Marcus, of San Francisco, Calif.; R. F. Roberts, of Beaumont, Tex.; Alfred Kandel, of Baltimore, Md.; Marvin W. Goodwyn, of Bessemer, Ala.; John A. Everhard, of Washington, D. C.; Robert C. Eardley, of Chicago, Ill.; Evelle J. Younger, of Pasadena, Calif.; John B. Cullen, of Washington, D. C.; Carlton A. Walls, of New York, N. Y.; William E. Owen, of Washington, D. C.; Ralph Stein, of Washington, D. C.; and Robert Van Der Voort, of Pittsburgh, Pa., were admitted to practice.

No. 17. Thomas P. McMahon, petitioner, *v.* The United States of America and United States Maritime Commission. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed and case remanded to the United States District Court for the Eastern District of Pennsylvania. Opinion by Mr. Justice Jackson. Dissenting: Mr. Justice Black and Mr. Justice Douglas. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 25. Sutphen Estates, Inc., appellant, *v.* The United States of America, Loew's Incorporated, Warner Bros. Pictures, Inc., et al. Appeal from the United States District Court for the Southern District of New York. Appeal dismissed. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Black. Mr. Justice Jackson, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this case.

No. 400. Loretta Starvus Stack, Al Richmond, Philip Marshall Connelly, et al., petitioners, *v.* James J. Boyle, United States marshal. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion to dispense with printing petition and record granted. Petition for writ of certiorari granted. Judgment of the Court of Appeals vacated and case remanded to the United States District Court for the Southern District of California with directions to vacate its order denying petitioners' applications for writs of habeas corpus and to dismiss the applications without prejudice. Petitioners may move for reduction of bail in the criminal proceeding so that a hearing may be held for the purpose of fixing reasonable bail for each petitioner. Opinion by Mr. Chief Justice Vinson. Separate opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 22. Evelyn C. Gardner, petitioner, *v.* Panama Railroad Company, a Corporation. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed with costs and cause remanded to the United States District Court for the Canal Zone for further proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 79. Charles Augustus Dixon, petitioner, *v.* Clinton T. Duffy, Warden, San Quentin Prison. On writ of certiorari to the Supreme Court of California. Cause continued for such period as will enable counsel for petitioner to secure a determination from the Supreme Court of California as to whether the judgment herein was intended to rest on an adequate independent state ground or whether decision of the federal claim was necessary to the judgment rendered. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Douglas. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 301. Palmer Oil Corporation et al., appellants, *v.* Amerada Petroleum Corporation et al.; and

No. 302. Kit C. Farwell et al., appellants, *v.* Amerada Petroleum Corporation et al. Appeals from the Supreme Court of the State of Oklahoma. Opinion *per curiam* announced by Mr. Chief Justice Vinson. The Court is advised that, on May 26, 1951, the Oklahoma Legislature repealed Okla. Stat., 1945 (Supp. 1949), Tit. 52, §§ 286.1-286.17, the constitutionality of which is drawn in question by these appeals. The causes are therefore ordered continued for such period as will enable appellants with all convenient speed to secure in an appropriate state proceeding a determination as to the effect of this repeal on the matters raised in these appeals.

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. 365. Kenneth Brooks, appellant, *v.* State of Mississippi; and No. 366. E. J. Brooks, appellant, *v.* State of Mississippi. Appeals from the Supreme Court of Mississippi. *Per Curiam*: The motions for leave to proceed *in forma pauperis* are granted. The appeals are dismissed for want of jurisdiction. 28 U. S. C., § 1257 (2). Treating the papers whereon the appeals were allowed as petitions for writs of certiorari as required by 28 U. S. C., § 2103, certiorari is denied.

No. 1. Georgia Railroad and Banking Co., appellant, *v.* Charles D. Redwine, State Revenue Commissioner. This case is restored to the summary docket for reargument.

No. 317. Day-Brite Lighting, Inc., appellant, *v.* State of Missouri. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 162. The United States of America, appellant, *v.* Arnold L. Dailey. The motion of appellee for leave to proceed *in forma pauperis* is granted. It is ordered that Bernard Margolius, Esquire, of Washington, D. C., a member of the bar of this Court, be appointed to serve as counsel for the appellee in this case.

No. 100. The United States of America, petitioner, *v.* Harold Bloom, General Assignee for the Benefit of Creditors of Pavone Textile Corp. Petition for writ of certiorari to the Court of Appeals of New York granted and case transferred to the summary docket.

No. 275. The United States of America, ex rel. Hubert Jaegerler, petitioner, *v.* Ugo Carusi, Commissioner of Immigration and Naturalization, et al. Petition for writ of certiorari to the Court of Appeals for the Third Circuit granted and case transferred to the summary docket. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 299. The United States of America, petitioner, *v.* N. Walser Edens and W. H. Corry, as Trustees of Carolina Mills, Inc., a corporation of South Carolina, debtor. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit granted and case transferred to the summary docket and assigned for argument immediately following No. 100.

No. 300. The United States of America, petitioner, *v.* General Engineering and Manufacturing Company, a corporation, debtor. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit granted and case transferred to the summary docket.

No. 305. Cities Service Company and the Chase National Bank of the City of New York, petitioners, *v.* J. Howard McGrath, Attorney

General, Successor to the Alien Property Custodian. Petition for writ of certiorari to the Court of Appeals for the Second Circuit granted and case transferred to the summary docket and assigned for argument immediately following No. 178.

No. 329. M. P. Mullaney, Commissioner of Taxation of the Territory of Alaska, petitioner *v.* Oscar Anderson and Alaska Fishermen's Union. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit granted and case transferred to the summary docket.

No. 331. Julian N. Frisbie, Warden, State Prison of Southern Michigan, Jackson, Michigan, petitioner, *v.* Shirley Collins. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit granted and case transferred to the summary docket.

No. 82, Misc. Yvette J. Madsen, petitioner, *v.* Nina Kinsella, Warden of the United States Reformatory for Women. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit granted and case transferred to the appellate docket.

No. 321. General Reinsurance Corp., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Second Circuit dismissed on motion of counsel for the petitioner.

No. 242. Wiley H. Caddel, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 246. Fruehauf Trailer Company, petitioner, *v.* Anna Gusewelle, Administratrix of the Estate of Earl Gusewelle, deceased. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 265. Harold R. Love, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 276. W. Lee Clements and J. L. Britt, petitioners, *v.* R. W. Bronaugh et al. (Commissioners of White River Drainage District of Phillips and Desha Counties, Arkansas), et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 278. J. V. Peerson, petitioner, *v.* Viola Mitchell et al. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 279. Grant E. Rio, petitioner, *v.* State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 285. Alexander Guttman, petitioner, *v.* Illinois Central Railroad Company. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 290. Photochart, a Corporation, and Lorenzo Del Riccio, petitioners, *v.* Photo Patrol, Inc., a Corporation, Pacific Turf Club, Inc., a Corporation, American Teletimer Corporation, and Robert A. Oswald. Petition for writ of certiorari to the Court of Appeals for the Ninth Circuit denied.

No. 291. Freedman Brothers and Co. et al., petitioners, *v.* Orland Ellis, Trustee of the Detroit Central Wholesale Grocery Company, a Michigan Corporation, Bankrupt. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 292. Hal R. Cox, Alyce Lee Cox, Floyd Caldwell, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 296. Joseph L. Switzer and Richard A. Ward, petitioners, *v.* John A. Marzall, Commissioner of Patents. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 297. The New York, New Haven and Hartford Railroad Company, petitioner, *v.* George P. Korte. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 298. Fredrica Clausen, doing business as Luzerne Hide and Tallow Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 303. John Donald Walker, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 306. Local Union No. 12, Progressive Mine Workers of America, District 1, petitioner, *v.* National Labor Relations Board and Rawalt Coal Company. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit denied.

No. 307. The Clark Estate Company, a corporation, petitioner, *v.* Alonzo H. Gentry, Commerce Trust Company, Esther Reyburn, et al., etc. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 309. Louisville and Jefferson County Metropolitan Sewer District, petitioner, *v.* The B. F. Goodrich Company. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 313. Theodore D. Lewis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 318. Di Giorgio Fruit Corporation and Di Giorgio Wine Company, petitioners, *v.* National Labor Relations Board. Petition for

writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 319. Mrs. Beulah Fisher Lejeune, individually and as tutrix for her minor children, petitioner, *v.* Excess Insurance Company of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 322. State of Utah, petitioner, *v.* Montgomery Ward and Company. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 324. Horace Baker, petitioner, *v.* Anderson Hotels of Oklahoma, Inc., James Anderson, Nick Douvas, et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 327. The United States of America and Harold R. Love, petitioners, *v.* David W. Onan, et al. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 330. Red Top Super Markets, Inc., et al., petitioners, *v.* H. W. Findley, claimant of the Motor Vessel "Queen Anne." Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 332. J. B. Edwards, Secretary-Treasurer, Reliance Clay Products Company, etc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 338. The Carter Oil Company, petitioner, *v.* T. H. McCasland, N. W. Brillhart, Glenn Norville, et al. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 340. Julius Hyman and Company, Julius Hyman, Individually and as President and Director of Julius Hyman and Company, et al., petitioners, *v.* Velsicol Corporation. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 343. Oscar W. Ehrhorn, petitioner, *v.* International Match Realization Company, Ltd. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 347. Earl T. Ellis, Receiver of the Quantico Company, Inc., petitioner, *v.* Clifton B. Cates. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 348. Mary K. Ellis, petitioner, *v.* Girard Trust Company, surviving Trustee under the will of George W. Nevil, deceased. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 238. Dorothea Quirk, administratrix de bonis non of the Estate of Edward E. Quirk, deceased, petitioner, *v.* The New York, Chicago, and St. Louis Railroad Company. Petition for writ of certiorari to

the Court of Appeals for the Seventh Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 271. Moore-McCormack Lines, Inc., petitioner, *v.* Cecil E. Foltz, Jr. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Clark are of the opinion certiorari should be granted.

No. 286. State of Missouri, *ex rel.* Southern Railway Company, petitioner, *v.* Waldo C. Mayfield, Judge of the Circuit Court of the City of Saint Louis, Missouri, and his successors, etc.; and

No. 287. State of Missouri, *ex rel.* The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* David J. Murphy, Judge of the Circuit Court of the City of Saint Louis, Missouri, and his successors, etc. Motion to use the certified record in Nos. 15 and 16, October Term, 1950, granted. Petition for writs of certiorari to the Supreme Court of Missouri denied.

No. 308. E. A. Laboratories, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied. The Chief Justice took no part in the consideration or decision of this application.

No. 333. Gene McCann, petitioner, *v.* Tom C. Clark. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 526, October Term, 1947. The United States of America, petitioner, *v.* Charles Kruszewski. Respondent's petition dated October 19, 1951, denied.

No. 511, October Term, 1950. Beatrice Sickman, Executrix, etc., Paul L. Ryal, Kenneth L. Martin, et al., petitioners, *v.* The United States of America. Motion for leave to file a second petition for rehearing denied.

No. 115. Adele Weiss, petitioner, *v.* The United States of America;

No. 130. State of Georgia, petitioner, *v.* J. B. Wenger;

No. 164. Marcus Sigurjonnson, Jorgen Jorgensen, Ben Hodapp, Jr., et al., petitioners, *v.* Trans-American Traders, Inc.; and

No. 19, Misc. Frank Severa, petitioner, *v.* State of New Jersey. The petitions for rehearing in these cases are severally denied.

No. 43, Misc. Bernard H. Tabor, petitioner, *v.* William H. Hiatt, Warden, United States Penitentiary. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 45, Misc. Jacob Maislish, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Third Circuit denied.

No. 48, Misc. John Edwin Byers, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 81, Misc. Gene Nero, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 88, Misc. Lindsey Lee Martin, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the Court of Appeals for the Fourth Circuit denied.

No. 126, Misc. William Turpin, Jr., petitioner, *v.* Warden of the Green Haven Prison of the State of New York. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 133, Misc. Lawson Odell, petitioner, *v.* Robert H. Hudspeth, Warden, Kansas State Penitentiary. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 135, Misc. Howard Raymond Ford, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 138, Misc. John Edwin Byers, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 141, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney and Samuel H. Berger et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 148, Misc. Fred Charles Hawthorne, petitioner, *v.* Robert A. Heinze, Warden of the California State Prison at Folsom. Petition for writ of certiorari to the Supreme Court of California denied.

No. 154, Misc. George Sholter, petitioner, *v.* Dr. John W. Claudy, Warden, etc. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 173, Misc. Harold Konigsberg, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 175, Misc. Earnest Lee Potter, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Penitentiary. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 123, Misc. Richard S. McMurrin, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 79, Misc. John Edwin Byers, petitioner, *v.* Walter A. Hunter, Warden. Motion for leave to file petition for writ of certiorari denied.

No. 144, Misc. C. W. Price, petitioner, *v.* John R. Cranor, Superintendent of the Washington State Penitentiary. Application denied.

No. 157, Misc. Carl Edmond Owens, petitioner, *v.* Walter A. Hunter, Warden. Motion for leave to file petition for writ of habeas corpus denied.

No. 162, Misc. Gust Pappas, petitioner, *v.* Michigan Department of Corrections et al. Application denied.

ORDER

The Court will take a recess from Tuesday, November 13, until Monday, November 26, next.

No. 38. Dominic Palmer, petitioner, *v.* Stanley P. Ashe, Warden, Western State Penitentiary, Pittsburgh, Pennsylvania. Argued by Mr. Louis B. Schwartz for the petitioner and Mr. Leonard H. Levenson for the respondent.

No. 80. Edward J. Keenan, petitioner, *v.* C. J. Burke, Warden, New Eastern State Penitentiary;

No. 81. Walter Jankowski, petitioner, *v.* C. J. Burke, Warden, New Eastern State Penitentiary; and

No. 82. Orville Foulke, petitioner, *v.* C. J. Burke, Warden, New Eastern State Penitentiary. Argued by Mr. Archibald Cox for the petitioners and cases submitted by Mr. James W. Tracey, Jr., and Mr. John H. Maurer for the respondent.

No. 95. Talbot Jennings, petitioner, *v.* People of the State of Illinois;

No. 96. Arthur La Frana, petitioner, *v.* People of the State of Illinois; and

No. 375. Julius Bernard Sherman, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Leave granted Mr. Calvin Sawyer to appear and present oral argument *pro hac vice* for the petitioner in No. 95, on motion of Mr. Nathaniel L. Nathanson. Argument commenced by Mr. Nathaniel L. Nathanson for the petitioners.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, November 6, will be as follows: Nos. 95 (96 and 375), 11, and 30.

SUPREME COURT OF THE UNITED STATES

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

Anargyros E. Camarinos, of Washington, D. C.; Paul F. Borden, of Washington, D. C.; Harold B. Benedict, of Sacramento, Calif.; Mitchel M. Carter, of Salt Lake City, Utah; Sumner Adams Brown, of Boston, Mass.; Milton Daniel Zeddies, of St. Paul, Minn.; Joseph Cain Wells, of Washington, D. C.; Mary Stella Rosenberg, of Tucson, Ariz.; Grant W. Wiprud, of Alexandria, Va.; William J. Klima, of Alexandria, Va.; Edward N. Logan, of Washington, D. C.; and Hugh Stanton, of Memphis, Tenn., were admitted to practice.

No. 95. Talbot Jennings, petitioner, *v.* People of the State of Illinois;

No. 96. Arthur La Frana, petitioner, *v.* People of the State of Illinois; and

No. 375. Julius Bernard Sherman, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Argument continued by Mr. Nathaniel L. Nathanson for the petitioners; by Mr. Calvin Sawyer for the petitioner in No. 95, *pro hac vice* by special leave of Court; and concluded by Mr. William C. Wines for the respondents.

No. 11. The United States, petitioner, *v.* Martin Wunderlich et al. Argued by Mr. Paul A. Sweeney for the petitioner and by Mr. Harry D. Ruddiman for the respondents.

Adjourned until tomorrow, November 7, at 12 o'clock.

The day call for Wednesday, November 7, will be as follows: No. 30.

×

SUPREME COURT OF THE UNITED STATES

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

No. 30. Florence J. M. Cook, petitioner, *v.* Arthur W. Cook. Argued by Mr. Henry Lincoln Johnson, Jr., for the petitioner and Mr. H. Mason Welch for the respondent.

Adjourned until Tuesday, November 13, next, at 12 o'clock

×

952806—51—17

SUPREME COURT OF THE UNITED STATES

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

Rolla D. Mock, of Des Moines, Iowa; Jesse T. Edwards, of Valdosta, Ga.; Clare E. Smith, of Athens, Ga.; Jacob S. Spiro, of Jersey City, N. J.; Jack Gross, of Brooklyn, N. Y.; Wm. Arthur Kelly, of Akron, Ohio; John Richards Williams, of Lakewood, Ohio; William F. McGehee, of Vicksburg, Miss.; Joseph Rothstein, of Boston, Mass.; John R. Mahoney, of New York, N. Y.; Ralph R. Temple, of New York, N. Y.; James E. O'Brien, of San Francisco, Calif.; David Guntert, of Los Angeles, Calif.; Henry C. M. Lamkin, of St. Louis, Mo.; H. Bernard Krulewitch, of Chicago, Ill.; Virginia Brennan, of Omaha, Nebr.; Thos. S. Henderson, of Washington, D. C.; and Jack R. Cluck, of Seattle, Wash., were admitted to practice.

No. 3. The United States of America, petitioner, *v.* Jesse W. Jeffers, Jr. On writ of certiorari to the Court of Appeals for the District of Columbia Circuit. Judgment affirmed and case remanded to the United States District Court for the District of Columbia. Opinion by Mr. Justice Clark. Dissenting: Mr. Chief Justice Vinson and Mr. Justice Reed. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 5. The United States of America, petitioner, *v.* Harvey L. Carignan. On writ of certiorari to the Court of Appeals for the Ninth Circuit. Judgment of the Court of Appeals modified as indicated in the opinion of this Court, and as so modified, affirmed. The case is remanded to the District Court for the Territory of Alaska for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Concurring opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Frankfurter join. Mr. Justice Minton took no part in the consideration or decision of this case.

The Chief Justice announced the following order of the Court:

No. 371. City of Newark, appellant, *v.* New Jersey Turnpike Authority, a Corporation of New Jersey, et al. Appeal from the Supreme Court of New Jersey. *Per Curiam*: The motion to dismiss

is granted and the appeal is dismissed for want of a substantial federal question.

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 Texas, plaintiff, *v.* State of New Mexico et al. A rule is ordered to issue, returnable within 30 days, requiring the defendants to show cause why leave to file the complaint should not be granted.

No. 86. Howard Hughes, appellant, *v.* The United States of America. The motion of appellant to strike certain items from appellee's designation of parts of the record to be printed is granted except as to the excerpts from the transcripts of oral argument specified by appellee in its opposition to appellant's motion. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 172. Eric G. Kaufman and Aenni C. Kaufman, petitioners, *v.* Societe Internationale Pour Participations Industrielles et Commerciales S. A., etc., et al. The motion to transfer this case from the summary docket is granted. Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 178. Uebersee Finanz-Korporation, A. G., petitioner, *v.* J. Howard McGrath, Attorney General and as Successor to the Alien Property Custodian. The motion to transfer this case from the summary docket is denied. Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 224. Public Utilities Commission of the District of Columbia, Capital Transit Company, et al., petitioners, *v.* Franklin S. Pollak and Guy Martin; and

No. 295. Franklin S. Pollak and Guy Martin, petitioners, *v.* Public Utilities Commission of the District of Columbia, Capital Transit Company and Washington Transit Radio, Inc. The motion of Pollak et al., to print additional portions of the record is granted.

No. 395. Richfield Oil Corporation, appellant, *v.* The United States of America. In this case probable jurisdiction is noted. Mr. Justice Clark took no part in the consideration or decision of this question.

No. 247. Charles Sawyer, Secretary of Commerce, et al., petitioners, *v.* R. Stanley Dollar, et al.; and

No. 248. In the Matter of George L. Killion, petitioner. Petitions for writs of certiorari to the Court of Appeals for the District of Columbia Circuit granted. Mr. Justice Black and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 349. First National Bank of Chicago, as Executor of the Estate of John Louis Nelson, deceased, petitioner, *v.* United Air Lines, Inc. Petition for writ of certiorari to the Court of Appeals for the Seventh Circuit granted and case transferred to the summary docket.

No. 314. American Can Company, petitioner, *v.* Bruce's Juices, Inc. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit dismissed on motion of counsel for the petitioner.

No. 315. Aleutian Livestock Company, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 320. Brotherhood of Railroad Trainmen, an Unincorporated Association, et al., petitioners, *v.* State of California and David T. Lock. Petition for writ of certiorari to the Supreme Court of California denied.

No. 326. Ralph Lassiter and T. W. Lee, petitioners, *v.* Edward Roos and John A. Roos. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 328. Moore-McCormack Lines, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 337. Nabob Oil Company, a corporation, and O. O. Owens, petitioners, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Tenth Circuit denied.

No. 339. Ray L. Batman and Edith B. Batman, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 342. Warren County, Mississippi, petitioner, *v.* C. E. Hester, Sheriff, and Ex-Officio Tax Collector of Madison Parish, et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 344. The B. F. Goodrich Company, petitioner, *v.* The State of Washington and E. C. Huntley, E. W. Anderson and Dinsmore Taylor, as the Tax Commission of the State of Washington; and

No. 345. The State of Washington and E. C. Huntley, E. W. Anderson and Dinsmore Taylor, as the Tax Commission of the State of Washington, petitioners, *v.* The B. F. Goodrich Company. Petitions for writs of certiorari to the Supreme Court of Washington denied.

No. 350. Joseph Mogis, petitioner, *v.* Lyman Richey Sand and Gravel Corporation. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 364. Harry Lerman et al., Co-partners Trading as Lerman Brothers, petitioners, *v.* Fruit Processors, Inc., a corporation. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 325. State of Florida, ex rel. Virgil D. Hawkins, et al., petitioners, *v.* Board of Control of Florida, a body corporate under the laws of the State of Florida et al. Petition for writ of certiorari to the Supreme Court of Florida denied for want of a final judgment. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 336. Anthony P. Giessler, petitioner, *v.* The United States. Motion to dispense with printing the petition and record granted. Petition for writ of certiorari to the United States Court of Claims denied.

No. 354. Lon Chrismond, petitioner, *v.* Mrs. Mabel Chrismond. Motion to dispense with printing the record granted. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 10. United States of America, ex rel. William H. Giese, petitioner, *v.* Lieut. General Steven J. Chamberlin, Commanding General of the Fifth Army, et al.;

No. 75. Louise McGrew Moffett, as an individual and executrix of the Estate of Thomas S. Moffett, petitioner, *v.* Commerce Trust Company, a Corporation, et al.;

No. 141. A. Lester Marks, Elizabeth Loy Marks and Herbert M. Richards, Trustees, etc., petitioners, *v.* The United States of America; and

No. 188. George Gillette, petitioner, *v.* The United States of America. Petitions for rehearing denied.

No. 106. John Weber, petitioner, *v.* The United States of America. Petition for rehearing denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 58, Misc. Simon J. Nash, on behalf of Sergeant Takishi Hashimoto, et al., petitioner, *v.* General of the Army Douglas MacArthur et al.;

No. 70, Misc. Richard O'Neill, petitioner, *v.* People of the State of Illinois; and

No. 120, Misc. Fred Tate, petitioner, *v.* People of the State of California et al. Petitions for rehearing in these cases severally denied.

No. 409, Misc., October Term 1950. Fred Tate, petitioner, *v.* People of the State of California et al. Third petition for rehearing denied.

No. 134, Misc. Elmer Davis and Estes Bright, petitioners, *v.* John R. Cranor, as Superintendent of the Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 136, Misc. Carley W. Taylor, petitioner, *v.* John R. Cranor, as Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 142, Misc. Mrs. Catherine Scott, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Appeals for the Fifth Circuit denied.

No. 165, Misc. Joan C. Smith et al., petitioners, *v.* Morris Pollin et al. Petition for writ of certiorari to the Court of Appeals for the District of Columbia Circuit denied.

No. 170, Misc. John Phillips Medley, petitioner, *v.* Ralph N. Eidson, Warden, etc. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 171, Misc. Patrick Brennan, petitioner, *v.* Robert Murphy, Warden, Auburn State Prison. Petition for writ of certiorari to the Court of Appeals for the Second Circuit denied.

No. 172, Misc. Martin Pring, petitioner, *v.* Browning Robinson, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 174, Misc. Frank Pat Murphy, 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. 176, Misc. Stanley J. Stodulski, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Penitentiary. Petition for writ of certiorari to the Court of Appeals for the Eighth Circuit denied.

No. 180, Misc. Andrew J. Tomlinson, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 184, Misc. George W. Van Horn, petitioner, *v.* Browning Robinson, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 185, Misc. Thomas Collins, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 177, Misc. John P. Hackney, petitioner, *v.* Robert E. Warren, State Board of Corrections. Motion for leave to file petition for writ of habeas corpus denied.

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

The day call for Monday, November 26, will be as follows: Nos. 1, 8, 35, 136, 46, 47, 62 (and 197), 85, 91, and 118.

SUPREME COURT OF THE UNITED STATES

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

Marvin T. Johnson, of Phoenix, Ariz.; J. P. Shaw, of Tucson, Ariz.; Emmett C. Angland, of Great Falls, Mont.; James J. Lewis, of Chicago, Ill.; Brunswick G. Deutsch, of New Orleans, La.; George Elton Sims, Jr., of Atlanta, Ga.; Louis Joshua Hurwitz, of New York, N. Y.; John D. Martin, Jr., of Memphis, Tenn.; John Robinson Wilkins, of Washington, D. C.; Joseph T. Maioriello, of Philadelphia, Pa.; Albert M. Felix, of Hilo, T. H.; Paul P. Watkins, of Atlanta, Ga.; Alan N. Brown, of Detroit, Mich.; Benjamin H. Dorsey, of Washington, D. C.; Marjorie M. Shostak, of Los Angeles, Calif.; and Henry Mack, of Fort Worth, Tex., were admitted to practice.

No. 11. The United States, petitioner, *v.* Martin Wunderlich, et al. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Reed concurs. Dissenting opinion by Mr. Justice Jackson.

No. 18. Peter Alfons Bindezyck, petitioner, *v.* Thomas G. Finucane, Individually and as Chairman of the Board of Immigration Appeals, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the Court of Appeals reversed and that of the District Court reinstated. The case is remanded to the United States District Court for the District of Columbia. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton joins. Mr. Justice Clark and Mr. Justice Minton took no part in the consideration or decision of this case.

No. 94. Agapita Gallegos, petitioner, *v.* State of Nebraska. On writ of certiorari to the Supreme Court of the State of Nebraska. Judgment affirmed. Mr. Justice Reed announced the judgment of the Court and an opinion in which the Chief Justice, Mr. Justice Burton, and Mr. Justice Clark join. Concurring opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins. Dissenting opin-

ion by Mr. Justice Black in which Mr. Justice Douglas joins. Mr. Justice Minton took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 80. Edward J. Keenan, petitioner, *v.* C. J. Burke, Warden, New Eastern State Penitentiary;

No. 81. Walter Jankowski, petitioner, *v.* Cornelius J. Burke, Warden, New Eastern State Penitentiary, etc.; and

No. 82. Orville Foulke, petitioner, *v.* C. J. Burke, Warden, New Eastern State Penitentiary, etc. On writs of certiorari to the Supreme Court of Pennsylvania. *Per Curiam*: The judgments are reversed. *Townsend v. Burke*, 334 U. S. 736. Dissenting memorandum filed by Mr. Justice Minton.

No. 346. State of New York and the Public Service Commission of the State of New York, appellants, *v.* The United States of America, Interstate Commerce Commission and the New York, New Haven and Hartford Railroad Company. Appeal from the United States District Court for the Northern District of New York. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Black dissents to the action of the Court disposing of the case without oral argument. Dissenting memorandum filed by Mr. Justice Douglas.

No. 403. Local 333 B, United Marine Division of International Longshoremen's Association (A.F.L.) an Unincorporated Association, etc., appellant, *v.* Hon. John S. Battle, as Governor of the Commonwealth of Virginia. Appeal from the United States District Court for the Eastern District of Virginia. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 376. John K. Hess and William E. Rose, appellants, *v.* The People of the State of California. Appeal from the District Court of Appeal of the State of California, Second Appellate District. *Per Curiam*: The motion to dispense with printing the jurisdictional statement is granted. The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 418. Myron Weberman, appellant, *v.* Rose Auster; and

No. 419. Aaron Donner, Zalman Blesofsky and Aaron M. Aber, appellants, *v.* The People of the State of New York on the Complaint of Abraham D. Silverman. Appeals from the Court of Appeals for New York. *Per Curiam*: The appeals are dismissed for the want of a substantial federal question. Mr. Justice Black and Mr. Justice Douglas are of the opinion probable jurisdiction should be noted.

The Chief Justice said:

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

No. 6. Original. The United States of America, plaintiff, *v.* The State of California. An order is entered awarding compensation to the Special Master and allowing his expenses to which Mr. Justice Douglas dissents. Mr. Justice Clark took no part in the consideration or decision of this question.

No. 331. Julian N. Frisbie, Warden, State Prison of Southern Michigan, Jackson, Michigan, petitioner, *v.* Shirley Collins. The motion of the respondent for leave to proceed in forma pauperis is granted.

No. 361. Armand Edward Blackmar, petitioner, *v.* L. F. Guerre, Manager, Veterans' Administration, Regional Office No. 3021, New Orleans, Louisiana, 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. 249. National Labor Relations Board, petitioner, *v.* Illinois Bell Telephone Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 310. E. M. Watson, petitioner, *v.* L. G. Suddoth. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 341. State of California, Harry Theodore Petersen, Ida Petersen, et al., etc., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 351. James M. Roberts and Evalina L. Roberts, 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. 355. The Panama Coca-Cola Bottling Company, petitioner, *v.* Peggy Ruth Carmack and Ralph E. Carmack. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 356. John Jones, an Infant, by his Guardian Ad Litem Joseph Jones, et al., petitioners, *v.* St. Mary's Roman Catholic Church, Operating Under the Style and Name of St. Mary's Roman Catholic School (Grammar). Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 358. O. A. Kyle, petitioner, *v.* H. C. Jones, Collector of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 359. Grede Foundries, Inc., Iron Mountain Division, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 360. Nathan Katz, Individually and Suing on behalf of Himself and all other Common Stockholders of R. Hoe and Co., Inc., Similarly Situated, petitioner, *v.* R. Hoe and Co., Inc., et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, denied.

No. 363. Charles R. King, Special Administrator of the Estate of Thomas C. Carroll, deceased, petitioner, *v.* Nicholson Transit Company. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 367. ACF-Brill Motors 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. 369. James Warfield et al., petitioners, *v.* H. M. Marks et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 377. Samuel M. Levy, petitioner, *v.* Lewis M. Dabney, Jr., as Trustee of Associated Gas and Electric Company, Debtor, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 378. Universal Equipment Company, a Delaware Corporation, petitioner, *v.* Harvey Corporation, a Florida Corporation. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 380. William J. Pfister, J. F. Rider, and William Huey, petitioners, *v.* Cow Gulch Oil Company, a Wyoming Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 381. Muriel F. McCarty et al., by Muriel F. McCarty, Guardian Ad Litem, petitioners, *v.* R. R. Nelson, Administrator of the Estate of Albie C. Sansbury et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 406. Ford Motor Company, a Delaware Corporation, petitioner, *v.* Margaret Bennett Pierce and Mary Bailey Mahone, Third-party Defendant, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 174. James T. Haines, petitioner, *v.* The United States of America. Motion to dispense with printing the record granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 288. Charles Mullen, petitioner, *v. Fitz Simons and Connell Dredge and Dock Co.* Motion to dispense with printing the petition and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 353. Percy F. Hicks, petitioner, *v. Debardelehen Coal Corporation, doing business as Coyle Lines, Inc.* Motion to dispense with printing the petition and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 148. Remington Rand, Inc., petitioner, *v. Societe Internationale pour Participations Industrielles et Commerciales, S. A., etc., et al.; and*

No. 277. *In re John W. Carter.* The petitions for rehearing are denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 99. Obie Fauster Hunter et al., petitioners, *v. C. D. Shepherd et al.;*

No. 137. Jack Bazzell, petitioner, *v. The United States of America;*

No. 199. Bruno A. Koehler and Hugo W. Ackermann, petitioners, *v. The United States of America;*

No. 205. Herman Weinmann, appellant, *v. J. Howard McGrath, Attorney General of the United States, as Successor to the Alien Property Custodian, et al.;*

No. 237. A. Brigham Rose and Zelletta Rose Lori, Ltd., Incorporated, et al., petitioners, *v. Commissioner of Internal Revenue;*

No. 283. George B. Franklin, Sr., and George B. Franklin, Jr., appellants, *v. The Board of Commissioners of the Tensas Basin Levee District;*

No. 50, Misc. Stanley D. Lawson, petitioner, *v. C. J. Shuttleworth, Warden, Federal Correctional Institution;*

No. 115, Misc. Mary M. Riley, petitioner, *v. George F. Titus et al.;* and

No. 131. Misc. M. Fitzallen Pridgen, petitioner, *v. Paul Bubella et al.* Petitions for rehearing in these cases are severally denied.

No. 32, Misc. T. J. Hamilton, petitioner, *v. Commonwealth of Virginia.* Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 143, Misc. Wallace A. H. Wochnick, petitioner, *v. The People of the State of California.* Petition for writ of certiorari to the District Court of Appeal of the State of California, Second Appellate District, denied.

No. 169, Misc. Sadye Forman, petitioner, *v. Louis E. Wolfson.* Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 178, Misc. I. H. Spears, petitioner, *v.* George A. Sutton et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 179, Misc. Earl Eddins, petitioner, *v.* State of West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals for West Virginia denied.

No. 181, Misc. Earl Riggs, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Penitentiary. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 186, Misc. Richard B. Hamilton, petitioner, *v.* Clinton T. Duffy, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 187, Misc. Lester Sparks, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 188, Misc. Bud Lilly, petitioner, *v.* Robert A. Heinze, Warden. Motion for leave to file petition for writ of habeas corpus denied.

No. 1. Georgia Railroad and Banking Company, appellant, *v.* Charles D. Redwine, State Revenue Commissioner. Reargued by Mr. Furman Smith for the appellant and Mr. M. H. Blackshear, Jr., for the appellee.

No. 35. Frank Carlson, Miriam Christine Stevenson, David Hyun and Harry Carlisle, petitioners, *v.* Herman R. Landon, District Director of Immigration and Naturalization Service, United States Department of Justice. Argued by Mr. John T. McTernan for the petitioners and Mr. John F. Davis for the respondent.

No. 136. James W. Butterfield, Director of the Immigration and Naturalization Service, etc., petitioner, *v.* John Zydok. Argued by Mr. John F. Davis for the petitioner and Mrs. Carol King for the respondent.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, November 27, will be as follows: Nos. 46, 47, 62, (and 197), 85, 91, 118, 165, 169, 204, and 173.

SUPREME COURT OF THE UNITED STATES

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

Walter D. Van Riper, of Newark, N. J.; James F. Gardner, of San Antonio, Tex.; Victor S. Peters, of Chicago, Ill.; Scott G. Rigby, of Washington, D. C.; Carl R. Greimel, of Washington, D. C.; Richard B. Berryman, of Washington, D. C.; Mary A. Di Dio, of Detroit, Mich.; Beryl Harold Levy, of New York, N. Y.; Garrett Fuller, of Washington, D. C.; and John Grimball, of Columbia, S. C., were admitted to practice.

No. 46. The United States of America, petitioner, *v.* Mrs. Lucy Jordan et al. Argued by Mr. Roger P. Marquis for the petitioner and by Mr. John D. Martin, Jr., for the respondents.

No. 47. The United States of America, petitioner, *v.* Samuel M. Shannon, Patti A. Shannon, and W. L. Shannon. Argued by Mr. Roger P. Marquis for the petitioner and by Mr. John Grimball for the respondents.

No. 62. Halcyon Lines and Vinke and Company, petitioners, *v.* Haenn Ship Ceiling and Refitting Corporation; and

No. 197. Haenn Ship Ceiling and Refitting Corporation, petitioner, *v.* Halcyon Lines and Vinke and Company. Argued by Mr. Joseph W. Henderson for Halcyon Lines et al., and Mr. Thomas E. Byrne, Jr., for Haenn Ship Ceiling and Refitting Corporation.

No. 85. Idonah Slade Perkins, petitioner, *v.* Benquet Consolidated Mining Company, an Alien Business Association known as Sociedad Anonima et al. Argument commenced by Mr. Robert N. Gorman for the petitioner.

Adjourned until tomorrow, at 12 o'clock.

The day call for Wednesday, November 28, will be as follows: Nos. 85, 91, 118, 165, 169, 204, 173, 209, 180, and 158.

×

SUPREME COURT OF THE UNITED STATES

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

Manuel Ruiz, Jr., of Los Angeles, Calif.; Harry S. Flynn, of Pittsburgh, Pa.; Howard G. Eley, of Greenville, Ohio; Theodore H. Burgess, of Cleveland, Ohio; Allerton de Cormis Tompkins, of New York, N. Y.; and Albert I. Zemel, of Chicago, Ill., were admitted to practice.

No. 85. Idonah Slade Perkins, petitioner, *v.* Benquet Consolidated Mining Company, an Alien Business Association known as Sociedad Anonima, et al. Argument continued by Mr. Robert N. Gorman for the petitioner and by Mr. Lucien H. Mercier for the respondents and concluded by Mr. Robert N. Gorman for the petitioner.

No. 91. The United States of America, appellant, *v.* Perry Halseth. Argued by Mr. John R. Benney for the appellant and by Mr. Horace J. Donnelly, Jr., for the appellee.

No. 118. Joseph Beauharnais, petitioner, *v.* The People of the State of Illinois. Argued by Mr. Alfred A. Albert for the petitioner, and by Mr. William C. Wines for the respondent. Leave granted petitioner to file reply brief within one week.

No. 165. Norman H. Buck and Miguel R. Guerra, appellants, *v.* The People of the State of California. Argument commenced by Mr. Manuel Ruiz, Jr., for the appellants.

Adjourned until tomorrow, at 12 o'clock.

The day call for Thursday, November 29, will be as follows: Nos. 165, 169, 204, 173, 209, 180, 158, 195, 253, and 374.

×

SUPREME COURT OF THE UNITED STATES

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

Seymour Weil, of New York, N. Y.; Norman S. Howell, of Kansas City, Mo.; C. Lysle Smith, of Chicago, Ill.; and John Alden Powers, of Chicago, Ill., were admitted to practice.

No. 165. Norman H. Buck and Miguel R. Guerra, appellants, *v.* The People of the State of California. Argument continued by Mr. Duane J. Carnes for the appellee and concluded by Mr. Manuel Ruiz, Jr., for the appellants.

No. 169. J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian, petitioner, *v.* Kaku Nagano. Argued by Mr. James D. Hill for the petitioner and by Mr. Edward R. Johnston for the respondent.

No. 204. Richard Guessefeldt, petitioner, *v.* J. Howard McGrath, as Successor to the Alien Property Custodian, et al. Argued by Mr. William W. Barron for the petitioner and by Mr. James D. Hill for the respondents.

No. 173. Joseph T. Lykes, petitioner, *v.* The United States of America. Argument commenced by Mr. George W. Ericksen for the petitioner and continued by Mr. Harry Baum for the respondent.

Adjourned until tomorrow, at 12 o'clock.

The day call for Friday, November 30, will be as follows: Nos. 173, 209, 180, 158, 195, 253, 374, 167, 20, and 162.

×

SUPREME COURT OF THE UNITED STATES

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

H. Armistead Boyd, of Richmond, Va.; Jack Newton Herod, of Richmond, Va.; Richard D. Drain, of Washington, D. C.; Ira H. Morris, of Rochester, N. Y.; Herbert R. Silvers, of Washington, D. C.; and Archie L. Walters, of Burbank, Calif., were admitted to practice.

No. 173. Joseph T. Lykes, petitioner, *v.* The United States of America. Argument concluded by Mr. Harry Baum for the respondent.

No. 209. The United States, petitioner, *v.* John Stuart Kelly et al. Argued by Mr. Saul R. Gamer for the petitioner and by Mr. Henry J. Fox for the respondents.

No. 180. Kerotest Manufacturing Company, petitioner, *v.* C-O-Two Fire Equipment Company. Argued by Mr. Walter J. Blenko for the petitioner and by Mr. R. Morton Adams for the respondent.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, December 3, will be as follows: Nos. 143, 158, 195, 253, 374, 167, 20, 162, 206 (43 and 264), and 186 (and 187).

×

SUPREME COURT OF THE UNITED STATES

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

Harold D. Koffsky, of Washington, D. C.; William E. Foley, of Danbury, Conn.; Nathan B. Lenvin, of Arlington, Va.; A. Robert Ginsburgh, of Arlington, Va.; Leonard M. Campbell, of Denver, Colo.; Ennis McCall, of Newton, Iowa; Joseph Halpern, of Somerville, N. J.; Alexander Sacks, of New York, N. Y.; Charles R. Judge, of St. Louis, Mo.; Arthur Attwood, of Trenton, N. J.; and Clarence Clifton, Memphis, Tenn., were admitted to practice.

No. 30. Florence J. M. Cook, petitioner, *v.* Arthur W. Cook. On writ of certiorari to the Supreme Court of the State of Vermont. Judgment reversed with costs and cause remanded to the Supreme Court of Vermont for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Burton concurs in the result. Dissenting opinion by Mr. Justice Frankfurter.

No. 2. George Stefanelli, Jerry Malanga, Joseph Maglione, and Frank D'Innocenzio, petitioners, *v.* Duane E. Minard, Jr., Prosecutor for Essex County, N. J., et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgments affirmed with costs and case remanded to the United States District Court for the District of New Jersey. Opinion by Mr. Justice Frankfurter. Mr. Justice Black and Mr. Justice Clark concur in the result. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 95. Talbot Jennings, petitioner, *v.* The State of Illinois;
 No. 96. Arthur La Frana, petitioner, *v.* The State of Illinois; and
 No. 375. Julius Bernard Sherman, petitioner, *v.* The State of Illinois. On writs of certiorari to the Supreme Court of the State of Illinois. Judgments vacated and cases remanded to the Supreme Court of Illinois for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Minton. Dissenting opinion by Mr. Justice Frankfurter.

The Chief Justice announced the following orders of the Court:

No. 398. Horsman Dolls, Inc., appellant, *v.* Unemployment Compensation Commission of New Jersey. Appeal from and on petition

for writ of certiorari to the Supreme Court of New Jersey. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction, 28 U. S. C., Sec. 1257 (2). The petition for writ of certiorari denied.

No. 410. The Interstate Commerce Commission, Baltimore & Ohio Railroad Company, et al., appellants, *v.* The New York Central Railroad Company et al. Appeal from the United States District Court for the District of Massachusetts. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Black and Mr. Justice Reed dissent from the action of the Court in affirming without oral argument.

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. 331. Julian N. Frisbie, Warden, State Prison of Southern Michigan, Jackson, Michigan, petitioner, *v.* Shirley Collins. It is ordered that A. Stewart Kerr, Esquire, of Detroit, Michigan, be appointed to serve as counsel for the respondent in this case.

No. 426. The United States of America, appellant, *v.* Clarence E. Hood, Jr., Frank F. Mize, Bascom C. Beasley, et al. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 379. Ralph Casey, George La Clair, and Edward Plesa, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 159, Misc. Ex Parte Gene Mitchell Gray, Lincoln Anderson Blakeney, Joseph Hutch Patterson, and Jack Alexander, petitioners. This cause is set for hearing on the return to the rule to show cause. It is assigned for argument immediately following No. 120 and both cases are transferred to the summary docket.

No. 370. The United States, petitioner, *v.* Branch Banking and Trust company et al. Petition for writ of certiorari to the United States Court of Claims denied.

No. 383. Douglas Hotel Company, a Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 385. John J. McGirl and George Furst, Trustees of Solar Manufacturing Corporation, petitioners, *v.* Ben Mintz and Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 399. Coston Supply Company, Rudman and Scofield, Inc., Durkee Company, Inc., petitioners, *v.* Alejandro Pabellon and Grace Line, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 402. Honorable Paul Leahy, Chief Judge of the United States District Court for the District of Delaware and National Can Corporation, petitioners, *v.* The Canister Company and the Canister Company, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 382. Ambrose P. McCoy et al., petitioners, *v.* Providence Journal Company et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 440. Dashiell Hammett and Alphaeus W. Hunton, petitioners, *v.* The United States of America; and

No. 441. Frederick B. Field, petitioner, *v.* The United States of America. Petitions for writs 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. 656, October Term, 1950. Frederick E. Anderson, petitioner, *v.* Commissioner of Internal Revenue. Motion for leave to file a second petition for rehearing denied.

No. 128. Robert Risberg, petitioner, *v.* Duluth, Missabe and Iron Range Railway Company, a Corporation. Motion for leave to file brief of Warehouse Employees Union, Local 169, et al., as amici curiae denied. Petition for rehearing denied.

No. 256. Frank B. Killian and Company, petitioners, *v.* Allied Latex Corporation and Howard G. Strauss;

No. 257. Youngs Rubber Corporation, petitioner, *v.* Allied Latex Corporation;

No. 266. Edith O. Maske, petitioner, *v.* Washington, Marlboro and Annapolis Motor Lines, Inc. (also known as W. M. and A. Motor Lines, Inc.); and

No. 340. Julius Hyman and Company, Julius Hyman, Individually and as President and Director of Julius Hyman and Company, et al., petitioners, *v.* Velsicol Corporation. Petitions for rehearing in these cases are severally denied.

No. 167, Misc. Bernice Davis, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 192, Misc. Raul De Leon, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 196, Misc. James Earnest Coker, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of the State of California, Third Appellate District denied.

No. 197, Misc. Lawrence Janiec, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 199, Misc. James McBride, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 210, Misc. Nathaniel I. Becker, petitioner, *v.* State of New York. Petition for writ of certiorari to Court of Appeals of New York denied.

No. 213, Misc. Leroy Switzer, petitioner, *v.* Circuit Court of McDonough County, Illinois, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 191, Misc. James Nels Ekberg, petitioner, *v.* Richard A. McGee, Director, California Department of Corrections, et al. Motion for leave to file petition for writ of habeas corpus denied.

No. 202, Misc. Grant F. Casey, petitioner, *v.* Supreme Court of Indiana, etc. Motion for leave to file petition for writ of mandamus denied.

No. 208, Misc. William B. Herzka, petitioner, *v.* People of the State of New York. Application denied.

No. 212, Misc. William E. Howell, petitioner, *v.* Herbert H. Hann, Warden, etc. Motion for leave to file petition for writ of habeas corpus denied.

No. 6, Original. The United States of America, plaintiff, *v.* The State of California. The order of February 12, 1949, appointing William H. Davis, Esquire, of New York City, Special Master herein, is continued and he is directed to conduct hearings and to submit to this Court with all convenient speed his recommended answers to the following questions, with a view to securing from this Court an order for his further guidance in applying the proper principles of law to the seven coastal segments enumerated in Groups I and II of the Master's Report of May 31, 1949, ordered filed June 27, 1949, pp. 1 and 2 of said Report:

Question 1.—What is the status (inland waters or open sea) of particular channels and other water areas between the mainland and offshore islands, and, if inland waters, then by what criteria are the inland water limits of any such channel or other water area to be determined?

Question 2.—Are particular segments in fact bays or harbors constituting inland waters and from what landmarks are the lines mark-

ing the seaward limits of bays, harbors, rivers, and other inland waters to be drawn?

Question 3.—By what criteria is the ordinary low water mark on the coast of California to be ascertained?

In holding hearings, the master is authorized to exclude such evidence as he may deem immaterial or unduly cumulative in arriving at his recommendations. Each party may make proffer or any part of such excluded evidence in written form to this Court. Excluded evidence so proffered shall accompany the record of proceedings upon which the Master acted, but shall not be a part of that record.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this question.

Mr. Justice Black is of the opinion that the case should be set for argument with a view to narrowing and making more precise the issues upon which evidence is to be heard.

The Court will take a recess from Monday, December 10, until Wednesday, January 2, 1952.

No. 143. Verna Leib Sutton, petitioner, *v.* R. Wells Leib. Submitted by Mr. John Alan Appleman and Mr. Edward D. Bolton for the petitioner and Mr. Arthur M. Fitzgerald for the respondent.

No. 158. Thomas B. Lilly and Helen W. Lilly, petitioners, *v.* Commissioner of Internal Revenue. Argued by Mr. Randolph E. Paul for the petitioners and Mr. Solicitor General Perlman for the respondent.

No. 195. James Rutkin, petitioner, *v.* The United States of America. Argued by Mr. Jack L. Cohen for the petitioner and by Mr. Irving I. Axelrad for the respondent.

No. 253. Memphis Steam Laundry Cleaner, Inc., appellant, *v.* A. H. Stone, Chairman, State Tax Commission of the State of Mississippi. Argued by Mr. C. E. Clifton for the appellant and submitted by Mr. J. H. Sumrall for the appellee.

No. 374. John F. Dice, petitioner, *v.* The Akron, Canton and Youngstown Railroad Company. Argument commenced by Mr. Rice A. Hershey for the petitioner.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, December 4, will be as follows: Nos. 374, 167, 20, 162, 206 (43 and 264), 186 (and 187), 229, 231, and 280.

SUPREME COURT OF THE UNITED STATES

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

Jackson E. Betts, of Findlay, Ohio; William C. Blind, of New York, N. Y.; and Allison B. Humphreys, Jr., of Lebanon, Tenn., were admitted to practice.

No. 374. John F. Dice, petitioner, *v.* The Akron, Canton and Youngstown Railroad Company. Argument continued by Mr. Rice A. Hershey for the petitioner and concluded by Mr. William A. Kelly for the respondent.

No. 167. Boyce Motor Lines, Inc., petitioner, *v.* The United States of America. Argued by Mr. Archie O. Dawson for the petitioner and by Mr. Robert W. Ginnane for the respondent.

No. 20. The United States of America, appellant, *v.* Louise Virginia Smith; and

No. 162. The United States of America, appellant, *v.* Arnold L. Dailey. Argued by Mr. Robert S. Erdahl for the United States and Mr. Bernard Margolius for the appellee in No. 162. No appearance for appellee in No. 20.

Adjourned until tomorrow, at 12 o'clock.

The day call for Wednesday, December 5, will be as follows: Nos. 206 (43 and 264), 186 (and 187), 229, 231, and 280.

×

SUPREME COURT OF THE UNITED STATES

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

William J. O'Brien, Jr., of Chicago, Ill.; Joseph Floyd Atchison, of Fremont, Mich.; Solon B. Kemon, of Washington, D. C.; Allan Brotsky, of San Francisco, Calif.; Manley B. Strayer, of Portland, Oreg.; Harold A. Friedman, of Schenectady, N. Y.; Edw. R. Kay, of San Francisco, Calif.; Joseph R. Grillo, of South Gate, Calif.; and Sherman S. Cohen, of Rochester, N. Y., were admitted to practice.

No. 206. Luigi Mascitti, appellant, *v.* J. Howard McGrath, Attorney General of the United States;

No. 43. Peter Harisiades, petitioner, *v.* Edward J. Shaughnessy, District Director of Immigration and Naturalization of the Port of New York; and

No. 264. Dora Coleman, appellant, *v.* J. Howard McGrath, Attorney General of the United States, and A. R. Mackey, acting Commissioner of Immigration and Naturalization. Argued by Mr. Jack Wasserman for the appellant in No. 206; by Mr. Richard F. Watt for the petitioner in No. 43; by Mr. Robert L. Stern for the appellees in Nos. 206 and 264 and respondent in No. 43; and by Mr. David Rein for the appellant in No. 264.

No. 186. Sam K. Carson, Commissioner of Finance and Taxation for the State of Tennessee, petitioner, *v.* Roane-Anderson Company et al.; and

No. 187. Sam K. Carson, Commissioner of Finance and Taxation for the State of Tennessee, petitioner, *v.* Carbide and Carbon Chemicals Corporation, et al. Argued by Mr. Allison B. Humphreys, Jr., for the petitioner; by Mr. Oscar H. Davis for the Intervenor-respondent and submitted by Mr. S. Frank Fowler for the respondents.

Adjourned until tomorrow, at 12 o'clock.

The day call for Thursday, December 6, will be as follows: Nos. 229, 231, and 280.

SUPREME COURT OF THE UNITED STATES

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

Henry T. Powell, of Washington, D. C.; Robert J. Fay, of Cleveland, Ohio; Thomas Reuben Bell, of Sylacauga, Ala.; Charles Wolff, of Chicago, Ill.; Roscoe G. Sappenfield, of Geneva, Ill.; Louis G. Davidson, of Chicago, Ill.; George D. Sullivan, Jr., of Chicago, Ill.; and Wilbert George Schwer, of Sandusky, Ohio, were admitted to practice.

No. 229. Warren H. Pillsbury and Albert J. Cyr, Deputy Commissioners for the Thirteenth Compensation District, etc., petitioners, *v.* United Engineering Company, a Corporation, Firemen's Fund Insurance Company et al. Argued by Mr. Samuel D. Slade for the petitioners and by Mr. Edward R. Kay for the respondent.

No. 231. Anna Desper, Administratrix of the Estate of Thomas J. Desper, Jr., deceased, petitioner, *v.* Starved Rock Ferry Company, a Corporation. Argued by Mr. Joseph D. Ryan for the petitioner and by Mr. Charles T. Shanner for the respondent.

No. 280. International Longshoremen's and Warehousemen's Union et al., petitioners, *v.* Juneau Spruce Corporation. Argued by Mr. Richard Gladstein and Mr. Allan Brotsky for the petitioners and Mr. Manley B. Strayer for the respondent.

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

×

SUPREME COURT OF THE UNITED STATES

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

The Chief Justice said:

"Mrs. Black, wife of MR. JUSTICE BLACK, died on Friday last.

"Josephine Foster Black was a sweet and gracious lady—every day of her life. She combined the friendliness and warmth of the South with the stern discipline of the Scotch Presbyterian faith. She carried herself with dignity and brought to Washington a tolerance and understanding that made her universally beloved. She walked as a lady in the most elegant of drawing rooms and in the most humble of homes.

"Her consuming interest was her family, and yet she found time for many diverse activities outside the home. As a Gray Lady during the war years, she brought comfort and sympathy to the sick and wounded. In community causes, she was always found aiding the under-privileged. The oppressed of all races and religions knew her instinctively as a friend. Yet in spite of her wide interests and activities, she found time in recent years to develop her talents as a painter. Her works of art are receiving wider and wider recognition and reaching an ever-increasing audience.

"Whatever her expression—whether as mother, wife, hostess, artist, friend—it was always friendly and gentle. She showed by her life the great richness of love.

"As a mark of our sorrow and affection for our brother, MR. JUSTICE BLACK, and his family, and our respect and affection for Mrs. Black, the Court will transact no business today, will attend the funeral services in a body, and will adjourn until tomorrow."

Adjourned until tomorrow, at 12 o'clock.

×

SUPREME COURT OF THE UNITED STATES

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

Nathan Grossgold, of New York, N. Y.; Michael V. DiSalle, of Toledo, Ohio; Bennett B. Patterson, of Houston, Tex.; Don C. Miller, of Cleveland, Ohio; Wilbur V. Hamm, of Port Huron, Mich.; Joseph A. Covington, of Meridian, Miss.; J. Thomas Dunn, of Meridian, Miss.; Joseph B. Walker, of Allentown, Pa.; Ralph H. Griesemer, of Allentown, Pa.; Wesley Byron Bryant, of San Francisco, Calif.; Frederick Travers, of New York, N. Y.; Henry L. Burkitt, of New York, N. Y.; Seymour Graubard, of New York, N. Y.; Irving Moskowitz, of Scarsdale, N. Y.; Milton M. Gottesman, of Washington, D. C.; Helen F. Humphrey, of New York, N. Y.; Bert Bookham Meek, Jr., of San Francisco, Calif.; and John Palmer Fishwick, of Salem, Va., were admitted to practice.

No. 26. The Lorain Journal Company, Samuel A. Horwitz, Isadore Horwitz, et al., appellants, *v.* The United States of America. Appeal from the United States District Court for the Northern District of Ohio. Judgment affirmed. Opinion by Mr. Justice Burton. Mr. Justice Clark and Mr. Justice Minton took no part in the consideration or decision of this case.

No. 38. Dominic Palmer, petitioner, *v.* Stanley P. Ashe, Warden, Western State Penitentiary, Pittsburgh, Pennsylvania. On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania. Judgment reversed with costs and cause remanded to the Supreme Court of Pennsylvania for further action not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black announced by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Minton in which the Chief Justice, Mr. Justice Reed, and Mr. Justice Jackson join.

No. 14. The United States of America, petitioner, *v.* Robert Forrier, et al. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed and cause remanded to the United States District Court for the District of New Hampshire. Opinion, *per curiam*, announced by Mr. Chief Justice Vinson. Mr. Justice Minton took no part in the consideration or decision of this case.

71, Misc. Ex parte Valerie Cogdell et al., petitioners. On petition for writ of mandamus. Cause continued. Opinion, *per curiam*, announced by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Douglas.

The Chief Justice said:

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

No. 224. Public Utilities Commission of the District of Columbia, Capital Transit Company, et al., petitioners *v.* Franklin S. Pollak and Guy Martin; and

No. 295. Franklin S. Pollak and Guy Martin, petitioners, *v.* Public Utilities Commission of the District of Columbia, Capital Transit Company and Washington Transit Radio, Inc. Motion for leave to file brief of Radio Cincinnati, Inc., et al., as amici curiae denied.

No. 317. Day-Brite Lighting, Inc., appellant, *v.* State of Missouri. Motion to transfer this case from summary docket denied.

No. 387. William Walter Remington, petitioner, *v.* The United States of America. Motion of respondent for leave to apply to the District Court for leave to dismiss indictment denied.

No. 431. Tessim Zorach and Esta Gluck, appellants, *v.* Andrew G. Clauson, Jr., et al., constituting the Board of Education of the City of New York et al. In this case probable jurisdiction is noted and case is assigned for argument immediately following No. 9.

No. 388. Leroy J. Robertson, petitioner, *v.* The 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.

No. 183. Sidney Gandelman, petitioner, *v.* The Mercantile Insurance Company of America and the Reliance Insurance Company of Philadelphia. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 293. The United States of America, petitioner, *v.* Lance, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 294. The United States of America, petitioner, *v.* Lovknit Manufacturing Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 335. Rev. I. C. Peay, B. F. Bourn, Rev. J. H. Mays, et al., petitioners, *v.* L. M. Cox. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 357. The United States, petitioner, *v.* The Osage Nation of Indians. Petition for writ of certiorari to the United States Court of Claims denied.

No. 304. Frank Campbell Littleton, Farmer-Debtor, petitioner, *v.* Thomas N. DeLashmutt. Motion to substitute Joseph J. Mathy, Executor of the Estate of Frank Campbell Littleton, as the party petitioner in the place and stead of Frank Campbell Littleton, deceased, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 323. The Crummer Company and R. E. Crummer and Company, petitioners, *v.* The Honorable William J. Barker, Judge of the United States District Court for the Southern District of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 386. Thomas Ryan, Louis Aiges, Leon Alheim, et al., petitioners, *v.* Joseph Simons, as President of Newspaper and Mail Deliverers' Union of New York and Vicinity, etc., et al. Motion to dispense with printing the record and certification thereof granted. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 390. Royal M. Broady, petitioner, *v.* Illinois Central Railroad Company. 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. 393. J. B. Wilson et al., petitioners, *v.* Wade Kitchens. Motion to substitute Roy M. Bird, Executor of the Estate of Maud Bird, and James M. Bird, as party petitioners in the place and stead of Maud Bird, deceased, granted. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 155, October Term, 1950. Milton Roe Sabin and Bertha Florence Sabin, petitioners, *v.* A. I. Levorsen; and

No. 156, October Term, 1950. Milton Roe Sabin and Bertha Florence Sabin, petitioners, *v.* The Midland Savings and Loan Company. Motions for leave to file second petitions for rehearing denied.

No. 17. Thomas P. McMahan, petitioner, *v.* The United States of America and United States Maritime Commission;

No. 303. John Donald Walker, petitioner, *v.* The United States of America;

No. 313. Theodore D. Lewis, petitioner, *v.* The United States of America;

No. 338. The Carter Oil Company, petitioner, *v.* T. H. McCasland, N. W. Brillhart, Glenn Norville, et al.;

No. 30, Misc. Nell Sanders Aspero, petitioner, *v.* Memphis and Shelby County Bar Assn.;

No. 37, Misc. James M. Smith, petitioner, *v.* The United States of America et al.;

No. 81, Misc. Gene Nero, petitioner, *v.* The United States of America; and

No. 141, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney et al. Petitions for rehearing in these cases severally denied.

No. 144, Misc. C. W. Price, petitioner, *v.* John R. Cranor, Superintendent of Washington State Penitentiary. Petition dated November 11, 1951, denied.

No. 42, Misc. John Henry Dauer, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 147, Misc. Charles Walker Kimler, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 182, Miss. Francis Monaghan, petitioner, *v.* Cornelius J. Burke, Warden, Eastern State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 195, Misc. James Meiner, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 200, Misc. Raymond McDermitt, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 206, Misc. Inzion Henderson, petitioner, *v.* State of Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 222, Misc. Jerome S. Hanson, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 225, Misc. Frank D. Mattison, petitioner, *v.* Dr. John W. Claudy, Warden, etc., et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 214, Misc. Joseph Calhoun, petitioner, *v.* Browning Robinson, Warden. Motion for leave to file petition for writ of habeas corpus denied.

Adjourned until Wednesday, January 2, 1952, at 12 o'clock.

The day call for Wednesday, January 2, will be as follows: Nos. 172, 178, 305, 8, 184, 19, 275, 86, 329, and 349.

SUPREME COURT OF THE UNITED STATES

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

Rebecca Manning Cutler, of New York, N. Y., on motion of Mr. Clarence E. Dawson; Rufus S. Day, Jr., of Cleveland, Ohio, on motion of Mr. Isador Grossman; William Stanley, Jr., of Washington, D. C., on motion of Mr. Donald Hiss; Michael Bibko, Jr., of Bayonne, N. J., on motion of Mr. Jackson Brodsky; and David Lafayette Mincey, of Macon, Ga., on motion of Mr. Edward J. Ennis, were admitted to practice.

No. 209. The United States, petitioner, *v.* John Stuart Kelly et al. On writ of certiorari to the United States Court of Claims. Judgment affirmed. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Reed in which the Chief Justice and Mr. Justice Black join.

No. 229. Warren H. Pillsbury and Albert J. Cyr, Deputy Commissioners for the Thirteenth Compensation District, etc., petitioners, *v.* United Engineering Company, a Corporation, Firemen's Fund Insurance Company, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgments affirmed and cases remanded to the United States District Court for the Northern District of California. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Black and Mr. Justice Douglas concur.

No. 231. Anna Desper, Administratrix of the Estate of Thomas J. Desper, Jr., Deceased, petitioner, *v.* Starved Rock Ferry Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Northern District of Illinois. Opinion by Mr. Justice Jackson. Dissenting: Mr. Justice Black and Mr. Justice Douglas.

No. 83. Antonio Richard Rochin, petitioner, *v.* People of the State of California. On writ of certiorari to the District Court of Appeal for the Second Appellate District of the State of California. Judgment reversed with costs and case remanded to the District Court of Appeal of California for the Second Appellate District for proceedings not inconsistent with the opinion of this Court. Opinion by Mr.

Justice Frankfurter. Concurring opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Douglas. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 180. Kerotest Manufacturing Company, petitioner, *v.* C-O-Two Fire Equipment Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the District of Delaware. Opinion by Mr. Justice Frankfurter. Dissenting: The Chief Justice and Mr. Justice Black.

The Chief Justice announced the following orders of the Court:

No. 421. Dean Acheson, as Secretary of State, appellant, *v.* Kiyokuro Okimura. Appeal from the United States District Court for the District of Hawaii. *Per Curiam*: The judgment is vacated and the case is remanded to the District Court for specific findings as to the circumstances attending appellee's service in the Japanese Army and voting in the Japanese elections and the reasonable inferences to be drawn therefrom. Mr. Justice Black is of the opinion the judgment should be affirmed. Mr. Justice Douglas, being of the view that the findings are adequate to show that the services of appellee to Japan were rendered under the compulsion of military and other sanctions, evidenced in some instances by physical beatings, dissents to vacation and remand.

No. 422. Dean Acheson, as Secretary of State, appellant, *v.* Hisao Murata. Appeal from the United States District Court for the District of Hawaii. *Per Curiam*: The judgment is vacated and the case is remanded to the District Court for specific findings as to the circumstances attending appellee's service in the Japanese Army and the reasonable inferences to be drawn therefrom. Mr. Justice Black is of the opinion the judgment should be affirmed. Mr. Justice Douglas, being of the view that the findings are adequate to show that the services of appellee to Japan were rendered under the compulsion of military and other sanctions, evidenced in some instances by physical beatings, dissents to vacation and remand.

No. 427. John T. Barker, appellant, *v.* C. Lawrence Leggett, Superintendent of the Insurance Department of the State of Missouri, et al. Appeal from the United States District Court for the Western District of Missouri. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question.

No. 460. Illinois Central Railroad Company, appellant, *v.* Riley C. Garner, County Trustee of Shelby County, Tennessee, and Shelby County, Tennessee. Appeal from the Supreme Court of Tennessee. *Per Curiam*: 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. 391. Joseph B. Bruner, petitioner, *v.* The United States of America. The Court directs that the expense of printing the record be paid by the United States pursuant to 28 U. S. C. Sec. 1915 (b).

No. 443. The United States of America, appellant, *v.* Efroim Spector; and

No. 444. Wilbur C. King et al., as and constituting the Florida Railroad and Public Utilities Commission, appellants, *v.* The United States of America et al. In these cases probable jurisdiction is noted.

No. 401. Konrad G. Johansen, petitioner, *v.* The 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. 414. Samuel Mandel, Administrator of the Estate of Robert Willie Dillehay, Jr., Deceased, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the summary docket.

No. 15. The United States of America, petitioner, *v.* William H. Duvarney. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 139. Nicholson Transit Company, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 207. Anton and Irene Sedivy et al., petitioners, *v.* Superior Home Builders, Inc., Park View Home Builders, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 362. Mead Service Company and Mead's Fine Bread Company, petitioners, *v.* L. L. Moore, an individual doing business as Moore's Bakery. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 372. Cherrywood Apartments, Inc., Oakwood Apartments, Inc., et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 389. State of Florida, on Relation of Hicks-Kessler Flying School, Incorporated, petitioner, *v.* George E. Holt, as Judge of the Circuit Court, in and for the Eleventh Judicial Circuit, Dade County, Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 394. Lucy Sgitcovich, petitioner, *v.* Annie Sgitcovich. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 397. The United States of America, petitioner, *v.* State Road Department of Florida et al. Petition for writ or certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 404. The Cottman Company, a Body Corporate, and Maryland Casualty Company, a Body Corporate, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 407. Joseph S. Kane, petitioner, *v.* Union of Soviet Socialist Republics, Amtorg Trading Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 408. Safeway Stores, Incorporated, petitioner, *v.* Michael V. DiSalle, Price Director. Petition for writ of certiorari to the United States Emergency Court of Appeals denied.

No. 412. Natalie M. Kalmus, petitioner, *v.* Herbert T. Kalmus and Technicolor Motion Picture Corporation. Petition for writ of certiorari to the District Court of Appeal of the State of California, Second Appellate District denied.

No. 416. State of Texas, petitioner, *v.* Group of Institutional Investors Holding First and Refunding Mortgage 5% Bonds of Missouri Pacific Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 424. Ella Frad, petitioner, *v.* The Columbian National Life Insurance Company and Ella Frad, as Executrix, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 425. Stow Manufacturing Company, 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. 432. Frank Palumbo, petitioner, *v.* Honorable J. Cullen Ganey, Judge of the United States District Court for the Eastern District of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 435. John Lee, petitioner, *v.* Eula Lee Matthews Finley and Henry P. Willimon. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 417. Joseph Ancich, John Kaiza, Anton Bogdanovich, et al., petitioners, *v.* Jack Borcich et al., Co-owners of the Oil Screw "Marsha Ann." The motions for leave to file briefs of Atlantic Fishermen's Union et al., and Fishermen and Allied Workers Division, International Longshoremens' and Warehousemens' Union, as amici curiae,

denied. 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 and the judgment reversed.

No. 420. H. J. Heinz Company, petitioner, *v.* Charles H. Owens. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 423. L. J. H. Herwig, petitioner, *v.* Stuart L. Crenshaw, Collector of Internal Revenue, and as an individual, et al. The motion to dispense with printing the petition and record is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 25. Sutphen Estates, Inc., appellant, *v.* The United States of America, Loew's, Incorporated, Warner Bros. Pictures. Petition for rehearing denied. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 290. Photochart, a Corporation, and Lorenzo Del Riccio, petitioners, *v.* Photo Patrol, Inc., a Corporation, Pacific Turf Club, Inc., a Corporation, American Teletimer Corporation and Robert A. Oswald;

No. 315. Aleutian Livestock Company, Inc., petitioner, *v.* The United States; and

No. 336. Anthony P. Giessler, petitioner, *v.* The United States. Petitions for rehearing in these cases are severally denied.

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

No. 526, October Term, 1947. The United States of America, petitioner, *v.* Charles Kruszewski. Petition for rehearing denied.

No. 152, Misc. Julius Bayken, petitioner, *v.* People of the State of Michigan. Petition for rehearing denied for the reason that the application was not received within the time provided by Rule 33.

No. 165, Misc. Joan C. Smith et al., petitioners, *v.* Morris Pollin et al. Petition for rehearing denied.

No. 7, Misc. Roma Smith, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 113, Misc. Roger Touhy, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

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

No. 41, Misc. Ferdinand Thompson, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 105, Misc. William Haidas and Walter Jezierski, petitioners, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 168, Misc. Elizabeth Reddish Milanko and Leslie K. Jacoby, Administrators, etc., petitioners, *v.* Richard A. Austin et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 193, Misc. S. Roberts, petitioner, *v.* Western Pacific Railroad Company. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 194, Misc. United States ex rel. S. Roberts, S. Roberts, petitioners, *v.* Western Pacific Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 204, Misc. Donald Dolan, petitioner, *v.* R. W. Alvis, Warden, Ohio State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 215, Misc. Roosevelt Cash, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to The Superior Court of New Jersey, Appellate Division, denied.

No. 221, Misc. James Steele, petitioner, *v.* J. V. Jackson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 228, Misc. Edward S. Hidden, petitioner, *v.* United States District Court for the Eastern District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 237, Misc. Edward Okulczyk, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 250, Misc. Robert Jones, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 124, Misc. In re Disbarment of Albert Woodruff Gray. It having been reported to the Court that Albert Woodruff Gray, of New York City, has been disbarred from the practice of the law by the Appellate Division of the Supreme Court of the State of New York, First Department; and this Court by order of October 22, 1951, having suspended the said Albert Woodruff Gray from the practice of

the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the rule to show cause was duly issued and served upon the respondent, and that the time within which to file a return to the rule has expired;

It is ordered that the said Albert Woodruff Gray be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. 229, Misc. In re Disbarment of Alger Hiss. It is ordered that Alger Hiss, of New York City, be suspended from the practice of the law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of the law in this Court. Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Clark took no part in the consideration or decision of this question.

No. 216, Misc. Fred G. Maringer, petitioner, *v.* Supreme Court of the State of California; and

No. 219, Misc. William Henry Roberts, petitioner, *v.* United States District Court for the Northern District of California. Motions for leave to file petitions for writs of mandamus denied.

No. 227, Misc. Donald Hicks, petitioner, *v.* J. V. Jackson, Warden, Clinton Prison at Dannemora, N. Y., et al.; and

No. 253, Misc. Henry Worth, petitioner, *v.* People of the State of California et al. Motions for leave to file petitions for writs of habeas corpus denied.

No. 239, Misc. Walter Sanders, petitioner, *v.* Jerome J. Waters, Jr., Warden. Motion for leave to withdraw petition for writ of mandamus granted.

No. 241, Misc. October Term, 1948. Carlos Rodriguez, petitioner, *v.* People of the State of New York. Motion for return of the record to petitioner denied.

No. 172. Eric G. Kaufman and Aenni C. Kaufman, petitioners, *v.* Societe Internationale pour Participations Industrielles et Commerciales S. A., etc., et al. Argued by Mr. Irving Moskovitz for the petitioners; by Mr. David Schwartz for respondents, McGrath and Clark; by Mr. John J. Wilson for respondent, Societe Internationale pour Participations, etc.; and case submitted by Mr. William P. MacCracken, Jr., Mr. Urban C. Lavery and Mr. William W. Barron for the respondent, Remington Rand, Inc.

No. 178. Uebersee Finanz-Korporation, A. G., petitioner, *v.* J. Howard McGrath, Attorney General and as successor to the Alien

Property Custodian. Argued by Mr. Thurman Arnold for the petitioner and Mr. James L. Morrisson for the respondent.

No. **305**. Cities Service Company, and The Chase National Bank of the City of New York, petitioners, *v.* J. Howard McGrath, Attorney General, Successor to the Alien Property Custodian. Argument commenced by Mr. Timothy N. Pfeiffer for the petitioners and continued by Mr. George B. Searls for the respondent.

Adjourned until tomorrow, at 12 o'clock.

The day call for Thursday, January 3, will be as follows: Nos. **305, 8, 184, 19, 275, 86, 329, 349, 411, and 151.**

×

SUPREME COURT OF THE UNITED STATES

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

John J. Coughlin, of Portland, Oreg., and Nicholas Jaureguy, of Portland, Oreg., on motion of Mr. Guy Cordon; C. William O'Neill, of Marietta, Ohio, Robert E. Leach, of Columbus, Ohio, and John W. Peck, of Columbus, Ohio, on motion of Mr. Isidore Topper; Daniel T. Scannell, of New York, N. Y., Michael A. Castaldi, of New York, N. Y., and Bernard Friedlander, of New York, N. Y., on motion of Mr. Charles Sylvanus Rhyne; Sidney Fledshuh, of New York, N. Y., on motion of Mr. John H. Pickering; Harold I. Cammer, of New York, N. Y., on motion of Mr. David Rein; Juanita Newton Harris Cassidy, of Arlington, Va., on motion of Mrs. Jane Elizabeth Newton Dew; and Herbert S. Duncombe, Jr., of New York, N. Y., on motion of Mr. Raymond F. Body, were admitted to practice.

No. 305. Cities Service Company and the Chase National Bank of the City of New York, petitioners, *v.* J. Howard McGrath, Attorney General, Successor to the Alien Property Custodian. Argument concluded by Mr. George B. Searls for the respondent.

No. 8. Irving Adler, George Friedlander, Mark Friedlander, et al., appellants, *v.* The Board of Education of the City of New York. Argued by Mr. Osmond K. Fraenkel for the appellants; by Mr. Michael A. Castaldi for the appellee and Mr. Wendell P. Brown for the State of New York, as *amicus curiae*, by special leave of Court.

No. 184. The Standard Oil Company, an Ohio Corporation, appellant, *v.* John W. Peck, Tax Commissioner, State of Ohio, et al. Argument commenced by Mr. Isador Grossman for the appellant and continued by Mr. Rufus S. Day, Jr., for the appellant.

Adjourned until tomorrow, at 12 o'clock.

The day call for Friday, January 4, will be as follows: Nos. 184, 19, 275, 86, 329, 349, 411, 151, 201, October Term, 1950, and 120.

×

SUPREME COURT OF THE UNITED STATES

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

Vincent F. Hiebsch, of Wichita, Kans., on motion of Mr. Harold E. Mott; Roger Melville Saunders, of Craig, Colo., on motion of Mr. Norris C. Bakke; James O. Ball, of Beverly Hills, Calif., on motion of Mr. Stephen J. Angland; Ernest W. Jennes, of Washington, D. C., and Orman W. Ketcham, of Washington, D. C., on motion of Mr. Charles A. Horsky; and Wm. G. Grant, of Atlanta, Ga., on motion of Mr. Joseph B. Keenan, were admitted to practice.

No. 184. The Standard Oil Company, an Ohio Corporation, appellant, *v.* John W. Peck, Tax Commissioner, State of Ohio, et al. Argument continued by Mr. Isadore Topper for the appellees and concluded by Mr. Rufus S. Day, Jr., for the appellant.

No. 19. The United States of America, appellant, *v.* Oregon State Medical Society, et al. Three hours allowed for oral argument. Argument commenced by Mr. Stanley M. Silverberg for the appellant, and continued by Mr. Nicholas Jaureguy for the appellees and by Mr. Stanley M. Silverberg for the appellant.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, January 7, will be as follows: Nos. 19, 275, 86, 329, 349, 411, 151, 201, October Term, 1950, 120, and 159 Misc.

SUPREME COURT OF THE UNITED STATES

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

Gordon Butterworth, of Philadelphia, Pa., on motion of Mr. George C. Dix; Carl B. Luckerath, of Seattle, Wash., on motion of Mr. Warren G. Magnuson; John W. Oliver, of Kansas City, Mo., on motion of Mr. H. G. Morison; Lewis L. Scott, of Savannah, Ga., on motion of Mr. George G. McCoy; Arnold H. Olsen, of Helena, Mont., and Arthur S. Jardine, of Great Falls, Mont., on motion of Mr. Edwin S. Booth; John M. Falasz, of Chicago, Ill., and Robert J. Burdett, of Chicago, Ill., on motion of Mr. John A. Marzall; James P. Bradley, of Ware, Mass., on motion of Mr. James Thaddeus Clark; Max Blum, of New York, N. Y., on motion of Mr. Homer Brooks; Dennis Wright, of Oklahoma City, Okla., on motion of Mr. Allan C. Swingle; David Jacker, of Chicago, Ill., and John M. O'Connor, Jr., of Chicago, Ill., on motion of Mr. Chauncey P. Carter; Andrew B. Beveridge, of Washington, D. C., on motion of Mr. Francis C. Browne; Peter N. Schiller, of New York, N. Y., on motion of Mr. Odell Kominers; Jack K. Horton, of San Francisco, Calif., on motion of Hugh T. Fullerton; and John H. Dimond, of Juneau, Alaska, and J. Gerald Williams, of Juneau, Alaska, on motion of Mr. James A. Condrick, were admitted to practice.

No. 91. The United States of America, appellant, *v.* Perry Halseth. Appeal from the United States District Court for the Eastern District of Wisconsin. Judgment affirmed. Opinion by Mr. Justice Minton. Dissenting: Mr. Justice Douglas and Mr. Justice Burton.

No. 12. Joseph Edward Morissette, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of Michigan for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Jackson. Mr. Justice Douglas concurs in the result. Mr. Justice Minton took no part in the consideration or decision of this case.

No. 20. The United States of America, appellant, *v.* Louise Virginia Smith. Appeal from the United States District Court for the Western District of Texas; and

No. 162. The United States of America, appellant, *v.* Arnold L. Dailey. Appeal from the United States District Court for the District of Colorado. Judgments affirmed. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Burton join.

No. 186. Sam K. Carson, Commissioner of Finance and Taxation for the State of Tennessee, petitioner, *v.* Roane-Anderson Company et al.; and

No. 187. Sam K. Carson, Commissioner of Finance and Taxation for the State of Tennessee, petitioner, *v.* Carbide and Carbon Chemicals Corporation et al. On writs of certiorari to the Supreme Court of the State of Tennessee. Judgments affirmed with costs. Opinion by Mr. Justice Douglas. Mr. Justice Black took no part in the consideration or decision of these cases.

No. 280. International Longshoremen's and Warehousemen's Union et al., petitioners, *v.* Juneau Spruce Corporation. 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 Territory of Alaska. Opinion by Mr. Justice Douglas.

No. 23. The United States of America, petitioner, *v.* Herman Hayman. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals vacated and case remanded to the United States District Court for the Southern District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Mr. Justice Black and Mr. Justice Douglas concur in the result. Mr. Justice Minton took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 464. United Air Lines, Incorporated, appellant, *v.* Public Utilities Commission of the State of California; and

No. 465. Western Air Lines, Incorporated, appellant, *v.* Public Utilities Commission of the State of California. Appeals 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. Mr. Justice Black and Mr. Justice Burton are of the opinion probable jurisdiction should be noted.

The Chief Justice said :

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

No. 453. Frederick V. Field, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit dismissed on motion of counsel for petitioner.

No. 384. Inter-City Advertising Company of Greensboro, North Carolina, Incorporated, et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 405. Robert L. Barbee, petitioner, *v.* Capital Airlines, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 434. Julius Gendelman, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 438. California State Board of Equalization, petitioner, *v.* George T. Goggin, Trustee in Bankruptcy of the Estate of West Coast Cabinet Works, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 439. Milwaukee Towne Corporation, petitioner, *v.* Loew's Incorporated, a Corporation, et al.; and

No. 454. Loew's Incorporated et al., petitioners, *v.* Milwaukee Towne Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 445. Union Packing Company, petitioner, *v.* Cariboo Land and Cattle Company, Limited. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 452. The Village of Skokie, Illinois, petitioner, *v.* The First National Bank and Trust Company of Racine, Wisconsin. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 463. Sunbeam Corporation, petitioner, *v.* Civil Service Employees Cooperative Association. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 316. Harry Bigelow, petitioner, *v.* The People of the State of California. The motion to dispense with printing the record is granted. Petition for writ of certiorari to the District Court of Appeal of the State of California, Second Appellate District, denied.

No. 437. Carl G. A. Pass, petitioner, *v.* J. Howard McGrath, Attor-

ney General of the United States. Motion to dispense with printing the petition and record granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 494. R. Stanley Dollar, Dollar Steamship Line, the Robert Dollar Company, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Black and Mr. Justice Clark took no part in the consideration or decision of this application.

No. 174. James T. Haines, petitioner, *v.* The United States of America;

No. 346. State of New York and the Public Service Commission of the State of New York, appellants, *v.* The United States of America, Interstate Commerce Commission, and the New York, New Haven and Hartford Railroad Company;

No. 351. James M. Roberts and Evalina L. Roberts, petitioners, *v.* United States of America;

No. 377. Samuel M. Levy, petitioner, *v.* Lewis M. Dabney, Jr., as Trustee of Associated Gas and Electric Company, Debtor, etc.; and

No. 187, Misc. Lester Sparks, petitioner, *v.* People of the State of California. Petitions for rehearing denied.

No. 205, 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.

No. 240, Misc. Alfred Minutolo, petitioner, *v.* Samuel H. Kaufman, U. S. District Judge, Southern District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 244, Misc. Lawrence A. Paulding, John McGrady, and Richard Brown, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 249, Misc. Stanley Marsh, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 255, Misc. James J. McDonald, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 19. The United States of America, appellant, *v.* Oregon State Medical Society et al. Argument concluded by Mr. Stanley M. Silverberg for the appellant.

No. 275. The United States of America, ex rel. Hubert Jaegeler, petitioner, *v.* Ugo Carusi, Commissioner of Immigration and Naturalization, et al. Argued by Mr. Gordon Butterworth for the petitioner and Mr. Samuel D. Slade for the respondent.

No. 86. Howard Hughes, appellant, *v.* The United States of America. Argued by Mr. T. A. Slack for the appellant and Mr. Philip Marcus for the appellee.

No. 329. M. P. Mullaney, Commissioner of Taxation of the Territory of Alaska, petitioner, *v.* Oscar Anderson and Alaska Fishermen's Union. Argument commenced by Mr. J. Gerald Williams for the petitioner.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, January 8, will be as follows: Nos. 329, 349, 411, 151, 201, October Term, 1950, 120, 159, Misc. 100, 299, and 300.

×

SUPREME COURT OF THE UNITED STATES

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

Bryan P. Leverich, of Salt Lake City, Utah, on motion of Mr. J. Carter Fort; Tom Bellis, of Arlington, Va., on motion of Mr. Bernard D. Levinson; and Elmer E. Batzell, of Washington, D. C., on motion of Mr. Manly Fleischmann, were admitted to practice.

No. 329. M. P. Mullaney, Commissioner of Taxation of the Territory of Alaska, petitioner, *v.* Oscar Anderson and Alaska Fishermen's Union. Argument continued by Mr. J. Gerald Williams for the petitioner and concluded by Mr. Carl B. Luckerath for the respondents.

No. 349. First National Bank of Chicago, as Executor of the Estate of John Louis Nelson, Deceased, petitioner, *v.* United Air Lines, Inc. Argued by Mr. Robert J. Burdett for the petitioner and by Mr. David Jacker for the respondent.

No. 411. Yvette J. Madsen, petitioner, *v.* Nina Kinsella, Warden of the United States Reformatory for Women. Argued by Mr. Joseph S. Robinson for the petitioner and by Mr. Robert W. Ginnane for the respondent.

No. 151. The United States of America, Interstate Commerce Commission, et al., appellants, *v.* Great Northern Railway Company. Argument commenced by Mr. Ralph S. Spritzer for appellants, United States and Interstate Commerce Commission.

Adjourned until tomorrow, at 12 o'clock.

The day call for Wednesday, January 9, will be as follows: Nos. 151, 201, October Term, 1950, 120, 159 Misc., 100, 299, 300, 317, and 250.

×

SUPREME COURT OF THE UNITED STATES

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

William T. Brooking, Jr., of Saint Louis, Mo., William H. Jahn, Jr., of Pacific, Mo., Charles J. Tyne, of Newark, N. J., and John F. Desmond, of Newton, Mass., on motion of Mr. Solicitor General Philip B. Perlman; Paul L. Ross, of New York, N. Y., on motion of Mr. Martin Popper; Carl A. Cowan, of Knoxville, Tenn., on motion of Mr. Thurgood Marshall; Theodore C. Hanson, of New York, N. Y., on motion of Mr. George F. Galland; K. Harlan Dodson, Jr., of Nashville, Tenn., on motion of Mr. John J. Hooker; Martin J. Hansberry, of Waltham, Mass., on motion of Mr. M. Quinn Shaughnessy; and Milton M. Levin, of New York, N. Y., on motion of Mr. David S. Allshouse, were admitted to practice.

No. 151. The United States of America, Interstate Commerce Commission, et al., appellants, *v.* Great Northern Railway Company. Argument continued by Mr. Arnold H. Olsen for appellants, Valier Community Club and Board of Railroad Commissioners of the State of Montana; by Mr. Art Jardine for appellant, Montana Western Railway Company; by Mr. Louis E. Torinus, Jr., for the appellee; and concluded by Mr. Ralph S. Spritzer for appellants, United States and Interstate Commerce Commission.

No. 201, October Term, 1950. Harry Sacher, Richard Gladstein, George W. Crockett, Jr., et al., petitioners, *v.* The United States of America. Argued by Mr. Paul L. Ross for petitioners and by Mr. Solicitor General Perlman for the respondent.

No. 120. Gene Mitchell Gray, Lincoln Anderson Blakeney, Joseph Hutch Patterson and Jack Alexander, appellants, *v.* The Board of Trustees of the University of Tennessee, etc., et al.; and

No. 159, Misc. Ex parte Gene Mitchell Gray, Lincoln Anderson Blakeney, Joseph Hutch Patterson and Jack Alexander, petitioners. Argument commenced by Mr. Robert L. Carter for the appellants in No. 120 and petitioners in No. 159, Misc.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 10, will be as follows: Nos. 120 (and 159 Misc.), 100, 299, 300, 317, and 250.

SUPREME COURT OF THE UNITED STATES

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

John Eliga Bollinger, of West Palm Beach, Fla., on motion of Mr. Frank J. Wideman; William T. Griffin, of Staten Island, N. Y., on motion of Mr. William C. Koplovitz; John Richard Baty, of Kansas City, Mo., and Louis J. Portner, of Saint Louis, Mo., on motion of Mr. Henry C. M. Lamkin; James S. McClellan, of Saint Louis, Mo., on motion of Mr. Robert Vernon Smith; John Graham Brooks, of Weston, Mass., on motion of Mr. Samuel W. Earnshaw; and S. Lloyd Moore, of Philadelphia, Pa., on motion of Mr. J. Louis Monarch, were admitted to practice.

No. 120. Gene Mitchell Gray, Lincoln Anderson Blakeney, Joseph Hutch Patterson and Jack Alexander, appellants, *v.* The Board of Trustees of the University of Tennessee, etc., et al.; and

No. 159, Misc. *Ex parte* Gene Mitchell Gray, Lincoln Anderson Blakeney, Joseph Hutch Patterson and Jack Alexander, petitioners. Argument continued by Mr. Robert L. Carter for the appellants in No. 120 and petitioners in No. 159, Misc., and by Mr. John J. Hooker for the appellees in No. 120. The Court declined to hear further argument.

No. 100. The United States of America, petitioner, *v.* Harold Bloom, General Assignee for the Benefit of Creditors of Pavone Textile Corp. Argued by Mr. I. Henry Kutz for the petitioner and case submitted by Mr. Irwin Geiger for the respondent.

No. 299. The United States of America, petitioner, *v.* N. Walser Edens and W. H. Corry, as Trustees of Carolina Mills, Inc., a corporation of South Carolina, Debtor. Argued by Mr. John F. Davis for the petitioner and by Mr. Henry Hammer for the respondent.

No. 300. The United States of America, petitioner, *v.* General Engineering and Manufacturing Company, a corporation, Debtor. Argued by Mr. John F. Davis for the petitioner and by Mr. James S. McClellan for the respondent.

No. 317. Day-Brite Lighting, Inc., appellant, *v.* State of Missouri. Argued by Mr. Henry C. M. Lamkin for the appellant and by Mr. John R. Baty for the appellee.

No. 250. The United States of America, appellant, *v.* New Wrinkle, Inc., and the Kay and Ess Company. Argument commenced by Mr. Charles H. Weston for the appellant.

Adjourned until tomorrow, at 12 o'clock.

The day call for Friday, January 11, will be as follows: No. 250.

×

SUPREME COURT OF THE UNITED STATES

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

Adrian L. Foley, of New York, N. Y., on motion of Mr. Edmund O'Hare; and Edward P. Callahan, of New York, N. Y., on motion of Mr. Arthur B. Carton, were admitted to practice.

No. 250. The United States of America, appellant, *v.* New Wrinkle, Inc., and the Kay and Ess Company. Argument continued by Mr. Charles H. Weston for the appellant and concluded by Mr. H. A. Toulmin, Jr., for the appellee, New Wrinkle, Inc.

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

×

SUPREME COURT OF THE UNITED STATES

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

H. Burton Schatz, of Chicago, Ill., and Marvin Willig, of Washington, D. C., on motion of Mr. Solicitor General Philip B. Perlman; Ralph R. Goldsmith, of Detroit, Mich., on motion of Mr. George A. Dondero; Mr. Harry Krieger, of Newark, N. J., on motion of Mr. David Lloyd Kreeger; David Ginsburg, of Philadelphia, Pa., and Gerald W. Siegel, of Washington, D. C., on motion of Mr. Donald C. Cook; John A. Calhoun, of Middlebury, Vt., on motion of Mr. Thomas B. Collins; Adam Frank, of Washington, D. C., on motion of Mr. Albert E. Kane; James R. Browning, of Washington, D. C., on motion of Mr. Albert Holmes Baldrige; Don V. Harris, Jr., of Washington, D. C., on motion of Mr. Frank Pace, Jr.; Albert B. Reid, of Chicago, Ill., on motion of Mr. Royal E. Jackson; and Murl A. Larkin, of Washington, D. C., on motion of Mr. Earle Bennett, were admitted to practice.

No. 47. The United States of America, petitioner, *v.* Samuel M. Shannon, Patti A. Shannon, and W. L. Shannon. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of South Carolina for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting: Mr. Justice Black and Mr. Justice Jackson. Separate opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas.

No. 62. Halcyon Lines and Vinke and Company, petitioners, *v.* Haenn Ship Ceiling and Refitting Corporation; and

No. 197. Haenn Ship Ceiling and Refining Corporation, petitioner, *v.* Halcyon Lines and Vinke and Company. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgments of Court of Appeals reversed and causes remanded to the United States District Court for the Eastern District of Pennsylvania with instructions to dismiss the contribution proceedings against Haenn Ship Ceiling and Refitting Corporation. Opinion by Mr. Justice Black. Mr. Justice Reed and Mr. Justice Burton would reverse with directions to the District Court to allow contributions equal to 50 percent of the judgment recovered by Baccile against Halcyon.

The Chief Justice announced the following orders of the Court:

No. 46. The United States of America, petitioner, *v.* Mrs. Lucy Jordan et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per Curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Frankfurter is of the opinion the writ should be dismissed as improvidently granted and has expressed his views in a memorandum filed in *United States v. Shannon*, No. 47, decided this day.

No. 100. The United States of America, petitioner, *v.* Harold Bloom, General Assignee for the Benefit of Creditors of Pavone Textile Corp. On writ of certiorari to the Court of Appeals of New York;

No. 299. The United States of America, petitioner, *v.* N. Walser Edens and W. H. Corry, as Trustees of Carolina Mills, Inc., a Corporation of South Carolina, Debtor. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit; and

No. 300. The United States of America, petitioner, *v.* General Engineering and Manufacturing Company, a Corporation, Debtor. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam*: The judgments are affirmed. *City of New York v. Saper*, 336 U. S. 328.

No. 477. Paul S. Geuss and Erich Fleischman, appellants, *v.* Commonwealth of Pennsylvania. Appeal from the Supreme Court of Pennsylvania. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *Kovacs v. Cooper*, 336 U. S. 77. Mr. Justice Douglas dissents.

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. 409. The United States of America, appellant, *v.* Shoso Nii. Appeal from the United States District Court for the Territory of Hawaii. Dismissed on motion of counsel for the appellant.

No. 431. Tessim Zorach and Esta Gluck, appellants, *v.* Andrew G. Clauson, Jr., et al., constituting the Board of Education of the City of New York, et al. The motion for leave to file brief of National Council of the Churches of Christ in the United States of America as *amicus curiae* is denied.

No. 301. The Palmer Oil Corporation, Paul Sterba and Paul Sterba, Jr., a minor, by and through his Father and next friend, Paul Sterba, appellants, *v.* Amerada Petroleum Corporation, Anderson-Prichard Oil Corporation, Cities Service Oil Company, et al.; and

No. 302. Kit C. Farwell, Frank Phohlemann, L. A. Davis, et al., appellants, *v.* Amerada Petroleum Corporation, Anderson-Prichard Oil Corporation, Gulf Oil Corporation, et al. In these cases probable jurisdiction is noted.

No. 450. The United States of America, petitioner, *v.* Atlantic Mutual Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 446. Libby, McNeill and Libby (a corporation), petitioner, *v.* Alaska Industrial Board, composed of the Territorial Insurance Commissioner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 447. Libby, McNeill and Libby (a corporation), petitioner, *v.* Alaska Industrial Board, composed of the Territorial Insurance Commissioner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 457. Nathan Chiarelli and Sam Serritella, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 459. Edward P. Schreyer and Rival Manufacturing Company, petitioners, *v.* Gasco Products Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 467. Armour and Company, petitioner, *v.* Louisiana Southern Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 115. Adele Weiss, petitioner, *v.* The United States of America. Motion for leave to file a second petition for rehearing denied.

No. 293. The United States of America, petitioner, *v.* Lance, Incorporated; and

No. 294. The United States of America, petitioner, *v.* Lovknit Manufacturing Company, Inc. et al. The motion for leave to file brief of Congress of Industrial Organizations as *amicus curiae* is denied. The petition for rehearing is denied. Mr. Justice Frankfurter joins the Court in denying the motion of the Congress of Industrial Organizations for leave to file a brief *amicus curiae*, but desires to add the following:

The United States, through the Solicitor General, may, as any other party to a litigation, refuse consent for any reason or no reason, selectively or uniformly, to the filing of a brief here on behalf of an *amicus curiae*. But such action by the Solicitor General is to be deemed to be taken entirely as an exercise of discretion by him in no wise governed by a rule of this Court or the policy underlying it.

No. 42. William F. Brack, petitioner, *v.* Dora Gross;

No. 310. E. M. Watson, petitioner, *v.* L. G. Suddoth;

No. 348. Mary K. Ellis, petitioner, *v.* Girard Trust Company, surviving Trustee under the will of George W. Nevil, Deceased; and No. 89, Misc. In the matter of Elizabeth Sprague, petitioner. Petitions for rehearing denied.

No. 198, Misc. Theodore W. Cobb, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 207, Misc. Anna L. Fishbaugh, petitioner, *v.* Armour and Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

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

No. 217, Misc. Nellie Pauline Fletcher et al., petitioners, *v.* United States Atomic Energy Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 236, Misc. Cecil Swain, petitioner, *v.* Clinton T. Duffy, Warden, etc., et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 243, Misc. Edward McKenna, petitioner, *v.* State of Nebraska et al. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 248, Misc. Andrew Kovacicovich, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 251, Misc. Ralph H. Quick, petitioner, *v.* Fred H. Hardiek, Clerk, Circuit Court of Effingham County, Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 256, Misc. Woodrow Nor Woods, petitioner, *v.* Dr. Marion R. King et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 257, Misc. James Wilson, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of the State of California, First Appellate District, denied.

No. 260, Misc. Salvatore Oddo, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

Adjourned until Monday, January 28, next, at 12 o'clock.

The day call for Monday, January 28, will be as follows: Nos. 331, 78, 176, 361, 134 (and 135), 15 Misc., 391, 9, 431, and 44.

SUPREME COURT OF THE UNITED STATES

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

Denver C. Peckinpah, of Fresno, Calif., Edith C. Cahill, of Los Angeles, Calif., Lawrence M. Cahill, of Los Angeles, Calif., and Murry L. Randall, of Mount Rainier, Md., on motion of Mr. Solicitor General Philip B. Perlman; A. Stewart Kerr, of Detroit, Mich., and Donald N. Sweeny, of Detroit, Mich., on motion of Mr. Edmund Elliott Shepherd; Francis T. P. Plimpton, of New York, N. Y., William Eldred Jackson, of New York, N. Y., and Charles A. Brind, Jr., of Albany, N. Y., on motion of Mr. John Lord O'Brian; Thomas H. Ryan, of Portland, Oreg., and J. Raymond Carskadon, of Portland, Oreg., on motion of Mr. Guy Cordon; Russell O. Pettibone, of New York, N. Y., on motion of Mr. Paul V. McNutt; Harry Cousins Chuck, of New York, N. Y., on motion of Mr. Sherry Basil Myers; Robert J. Keating, of Boston, Mass., Diana J. Auger, of Boston, Mass., and George W. Price, of Boston, Mass., on motion of Mr. Max C. Louis; Ned O. Heinish, of Huntington, W. Va., on motion of Mr. Joseph A. Nacrelli; George A. Leet, of Cincinnati, Ohio, on motion of Mr. Harry M. Leet; Rodes K. Myers, of Bowling Green, Ky., and Robert W. Zollinger, of Louisville, Ky., on motion of Mr. George W. Meuth; Walter E. Crissman, of High Point, N. C., and Kearney W. Crissman, of Cleveland, Ohio, on motion of Mr. Kahl K. Spriggs; Harry H. Mitchell, of Falls Church, Va., on motion of Mr. John M. Raymond; Theodore T. Molnar, of Cuthbert, Ga., on motion of Mr. Aaron L. Ford; Claude L. Rice, of Kansas City, Kans., on motion of Mr. James M. Barnes; Frederick W. Scholem, of New York, N. Y., on motion of Mr. Robert Mack Weston; Jack A. Coney, of Peoria, Ill., on motion of Mr. Robert L. Stern; John J. Real, of San Pedro, Calif., on motion of Mr. Timothy V. A. Dillon; and Robert I. Millonzi, of Buffalo, N. Y., on motion of Mr. Clark M. Clifford, were admitted to practice.

No. 305. Cities Service Company, and the Chase National Bank of the City of New York, petitioners, *v.* J. Howard McGrath, Attorney General, Successor to the Alien Property Custodian. 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 Southern District of New York. Opinion by Mr. Justice Clark. Concurring opinion by Mr. Justice Reed in which Mr. Justice Minton joins.

No. 167. Boyce Motor Lines, Inc., petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of the Court of Appeals remanding the cause to the District Court with directions to reinstate counts 1, 3, and 5 of the indictment affirmed, and cause remanded to the United States District Court for the District of New Jersey. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Black and Mr. Justice Frankfurter join.

No. 204. Richard Guessefeldt, petitioner, *v.* J. Howard McGrath, as Successor to the Alien Property Custodian, and Georgia Neese Clark, as Treasurer of the United States. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Mr. Justice Clark took no part in the consideration or decision of this case. Dissenting opinion by Mr. Chief Justice Vinson in which Mr. Justice Reed and Mr. Justice Minton join.

No. 1. Georgia Railroad & Banking Company, appellant, *v.* Charles D. Redwine, State Revenue Commissioner. Appeal from the United States District Court for the Northern District of Georgia. Judgment reversed with costs and case remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Concurring opinion by Mr. Justice Douglas.

No. 275. The United States of America, *ex rel.* Hubert Jaegerler, petitioner, *v.* Ugo Carusi, Commissioner of Immigration and Naturalization, *et al.* On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of Court of Appeals vacated and cause remanded to the United States District Court for the Eastern District of Pennsylvania with directions to vacate its judgment and direct petitioner's release from custody. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 273. Harry J. Briggs, Jr., *et al.*, appellants, *v.* R. W. Elliott, Chairman, *et al.*, Members of the Board of Trustees of School District No. 22, Clarendon County, S. C. Appeal from the United States District Court for the Eastern District of South Carolina. Judgment of District Court vacated without and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion *per*

curiam announced by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Black and Mr. Justice Douglas.

The Chief Justice announced the following orders of the Court:

No. 169. J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian, petitioner, *v. Kaku Nagano*. On writ of certiorari to the United States Court of Appeals for the Seventh 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. 503. Robert H. Remmey, Jr., Clarence E. Bertolet and Frank Bruckerl, appellants, *v. Gene D. Smith*, Secretary of the Commonwealth of Pennsylvania, and Anthony J. De Silvestro, et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. Mr. Justice Black is of the opinion that probable jurisdiction should be noted.

The Chief Justice said:

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

No. 442. Eugene M. Brunner, petitioner, *v. The United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 448. Federal Trade Commission, petitioner, *v. The Ruberoid Company*; and

No. 504. The Ruberoid Company, petitioner, *v. Federal Trade Commission*. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 456. The United States of America, petitioner, *v. Clara Belle Henning et al.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 461. Irving Greenberg, petitioner, *v. The United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to summary docket.

No. 54. Parry Navigation Company, Inc., petitioner, *v. Todd Shipyards Corporation*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 311. Clarence C. Caminos, petitioner, *v. Territory of Hawaii*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 368. Commonwealth of Massachusetts, Division of Employment Security Creditor, petitioner, *v.* Hubert C. Thompson, Receiver. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 415. James B. Morris et al., petitioners, *v.* Group of Institutional Investors et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 433. Russell Giffen and Ruth P. Giffen, petitioners, *v.* Commissioner of Internal Revenue. Petition for certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 449. Bedford F. Foster, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 462. Paul F. Lucas, petitioner, *v.* State of Indiana, on Relation of the Board of Medical Registration and Examination of Indiana. Petition for certiorari to the Supreme Court of Indiana denied.

No. 469. William H. Miley, petitioner, *v.* Robert A. Lovett, Secretary of Defense of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 472. Isaiah Mitchell III, petitioner, *v.* Tribune Company, a Corporation. Petition for writ of certiorari to the Appellate Court of the State of Illinois, First District, and to the Supreme Court of Illinois denied.

No. 475. Conference of Studio Unions, an Unincorporated Association, et al., petitioners, *v.* Loew's, Incorporated, a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 478. Nu-Car Carriers, Incorporated, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 481. Humble Oil-Refining Company et al., petitioners, *v.* Sun Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 482. Joseph Jacob Barshop, 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. 488. Edward Heagney, petitioner, *v.* Brooklyn Eastern District Terminal. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 4. The United States of America, petitioner, *v.* Judith Coplon. 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 this application.

No. 214. The United States of America, petitioner, *v.* Judith Coplon. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 272. Judith Coplon, petitioner, *v.* The 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 District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 392. Dipson Theatres, Inc., petitioner, *v.* Buffalo Theatres, Inc., Bison Theatres Corporation and Vitagraph, Inc., et al. 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. 413. Bondholders, Inc., petitioner, *v.* Legh R. Powell, Jr., and Henry W. Anderson, as Receivers of Seaboard Air Line Railway Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Frankfurter has filed an opinion in connection with the denial of the petition for writ of certiorari.

No. 455. Hans Kroch et al., petitioners, *v.* J. Howard McGrath, as 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 denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 473. Coyne Electrical School, Incorporated, petitioner, *v.* F. J. Buckley and E. H. Buckley, doing Business as F. J. Buckley and Company. Petition for writ of certiorari to the Appellate Court of the State of Illinois, First District, denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 470. Louis B. Aderman, petitioner, *v.* The United States of America. Motion to dispense with printing the record granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 9, Misc. Harry Sylvester Barnes, petitioner, *v.* Walter A. Hunter, Warden, U. S. Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 127, Misc. Emmett F. Hatheway, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Penitentiary. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 149, Misc. George A. Duncan and Edward Ryan, Jr., petitioners, *v.* The United States of America. Petition of writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 150, Misc. State of Louisiana, ex rel. Paul Washington, petitioner, *v.* Frank Clancy, Sheriff of Jefferson Parish. Petition for writ of certiorari to the Twenty-fourth Judicial District Court of the Parish of Jefferson, Louisiana, and/or the Supreme Court of Louisiana, denied.

No. 156, Misc. Clayton Octave Fouquette, petitioner, *v.* State of Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 189, Misc. Melbourne Powers, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Circuit Court for the County of Allegan in the Twentieth Judicial Circuit, State of Michigan denied.

No. 224, Misc. Stanley Buckowski, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 226, Misc. Lloyd Edison Sampsell, 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.

No. 245, Misc. Cleveland Thompson, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 259, Misc. Walter L. Sanders, petitioner, *v.* Jerome J. Waters, Jr., Warden, etc. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 262, Misc. James Edwards, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 264, Misc. Harry Baldrige, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 265, Misc. Charles Holt, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 266, Misc. Wentworth Crombie, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 269, Misc. James Parker, petitioner, *v.* State of Maryland. Petition for certiorari to the Court of Appeals of Maryland denied.

No. 270, Misc. M. Fitzallen Pridgen, petitioner, *v.* Paul Bubella et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 272, Misc. Henry Robinson, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 273, Misc. David T. Graham, petitioner, *v.* Warden, New Jersey State Prison. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 275, Misc. Robert Clark, 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. 276, Misc. Harold Peer, 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. 280, Misc. Simon Zipkin, 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. 292, Misc. Allen Dixon, petitioner, *v.* Browning Robinson, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 295, Misc. John Cordts, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 297, Misc. Robert C. Farley, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 242, Misc. Benjamin Domako, petitioner, *v.* State of New Jersey;

No. 277, Misc. In re Paul King, petitioner;

No. 278, Misc. Raymond Koenig, petitioner, *v.* John R. Cranor, Superintendent of Washington State Penitentiary; and

No. 301, Misc. Dan Williams, Jr., petitioner, *v.* The United States of America. Applications denied.

No. 254, Misc. In re Richard Dean Thorbus, petitioner; and

No. 288, Misc. Albert Mulvey, petitioner, *v.* Emery E. Jacques, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 263, Misc. Charles Carroll, petitioner, *v.* Supreme Court of Appeals of West Virginia. Motion for leave to file petition for writ of mandamus denied.

The Court will take a recess from Monday, February 4, until Monday, March 3, next.

No. 331. Julian N. Frisbie, Warden, State Prison of Southern Michigan, Jackson, Michigan, petitioner, *v.* Shirley Collins. Argued by Mr. Edmund E. Shepherd for the petitioner and Mr. A. Stewart Kerr for the respondent.

No. 78. Marianna von Moltke, petitioner, *v.* A. Blake Gillies, Superintendent of the Detroit House of Correction. Argued by Mr. G. Leslie Field for the petitioner, and Miss Beatrice Rosenberg for the respondent.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, January 29, will be as follows: Nos. **176**, **134** (and **135**), **15 Misc.**, **391**, **361**, **9**, **431**, and **44**.

×

SUPREME COURT OF THE UNITED STATES

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

Samuel J. Murray, of New York, N. Y., William R. Soons, of New York, N. Y., Martin F. Shea, Jr., of New York, N. Y., Chester Dudley Ward, Jr., of New York, N. Y., and Stanford Schewel, of New York, N. Y., on motion of Mr. John W. Davis; Reno J. Orlando, of Lawrence, Mass., on motion of Mr. Thomas J. Lane; Alfonso A. Magnotta, of Albion, Mich., and Roger H. Nielsen, of Battle Creek, Mich., on motion of Mr. Frank E. Hook; Denmark Groover, Jr., of Macon, Ga., on motion of Mr. James A. Bistline; Oral D. Ozment, of Washington, D. C., and Philip J. Miele, of Jersey City, N. J., on motion of Mr. Oliver Carter; Rene R. Nicaud, of New Orleans, La., on motion of Mr. M. M. Heuser; Seymour H. Kligler, of New York, N. Y., and Elkan Turk, Jr., of New York, N. Y., on motion of Mr. Elkan Turk; John C. Butler, of Chicago, Ill., on motion of Mr. Roderick Russell Eagan; Edward P. Morse, of Chicago, Ill., on motion of Mr. Felix S. Cohen; Louis J. Dibrell, of Galveston, Tex., on motion of Mr. Joseph C. McGarraghy; and Joseph Matusow, of Philadelphia, Pa., on motion of Mr. William Lawrence McGovern, were admitted to practice.

No. 176. Morris Leland, appellant, *v.* The State of Oregon. Argued by Mr. Thomas H. Ryan for the appellant and Mr. J. Raymond Carskadon and Mr. Charles Eugene Raymond for the appellee.

No. 134. A/s J. Ludwig Mowinckels Rederi et al., appellants, *v.* Isbrandtsen Co., Inc., et al.; and

No. 135. Federal Maritime Board, appellant, *v.* The United States of America et al. Argument commenced by Mr. Roscoe H. Hupper for the appellants in No. 134; continued by Mr. Arthur M. Boal for the appellant in No. 135; by Mr. William L. McGovern for the appellee, Isbrandtsen Company, Inc.; and by Mr. J. Roger Wollenberg for the appellees, The United States and The Secretary of Agriculture.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 30, will be as follows: Nos. 134 (and 135), 15 Misc., 391, 361, 9, 431, and 44.

SUPREME COURT OF THE UNITED STATES

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

Russell C. King, of Lincoln, R. I., on motion of Mr. Theodore Francis Green; Lawrence W. Rabb, Jr., of Lexington, Miss., on motion of Mr. John Cornelius Stennis; Charles Stephen Leonard, of Anderson, Ind., on motion of Mr. John H. Pratt; James A. Geroulis, of Chicago, Ill., on motion of Mr. James Joseph Shepherd, Jr.; Walter E. Washington, of Washington, D. C., and George B. Parks, of Lexington, Ky., on motion of Mr. Carl D. Coleman; Nicholas Bucci, of New York, N. Y., on motion of Mr. Porter R. Chandler; and James Angell MacLachlan, of Cambridge, Mass., on motion of Mr. Robert N. Miller, were admitted to practice.

No. 134. A/s J. Ludwig Mowinckels Rederi et al., appellants, *v.* Isbrandtsen Co., Inc., et al.; and

No. 135. Federal Maritime Board, appellant, *v.* The United States of America et al. Argument continued by Mr. J. Roger Wollenberg for the appellees, United States and Secretary of Agriculture, and concluded by Mr. Roscoe H. Hupper for the appellants in No. 134.

No. 15, Misc. Far East Conference, United States Lines Company, et al., petitioners, *v.* United States of America et al. Argued by Mr. John W. Davis for petitioner, Isthmian Steamship Co.; by Mr. Elkan Turk for the petitioners, Far East Conference et al.; by Mr. Arthur M. Boal for the intervenor-respondent, Federal Maritime Board; and by Mr. J. Roger Wollenberg for the respondent, The United States.

No. 391. Joseph B. Brunner, petitioner, *v.* The United States of America. Argued by Mr. Denmark Groover, Jr., for the petitioner and Mr. James R. Browning for the respondent.

No. 361. Armand Edward Blackmar, petitioner, *v.* L. F. Guerre, Manager, Veterans' Administration, Regional Office No. 3021, New Orleans, Louisiana, et al. Argument commenced by Mr. René R. Nicaud for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 31, will be as follows: Nos. 361, 9, 431, and 44.

×

SUPREME COURT OF THE UNITED STATES

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

Charles H. Walters, of Boston, Mass., and William F. Marcella, of Boston, Mass., on motion of Mr. Porter R. Chandler; Walter C. Wheeler, of Washington, D. C., on motion of Mr. Frederick Schafer; Arthur H. Kahn, of New York, N. Y., on motion of Mr. Michael A. Castaldi; David H. Mendelsohn, of Chicago, Ill., on motion of Mr. Arnold I. Dumey; and Theodore Leskes, of New York, N. Y., on motion of Mr. Kenneth W. Greenawalt, were admitted to practice.

No. 361. Armand Edward Blackmar, petitioner, *v.* L. F. Guerre, Manager, Veterans' Administration, Regional Office No. 3021, New Orleans, Louisiana, et al. Argument continued by Mr. Benjamin Forman for the respondent and concluded by Mr. René R. Nicaud for the petitioner.

No. 9. Donald R. Doremus and Anna E. Klein, appellants, *v.* Board of Education of the Borough of Hawthorne and the State of New Jersey. Argued by Mr. Heyman Zimel for the appellants and by Mr. Harry F. Schenk and Mr. Theodore D. Parsons for the appellees. Leave granted to file supplemental briefs within one week.

No. 431. Tessim Zorach and Esta Gluck, appellants, *v.* Andrew G. Clauson, Jr., et al., Constituting the Board of Education of the City of New York et al. Argument commenced by Mr. Kenneth W. Greenawalt for the appellants and continued by Mr. Wendell P. Brown for the appellee, Commissioner of Education of the State of New York.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, February 1, will be as follows: Nos. 431 and 44.

SUPREME COURT OF THE UNITED STATES

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

Frank J. Mackin, of Los Angeles, Calif., on motion of Mr. Everett W. Mattoon; Francis J. Muldoon, of San Francisco, Calif., on motion of Mr. Charles J. Whiting; Carroll A. Boynton, of New York, N. Y., on motion of Mr. Dee R. Bramwell; and Norton J. Arst, of Drew, Miss., on motion of Mr. David Walker Richmond, were admitted to practice.

No. 431. Tessim Zorach and Esta Gluck, appellants, *v.* Andrew G. Clauson, Jr., et al., Constituting the Board of Education of the City of New York, et al. Argument continued by Mr. Wendell P. Brown for the appellee, The Commissioner of Education of the State of New York; by Mr. Michael A. Castaldi for appellee, The Board of Education of the City of New York; by Mr. Charles H. Tuttle for appellee, The Greater New York Coordinating Committee on Released Time, etc.; and concluded by Mr. Kenneth W. Greenawalt for the appellants. Leave granted appellees to file a supplemental brief within one week, if so advised, with leave to appellant to reply thereto within one week thereafter.

No. 44. John Kedroff and Benjamin Fedchenkoff, etc., appellants, *v.* Saint Nicholas Cathedral of the Russian Orthodox Church of North America. Argued by Mr. Philip Adler for the appellants and by Mr. Ralph Montgomery Arkush for the appellee. Leave granted appellants to file reply brief within one week.

Adjourned until Monday, February 4, next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

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

Ira J. Miller, of Chicago, Ill.; Leonard Farkas, of Albany, Ga., Alfred Carr Ackerson, of Los Angeles, Calif., and Gordon P. Gill, of Appleton, Wis., on motion of Mr. Solicitor General Philip B. Perlman; Edward J. Fallon, of Pontiac, Mich., on motion of Mr. George A. Dondero; Irving B. Ackerman, of Detroit, Mich., and Fred J. Potvin, of Detroit, Mich., on motion of Mr. Thaddeus M. Machrowicz; Andrew DiMaggio, of Detroit, Mich., and G. Edwin Slater, of Detroit, Mich., on motion of Mr. Jesse P. Wolcott; Sydney L. Berger, of Evansville, Ind., on motion of Mr. Joseph Forer; Abraham K. Weber, of New York, N. Y., on motion of Mr. John B. Wheeler; James B. Merritt, of McGehee, Ark., on motion of Mr. W. L. Pope; William Howard Fort, of Akron, Ohio, on motion of Mr. Leon A. Ransom; Robert E. Lee Hall, of Washington, D. C., and Wilbur Brice O'Brien, of Washington, D. C., on motion of Mr. James W. Haley; Ralph A. Dunham, of Pierre, S. Dak., on motion of Mr. Edward R. Burke; Frank Carroll McLaughlin, of Tuckahoe, N. Y., on motion of Mr. John H. Dorsey; Anthony J. Brueneman, Jr., of Cincinnati, Ohio, and Frank J. Longano, of Cincinnati, Ohio, on motion of Mr. John Robert Lewis, Jr.; Bertram K. Wolfe, of Philadelphia, Pa., on motion of Mr. E. Riggs McConnell; Kalman I. Nulman, of New York, N. Y., on motion of Mr. Abraham S. Robinson; Kenneth G. McGilvray, of Sacramento, Calif., on motion of Mr. Justin Leroy Johnson; Julian C. Isen, of Los Angeles, Calif., on motion of Mr. Edward M. English; Louis J. Gusmano, of New York, N. Y., on motion of Mr. Robert E. Kline, Jr.; Paul T. Huckin, of Englewood, N. J., and Ellis M. Kopp, of Bergenfield, N. J., on motion of Mr. Carl L. Shipley; and George E. Reed, of Denver, Colo., on motion of Mr. David P. Doyle, were admitted to practice.

No. 184. The Standard Oil Company, an Ohio Corporation, appellant, *v.* John W. Peck, Tax Commissioner. State of Ohio, et al. Appeal from the Supreme Court of the State of Ohio. Judgment reversed with costs and case remanded to the Supreme Court of Ohio for proceedings not inconsistent with the opinion of this Court. Opinion

by Mr. Justice Douglas. Dissenting: Mr. Justice Black. Dissenting opinion by Mr. Justice Minton.

No. 250. The United States of America, appellant, *v.* New Wrinkle, Inc., and the Kay & Ess Company. Appeal from the United States District Court for the Southern District of Ohio. Judgment reversed and case remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 86. Howard Hughes, appellant, *v.* The United States of America. Appeal from the United States District Court for the Southern District of New York. Order of March 24, 1951, reversed and case remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black, announced by Mr. Justice Douglas. Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 374. John F. Dice, petitioner, *v.* The Akron, Canton & Youngstown Railroad Company. On writ of certiorari to the Supreme Court of the State of Ohio. Judgment of Supreme Court of Ohio reversed with costs and cause remanded to that Court for further action not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black, announced by Mr. Justice Douglas. Opinion by Mr. Justice Frankfurter in which Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Burton join concurring in the reversal of the judgment but dissenting from the opinion of the Court.

The Chief Justice announced the following order of the Court:

No. 497. State of Illinois and the Illinois Commerce Commission et al., appellants, *v.* The United States of America et al.; and

No. 498. City of Chicago, appellant, *v.* The United States of America et al. Appeals from the United States District Court for the Northern District of Illinois. *Per Curiam*: The motions to affirm, in No. 497, are granted and the judgment is affirmed.

The Chief Justice said:

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

No. 273. Harry J. Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, et al., Members of the Board of Trustees of School District No. 22, Clarendon County, S. C. The mandate is ordered to issue forthwith on motion of appellants, appellees not objecting.

No. 522. Joseph Burstyn, Incorporated, appellant, *v.* Lewis A. Wilson, Commissioner of Education of the State of New York, et al. In this case probable jurisdiction is noted.

No. 428. Pennsylvania Water and Power Company and Susquehanna Transmission Company of Maryland, petitioners, *v.* Federal Power Commission et al.; and

No. 429. Pennsylvania Public Utility Commission, petitioner, *v.* Federal Power Commission. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 220, Misc. Tomoya Kawakita, 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 Ninth Circuit granted and case transferred to appellate docket. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 352. Kenneth Reed and Rebecca Reed, petitioners, *v.* State of New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied. Motion to tax certain printing costs against respondent also denied.

No. 430. Community Services, Inc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 471. Texas Employers' Insurance Association et al., petitioners, *v.* Hugh A. Voris, Deputy Commissioner, Eighth Compensation District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 480. Paterson Parchment Paper Company, petitioner, *v.* International Brotherhood of Paper Makers et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 484. The United States of America, petitioner, *v.* R-B Freight Lines, Incorporated. Petition for writ of certiorari to the United States Motor Carrier Claims Commission denied.

No. 516. National Bellas Hess, Incorporated, petitioner, *v.* Eva N. Kalis. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 231. Anna Desper, Administratrix of the Estate of Thomas J. Desper, Jr., Deceased, petitioner, *v.* Starved Rock Ferry Company, a Corporation;

No. 417. Joseph Ancich, John Kaiza, Anton Bogdanovich, et al., petitioners, *v.* Jack Borcich et al., Co-Owners of the Oil Screw Marsha Ann;

No. 423. L. J. H. Herwig, petitioner, *v.* Stuart L. Crenshaw, Collector of Internal Revenue, and as an Individual, et al.;

No. 445. Union Packing Company, petitioner, *v.* Cariboo Land and Cattle Company, Limited; and

No. 460. Illinois Central Railroad Company, appellant, *v.* Riley C. Garner, County Trustee of Shelby County, Tennessee, and Shelby County, Tennessee. Petitions for rehearing denied.

No. 420. H. J. Heinz Company, petitioner, *v.* Charles H. Owens. Petition for rehearing denied. Mr. Justice Jackson took no part in the consideration or decision of this application.

No. 427. John T. Barker, appellant, *v.* C. Lawrence Leggett, Superintendent of the Insurance Department of the State of Missouri, et al. Petition for rehearing denied. Motion to modify and supplement the order of January 2, 1952, also denied.

No. 249, Misc. Stanley Marsh, petitioner, *v.* State of Michigan. Petition for rehearing denied.

No. 183, Misc. Clarence Schell, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 223, Misc. Willie Lewis, Bernice Lewis et al., petitioners, *v.* W. E. McDaniel. Petition for writ of certiorari to the Supreme Court of the State of Tennessee, Western Division, denied.

No. 234, Misc. Elizabeth Whitehead, petitioner, *v.* Jim Henry. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 247, Misc. Harry Williams, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, and/or the Supreme Court of Illinois, denied.

No. 285, Misc. Israel Miller and Maurice Jack Miller, petitioners, *v.* The State of New Jersey et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 294, Misc. Calvin Tyson, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 293, Misc. John Edwin Byers, petitioner, *v.* Walter A. Hunter, Warden, etc., et al.; and

No. 298, Misc. John Edwin Byers et al., appellants, *v.* The United States of America. Applications denied.

Adjourned until Monday, March 3, at 12 o'clock.

The day call for Monday, March 3, will be as follows: Nos. 224 (and 295), 126, 379, 426, 401 414, 282, 373, 443, and 450.

SUPREME COURT OF THE UNITED STATES

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

Joe F. Nowlin, of Pine Bluff, Ark., Frank P. McCraw, of Hagerstown, Md., James E. Wallace, of Silver Spring, Md., Howard Warner Little, of Bethesda, Md., Kenneth C. Shelver, of Laramie, Wyo., Clark Fout King, of Garrett Park, Md., Lee Whitehall, of Attica, Ind., and George J. Bott, of Washington, D. C., on motion of Mr. Solicitor General Philip B. Perlman; Frederick J. Bertram, of Chicago, Ill., Ralph S. McFarland, of Chicago, Ill., James H. Nudelman, of Chicago, Ill., Cecil W. Weiss, of Chicago, Ill., Nathan Engelstein, of Chicago, Ill., and Emil M. Caliendo, of Chicago, Ill., on motion of Mr. Edgar A. Jonas; Cornelius Richard Gray, of Washington, D. C., on motion of Mr. William E. Leahy; Chas. G. Dibrell, Jr., of Galveston, Tex., on motion of Mr. Louis J. Dibrell; Wallace John Baker, Sr., of Cleveland, Ohio, on motion of Mr. Edward B. Crosland; Roman Thomas Keenen, of Cleveland, Ohio, and James Dickson Maddox, of Rome, Ga., on motion of Mr. Carl B. Klein; Robert J. Stubbs, of Washington, D. C., on motion of Mr. George E. McConley; W. Theodore Pierson, of Washington, D. C., and Vernon C. Kohlhaas, of Washington, D. C., on motion of Mr. Samuel O. Clark, Jr.; Julius Marvin Moody, Jr., of Cedar Rapids, Iowa, on motion of Mr. John B. Brady; Harold Riegelman, of New York, N. Y., on motion of Mr. Dean Hill Stanley; Robert McKinley Williams, of Washington, D. C., on motion of Mr. Albert L. Cox; Harry Benjamin Becker, of Dayton, Ohio, on motion of Mr. Jackson E. Betts; Joseph B. McGrath, of Washington, D. C., on motion of Mr. Edward H. Hickey; Anthony Libersky, of New York, N. Y., on motion of Mr. Abner H. Ferguson; Frank L. Paul, of Chicago, Ill., on motion of Mr. Preston C. King, Jr.; Homer F. Cooper, of Arlington, Va., on motion of Mr. Heber H. Rice; John H. Colgren, of Washington, D. C., on motion of Mr. J. Stanley Payne; James B. Burke, of New York, N. Y., and Coleman Burke, of New York, N. Y., on motion of Mr. Frederick A. Ballard; Nancy M. Sherman, of Chicago, Ill., on motion of Mr. Mozart G. Ratner; Mac Asbill, Jr., of Washington, D. C., on motion of Mr. Mac Asbill; J. D. Grant, of Milwaukee, Wis., on motion of Mr. Ernest Schein; Swep S.

Taylor, Jr., of Jackson, Miss., on motion of Mr. Thomas H. King; William H. Brain, of Washington, D. C., on motion of Mr. Joseph A. Nacrelli; and Frank M. Schap, Ferndale, Mich., on motion of Mr. Daniel S. Ring, were admitted to practice.

No. 8. Irving Adler, George Friedlander, Mark Friedlander, et al., appellants, *v.* The Board of Education of the City of New York. Appeal from the Court of Appeals of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

No. 361. Armand Edward Blackmar, petitioner, *v.* L. F. Guerre, Manager, Veterans' Administration, Regional Office No. 3021, New Orleans, Louisiana, 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 by Mr. Justice Minton. Dissenting: Mr. Justice Black.

No. 6. Charles F. Brannan, Secretary of Agriculture of the United States, petitioner, *v.* Delbert O. Stark, A. F. Stratton, A. R. Denton, G. Stebbins, and F. Walsh; and

No. 7. Dairymen's League Cooperative Association, Inc., petitioner, *v.* Delbert O. Stark, A. F. Stratton, A. R. Denton, G. Stebbins, and F. Walsh. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and case remanded to the United States District Court for the District of Columbia. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Black in which Mr. Justice Reed and Mr. Justice Douglas concur. Mr. Justice Jackson and Mr. Justice Minton took no part in the consideration or decision of this case.

No. 85. Idonah Slade Perkins, petitioner, *v.* Benguet Consolidated Mining Company, an Alien Business Association known as a Sociedad Anonima, et al. On writ of certiorari to the Supreme Court of the State of Ohio. Judgment of the Supreme Court of Ohio vacated without costs to either party in this Court and case remanded to the Supreme Court for further proceedings in the light of the opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Black concurs in the result. Dissenting opinion by Mr. Justice Minton in which the Chief Justice joins.

No. 9. Donald R. Doremus and Anna E. Klein, appellants, *v.* Board of Education of the Borough of Hawthorne and the State of New Jersey. Appeal from the Supreme Court of the State of New

Jersey. Motion to dismiss granted and appeal dismissed. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Reed and Mr. Justice Burton concur.

No. 317. Day-Brite Lighting, Inc., appellant, *v.* State of Missouri. Appeal from the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Douglas. Mr. Justice Frankfurter concurs in the result. Dissenting opinion by Mr. Justice Jackson.

No. 329. M. P. Mullaney, Commissioner of Taxation of the Territory of Alaska, petitioner, *v.* Oscar Anderson and Alaska Fishermen's Union. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion and petition for leave to add additional parties plaintiff granted. Judgment of Court of Appeals affirmed with costs and case remanded to the District Court for the Territory of Alaska. Opinion by Mr. Justice Frankfurter. Dissenting: The Chief Justice, Mr. Justice Clark, and Mr. Justice Minton.

No. 143. Verna Leib Sutton, petitioner, *v.* R. Wells Leib. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment of Court of Appeals reversed with costs and case remanded to that court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Reed. Dissenting: Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter.

No. 349. The First National Bank of Chicago, Executor of the Estate of John Louis Nelson, Deceased, petitioner, *v.* United Air Lines, Inc., a Corporation. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Northern District of Illinois for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Opinion by Mr. Justice Jackson concurring in the result in which Mr. Justice Minton joins. Dissenting opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Frankfurter.

No. 253. Memphis Steam Laundry Cleaner, Inc., appellant, *v.* A. H. Stone, Chairman, State Tax Commission of the State of Mississippi. Appeal from the Supreme Court of the State of Mississippi. Judgment reversed with costs and case remanded to the Supreme Court of Mississippi for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Black.

No. 120. Gene Mitchell Gray, Lincoln Anderson Blakeney, Joseph Hutch Patterson, and Jack Alexander, appellants, *v.* The Board of Trustees of the University of Tennessee, etc., et al. Appeal from

United States District Court for the Eastern District of Tennessee; and

No. 159, Misc. Ex Parte Gene Mitchell Gray et al., petitioners. On petition for writ of mandamus. Motion of appellants to vacate the order dissolving the three-judge court and remand the case to that court for further proceedings is denied. Judgments below vacated and case remanded with directions to dismiss the action upon the ground that the cause is moot. Opinion *per curiam* announced by Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

No. 189. Edwin J. Squire, petitioner, *v.* The Wheeling-Lake Erie Railway Company. On writ of certiorari to the Supreme Court of Ohio. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Dice v. Akron, Canton and Youngstown Railroad Co.*, No. 374, O. T. 1951, decided February 4, 1952. Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Jackson, and Mr. Justice Burton concur, adhering to the views expressed in *Dice v. Akron, Canton and Youngstown Railroad Co.*

No. 476. National Furniture Traffic Conference, Incorporated, appellant, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the District of Massachusetts. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *Board of Trade v. United States*, 314 U. S. 534.

No. 506. The Central Railroad Company of New Jersey, appellant, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the District of New Jersey; and

No. 581. Mary Pyeatte, appellant, *v.* The Board of Regents of the University of Oklahoma et al. Appeal from the United States District Court for the Western District of Oklahoma. *Per Curiam*: The motions to affirm are granted and the judgments are affirmed.

No. 520. The Central Railroad Company of New Jersey, appellant, *v.* Director, Division of Tax Appeals of the Department of the Treasury of the State of New Jersey. Appeal from the Supreme Court of New Jersey. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. The Chief Justice, Mr. Justice Jackson, and Mr. Justice Burton are of the opinion that probable jurisdiction should be noted.

No. 540. W. M. Cox, appellant, *v.* James S. Peters and Mrs. Iris Blich. Appeal from the Supreme Court of Georgia. *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 Douglas are of the opinion that probable jurisdiction should be noted.

No. 541. Riss and Company, Incorporated, a Corporation, et al., appellants, *v.* The United States of America and the Interstate Commerce Commission et al. Appeal from the United States District Court for the Western District of Missouri. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas are of the opinion that probable jurisdiction should be noted and the case set down for argument.

No. 545. Mutual Benefit Health and Accident Association, a Corporation, appellant, *v.* Clarence Owen. Appeal from the Supreme Court of Kansas;

No. 557. Harry A. Lord, Roy Dial, Bertha H. Dial, et al., appellants, *v.* A. H. Henderson, as Director of the Motor Vehicle Department of the State of California, et al. Appeal from the District Court of Appeal of the State of California, Second Appellate District; and

No. 569. Anderson-Prichard Oil Corporation, appellant, *v.* Corporation Commission of the State of Oklahoma et al. Appeal from the Supreme Court of Oklahoma. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for the want of a substantial federal question.

No. 552. William Terra and Joseph Terra, appellants, *v.* The People of the State of New York. Appeal from the Court of Appeals of New York;

No. 555. Mortgage Finance Corporation and May C. Stock, appellants, *v.* D. D. Watson, Real Estate Commissioner of the State of California. Appeal from the District Court of Appeal of the State of California, First Appellate District;

No. 565. The Shell Oil Company, Incorporated, appellant, *v.* The Board of County Commissioners of Grant County, Kansas, C. L. Dew, et al. Appeal from the Supreme Court of Kansas; and

No. 574. James Ernest Eachus, appellant, *v.* The People of the State of Colorado. Appeal from the Supreme Court of Colorado. *Per Curiam*: The appeals are dismissed for the want of a substantial federal question.

No. 560. Hayes L. Combs, appellant, *v.* John W. Snyder, Secretary of the Treasury, et al. Appeal from the United States District Court for the District of Columbia. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. Mr. Justice Black, Mr. Justice Jackson, and Mr. Justice Burton are of the opinion that probable jurisdiction should be noted and the case set down for argument.

No. 35, Misc. Harry G. Geach, petitioner, *v.* The State of Illinois; and

No. 49, Misc. Arthur Smith, petitioner, *v.* People of the State of Illinois. On writs of certiorari to the Supreme Court of Illinois. *Per Curiam*: The motions for leave to proceed in forma pauperis are granted. The petitions for writs of certiorari are granted. The judgments are vacated and the cases remanded to the Illinois Supreme Court for further proceedings. *Jennings v. Illinois*, 342 U. S. 104.

The Chief Justice said:

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

No. — Original. The State of Texas, plaintiff, *v.* The State of New Mexico et al. This case is set down for argument on the motion for leave to file the complaint.

No. —. In the Matter of Kleinschmidt. The motion of Robert E. Kleinschmidt, of Hillsboro, Missouri, that he be permitted to resign as a member of the Bar of 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. 513. Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor, appellant, *v.* The United States of America, Interstate Commerce Commission and Omaha Grain Exchange of Omaha, Nebraska. In this case probable jurisdiction is noted.

No. 458. Brotherhood of Railroad Trainmen, an Unincorporated Association, et al., petitioners, *v.* Simon L. Howard, Sr., and Saint Louis-San Francisco Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 474. Marion W. Stenbridge, petitioner, *v.* The State of Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia and to the Supreme Court of Georgia granted.

No. 493. Isbrandtsen Company, Incorporated, petitioner, *v.* Matthew Johnson. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 479. Federal Trade Commission, petitioner, *v.* Minneapolis-Honeywell Regulator Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Counsel are requested to discuss on briefs and oral argument the question as to the timeliness of the application for the writ.

No. 483. Federal Power Commission, petitioner, *v.* Idaho Power Company. Petition for writ of certiorari to the United States Court

of Appeals for the District of Columbia Circuit granted. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 543. On Lee, petitioner, *v.* The 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 granted.

No. 271, Misc. Bennie Daniels and Lloyd Ray Daniels, petitioners, *v.* Robert A. Allen, Warden, Central Prison of the State of North Carolina. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case transferred to the appellate docket.

No. 16. Mary B. Johnson, petitioner, *v.* James N. Johnson. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 486. Margaret Elizabeth Somerville, petitioner, *v.* Capital Transit Company and Howard Day. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 487. The United States of America, petitioner, *v.* American-Hawaiian Steamship Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 489. The Ernest M. Loeb Company, Incorporated, and T. Jeff Feibleman, petitioners, *v.* Aveyelles Drainage District Number 8 of the Parish of Aveyelles, Louisiana. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 490. Columbia Auto Loan, Incorporated, Trading as Columbia Credit Company, a Body Corporate, by and through its President, Samson Dewey Gottlieb, petitioner, *v.* The District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 491. Dean H. Phipps, petitioner, *v.* Alethea D. Phipps. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 492. Mariko Kuniyuki, petitioner, *v.* Dean Acheson, as Secretary of State of the United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 496. Kenneth B. Thompson, petitioner, *v.* Charles H. Learned. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 499. The Coleman Company, Incorporated, petitioner, *v.* Cleta S. Gray and A. L. Gray. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 502. Anheuser-Busch, Incorporated, petitioner, *v.* Du Bois Brewing Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 507. Alfred Sylvanus, Arcadia National Insurance Company and Voyle Clark Johnson, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 511. Robert Carroll, petitioner, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 512. Nickulus A. Gentila, by and through his Mother and next friend, Jean Gentila, petitioner, *v.* Frank Pace, Jr., Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 514. LeRoy J. Leishman, petitioner, *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 515. Annis Wyche and Robert C. Thorpe, petitioners, *v.* The 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. W. L. Googins, petitioner, *v.* E. W. Hable and Sons. Petition for writ of certiorari to the Court of Civil Appeals of the State of Texas, Tenth Supreme Judicial District, denied.

No. 519. Julius Raab, M. D., petitioner, *v.* State Medical Board of the State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 521. Paul H. Kephart, petitioner, *v.* Irma N. Kephart. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 523. The People of the State of Illinois, *ex rel.* Mary S. M. Loughry, petitioner, *v.* The Board of Education of the City of Chicago. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 531. Frank G. Buffum, petitioner, *v.* The Chase National Bank of the City of New York. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 534. United States Trust Company of New York, as Trustee of Wisconsin Central Railway Company First General Mortgage, et al., petitioners, *v.* Edgar F. Zelle, as Trustee of Wisconsin Central Railway Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 535. Mervyn J. Lobel, petitioner, *v.* American Airlines, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 536. Roy J. McClelland et al., petitioners, *v.* Fruco Construction Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 537. J. Alvan Davis, Trustee, petitioner, *v.* B. F. Avery and Sons Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 539. Robert O. Norman, 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.

No. 542. The Creamette Company, petitioner, *v.* T. A. Conlin et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 544. Robert L. Richards, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 546. James Winfred Huff and Joe Ezra Johnston, 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. 547. Al Horowitz et al., petitioners, *v.* Jacob J. Kaplan et al., Trustees. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

No. 551. Stoves, Incorporated, petitioner, *v.* Tennessee Enamel Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 451. Joseph Rice, petitioner, *v.* H. H. Arnold, as Superintendent of the Miami Springs Country Club. The petition for writ of certiorari to the Supreme Court of Florida is denied for the reason that the judgment of the court below is based upon a nonfederal ground adequate to support it. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 468. Michael Cohen, petitioner, *v.* The United States of America. Motion to dispense with printing the petition and record granted. 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. 485. Lee On, Tom Lee Ling, Do Hong Chew, et al., petitioners, *v.* James Long, Individually and as Sheriff of Contra Costa County, State of California. Petition for writ of certiorari to the Supreme

Court of California denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 495. Weigert-Dagen, Weigert-Dagen Shoe Company, J. F. Goldkamp and Company, petitioners, *v.* The United States of America. Motion for leave to file brief of National Council of American Importers, Inc., as *amicus curiae* denied. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 501. Hoskins Coal and Dock Corporation, petitioner, *v.* Truax Traer Coal Company and United Electric Coal Companies. Motion for leave to file brief of Seymour F. Simon et al., as *amici curiae*, denied. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 505. Peter Duryee, Trustee of the Property of the New Jersey and New York Railroad Company, petitioner, *v.* Erie Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 530. Artigas Battle Roberto Machado, petitioner, *v.* J. Howard McGrath, 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 denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 532. Orin C. Clement, petitioner, *v.* Tighe E. Woods, Housing Expediter, Office of the Housing Expediter. Motion to use the certified record in No. 525 O. T. 1949 granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 413. Bondholders, Inc., petitioner, *v.* Legh R. Powell, Jr., and Henry W. Anderson, as Receivers of Seaboard Air Lines Railway Company et al.;

No. 457. Nathan Chiarelli and Sam Serritella, petitioners, *v.* The United States of America;

No. 470. Louis B. Aderman, petitioner, *v.* The United States of America;

No. 207, Misc. Anna L. Fishbaugh, petitioner, *v.* Armour and Co. et al.;

No. 270, Misc. M. Fitzallen Pridgen, petitioner, *v.* Paul Bubella et al.; and

No. 292, Misc. Allen Dixon, petitioner, *v.* Browning Robinson, Warden. Petitions for rehearing denied.

No. 121, Misc. Stance W. James and Oliver W. James, petitioners, *v.* The United States of America. Petition for writ of certiorari to

the United States Court of Appeals for the District of Columbia Circuit denied.

No. 267, Misc. David Kline Beale, petitioner, *v.* State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 279, Misc. Gaylord Stemen, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Court of Appeals of Darke County, Ohio, denied.

No. 281, Misc. Lyle S. Van Antwerp, petitioner, *v.* Giles Kavanagh, Collector of Internal Revenue, Etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 283, Misc. Michael Bourke, petitioner, *v.* J. Vernal Jackson, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 287, Misc. James Mulkey, petitioner, *v.* The United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 304, Misc. Ray Marks, petitioner, *v.* Jerome J. Waters, Jr., Warden, etc. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 307, Misc. Charles S. Carey, petitioner, *v.* The County of New York and the State of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 317, Misc. Hoyt Howington, petitioner, *v.* Jerome J. Waters, Jr., Warden, Oklahoma State Penitentiary. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 330, Misc. Albert Van Pelt, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Du Page County, Illinois, at Wheaton, Illinois, denied.

No. 336, Misc. Harold Lawrence, petitioner, *v.* The State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 373, Misc. Alfred Dusseldorf, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 310, Misc. Alberto Garcia, petitioner, *v.* The United States of America;

No. 315, Misc. Ray F. Harris, petitioner, *v.* Browning Robinson, Warden;

No. 323, Misc. Ex parte Hanscarl Von Posern, petitioner; and

No. 325, Misc. Clifford L. Mongar, petitioner, *v.* The People of the State of Michigan. Motions for leave to file petitions for writs of habeas corpus denied.

No. 261, Misc. Elizabeth P. Robinette et al., petitioners, *v.* William J. Campbell, District Judge of the United States for the Northern District of Illinois;

No. 311, Misc. August Karhu, petitioner, *v.* The State of Michigan; and

No. 329, Misc. Jack Lane, petitioner, *v.* The Municipal Court of Chicago, Illinois. Motions for leave to file petitions for writs of mandamus denied.

No. 312, Misc. Arthur Rivers, petitioner, *v.* Honorable Judge Luther M. Swygert, Judge, United States District Court, etc. Petition for writ of mandate denied.

The Court will take a recess from Monday, March 10, until Monday, March 31, next.

No. 379. Ralph Casey, George La Clair, and Edward Plesa, petitioners, *v.* The United States of America. Submitted by Mr. F. M. Reischling for the petitioners and Mr. Solicitor General Perlman. Mr. Assistant Attorney General McInerney, Mr. James L. Morrison, Miss Beatrice Rosenberg, and Mr. Murry Dee Randall for the respondent.

No. 224. Public Utilities Commission of the District of Columbia, Capital Transit Company, et al., petitioners, *v.* Franklin S. Pollak and Guy Martin; and

No. 295. Franklin S. Pollak and Guy Martin, petitioners, *v.* Public Utilities Commission of the District of Columbia, Capital Transit Company, and Washington Transit Radio, Inc. Argued by Mr. Theodore Pierson for Washington Transit Radio, Inc., et al., and by Mr. Paul M. Segel for Pollak et al.

Adjourned until tomorrow at 12 o' clock.

The day call for Tuesday, March 4, will be as follows: Nos. 126, 426, 401, 414, 282, 373, 443, and 450.

×

SUPREME COURT OF THE UNITED STATES

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

John D. Home, of Los Angeles, Calif., on motion of Mr. John J. Allen, Jr.; William M. Aiken, of Washington, D. C., on motion of Mr. John Lord O'Brian; William M. Alper, of Philadelphia, Pa., Martin J. Vigderman, of Philadelphia, Pa., and Joseph Weiner, of Philadelphia, Pa., on motion of Mr. Abraham E. Freedman; John D. Gray, of Los Angeles, Calif., on motion of Mr. A. L. Wirin; John F. Duff, of San Francisco, Calif., on motion of Mr. Barrett Quirk; Eugene D. Farley, of Portland, Oreg., on motion of Mr. C. Dinwiddie Stores; Frank J. McAdams, Jr., of Chicago, Ill., on motion of Mr. Morris Miller; Arthur W. Krauss, of Denver, Colo., on motion of Mr. Francis A. O'Connell, Jr.; Edward S. Irons, of Washington, D. C., on motion of Mr. James P. Burns; J. Bruce Kellison, of Washington, D. C., on motion of Mr. Frederick M. Bradley; Louis R. Harolds, of New York, N. Y., on motion of Mr. David Rein; Leslie D. Ringer, of Santa Fe, N. Mex., on motion of Mr. Robert C. McConnell; Mark Friedman, of Detroit, Mich., on motion of Mr. Oliver J. Dompierre; and Lindsey E. Martin, of Sulphur, Okla., on motion of Mr. Wesley E. Disney, were admitted to practice.

No. 126. National Labor Relations Board, petitioner, *v.* American National Insurance Company. Argued by Mr. Mozart G. Ratner for the petitioner and Mr. Louis J. Dibrell for the respondent.

No. 426. The United States of America, appellant, *v.* Clarence E. Hood, Jr., Frank F. Mize, Bascom C. Beasley, et al. Argued by Mr. Philip Elman for the appellant and Mr. Ben F. Cameron for the appellees.

No. 401. Konrad G. Johansen, petitioner, *v.* The United States of America. Argued by Mr. Louis R. Harolds for the petitioner and Mr. Leavenworth Colby for the respondent.

No. 414. Samuel Mandel, Administrator of the Estate of Robert Willie Dillehay, Jr., Deceased, petitioner, *v.* The United States of

America. Argument commenced by Mr. Abraham E. Freedman for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 5, will be as follows: Nos. 414, 282, 373, 443, and 450.

×

SUPREME COURT OF THE UNITED STATES

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

Philip S. Campbell, of Chevy Chase, Md., on motion of Mr. Kenneth F. Burgess; Howell John Hatcher, of Morganton, N. C., on motion of Mr. Clyde R. Hoey; Adolph Alexander, of Los Angeles, Calif., on motion of Mr. William V. O'Connor; A. Clair Sager, of Richmond, Va., on motion of Mr. J. Vaughan Gary; Harold Dubliner, of New York, N. Y., on motion of Mr. Temple W. Seay; Wharey M. Freeze, of Alexandria, Va., on motion of Mr. Fergus Belanger; Sol Henry Brown, of Cleveland, Ohio, and Nolan P. Chipman, of Baltimore, Md., on motion of Mr. Eulan I. Snyder; Rolla C. Van Kirk, of Lincoln, Nebr., on motion of Mr. Hugh T. Fullerton; Herman Smith, of Chicago, Ill., on motion of Mr. David L. Krooth; Jonathan J. Foley, Jr., of Nashville, Tenn., on motion of Mr. Daniel S. Ring; Rosalind Skehan Jamison, of Washington, D. C., on motion of Mr. John W. Kopecky; and Bruce A. Hecker, of New York, N. Y., on motion of Mr. Edward F. Howrey, were admitted to practice.

No. 414. Samuel Mandel, Administrator of the Estate of Robert Willie Dillehay, Jr., Deceased, petitioner, *v.* The United States of America. Argument continued by Mr. Abraham E. Freedman for the petitioner; by Mr. Leavenworth Colby for the respondent; and concluded by Mr. Abraham E. Freedman for the petitioner.

No. 282. Swift and Company, appellant, *v.* The United States of America, Interstate Commerce Commission, et al. Argument commenced by Mr. Frederick Bernays Wiener for the appellant; continued by Mr. Daniel W. Knowlton for the appellees, United States and Interstate Commerce Commission; by Mr. Douglas F. Smith for the appellees, Railroad defendants; by Mr. Lee J. Quasey for the appellees, National Live Stock Producers Association et al.; by Mr. Nuel D. Belnap for the appellees, Chicago Live Stock Exchange et al.; and by Mr. Frederick Bernays Wiener for the appellant.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 6, will be as follows: Nos. 282, 373, 443, and 450.

SUPREME COURT OF THE UNITED STATES

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

Squire N. Williams, Jr., of Frankfort, Ky., on motion of Mr. John Gregory Bruce; Daniel S. Morrison, of Denver, Colo., on motion of Mr. Will Shafroth; Merle N. Fogg, Jr., of Schenectady, N. Y., on motion of Mr. Harold A. Friedman; Isidore Englander, of New York, N. Y., on motion of Mr. Joseph Forer; William M. Perlman, of New York, N. Y., on motion of Mr. Isidore H. Wachtel; Ford W. Harris, Jr., of Los Angeles, Calif., on motion of Mr. William Wallace Cochran; Claude A. Fishburn, of Kansas City, Mo., on motion of Mr. Albert L. Reeves, Jr.; and Edward J. McGee, of Bethesda, Md., on motion of Mr. Neil Tolman, were admitted to practice.

No. 282. Swift and Company, appellant, *v.* The United States of America, Interstate Commerce Commission, et al. Argument concluded by Mr. Frederick Bernays Wiener for the appellant and submitted by Mr. Guy A. Gladson and Mr. Bryce L. Hamilton for the appellee, Union Stock Yard and Transit Company of Chicago.

No. 373. Fred Stroble, petitioner, *v.* People of the State of California. Argued by Mr. John D. Gray and Mr. A. L. Wirin for the petitioner and Mr. Adolph Alexander for the respondent. Leave granted petitioner to file reply brief within one week.

No. 443. The United States of America, appellant, *v.* Efroim Spector. Argued by Mr. Robert L. Stern for the appellant and Mr. John W. Porter and Mr. A. L. Wirin for the appellee.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, March 7, will be as follows: No. 450.

SUPREME COURT OF THE UNITED STATES

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

William Grady Hazlewood, of Amarillo, Tex., on motion of Mr. Walter Rogers; Robert A. Leedy, of Portland, Oreg., on motion of Mr. Walter Norblad; and Richard F. Shaw, of New York, N. Y., on motion of Mr. Leonard J. Matteson, were admitted to practice.

No. 450. The United States of America, petitioner, *v.* Atlantic Mutual Insurance Company et al. Argued by Mr. James L. Morrisson for the petitioner and Mr. Leonard J. Matteson for the respondents, Farr Sugar Corp. et al., and submitted by Mr. Cletus Keating, Mr. Edwin S. Murphy, and Mr. Louis J. Gusmano for the respondent, Belgian Overseas Transport, S. A., etc.

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

×

SUPREME COURT OF THE UNITED STATES

Present: 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.

Morris W. Macey, of Atlanta, Ga., on motion of Mr. Philip M. Glick; Russell Chapin, of Perry, Okla., and James M. DeVinne, of Cleveland, Ohio, on motion of Mr. Solicitor General Philip B. Perlman; Peter G. Estes, of Fayetteville, Ark., on motion of Mr. James William Trimble; Cecil Weldon Minaker, of Seattle, Wash., on motion of Mr. Warren G. Magnuson; Lewis T. Gardiner, of Los Angeles, Calif., on motion of Mr. Henry P. Chandler; Milton M. Unger, of Newark, N. J., and Sidney S. Jaffe, of Newark, N. J., on motion of Mr. Adrian Melvyn Unger; Robert A. Sturges, of Solon, Ohio, on motion of Mr. Almon S. Nelson; Otto E. Reik, of Washington, D. C., on motion of Mr. Howell John Hatcher; Ralph R. Sachs, of Seatneck, N. J., on motion of Mr. Martin W. Meyer; Donald B. Kipp, of Newark, N. J., on motion of Mr. W. Crosby Roper, Jr.; Frederick G. Mehlman, of Saint Johnsbury, Vt., and Clifton G. Parker, of Morrisville, Vt., on motion of Mr. John A. Calhoun; Porter B. Byrum, of Charlotte, N. C., and William Moore Nicholson, of Charlotte, N. C., on motion of Mr. Howell John Hatcher; Ralph R. Sacks, of Seat Pleasant, Md., on motion of Mr. Milton Dunn; Spencer M. Williams, of San Jose, Calif., on motion of Mr. Alexander Akerman, Jr.; George W. Nicastro, of Newark, N. J., on motion of Mr. David Wiener; DeForest Billyou, of New York, N. Y., on motion of Mr. Stanely L. Temko; Emil Morosini, Jr., of New York, N. Y., on motion of Mr. O. R. McGuire; Martin B. Nadle, of New York, N. Y., on motion of Mr. Edwin Yourman; and Nelson E. Hubel, of College Park, Md., on motion of Mr. A. James Martin, were admitted practice.

No. 165. Norman H. Buck and Miguel R. Guerra, appellants, *v.* The People of the State of California. Appeal from the Superior Court in and for the County of San Diego, State of California. Judgment affirmed. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Burton join.

No. 158. Thomas B. Lilly and Helen W. Lilly, petitioners, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United

States Court of Appeals for the Fourth Circuit. Judgment of Court of Appeals reversed and cause remanded with directions to remand to the Tax Court with instructions to set aside its judgment insofar as it is inconsistent with the opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 43. Peter Harisiades, petitioner, *v.* Edward J. Shaughnessy, District Director of Immigration and Naturalization at the Port of New York. On writ of certiorari to the United States Court of Appeals for the Second Circuit;

No. 206. Luigi Mascitti, appellant, *v.* J. Howard McGrath, Attorney General of The United States. Appeal from the United States District Court for the District of Columbia; and

No. 264. Dora Coleman, appellant, *v.* J. Howard McGrath, Attorney General of the United States, and A. R. Mackey, Acting Commissioner of Immigration and Naturalization. Appeal from the United States District Court for the District of Columbia. Judgments affirmed. Case No. 43 is remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Jackson. Concurring opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs. Mr. Justice Clark took no part in the consideration or decision of these cases.

No. 201, October Term, 1950. Harry Sacher, Richard Gladstein, George W. Crockett, Jr., Louis F. McCabe, Abraham J. Isserman, and Eugene Dennis, petitioners, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Jackson. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 15, Misc. Far Eastern Conference, United States Lines Company, States Marine Corporation, et al., petitioners, *v.* The United States of America and Federal Maritime Board. On writ of certiorari under 28 U. S. C. 1651 to the United States District Court for the District of New Jersey. Judgment reversed and cause remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 35. Frank Carlson, Miriam Christine Stevenson, David Hyun, and Harry Carlisle, petitioners, *v.* Herman R. Landon, District Director of Immigration and Naturalization Service, United States De-

partment of Justice. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit; and

No. 136. James W. Butterfield, Director of the Immigration and Naturalization Service, Detroit, Michigan, petitioner, *v.* John Zydok. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment in No. 35 affirmed and cause remanded to the United States District Court for the Southern District of California. Judgment of Court of Appeals in No. 136 vacated and cause remanded to the United States District Court for the Eastern District of Michigan for further proceedings in accordance with the opinion of this Court, with directions to order the release of the respondent Zydok unless within a reasonable time in the discretion of the Court he is rearrested under a new warrant. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Burton.

No. 331. Julian N. Frisbie, Warden, State Prison of Southern Michigan, Jackson, Michigan, petitioner, *v.* Shirley Collins. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment of Court of Appeals reversed and that of the District Court affirmed, and cause remanded to the United States District Court for the Eastern District of Michigan. Opinion by Mr. Justice Black.

Mr. Justice Black announced the following orders of the Court:

No. 134. A/S J. Ludwig Mowinckels Rederi et al., appellants, *v.* Isbrandtsen Co., Inc., et al.; and

No. 135. Federal Maritime Board, appellant, *v.* The United States of America et al. Appeals from the United States District Court for the Southern District of New York. *Per Curiam*: The judgment is affirmed by an equally divided Court. Mr. Justice Clark took no part in the consideration or decision of these cases.

No. 312. Charles L'Hommedieu, Johanna M. Lindlof, Lucille Spence, et al., appellants, *v.* The Board of Regents of the University of the State of New York et al. Appeal from the Court of Appeals of New York. *Per Curiam*: The judgment is affirmed. *Adler v. Board of Education*, No. 8, October Term 1951, decided March 3, 1952. Mr. Justice Black, Mr. Justice Frankfurter, and Mr. Justice Douglas dissent for the reasons stated in their respective dissenting opinions in *Adler v. Board of Education*.

No. 579. The Interstate Commerce Commission et al., appellants, *v.* James McWilliams Blue Line, Incorporated, et al. Appeal from the United States District Court for the Southern District of New York.

Per Curiam: The motion to affirm is granted and the judgment is affirmed. *Interstate Commerce Commission v. Mechling*, 330 U. S. 567.

Mr. Justice Black 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. 230. Besser Manufacturing Company and Jesse H. Besser, appellants, *v. The United States of America*. The motion of appellants to continue is denied. Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 253. Memphis Steam Laundry Cleaner, Inc., appellant, *v. A. H. Stone, Chairman, State Tax Commission of the State of Mississippi*. The motion of appellant for the issuance of the mandate forthwith, counsel for appellee agreeing, is granted.

No. 428. Pennsylvania Water and Power Company and Susquehanna Transmission Company of Maryland, petitioners, *v. Federal Power Commission et al.*; and

No. 429. Pennsylvania Public Utility Commission, petitioner, *v. Federal Power Commission*. The motions of respondents to postpone argument until the week of April 21 is denied.

No. 543. On Lee, petitioner, *v. The United States of America*. Motion of petitioner for leave to proceed in forma pauperis granted.

No. 590. Robert M. Wieman, Nancy Kent Ziebur, Werner C. Baum, et al., appellants, *v. Paul W. Updegraff, the Board of Regents of the Oklahoma Agricultural Colleges. et al.* In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 517. Richard A. McGee, Director, California Department of Corrections, and Robert A. Heinze, Warden, etc., petitioners, *v. James Nels Ekberg*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and the case transferred to the summary docket.

No. 274, Misc. Raleigh Speller, petitioner, *v. Robert A. Allen, Warden, Central Prison of the State of North Carolina*. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and the case transferred to the appellate docket and placed on the summary docket.

No. 281. James Martin MacInnis, petitioner, *v. The United States of America*. 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. Mr.

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

No. 466. The United States, petitioner, *v.* The Great Lakes Dredge and Dock Company. Petition for writ of certiorari to the United States Court of Claims denied.

No. 500. Michael H. Parish, doing Business under the Name and Style of Alleghany Asphalt and Paving Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Claims denied.

No. 548. Century Electric Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 549. John J. Muth, petitioner, *v.* Aetna Oil Company, Johnston Drilling Company, Incorporated, Fred J. Keck et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 558. Everlasting Development Corporation, Long Corporation, and L. D. Long, petitioners, *v.* Sol Luis Descartes et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 563. Poole Foundry and Machine Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 572. J. C. Thompson et al., petitioners, *v.* American Power and Light Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 300, October Term, 1950. Vincent W. Hallinan, petitioner, *v.* The United States of America. Petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 381. Muriel F. McCarty et al., by Muriel F. McCarty, Guardian ad litem, petitioners, *v.* R. R. Nelson, Administrator of the Estate of Albie C. Sansbury, et al.; and

No. 480. Paterson Parchment Paper Company, petitioner, *v.* International Brotherhood of Paper Makers et al. Petitions for rehearing denied.

No. 319, Misc. Earl D. Bircham, petitioner, *v.* Jess W. Buchanan, Warden et al.; and

No. 320, Misc. Earl D. Bircham, petitioner, *v.* Commonwealth of Kentucky. Petitions for writs of certiorari to the Court of Appeals of Kentucky. Dismissed on motions of counsel for petitioners.

No. 357, Misc. Fred S. Pritchett, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States

Court of Appeals for the District of Columbia Circuit. Dismissed on motion of counsel for petitioner.

No. 155, Misc. Richard Anderson Lowe, petitioner, *v.* J. E. Overlade, Warden, U. S. Penitentiary, Terre Haute, Indiana. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 201, Misc. Cecil F. Reeves, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 211, Misc. Otis Spencer, petitioner, *v.* Dr. Ivan W. Steele, Warden, U. S. Medical Center, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 230, Misc. Michael Grizzanti, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 231, Misc. Charles LaNovara, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 268, Misc. Lindell Wayne Howard, 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. 290, Misc. Joseph Anthony, petitioner, *v.* Honorable Samuel H. Kaufman, Judge of the United States District Court for the Southern District of New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 308, Misc. John Kill, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 309, Misc. Anthony Freapane, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 338, Misc. George C. Cubbler, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 340, Misc. Mary Welday Rippe, Widow and Executrix of William Daniel Rippe, petitioner, *v.* Walter F. Stahlhuth et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 344, Misc. John P. Byars, petitioner, *v.* Colonel Edwin T. Swenson, Warden of the Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 349, Misc. John E. Berry, petitioner, *v.* Thomas McDonnell, Warden, etc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 363, Misc. Sam Miner, petitioner, *v.* Joseph E. Ragen, Warden, etc. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 366, Misc. John J. Holly, petitioner, *v.* The Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 345, Misc. Donald Hicks, petitioner, *v.* J. Vernal Jackson, Warden, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 313, Misc. William H. Chapman, petitioner, *v.* John H. Lamneck et al. Petition for writ of quo warranto dismissed on motion of petitioner.

No. 314, Misc. Ex parte Philadelphia and Norfolk Steamship Company and Southern Trading Company, petitioners. Motion for leave to file petition from writ of prohibition and/or mandamus denied.

No. 331, Misc. Ex parte Bertha A. Paquette, petitioner. Motion for leave to file petition for writs of mandamus and habeas corpus denied.

No. 334, Misc. Ex parte Joseph Unrecht, petitioner; and

No. 370, Misc. Dan Williams, Jr., petitioner, *v.* Dr. Winfred Overholser, Superintendent. Motions for leave to file petitions for writs of habeas corpus denied.

No. 359, Misc. LeRoy Porter, petitioner, *v.* The Municipal Court of Chicago, Illinois. Motion for leave to file petition for writ of mandamus denied.

The order as to sessions announced March 3, is amended to read as follows:

"The Court will take a recess from Monday, March 10, until Monday, March 24, next."

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

SUPREME COURT OF THE UNITED STATES

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

Marvin E. Frankel, of Falls Church, Va., Max H. Goldschein, of Nashville, Tenn., and Frank L. Ramacciotti, of St. Louis, Mo., on motion of Mr. Solicitor General Philip B. Perlman; John M. Hardage, of Texarkana, Tex., on motion of Mr. Lindley G. Beckworth; Rudolf Amann, of Newton Center, Mass., on motion of Mr. Max C. Louis; Clarence G. Pechacek, of Washington, D. C., on motion of Mr. Leo A. Rover; Frank W. Swacker, of New York, N. Y., on motion of Mr. James Wallace Kemp; R. Nolan Moosa, of Eunice, La., on motion of Mr. Hale Boggs; William James DeMartini, of Los Angeles, Calif., on motion of Mr. Willis E. Ruffner; Robert E. Cummings, of Chicago, Ill., on motion of Mr. Carl B. Klein; Caradine Ray Hooton, of Washington, D. C., on motion of Mr. John H. Awtry; Michael P. Armenis, of Los Angeles, Calif., on motion of Mr. Franklin W. Clarke; Emanuel H. Bloch, of New York, N. Y., on motion of Mr. Joseph Forer; Otho S. Books, of Tucson, Ariz., on motion of Mr. Hoyt G. Irving; and Chas. J. Clasby, of Fairbanks, Alaska, on motion of Mr. Northcutt Ely, were admitted to practice.

No. 173. Joseph T. Lykes, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of Court of Appeals affirmed. Opinion by Mr. Justice Burton. Dissenting: Mr. Justice Black. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

No. 195. James Rutkin, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed and case remanded to the United States District Court for the District of New Jersey. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Black in which Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Douglas concur.

No. 391. Joseph B. Bruner, petitioner, *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 Middle District of Georgia. Opinion by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Black and Mr. Justice Douglas.

The Chief Justice announced the following order of the Court:

No. 619. William Propst, Wilbur E. Coole, and Carl Olson, appellants, *v.* The Board of Educational Lands and Funds of the State of Nebraska et al. Appeal from the United States District Court for the District of Nebraska. *Per Curiam*: 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. 388. Leroy J. Robertson, petitioner, *v.* The United States of America. The motion to remove this case from the summary docket is denied.

No. 517. Richard A. McGee, Director, California Department of Corrections, and Robert A. Heinze, Warden, etc., petitioners, *v.* James Nels Ekberg. The motion of respondent for leave to proceed *in forma pauperis* is granted.

No. 621. The United States of America and the Interstate Commerce Commission, appellants, *v.* The L. A. Tucker Truck Lines, Incorporated. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 334. Harry Gordon, Officer in Charge, Immigration and Naturalization Service, Department of Justice, petitioner, *v.* Knut Einar Heikkinen. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted and case transferred to the summary docket.

No. 649. Ben F. Ray, as Chairman of the State Democratic Executive Committee of Alabama, petitioner, *v.* Edmund Blair. The application for a stay is granted and it is ordered that the judgments and mandates of the Circuit Court and Supreme Court of Alabama be, and they are hereby, stayed pending further consideration and disposition of the case by this Court. The petition for writ of certiorari to the Supreme Court of Alabama is granted and the case is assigned for argument on Monday, March 31, next, at the head of the call for that day. Argument is to be directed to the application for stay as well as the merits. Mr. Justice Black took no part in the consideration or decision of these applications.

No. 300, Misc. The United States of America, ex rel. James Smith, petitioner, *v.* Dr. Frederick S. Baldi, Superintendent of Philadelphia County Prison. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the appellate docket.

No. 333, Misc. Clyde Brown, petitioner, *v.* Robert A. Allen, Warden. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case transferred to the appellate docket. Case placed on summary docket and assigned for argument immediately following No. 643.

No. 396. Commissioner of Internal Revenue, petitioner, *v.* Fred I. Tourtelot and Mary H. Tourtelot. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit dismissed on motion of counsel for petitioner.

No. 508. Albo Trading Corporation, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Claims denied.

No. 509. Malvin Volk, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Claims denied.

No. 538. Harry Gregory et al., petitioners, *v.* Louisville and Nashville Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 550. Augusto R. Soltero, petitioner, *v.* Sol Luis Descartes, Treasurer of Puerto Rico, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 554. Joao Freire Sineiro, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 556. Charles H. Lawson, as Administrator of the Goods, Chattels and Credits which were of Antonio Scull Cardenas, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 562. M. L. Jewell, as Chief Overseer and Supreme Head of the Church of the Living God, the Pillar and Ground of Truth, petitioner, *v.* Honorable Elmer D. Davies, United States District Judge. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 564. The General Shoe Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 566. Joseph Rosenblum and Sadie Rosenblum, Co-Partners, Trading and doing Business as Modern Manner Clothes, petitioners, *v.* The Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 571. J. W. Crank, Texas and Pacific Railway Company, and other Landowners in the McKinney Bayou Drainage District of Miller County, Arkansas, petitioners, *v.* J. Ripley Greer, Trustee and W. R. Stevens Investment Company, Incorporated, et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 573. Gussie P. Chapman, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 576. General American Transportation Corporation, petitioner, *v.* Indiana Harbor Belt Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 596. Southwest Stone Company, petitioner, *v.* Missouri-Kansas-Texas Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 613. Jean G. L. Cassel Van Doorn and Marij V. Cassel Van Doorn, petitioners, *v.* William Henig, Trustee in Bankruptcy of Regency, Incorporated, Bankrupt. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 387. William Walter Remington, petitioner, *v.* The United States of America. Motion to dispense with printing the record granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting memorandum filed by Mr. Justice Black, with whom Mr. Justice Douglas concurs. As to the legal significance of a denial of the petition for writ of certiorari, Mr. Justice Frankfurter refers to his memoranda in *Maryland v. Baltimore Radio Show, Inc.*, 338 U. S. 912, and *Agoston v. Pennsylvania*, 340 U. S. 844. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 533. Walter H. Foster et al., petitioners, *v.* General Motors Corporation. Motion to proceed on typewritten copies of record granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 553. Joseph Adamowski, James E. Jackson, and DeLey R. Graham, petitioners, *v.* Honorable Guy K. Bard, Judge, United States District Court for the Eastern District of Pennsylvania, et al. Motion to dispense with printing petition and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 430. Community Services, Inc., petitioner, *v.* The United States of America; and

No. 488. Edward Heagney, petitioner, *v.* Brooklyn Eastern District Terminal. Petitions for rehearing denied.

No. 497. State of Illinois and the Illinois Commerce Commission et al., appellants, *v.* The United States of America et al. Motion of certain parties to join in the petition for rehearing denied. Petition for rehearing denied.

No. 298, Misc. John Edwin Byers et al., appellants, *v.* The United States of America. Petition for rehearing denied.

No. 358, Misc. George W. Van Horn, petitioner, *v.* Browning Robinson, Warden, etc. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, dismissed on motion of petitioner.

No. 163, Misc. Henry Thomas, petitioner, *v.* Clinton T. Duffy, Warden, California State Prison at San Quentin. Petition for writ of certiorari to the Supreme Court of California denied.

No. 190, Misc. Manning Strewl, petitioner, *v.* J. Howard McGrath, Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 238, Misc. Clarence P. Adams, petitioner, *v.* Jerome J. Waters, Jr., Warden, Oklahoma State Penitentiary. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 241, Misc. Charles Harrigan, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 252, Misc. Bernard M. Shotkin, petitioner, *v.* Atchison, Topeka and Santa Fe Railroad Company et al. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 284, Misc. McKinley Alexander, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 286, Misc. Leroy Bundy, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 291, Misc. William A. Tyler, Jr., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 296, Misc. Nell Rummans Rash, petitioner, *v.* The People's Deposit Bank and Trust Company, Executor of Clarence Jones Wright et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 303, Misc. The United States of America, ex rel. Fletcher Mills, petitioner, *v.* Joseph C. Reing, United States Marshal. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 316, Misc. Robert L. Peyton, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Claims denied.

No. 318, Misc. Wash Baxter, petitioner, *v.* Dr. John W. Claudy, Warden, etc. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 327, Misc. Penny Freeman, petitioner, *v.* Railroad Retirement Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 332, Misc. George Vega, petitioner, *v.* The United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 341, Misc. John Edwin Byers, petitioner, *v.* The United States of America et al. Petition for writ of certiorari to the United States Court of Claims denied.

No. 343, Misc. Emanuel Cannady, petitioner, *v.* The People of the the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 347, Misc. Thomas Feeley, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 354, Misc. Wesley Winters, petitioner, *v.* John C. Burke, Warden, Wisconsin State Prison. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 356, Misc. William Kemmerer, petitioner, *v.* Julian N. Frisbie, Warden, etc. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 362, Misc. Sterling Ferguson, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 365, Misc. Chester Hibbs, petitioner, *v.* Jerome J. Waters, Jr., Warden. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 367, Misc. In the Matter of Albert Mulvey, petitioner. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 375, Misc. Joseph Traina, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 376, Misc. Calvin Roberts, petitioner, *v.* Julian N. Frisbie, Warden, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 377, Misc. Eligah Stingly, petitioner, *v.* Joseph E. Ragen, Warden, Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 380, Misc. Andrew Johnson, petitioner, *v.* The State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 389, Misc. Green Wilburn, petitioner, *v.* John R. Cranor, as Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 390, Misc. Michael R. Simon, petitioner, *v.* The Supreme Court of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 398, Misc. Glen Earl Losinger, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 218, Misc. Robert Wilfred Antrobus, petitioner, *v.* United States of America. Application for bail denied. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit also denied.

No. 337, Misc. Leo Van Eps, petitioner, *v.* The State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 335, Misc. Harry Lee Dodd, petitioner, *v.* Dr. Ivan W. Steele, Warden, United States Medical Center;

No. 346, Misc. Charles Van Newkirk, petitioner, *v.* John F. McNeill, Superintendent, Matteawan State Hospital;

No. 350, Misc. Kenneth Pardee, petitioner, *v.* The State of Michigan;

No. 355, Misc. Raymond Koenig, petitioner, *v.* John R. Cranor, Superintendent of Washington State Penitentiary;

No. 364, Misc. Charles Williams, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Penitentiary; and

No. 374, Misc. T. J. Farley, petitioner, *v.* Orel J. Skeen, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 353, Misc. Gloria O. Towing Corporation, petitioner, *v.* The Honorable Mortimer W. Byers, Judge, etc. Motion for leave to file petition for writ of prohibition and/or mandamus denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit also denied.

No. 352, Misc. David H. Johnson, petitioner, *v.* The State of Utah;
and

No. 360, Misc. E. Haydon Bozell, petitioner, *v.* The United States
of America. Applications denied.

The Court will take a recess from today until Monday, March 31,
next.

Adjourned until Monday, March 31, next, at 12 o'clock.

The day call for Monday, March 31, will be as follows: Nos. 649,
338, 448 (and 504), 456, 395, 461, 442, 570, and 428 (and 429).

×

SUPREME COURT OF THE UNITED STATES

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

No. 649. Ben F. Ray, as Chairman of the State Democratic Executive Committee of Alabama, petitioner, *v.* Edmund Blair. The motion of respondent to vacate or modify the stay order of March 24, 1952, is denied. Mr. Justice Black took no part in the consideration or decision of this motion.

Adjourned until Monday, March 31, next, at 12 o'clock.

×

SUPREME COURT OF THE UNITED STATES

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

Harold M. Cook, of Birmingham, Ala., on motion of Mr. James J. Mayfield; Ozie Harold Johnson, of Dayton, Ohio, Lester Lewis Jay, of New York, N. Y., and Irving Brodsky, of Providence, R. I., on motion of Mr. Solicitor General Philip B. Perlman; R. C. Woodward, of El Dorado, Kans., and Mason Mahin, of Topeka, Kans., on motion of Mr. Edward Herbert Rees; Clarence L. Thacker, of Kissimmee, Fla., on motion of Mr. Dwight L. Rogers; Richard H. Lee, of Boston, Mass., on motion of Mr. Will Shafroth; Asa B. Groves, Jr., of Chicago, Ill., on motion of Mr. Jackson E. Betts; Paul H. McMurray, of Floydada, Tex., on motion of Mr. Richard H. Akers; John N. Jackson, of Dallas, Tex., on motion of Mr. Elmore Whitehurst; Harry H. Lugg, of Rockville, Conn., on motion of Mr. John A. Danaher; Donald E. Bateman, of Chicago, Ill., on motion of Mr. Royal E. Jackson; Thomas D. Wood, of San Antonio, Tex., and Robert Joseph Ritter, of Minneapolis, Minn., on motion of Mr. Bert E. Johnson; William H. Fowler, of Marion, Ill., on motion of Mr. William J. Houston; Robert Joseph O'Keefe, of Worcester, Mass., on motion of Mr. Warren Gates Harris; Charles H. Gordon, of Hampton, Va., on motion of Mr. Frank A. Kearney; Richmond Moore, Jr., of Richmond, Va., on motion of Mr. Francis Thornton Greene; David R. Wilkinson, of Indianapolis, Ind., on motion of Mr. Ray S. Donaldson; Francis Patrick O'Neill, of Denver, Colo., on motion of Mr. Norris C. Bakke; Stanley I. Adelstein, of Cleveland, Ohio, on motion of Mr. Paul R. Harmel; Charles W. Webster, of Buffalo, N. Y., on motion of Mr. Manly Fleischmann; Charles Y. Wadsworth, of Wayland, Mass., on motion of Mr. Gerald T. O'Hara; Marvel Dell Shore, of San Francisco, Calif., on motion of Mr. Irving Shore; John A. Eichman 3d, of Philadelphia, Pa., on motion of Mr. J. Louis Monarch; and Emmet McNulty Ferguson, of De Land, Fla., on motion of Mr. A. Harry Becker, were admitted to practice.

No. 426. The United States of America, appellant, *v.* Clarence E. Hood, Jr., Frank F. Mize, Bascom C. Beasley, et al. Appeal from the United States District Court for the Southern District of Mississippi. Judgment reversed and case remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr.

Justice Frankfurter announced by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Black in which Mr. Justice Reed, Mr. Justice Douglas, and Mr. Justice Minton concur.

The Chief Justice announced the following orders of the Court:

No. 529. Jennie B. Downey, petitioner, *v.* Herbert Beck. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeals for further consideration in the light of Beck *v.* West Coast Life Ins. Co., decided by the Supreme Court of California on March 21, 1952.

No. 635. Glenn M. Anderson, Lyle Cook, Jack Goldberger, et al., appellants, *v.* Frank M. Jordan, as Secretary of State of the State of California. Appeal from the Supreme Court of California. *Per curiam*: The motion to dismiss is granted and the appeal is dismissed. See MacDougall *v.* Green, 335 U. S. 281 (1948); Colegrove *v.* Green, 328 U. S. 549 (1946); Wood *v.* Broom, 287 U. S. 1 (1932). Mr. Justice Black and Mr. Justice Douglas dissent.

The Chief Justice said:

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

No. 522. Joseph Burstyn, Incorporated, appellant, *v.* Lewis A. Wilson, Commissioner of Education of the State of New York, et al. The motion for leave to file brief of the Committee on Constitutional Liberties of the National Lawyers Guild, as *amicus curiae*, is denied.

No. 559. The United States, petitioner, *v.* Bell Aircraft Corporation. Petition for writ of certiorari to the United States Court of Claims granted.

No. 324, Misc. David Brock, petitioner, *v.* The State of North Carolina. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of North Carolina granted and case transferred to the appellate docket.

No. 510. Charles Redcay Warfel, as Assignee for the Benefit of Creditors of the Haneel Company, a Partnership, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 575. Meyer Schneider, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 584. Paul D. Lynch, petitioner, *v.* Howard J. Gruber and Isabel Gruber, Husband and Wife. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 585. Martin Mayrath, petitioner, *v.* The Hutchinson Manufacturing Company, a Partnership Composed of Harold E. Goetz and Albert J. Goetz. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 587. Ingersoll-Rand Company and Robert H. Pott, Holsclaw Brothers, Incorporated, et al., petitioners, *v.* Black and Decker Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 592. Helen Scott Fairbanks, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 603. Donald J. MacFarlane, petitioner, *v.* The Pacific Mutual Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 608. Mrs. Pauline R. Burks, petitioner, *v.* Colonial Life and Accident Insurance Company of Columbia, South Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 615. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* M. F. White. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 577. Eusebius James Biggs, petitioner, *v.* Anton Plebanek et al. Motion for judgment and costs denied. Petition for writ of certiorari to the Supreme Court of Illinois also denied.

No. 578. Eusebius James Biggs, petitioner, *v.* Ulysses S. Schwartz et al. Petition for injunction, for judgment, and other relief denied. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit also denied.

No. 261, October Term, 1949. Frank M. Cobb, petitioner, *v.* Commissioner of Internal Revenue. Motion for leave to file second petition for rehearing denied.

No. 85. Idonah Slade Perkins, petitioner, *v.* Benguet Consolidated Mining Company, an Alien Business Association known as Sociedad Anonima, et al.; and

No. 272, Misc. Henry Robinson, petitioner, *v.* State of Illinois. Petitions for rehearing denied.

No. 141, Misc. Mollie Eagle, petitioner, *v.* Benjamin Cherney and Samuel H. Berger et al. Second petition for rehearing denied.

No. 328, Misc. Roy L. Story, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. Petition

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

No. 348, Misc. Edmond L. Viles, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 371, Misc. Caryl Chessman, petitioner, *v.* The People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 372, Misc. The United States of America, ex rel. Robert Jellison, petitioner, *v.* The Warden of the New Jersey State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 378, Misc. The United States of America, ex rel. Clarence Smith, petitioner, *v.* The Warden of the New Jersey State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 379, Misc. The United States of America, ex rel. Frederick Bunk, petitioner, *v.* The Warden of the New Jersey State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 382, Misc. Darwin W. Millage, petitioner, *v.* The State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 386, Misc. Harold L. Hagerman, petitioner, *v.* The State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 393, Misc. William McCoy, petitioner, *v.* Julian N. Frisbie, Warden, etc. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 399, Misc. Robert Marshall, petitioner, *v.* The Supreme Court of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 140, Misc. Edmond C. Fletcher, petitioner, *v.* R. W. Flournoy and Joseph A. Fitzwater and Anne Fitzwater, his Wife. Petition for writ of certiorari to the Court of Appeals of Maryland denied. The Chief Justice took no part in the consideration or decision of this application.

No. 321, Misc. Major Preston, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied for the reason that the application therefor was not made within the time provided by law. Rule 38½ of the Rules of the Supreme Court.

No. 342, Misc. Mary Boyd Alloway, petitioner, *v.* Marcia Simpson, Superintendent of the Wisconsin Home for Women. Petition for writ of certiorari to the Supreme Court of Wisconsin denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 351, Misc. John L. Hurley, petitioner, *v.* The City of Atlanta, Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 391, Misc. George Harris, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Petition for allowance of appeal also denied.

No. 385, Misc. George W. Bailey, petitioner, *v.* Ralph N. Eidson, Warden;

No. 388, Misc. Witold H. Curlanis, petitioner, *v.* The United States of America;

No. 392, Misc. Rudolph J. Pfister, petitioner, *v.* E. J. Welch, Superintendent, etc.; and

No. 402, Misc. In re Herbert N. Shenkin, petitioner. Motions for leave to file petitions for writ of habeas corpus denied.

No. 400, Misc. Sylvester Elliott, petitioner, *v.* The State of Michigan. Petition for judgment denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 383, Misc. Harry Joseph Ryan, petitioner, *v.* Those States of the United States using Voting Machines for National and all other Elections, etc. Petition denied.

No. 414, Misc. The United States of America, ex rel. Martin Young, petitioner, *v.* Edward J. Shaughnessy, the District Director of Immigration and Naturalization, etc. Application for bail denied.

The Court will take a recess from Monday, April 7, until Monday, April 21, next.

No. 649. Ben F. Ray, as Chairman of the State Democratic Executive Committee of Alabama, petitioner, *v.* Edmund Blair. Argued by Mr. Marx Leva and Mr. Harold M. Cook for the petitioner and Mr. Horace C. Wilkinson for the respondent.

No. 388. LeRoy J. Robertson, petitioner, *v.* The United States of America. Argued by Mr. Samuel E. Blackham for the petitioner and by Mr. Marvin E. Frankel for the respondent.

No. 448. Federal Trade Commission, petitioner, *v.* The Ruberoid Company; and

No. 504. The Ruberoid Company, petitioner, *v.* Federal Trade Commission. Argument commenced by Mr. Cyrus Austin for the Ruberoid Co.

Adjourned until tomorrow, at 12 o'clock.

The day call for Tuesday, April 1, will be as follows: Nos. 448 (and 504), 456, 395, 461, 442, 570, and 428 (and 429).

×

SUPREME COURT OF THE UNITED STATES

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

Mario S. Mazzuchi, of Washington, D. C., on motion of Mr. William J. Hughes, Jr.; Arthur E. Brown, of Detroit, Mich., on motion of Mr. Miles H. Knowles; Jerome Katz, of New York, N. Y., on motion of Mr. Herman A. Greenberg; Paul M. Shuford, of Richmond, Va., and E. Ballard Baker, of Richmond, Va., on motion of Mr. Russell O. Pettibone; Thomas D. Begley, of Burlington, N. J., and C. Zachary Seltzer, of Burlington, N. J., on motion of Mr. Morton Liftin; Frank L. Hirst, of San Diego, Calif., and Arnold Teks, of Atlanta, Ga., on motion of Mr. Edwin D. Dupree, Jr.; William B. Esterman, of Los Angeles, Calif., on motion of Mr. David Rein; Ernest Ray White, of Philadelphia, Pa., on motion of Mr. Bert B. Rand; Joseph F. Castiello, of Washington, D. C., Ralph F. Berlow, of Washington, D. C., and George L. Rutherford, of Frankfort, N. Y., on motion of Mr. Austin F. Canfield; and George A. LeMaistre, of Tuscaloosa, Ala., on motion of Mr. Marx Leva, were admitted to practice.

No. 448. Federal Trade Commission, petitioner, *v.* The Ruberoid Company; and

No. 504. The Ruberoid Company, petitioner, *v.* Federal Trade Commission. Argument continued by Mr. Cyrus Austin for The Ruberoid Co. and concluded by Mr. James Cassedy for the Federal Trade Commission.

No. 456. The United States of America, petitioner, *v.* Clara Belle Henning et al. Argued by Mr. Morton Liftin for the petitioner and Mr. Richard H. Lee for the respondent, Joseph S. Kennedy, Adm'r.

No. 395. Richfield Oil Corporation, appellant, *v.* The United States of America. Argument commenced by Mr. Robert E. Paradise for the appellant.

Adjourned until tomorrow, at 12 o'clock.

The day call for Wednesday, April 2, will be as follows: Nos. 395, 461, 442, 570, and 428 (and 429).

SUPREME COURT OF THE UNITED STATES

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

Russell E. Schlorff, of New York, N. Y., on motion of Mr. H. G. Morison; William Pendleton Sandridge, of Winston-Salem, N. C., on motion of Mr. Charles Clark; James R. Golden, of Leesburg, Fla., on motion of Mr. George C. Young; Milton P. Webster, Jr., of Chicago, Ill., on motion of Mr. George M. Johnson; Edwin J. McDermott, of Philadelphia, Pa., on motion of Mr. Isidor Ostroff; Tobias Weiss, of New York, N. Y., on motion of Mr. Arnold Raum; W. Hightower Smith, of Fort Worth, Tex., on motion of Mr. J. Fielding Jones; Madora Jane Doherty, of Washington, D. C., on motion of Mr. Jerome James Doherty; Helen F. Krause, of Bridgeport, Conn., on motion of Mr. Harold Leon Winston; and Karl M. Foust, of Washington, D. C., on motion of Mr. Earl Clifford Walck, were admitted to practice.

No. 395. Richfield Oil Corporation, appellant, *v.* The United States of America. Argument continued by Mr. Robert E. Paradise for the appellant and concluded by Mr. Assistant Attorney General Morison for the appellee.

No. 461. Irving Greenberg, petitioner, *v.* The United States of America. Argued by Mr. Frederick Bernays Wiener for the petitioner and by Mr. Max N. Goldschein for the respondent.

No. 442. Eugene M. Brunner, petitioner, *v.* The United States of America. Argued by Mr. William B. Esterman and Mr. A. L. Wirin for the petitioner and by Mr. J. F. Bishop for the respondent.

No. 570. Tomoya Kawakita, petitioner, *v.* The United States of America. Argument commenced by Mr. Morris Lavine for the petitioner.

Adjourned until tomorrow, at 12 o'clock.

The day call for Thursday, April 3, will be as follows: Nos. 570 and 428 (and 429).

×

SUPREME COURT OF THE UNITED STATES

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

Russell G. Nesbitt, of Wheeling, W. Va., on motion of Mr. Will Shafroth; Henry T. Wickham, of Richmond, Va., and C. Champion Bowles, of Richmond, Va., on motion of Mr. J. Lindsay Almond, Jr.; Everett I. Willis, of New York, N. Y., Horace B. B. Robinson, of New York, N. Y., and Ulrich Schweitzer, of New York, N. Y., on motion of Mr. Wilkie Bushby; Joseph A. Andrew, of LaFayette, Ind., on motion of Mr. H. Russell Bishop; and G. Kenneth Reiblich, of Baltimore, Md., on motion of Mr. Alfred P. Ramsey, were admitted to practice.

No. 649. Ben F. Ray, as Chairman of the State Democratic Executive Committee of Alabama, petitioner, *v.* Edmund Blair. On writ of certiorari to the Supreme Court of the State of Alabama. Judgment reversed with costs and case remanded to the Supreme Court of Alabama for further proceedings. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Douglas and Mr. Justice Jackson. Mr. Justice Black and Mr. Justice Frankfurter took no part in the consideration or decision of this case.

No. 570. Tomoya Kawakita, petitioner, *v.* The United States of America. Argument continued by Mr. Morris Lavine and Mr. A. L. Wirin for the petitioner and concluded by Mr. Oscar H. Davis for the respondent. Leave granted petitioner to file reply brief within five days.

No. 428. Pennsylvania Water and Power Company and Susquehanna Transmission Company of Maryland, petitioners, *v.* Federal Power Commission et al.; and

No. 429. Pennsylvania Public Utility Commission, petitioner, *v.* Federal Power Commission. Four hours allowed for oral argument. Argument commenced by Mr. Wilkie Bushby for the petitioners, Pennsylvania Water & Power Co. et al.; and continued by Mr. William J. Grove for the petitioner, Pennsylvania Public Utility Commission;

and by Mr. Solicitor General Perlman for the respondent, Federal Power Commission.

Adjourned until tomorrow, at 12 o'clock.

The day call for Friday, April 4, will be as follows: No. 428 (and 429).

×

SUPREME COURT OF THE UNITED STATES

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

Donald C. Walker, of Portland, Oreg., on motion of Mr. Walter Norblad; Emerson K. Elkins, of Peru, Ind., on motion of Mr. Earl A. Snyder; William Preston Palmer, of New York, N. Y., on motion of Mr. Wilkie Bushby; Gilbert S. Rosenthal, of New York, N. Y., on motion of Mr. John L. Grabber; and Charles Leslie Pain, of Chickasha, Okla., on motion of Mr. Preston E. Peden, were admitted to practice.

No. 428. Pennsylvania Water and Power Company and Susquehanna Transmission Company of Maryland, petitioners, *v.* Federal Power Commission et al.; and

No. 429. Pennsylvania Public Utility Commission, petitioner, *v.* Federal Power Commission. Argument continued by Mr. Solicitor General Perlman for the respondent, Federal Power Commission; by Mr. Alfred Ramsey for respondent, Consolidated Gas Electric Light and Power Co., of Baltimore; by Mr. Charles D. Harris for respondent, Public Service Commission of Maryland, and concluded by Mr. Wilkie Bushby for petitioners.

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

×

SUPREME COURT OF THE UNITED STATES

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

Josephine R. Garrison, of Washington, D. C., and Robert V. Carton, of Asbury Park, N. J., on motion of Mr. Solicitor General Philip B. Perlman; E. Bruce Foster, of Knoxville, Tenn., and Wm. C. Wilson, of Knoxville, Tenn., on motion of Mr. Howard H. Baker; John C. Deacon, of Jonesboro, Ark., on motion of Mr. Brooks Hays; Noble J. Allen, Jr., of Denver, Colo., on motion of Mr. Byron G. Rogers; Hardy W. Hollers, of Austin, Tex., on motion of Mr. James J. Lenihan; Jack I. Levy, of Chicago, Ill., on motion of Mr. Bartholomew Diggins; Lowell C. Davis, of Sidney, Nebr., on motion of Mr. Carl T. Curtis; Manuel Auerbach, of Washington, D. C., Morris Dershowitz, of New York, N. Y., and Charles B. Tachau, of Louisville, Ky., on motion of Mr. Thomas H. Wick; Robert L. Hood, of Newark, N. J., on motion of Mr. Bennett Boskey; Louis T. Shulman, of Dayton, Ohio, on motion of Mr. Edward M. Shulman; Elsie Rand, of Summit, N. J., on motion of Mr. Kahl K. Spriggs; Samuel Maidman, of Los Angeles, Calif., on motion of Mr. Harold E. Mott; Herbert R. Burris, of New York, N. Y., on motion of Mr. Thayer Chapman; Carl J. Schuck, of Los Angeles, Calif., on motion of Mr. James A. McKenna, Jr.; William Kendrick Rhodes, Jr., of Wilmington, N. C., Henry Winfield Smith, of Wilmington, N. C., and Wesley E. McDonald, of Arlington, Va., on motion of Mr. Robert H. McNeill; Allan M. Wilson, of Lincoln, Nebr., on motion of Mr. Wendell Berge; Alvin A. Underhill, of Alhambra, Calif., on motion of Mr. Robert N. Hislop; and Harrell A. Simpson, of Pocahontas, Ark., on motion of Mr. W. F. Norrell, were admitted to practice.

No. 178. Uebersee Finanz-Korporation, A. G., petitioner, *v.* J. Howard McGrath, Attorney General and as Successor to the Alien Property Custodian. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals vacated and cause remanded to the United States District Court for the District of Columbia for consideration, in the light of the opinion of this Court in *Kaufman v. Societe Interna-*

tionale, No. 172, and the opinion of this Court in this case, of any application respecting the reopening of the case for the assertion of the rights of Fritz von Opel that may be made on behalf of Fritz von Opel within 30 days from the date of remand. In all other respects the judgment of the Court of Appeals is affirmed. Opinion by Mr. Justice Minton. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 373. Fred Stroble, petitioner, *v.* People of the State of California. On writ of certiorari to the Supreme Court of the State of California. Judgment affirmed. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

No. 443. The United States of America, appellant, *v.* Efroim Spec-
tor. Appeal from the United States District Court for the Southern District of California. Judgment reversed and case remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 172. Eric G. Kaufman and Aenni C. Kaufman, petitioners, *v.* Societe Internationale pour Participations Industrielles et Commerciales, S. A. etc., et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Reed in which the Chief Justice and Mr. Justice Minton join. Mr. Justice Clark took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 442. Eugene M. Brunner, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: Judgment reversed. Blau *v.* United States, 340 U. S. 159. Mr. Justice Reed and Mr. Justice Douglas dissent. Mr. Justice Frankfurter took no part in the consideration or decision of this case.

No. 461. Irving Greenberg, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Third Circuit. *Per Curiam*: Judgment reversed. Hoffman *v.* United States, 341 U. S. 479. Mr. Justice Reed and Mr. Justice Burton dissent. Mr. Justice Frankfurter took no part in the consideration or decision of this case.

The Chief Justice said:

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

No. 638. The United States of America, petitioner, *v.* Patricia J. Reynolds, Phyllis Brauner, and Elizabeth Palya. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 586. Olin Industries, Incorporated, Winchester Repeating Arms Company Division, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 589. N. G. Seitz and B. S. Gladney, petitioners, *v.* The Choctaw and Chickasaw Nations and the United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 594. David D. Lewis and Jackson, Rives and Pettus, petitioner, *v.* Railroad Retirement Board. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 595. John W. Woolley, petitioner, *v.* The State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 599. Lionel H. Sanger, petitioner, *v.* The Plomb Tool Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 607. Stanolind Oil and Gas Company, petitioner, *v.* West Edmond Hunton Lime Unit, a Body Politic and Corporate. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 620. Brown and Bigelow, petitioner, *v.* The B. B. Pen Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 622. Ben Preston, petitioner, *v.* The Continental Oil Company, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 567. The Delaware and Hudson Company et al., petitioners, *v.* The Boston Railroad Holding Company et al.; and

No. 593. James B. Magenis, F. W. Applestein, Charles A. Bodie, et al., petitioners, *v.* Boston Railroad Holding Company, et al. The motion for leave to file brief of Dayton P. Haigney and associates as *amici curiae* or to obtain consideration of a brief as Co-Parties Peti-

tioner is denied. Petitions for writs of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 588. Raphael R. Richardson, petitioner, *v.* Theodore Britton, Deputy Commissioner, District of Columbia Compensation District, Federal Security Agency, Western Union Telegraph Company. 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. 606. Adelheid Augusta Nina Edwina Von Hardenberg and Irmgard Stella Von Alten, petitioners, *v.* J. Howard McGrath, Attorney General of the United States. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 143. Verna Leib Sutton, petitioner, *v.* R. Wells Leib;

No. 317. Day-Brite Lighting, Inc., appellant, *v.* State of Missouri;

No. 349. First National Bank of Chicago, as Executor of the Estate of John Louis Nelson, deceased, petitioner, *v.* United Air Lines, Inc.;

No. 514. LeRoy J. Leishman, petitioner, *v.* General Motors Corporation;

No. 515. Annis Wyche and Robert C. Thorpe, petitioners, *v.* The United States of America;

No. 520. The Central Railroad Company of New Jersey, appellant, *v.* Director, Division of Tax Appeals of the Department of the Treasury of the State of New Jersey;

No. 523. The People of the State of Illinois, ex rel. Mary S. M. Loughry, petitioner, *v.* The Board of Education of the City of Chicago;

No. 540. W. M. Cox, appellant, *v.* James S. Peters and Mrs. Iris Blicht;

No. 544. Robert L. Richards, petitioner, *v.* The United States of America; and

No. 287, Misc. James Mulkey, petitioner, *v.* The United States Court of Appeals for the Sixth Circuit. Petitions for rehearing denied.

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

The day call for Monday, April 21, will be as follows: Nos. — Orig. Texas *v.* New Mexico, 230, 458, 474, 493, 513, 522, 543, and 301 (and 302).

e correction
180

SUPREME COURT OF THE UNITED STATES

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

James J. Penne, of Los Angeles, Calif., W. R. Bentley, of Atlanta, Ga., Richard Kent Stacer, of Seattle, Wash., Joe L. Martinez, of Albuquerque, N. Mex., Kenneth Rosengren, of Los Angeles, Calif., and William B. Dillon, of San Francisco, Calif., on motion of Mr. Solicitor General Philip B. Perlman; J. H. Mayo, of Dallas, Tex., on motion of Mr. Elmore Whitehurst; Martin A. Threet, of Albuquerque, N. Mex., on motion of Mr. Fred E. Wilson; Geo. Henry Potter, of Dartmouth, Mass., on motion of Mr. Joseph C. Duggan; Horace Warren Kimbrell, of Kansas City, Mo., on motion of Mr. James P. Kem; Aubrey C. Evans, of New Orleans, La., on motion of Mr. Hale Boggs; Said Michael Touma, of Port Huron, Mich., on motion of Mr. Jesse P. Walcott; Eugene G. Nahler, of Saint Louis, Mo., and Alvin J. Baumann, of Saint Louis, Mo., on motion of Mr. Edner Clyde Algire; Henry D. Espy, of Saint Louis, Mo., on motion of Mr. Joseph C. Waddy; Arthur E. Farmer, of New York, N. Y., on motion of Mr. Francis D. Stephens; John G. Tomlin, of Cincinnati, Ohio, and George W. Peterson, of Balsam Lake, Wis., on motion of Mr. George C. Young; Jesse P. Luton, Jr., of Austin, Tex., and K. Bert Watson, of Austin, Tex., on motion of Mr. Eugene T. Edwards; Taylor C. Burneson, of Columbus, Ohio, on motion of Mr. Thomas A. Jenkins; Edgar John Roccati, of Washington, D. C., on motion of Mr. James Edwin Bailey; William H. Thornton, Jr., of Alexandria, Va., on motion of Mr. Herbert Elliott Ost; John Thomas Miller, Jr., of Watertown, Conn., on motion of Mr. William Stanley, Jr.; June D. Borina, of Santa Cruz, Calif., on motion of Mr. George E. McMurray, Jr.; Walter A. Rafalko, of Saint Louis, Mo., on motion of Mr. Jasper S. Costa; David T. Berman, of Brooklyn, N. Y., on motion of Mr. Bernard J. Gallagher; Samuel Paige, of New York, N. Y., on motion of Mrs. Norma Z. Paige; Edward R. Duffy, of Palmer, Mass., and James W. Duffy, of Palmer, Mass., on motion of Mr. Richard Arens; Michael E. Mooney, of Scarsdale, N. Y., on motion of Mr. Louis Loss; John G. Coleman, of New York, N. Y., on motion of Mr. Joseph P. Tumulty, Jr.; Joseph G. Blum, of New York, N. Y., and Herbert Goldenberg, of New York, N. Y., on motion of Mr. George M. Szabad; Howard N. Meyer, of New York, N. Y., on motion

of Mr. David Rein; Peyton Howard Moss, of New York, N. Y., on motion of Mr. Roy W. McDonald; Ben Paul Noble, of Chicago, Ill., on motion of Mr. Benjamin Dorsey; and George W. Stengel, of Sidney, Ohio, on motion of Mr. Charles Sager Collier, were admitted to practice.

No. 450. The United States of America, petitioner, *v.* Atlantic Mutual Insurance Company et al. 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 Southern District of New York. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins.

No. 395. Richfield Oil Corporation, appellant, *v.* The United States of America. Appeal from the United States District Court for the Southern District of California. *Per Curiam*: The Court is of the opinion that the issues raised by this appeal are substantially the same as those decided in *Standard Oil Co. v. United States*, 337 U. S. 293 (1949). Accordingly, the judgment of the District Court is affirmed.

The Chief Justice, Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Burton, while adhering to their views expressed in *Standard Oil Co. v. United States*, *supra*, join in affirming the judgment of the District Court in this case.

Mr. Justice Frankfurter, not having heard the argument, owing to illness, took no part in the consideration or decision of this case.

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

Opinion announced by Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

No. 78. Marianna Von Moltke, petitioner, *v.* A. Blake Gillies, Superintendent of the Detroit House of Correction. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per Curiam*: Judgment affirmed by an equally divided Court. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 665. Auto Transports, Incorporated, and General Motors Corporation, appellants, *v.* The United States of America and the Interstate Commerce Commission. Appeal from the United States District Court of Oklahoma, Western District. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 671. The Baltimore Steam Packet Company, appellant, *v.* The Commonwealth of Virginia; and

No. 672. The Norfolk, Baltimore, and Carolina Line, Incorporated, appellant, *v.* The Commonwealth of Virginia. Appeals from the Supreme Court of Appeals of Virginia. *Per Curiam*: The motion to dismiss is granted and the appeals are 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. 456. The United States of America, petitioner, *v.* Clara Belle Henning et al. This case is restored to the docket for reargument and transferred to the summary docket.

No. 543. On Lee, petitioner, *v.* The United States of America. Motion for leave to file brief of Joseph Steinberg and Donald Steinberg as *amici curiae* denied. Memorandum filed by Mr. Justice Frankfurter with a statement by Mr. Justice Black.

No. 647. The American Trucking Associations, Incorporated, et al., appellants, *v.* The United States of America and the Interstate Commerce Commission et al. In this case probable jurisdiction is noted.

No. 662. The United States of America, appellant, *v.* The Beacon Brass Company, Incorporated and Maurice Feinberg. In this case probable jurisdiction is noted and the case is transferred to the summary docket.

No. 645. The Gulf Research and Development Company et al., petitioners, *v.* The Honorable Paul Leahy, United States District Judge, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. The Chief Justice took no part in the consideration or decision of this application.

No. 646. Cardox Corporation, petitioner, *v.* C-O-Two Fire Equipment Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. The Chief Justice took no part in the consideration or decision of this application.

No. 203, Misc. William Baumet et al., petitioners, *v.* United States of America et al. Motion for leave to proceed in forma pauperis denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the appellate docket, placed on the summary docket and assigned for argument immediately following No. 456.

No. 580. Central Hide and Rendering Company, a Partnership, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 583. Ray Hoptowit, John Doe, and Richard Roe, petitioners, *v.* Seufert Brothers Company. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 598. Gregory R. Martini, petitioner, *v.* The United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 600. Florida Dehydration Company, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 602. Silvio Amoroso, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 604. E. O. Handzik, petitioner, *v.* The People of the State of Illinois, ex rel. Frances Dickerson, alias Bertha Baker. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 609. Edward S. Harvey and James F. Mann, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 614. Grace H. Kelham, Leila H. Neill, Ellis M. Moore, 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. 618. Al Major, petitioner, *v.* Phillips-Jones Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 627. Curtis C. Straub and Miriam I. Straub, petitioners, *v.* Paul W. Sampsell, as Trustee in Bankruptcy for the Estate of Curmar Manufacturing Company, a Co-Partnership, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 628. Arthur Anthony Rocco, alias Arthur Lewis, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 629. Tishman Realty and Construction Company, Incorporated, Petitioner, *v.* The United States of America, 49,375 Square Feet, more or less, in the Borough of Manhattan, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 631. Turiddo Simoni, petitioner, *v.* S. Grill D'Ippolito. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 632. Foss T. Smithdeal, J. Benbow Jones, Executors of John F. Smithdeal, Deceased, et al., petitioners, *v.* The Atlantic Greyhound Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 633. E. Field White, petitioner, *v.* John J. Fitzpatrick, as Collector of Internal Revenue for the District of Connecticut. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 634. Antoinette Turek, petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 636. Irving K. Baxter, petitioner, *v.* The State of New York, Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 653. Loew's, Incorporated, Paramount Film Distributing Corporation, et al., petitioners, *v.* David E. Milgram et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 524. Chemical Bank and Trust Company, as Trustee, etc., petitioner, *v.* Group of Institutional Investors, etc.;

No. 525. Alleghany Corporation, petitioner, *v.* Group of Institutional Investors, etc.;

No. 526. Missouri Pacific Railroad Company 5¼% Secured Serial Bondholders Committee, petitioner, *v.* Group of Institutional Investors, etc.;

No. 527. John V. Farwell III et al., petitioners, *v.* Group of Institutional Investors, etc.; and

No. 528. Missouri Pacific Railroad Company, petitioner, *v.* Group of Institutional Investors, etc. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Black is of the opinion that the petitions should be granted. Mr. Justice Frankfurter will file a memorandum with the Clerk.

No. 582. Herman Maxwell, petitioner, *v.* The State of Arkansas. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 601. The Erie Forge Company, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas and Mr. Justice Jackson are of the opinion certiorari should be granted.

No. 616. Dan M. White and John H. White, petitioners, *v.* The United States of America and Joseph E. Brown, United States Attorney. 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. The Chief Justice took no part in the consideration or decision of this application.

No. 201, October Term, 1950. Harry Sacher, Richard Gladstein, George W. Crockett, Jr., et al., petitioners, *v.* The United States of America. Petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 300, October Term, 1950. Vincent W. Hallinan, petitioner, *v.* The United States of America. Motion for leave to file second petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 234. The United States of America, petitioner, *v.* Lula Hickey Thomas. Motion for leave to file petition for rehearing denied.

No. 165. Norman H. Buck, Miguel R. Guerra, appellants, *v.* The People of the State of California;

No. 555. Mortgage Finance Corporation and May C. Stock, appellants, *v.* D. D. Watson, Real Estate Commissioner of the State of California;

No. 309, Misc. Anthony Freapane, petitioner, *v.* The State of Illinois; and

No. 340, Misc. Mary Welda Rippe, Widow and Executrix of William Daniel Rippe, petitioner, *v.* Walter F. Stahlhuth et al. Petitions for rehearing denied.

No. 369, Misc. Gene A. Krupnick, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 381, Misc. Joseph W. Di Silvestro, petitioner, *v.* Carl Gray, Jr., as Administrator of Veterans Affairs. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 403, Misc. Bernard Ephraim, petitioner, *v.* The State of Illinois. Petition for certiorari to the Supreme Court of Illinois denied.

No. 404, Misc. Merle Wells, petitioner, *v.* Browning Robinson, Warden, etc., et al. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 406, Misc. Ronald Harris, petitioner, *v.* Edwin T. Swenson, Warden of the Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 410, Misc. Vance Washburn, petitioner, *v.* L. F. Utecht, Warden, etc. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 415, Misc. George B. Zee, petitioner, *v.* The State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 416, Misc. Marion Black, petitioner, *v.* H. E. Moore, Warden of the Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 417, Misc. Paul A. Johnson, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 423, Misc. Ray Porter, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 395, Misc. Woodrow Nor Woods, petitioner, *v.* Dr. Marion R. King et al. Petition for writ of certiorari to the Supreme Court of California denied. Motion for leave to file petition for writ of mandate also denied.

No. 397, Misc. Fred Tate, petitioner, *v.* The United States District Court for the Northern District of California et al. 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. 394, Misc. Albert R. House, petitioner, *v.* William H. Hiatt, Warden of the United States Penitentiary at Atlanta, Georgia;

No. 412, Misc. Clifford Pullins, petitioner, *v.* R. W. Alvis, Warden of the Ohio State Penitentiary et al.;

No. 421, Misc. Henry Thompson, petitioner, *v.* Browning Robinson, Warden, etc.; and

No. 428, Misc. C. W. Burkholder, petitioner, *v.* The State of Arizona. Motions for leave to file petitions for writs of habeas corpus denied.

No. 419, Misc. John Edwin Byers, appellant, *v.* The Federal Bar Association, etc.; and

No. 429, Misc. In re Paul King, petitioner. Applications denied.

No. — Original. State of Texas, plaintiff, *v.* State of New Mexico et al. Argued on the motion for leave to file the complaint by Mr. Eugene T. Edwards, for the plaintiff; and by Mr. Jean S. Breitenstein for the defendants.

No. 230. Besser Manufacturing Company and Jesse H. Besser, appellants, v. The United States of America. Argued by ~~Mr. Roy W. McDonald~~ for the appellants and by Mr. Marcus A. Hollabaugh for the appellee.

Carl R. Henry

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 22, will be as follows: Nos. 458, 474, 493, 513, 522, 543, 301 (and 302), 517, 626, and 643.

×

SUPREME COURT OF THE UNITED STATES

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

Blanch Freedman, of New York, N. Y., on motion of Mr. Isidore Englander; Bertram B. Saymon, of New York, N. Y., on motion of Mr. Francis A. O'Connell, Jr.; Ray L. Jenkins, of Chevy Chase, Md., on motion of Mr. John W. Cragun; Francis John Garvey, of Chicago, Ill., on motion of Mr. Daniel Francis Cleary, Jr.; Francis Price, Jr., of Santa Barbara, Calif., on motion of Mr. Thomas M. Raysor; and Leon S. Milmed, of Newark, N. J., on motion of Mr. Morris M. Schnitzer, were admitted to practice.

No. 458. Brotherhood of Railroad Trainmen, an Unincorporated Association, et al., petitioners, *v.* Simon L. Howard, Sr., and Saint Louis-San Francisco Railway Company. Argued by Mr. Charles R. Judge for the petitioners and by Mr. Joseph C. Waddy and Mr. Victor Packman for the respondent, Samuel L. Howard, Sr., and submitted by Mr. Eugene G. Nahler, Mr. James L. Homire, Mr. Cornelius H. Skinker, Jr., and Mr. Alvin J. Baumann for the respondent, St. Louis-San Francisco Railway Co.

No. 474. Marion W. Stembridge, petitioner, *v.* The State of Georgia. Argued by Mr. Marion W. Stembridge, *pro se*, and by Mr. M. H. Blackshear, Jr., for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 23, will be as follows: Nos. 493, 513, 522, 543, 301 (and 302), 517, 626, 643, 670, and 669.

SUPREME COURT OF THE UNITED STATES

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

Walter A. Slowinski, Jr., of Washington, D. C., on motion of Mr. John Lord O'Brian; Charles R. Richey, of Washington, D. C., and Beverly M. Medley, of Nashville, Tenn., on motion of Mr. B. Carroll Reece; Parnell J. T. Callahan, of New York, N. Y., on motion of Mr. Harry A. Schwager; George T. Johannesen, of Pittsburgh, Pa., on motion of Mr. Frederick Schafer; DaCosta V. Mason, of Washington, D. C., on motion of Mr. Frank D. Reeves; and Mark Davidson Alspach, of Philadelphia, Pa., on motion of Mr. Thomas E. Byrne, Jr., were admitted to practice.

No. 493. Isbrandtsen Company, Incorporated, petitioner, *v.* Matthew Johnson. Argued by Mr. Mark D. Alspach for the petitioner and by Mr. William M. Alper for the respondent.

No. 513. Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor, appellant, *v.* The United States of America, Interstate Commerce Commission, and Omaha Grain Exchange of Omaha, Nebraska. Argued by Mr. Toll R. Ware for the appellant; and by Mr. Samuel R. Howell for the appellee, Interstate Commerce Commission; and submitted by Mr. Solicitor General Perlman, Mr. H. G. Morison, and Mr. Ralph S. Spritzer for the appellee, The United States.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 24, will be as follows: Nos. 522, 543, 301 (and 302), 517, 626, 643, 670, and 669.

952806—52—62

×

SUPREME COURT OF THE UNITED STATES

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

Gordon Grand, Jr., of Washington, D. C., on motion of Mr. Daniel A. Reed; Elzo Ludwig Van Dellen, Jr., of San Francisco, Calif., on motion of Mr. John F. Finerty; Robert H. Park, of Beaumont, Tex., on motion of Mr. Maurice R. Barnes; Daniel Robert Dixon, of Rocky Mount, N. C., on motion of Mr. Clarence F. Rothenburg; Jerome Arthur Gross, of St. Louis, Mo., on motion of Mr. Lloyd W. Patch; Paul Warren Bennett, of Vandalia, Mo., on motion of Mr. Robert E. Lambert; Patrick A. Gibson, of Richmond, Va., on motion of Mr. Lipman Redman; Philip J. O'Brien, Jr., of New York, N. Y., and Philip J. O'Brien, of New York, N. Y., on motion of Mr. John Wattawa; and John H. Barber, of New York, N. Y., on motion of Mr. Laurence A. Knapp, were admitted to practice.

No. 522. Joseph Burstyn, Incorporated, appellant, *v.* Lewis A. Wilson, Commissioner of Education of the State of New York, et al. Argued by Mr. Ephraim S. London for the appellant and by Mr. Charles A. Brind, Jr., and Mr. Wendell P. Brown for the appellees.

No. 543. On Lee, petitioner, *v.* The United States of America. Argued by Mr. Gilbert S. Rosenthal for the petitioner and by Mr. Robert S. Erdahl for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, April 25, will be as follows: Nos. 301 (and 302), 517, 626, 643, 670, and 669.

×

SUPREME COURT OF THE UNITED STATES

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

James B. Diggs, 3d., of Tulsa, Okla., Booth Kellough, of Tulsa, Okla., and Ferrill H. Rogers, of Oklahoma City, Okla., on motion of Mr. R. M. Williams; Donald G. Tripp, of Detroit, Mich., on motion of Mr. Henry Norment Custis; Morton B. Howell, Jr., of Nashville, Tenn., on motion of Mr. Jennings Bailey, Jr.; Charles S. Barrett, Jr., of Newark, N. J., John W. Ansell, of New York, N. Y., and Joseph J. Biunno, of Newark, N. J., on motion of Mr. Edward A. Foote; and Kenneth J. Marks, of Chicago, Ill., on motion of Mr. Robert L. Stern, were admitted to practice.

No. 301. The Palmer Oil Corporation, Paul Stebba and Paul Stebba, Jr., a minor, by and through his Father and next Friend, Paul Stebba, appellants, *v.* Amerada Petroleum Corporation, Anderson-Prichard Oil Corporation, Cities Service Oil Company, et al.; and

No. 302. Kit C. Farwell, Frank Phohlemann, L. A. Davis, et al., appellants, *v.* Amerada Petroleum Corporation, Anderson-Prichard Oil Corporation, Gulf Oil Corporation, et al.: Argued by Mr. Mark H. Adams for the appellants in No. 301; by Mr. Reford Bond, Jr., for the appellants in No. 302; and by Mr. R. M. Williams for the appellees.

Adjourned until Monday, April 28, next, until 12 o'clock.

The day call for Monday, April 28, will be as follows: Nos. 517, 626, 643, 670, and 669.

952806-52-64

×

SUPREME COURT OF THE UNITED STATES

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

George Bailes, of Cincinnati, Ohio, My. S. Rudd, of Cincinnati, Ohio, Aldon Monroe Kinney, Jr., of Newtown, Ohio, and Byron Tranter Jenings, of Cincinnati, Ohio, on motion of Mr. Solicitor General Philip B. Perlman; Allan L. Sapiro, of San Francisco, Calif., on motion of Mrs. Doris Hoffman Maier; R. Brookes Peters, of Raleigh, N. C., Kenneth F. Wooten, Jr., of Raleigh, N. C., and Eupha Odis Brodgen, Jr., of Raleigh, N. C., on motion of Mr. Ralph M. Moody; Susanna E. Bedell, of Poughkeepsie, N. Y., on motion of Mr. Sanford H. E. Freund; Lois C. Stephenson, of Atlanta, Ga., on motion of Mrs. Ruby Kettles Roach; Samuel P. Orlando, of Camden, N. J., on motion of Mr. Thomas D. McBride; Clifford W. Ferguson, of Salt Lake City, Utah, on motion of Mr. Walter L. Baumgartner; Randolph Charles Ryder, of Lancaster, Pa., on motion of Mr. Francis Johns Gafford; Roger A. Clapp, of Baltimore, Md., on motion of Mr. John Charles Reid; Irvin Schindler, of Arlington, Va., Stanley Walker Jones, of Arlington, Va., and Arnold G. Eger, of Los Angeles, Calif., on motion of Mr. Donald T. Ruby; Leonard B. Low, of Los Angeles, Calif., on motion of Mr. Fulton M. Brylawski; Herbert Kramer of Newark, N. J., on motion of Mr. William Furst; Hosea V. Price, of Winston-Salem, N. C., on motion of Mr. J. Flipper Derricotte; Robert Bickford Hearne, of Boston, Mass., on motion of Mr. Louis F. Oberdorfer; J. Arnold Bressler, of Bayonne, N. J., on motion of Mr. Nicholas J. Chase; Hyman M. Greenstein, of Honolulu, T. H., on motion of Mr. Norman S. Altman; Rouget D. Jenkins, of New York, N. Y., and Edward A. Gage, of New York, N. Y., on motion of Mr. Delmar W. Holloman; and Irving T. Zemans, of Chicago, Ill., on motion of Mr. J. F. Bishop, were admitted to practice.

No. 411. Yvette J. Madsen, petitioner, *v.* Nina Kinsella, Warden of the United States Reformatory for Women. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of West Virginia. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Black.

No. 19. The United States of America, appellant, *v.* Oregon State Medical Society et al. Appeal from the United States District Court for the District of Oregon. Judgment affirmed. Opinion by Mr. Justice Jackson. Dissenting: Mr. Justice Black. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 431. Tessim Zorach and Esta Gluck, appellants, *v.* Andrew G. Clauson, Jr., et al., Constituting the Board of Education of the City of New York, et al. Appeal from the Court of Appeals of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Jackson.

No. 118. Joseph Beauharnais, petitioner, *v.* The People of the State of Illinois. On writ of certiorari to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Jackson.

The Chief Justice announced the following order of the Court:

No. 687. Abraham Newman, appellant, *v.* Robert E. Murphy, Warden of Auburn State Prison, Auburn, N. Y. Appeal from the Supreme Court of New York, Appellate Division, Fourth Judicial Department. *Per Curiam*: 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. 9, Original. State of Texas, plaintiff, *v.* State of New Mexico et al. The motion for leave to file the complaint is granted and process is ordered to issue returnable within 60 days.

No. 522. Joseph Burstyn, Incorporated, appellant, *v.* Lewis A. Wilson, Commissioner of Education of the State of New York, et al. The motion for leave to file brief of American Book Publishers Council, Inc., as *amicus curiae* is denied.

No. 617. Kwong Hai Chew, petitioner, *v.* Captain Svend Colding, Master of the SS "Sir John Franklin," and Edward J. Shaughnessy,

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

No. 561. Maurice J. Tobin, Secretary of Labor, United States Department of Labor, petitioner, *v.* Alma Mills. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 639. Archer Zamloch, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 640. Bangor and Aroostook Railroad Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 641. Roy L. Morgan, petitioner, *v.* The Griffith Realty Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 642. P. J. Lynch, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 654. Paul Ginsburg, petitioner, *v.* John D. Black et al.; and

No. 655. Paul Ginsburg, petitioner, *v.* The First National Bank of Chicago, and Alfred L. Kuehn. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 656. The Houston and North Texas Motor Freight Lines, Incorporated, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 657. The Atlantic Coast Line Railroad Company, petitioner, *v.* Rilla Mae Freeman, Administratrix of the Estate of Murphy Hill Freeman, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 661. C. B. King, John H. Gerken, and M. F. Pafford, petitioners, *v.* J. Bradley Streit and A. W. Wallace. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 43. Peter Harisiades, petitioner, *v.* Edward J. Shaughnessy, District Director of Immigration and Naturalization of the Port of New York; and

No. 264. Dora Coleman, appellant, *v.* J. Howard McGrath, Attorney General of the United States, and A. R. Mackey, Acting Commissioner of Immigration and Naturalization. Petitions for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 173. Joseph T. Lykes, petitioner, *v.* The United States of America;

No. 331. Julian N. Frisbie, Warden, State Prison of Southern Michigan, Jackson, Michigan, petitioner, *v.* Shirley Collins;

No. 533. Walter H. Foster et al., petitioners, *v.* General Motors Corporation;

No. 541. Riss and Company, Incorporated, a Corporation, et al., appellants, *v.* The United States of America and the Interstate Commerce Commission;

No. 573. Gussie P. Chapman, petitioner, *v.* Commissioner of Internal Revenue;

No. 619. William Propst, Wilbur E. Colle, and Carl Olson, appellants, *v.* The Board of Educational Lands and Funds of the State of Nebraska et al.;

No. 163, Misc. Henry Thomas, petitioner, *v.* Clinton T. Duffy, Warden, California State Prison at San Quentin;

No. 218, Misc. Robert Wilfred Antrobus, petitioner, *v.* United States of America;

No. 348, Misc. Edmond L. Viles, petitioner, *v.* The United States of America;

No. 371, Misc. Caryl Chessman, petitioner, *v.* The People of the State of California et al.; and

No. 400, Misc. Sylvester Elliott, petitioner, *v.* The State of Michigan. Petitions for rehearing denied.

No. 252, Misc. Bernard M. Shotkin, petitioner, *v.* Atchison, Topeka and Santa Fe Railroad Company et al. Petition for rehearing denied. Mr. Justice Black is of the opinion the petition should be granted.

No. 299, Misc. Iva Ikuko Toguri d'Aquino, petitioner, *v.* The United States of America. The motion for leave to file brief of Milton J. Jarvis and others as *amici curiae* is denied. Petition for writ 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. 321, Misc. Major Preston, petitioner, *v.* The State of Texas. The petition for rehearing is granted and the order entered March 31, 1952, denying certiorari on the ground that the application therefor was not made within the time provided by law is vacated. Upon consideration of the petition for writ of certiorari, certiorari to the Court of Criminal Appeals of Texas is denied.

No. 322, Misc. William Mahler, petitioner, *v.* Julian N. Frisbie, Warden, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 339, Misc. Juan Supero, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 396, Misc. Christ Williams, petitioner, *v.* The United Brotherhood of Carpenters and Joiners of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 426, Misc. George D. Latimer, petitioner, *v.* The State of Washington. Petition for certiorari to the Supreme Court of Washington denied.

No. 430, Misc. Harry Dwight Smith, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First District, denied.

No. 432, Misc. Robert Barr, petitioner, *v.* Joseph E. Ragen, Warden, etc. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 433, Misc. William H. Davis, petitioner, *v.* The State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 437, Misc. Chester L. Davenport and Norman Davenport, petitioners, *v.* Jerome J. Waters, Jr., Warden. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 438, Misc. Frank Pinkos, petitioner, *v.* Joseph E. Ragen, Warden, etc. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 445, Misc. Richard O'Neill, petitioner, *v.* Browning Robinson, Warden, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 465, Misc. James C. Edwards, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 439, Misc. In re Paysoff Tinkoff, petitioner. Petition to vacate disbarment order and for reinstatement denied.

No. 446, Misc. In the Matter of the Petition of Robert C. Whitney, petitioner. Motion for leave to file petition for writ of mandamus denied.

No. 448, Misc. Leroy McGary, petitioner, *v.* Ivan W. Steele, Warden, United States Medical Center, Springfield, Missouri. Motion for leave to file petition for writ of habeas corpus denied.

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. 669, and that the Court will then take a recess until Monday, May 5, next.

No. 517. Richard A. McGee, Director, California Department of Corrections, and Robert A. Heinze, Warden, etc., petitioners, *v.* James Nels Ekberg. Argued by Mrs. Doris H. Maier for the petitioners and by Mr. Allan L. Sapiro for the respondent. Leave granted respondent to file a supplemental brief by Friday, next.

No. 626. Bennie Daniels and Lloyd Ray Daniels, petitioners, *v.* Robert A. Allen, Warden, Central Prison of the State of North Carolina. Argument commenced by Mr. O. John Rogge for the petitioners and continued by Mr. Murray A. Gordon for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 29, will be as follows: Nos. 626, 643, 670, and 669.

×

SUPREME COURT OF THE UNITED STATES

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

Sarah S. Rogers, of Chicago, Ill., Donald D. Rogers, of Chicago, Ill., and F. D. G. Ribble, of Charlottesville, Va., on motion of Mr. Will Shafroth; Y. D. Lott, of Mobile, Ala., and Prime F. Osborn III, of Louisville, Ky., on motion of Mr. F. W. Gwathney; Reginald A. Barnett, of Chicago, Ill., on motion of Mr. Abraham H. Maller; Alex Pisciotta, of Brooklyn, N. Y., and Arthur F. Hurley, of Brooklyn, N. Y., on motion of Mr. Bert E. Johnson; William T. Gleeson, of Wahoo, Nebr., on motion of Mr. Walter R. Johnson; Howard D. Pack, of New York, N. Y., on motion of Mr. Harold Leventhal; Herbert Spencer Levin, of Philadelphia, Pa., on motion of Mr. Thomas D. McBride; and Richardson Dilworth, of Philadelphia, Pa., on motion of Mr. Hugh H. Obear, were admitted to practice.

No. 626. Bennie Daniels and Lloyd Ray Daniels, petitioners, *v.* Robert A. Allen, Warden, Central Prison of the State of North Carolina. Argument continued by Mr. Ralph Moody for the respondent and concluded by Mr. O. John Rogge for the petitioners.

No. 643. Raleigh Speller, petitioner, *v.* Robert A. Allen, Warden, Central Prison of North Carolina, Raleigh, North Carolina. Argued by Mr. Herman L. Taylor for the petitioner and by Mr. E. O. Brogden, Jr., for the respondent.

No. 670. Clyde Brown, petitioner, *v.* Robert A. Allen, The Warden of the Central Prison of the State of North Carolina at Raleigh, North Carolina. Argued by Mr. Hosea V. Price for the petitioner and by Mr. R. Brookes Peters for the respondent.

No. 669. The United States of America, *ex rel.* James Smith, petitioner, *v.* Dr. Frederick S. Baldi, Superintendent of the Philadelphia County Prison. Argument commenced by Mr. Thomas D. McBride for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 30, will be as follows: No. 669.

SUPREME COURT OF THE UNITED STATES

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

Nixon Butt, Jr., of Orlando, Fla., on motion of Mr. Frank J. Wideman; and Albert A. Stern, of Washington, D. C., on motion of Mr. Donald Weed, were admitted to practice.

No. 669. The United States of America, ex rel. James Smith, petitioner, *v.* Dr. Frederick S. Baldi, Superintendent of the Philadelphia County Prison. Argument continued by Mr. Thomas D. McBride for the petitioner and concluded by Mr. Randolph C. Ryder for the respondent.

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

×

SUPREME COURT OF THE UNITED STATES

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

No. 744. The Youngstown Sheet and Tube Company et al., petitioners, *v.* Charles Sawyer; and

No. 745. Charles Sawyer, Secretary of Commerce, petitioner, *v.* The Youngstown Sheet and Tube Company et al. On petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam*: Certiorari granted. Mr. Justice Burton, with whom Mr. Justice Frankfurter concurred, voted to deny certiorari, and filed a memorandum expressing their reasons therefor. The cases are assigned for argument on Monday, May 12, next.

The order of the District Court entered April 30, 1952, is hereby stayed pending disposition of these cases by this Court. It is further ordered, as a provision of this stay, that Charles S. Sawyer, Secretary of Commerce (respondent in No. 744 and petitioner in No. 745) take no action to change any term or condition of employment while this stay is in effect unless such change is mutually agreed upon by the steel companies (petitioners in No. 744 and respondents in No. 745) and the bargaining representatives of the employees.

Memorandum by Mr. Justice Burton with whom Mr. Justice Frankfurter concurred:

The first question before this Court is that presented by the petitions for a writ of certiorari bypassing the Court of Appeals. The constitutional issue which is the subject of the appeal deserves for its solution all of the wisdom that our judicial process makes available. The need for soundness in the result outweighs the need for speed in reaching it. The Nation is entitled to the substantial value inherent in an intermediate consideration of the issue by the Court of Appeals. Little time will be lost and none will be wasted in seeking it. The time taken will be available also for constructive consideration by the parties of their own positions and responsibilities. Accordingly, I would deny the petitions for certiorari and thus allow the case to be heard by the Court of Appeals. Such action would eliminate the consideration here of the terms of the stay of the order of the District

Court heretofore issued by the Court of Appeals. However, certiorari being granted here, I join in all particulars in the order of this Court, now issued, staying that of the District Court.

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

×

SUPREME COURT OF THE UNITED STATES

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

Joseph E. Jones, of Memphis, Tenn., and Robert L. McKnight, of Memphis, Tenn., on motion of Mr. Clifford Davis; Chris D. Johnson, of Sacramento, Calif., on motion of Mr. Allan Oakley Hunter; George M. Thorpe, of Lincolnia, Va., on motion of Mr. Gerald T. O'Hara; O. L. Hasty, of Shreveport, La., on motion of Mr. Overton Brooks; Elmer Peter Hardenbergh, of Washington, D. C., on motion of Mr. Samuel W. McIntosh; M. Magdalena Schoch, of Arlington, Va., on motion of Mr. Harry LeRoy Jones; Joseph Dach, of Washington, D. C., on motion of Mr. Benjamin Forman; George R. Wolf, of Clayton, Mo., and William J. Oetting, of Clayton, Mo., on motion of Mr. Edward R. Duffy; Harvey B. Diamond, of Alexandria, Va., on motion of Mr. Mozart G. Ratner; John Joseph Graham, of Boston, Mass., on motion of Mr. John A. Calhoun; Samuel I. Sherwood, of Washington, D. C., on motion of Mr. Edward August Waldmann; Leon L. Selawy, of Washington, D. C., on motion of Mr. William Howard Payne; and John Elmer Barricklo, of San Francisco, Calif., on motion of Mr. John L. Fitzgerald, were admitted to practice.

No. 282. Swift & Company, appellant, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment affirmed. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins. Dissenting opinion by Mr. Justice Frankfurter.

The Chief Justice announced the following order of the Court:

No. 682. John Deere Plow Company of Moline (an Illinois Corporation), appellant, *v.* The Franchise Tax Board of the State of California. 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. *Butler v. McColgan*, 315 U. S. 501.

No. 684. Mary Jane Heisler, appellant, *v.* The Board of Review, Bureau of Unemployment Compensation. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is 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. 644. The City of Chicago, a Municipal Corporation, petitioner, *v.* The Willett Company, an Illinois Corporation. The motion to use the certified record in No. 493, October Term, 1950, is granted. Petition for writ of certiorari to the Supreme Court of Illinois granted and case transferred to the summary docket.

No. 652. The United States of America, petitioner, *v.* Ira D. Cardiff. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary docket.

No. 658. The United States of America, on the Relation of Oscar L. Chapman, Secretary of the Interior, petitioner, *v.* The Federal Power Commission and the Virginia Electric and Power Company; and

No. 659. The Virginia REA Association et al., petitioners, *v.* The Federal Power Commission and the Virginia Electric and Power Company. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 649. Ben F. Ray, as Chairman of the State Democratic Executive Committee of Alabama, petitioner, *v.* Edmund Blair. The motion to retax costs is denied. Mr. Justice Black and Mr. Justice Frankfurter took no part in the consideration or decision of this motion.

No. 625. College Homes, Incorporated, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 630. Burford-Toothaker Tractor Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 637. The United States of America, petitioner, *v.* John B. Atkins. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 648. The 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. 660. Jack Principale, petitioner, *v.* The Associated Gas and Electric Company, Lewis M. Dabney, Jr., Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 663. Paducah Newspapers, Incorporated, D. E. Hayes, J. E. Lovvo, et al., petitioners, *v.* Gerald Wise. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 664. Simon Stallsworth, 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. 667. Owen P. Barnes, Jr., and Charles E. Mangieri, 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. 674. Twentieth Century-Fox Film Corporation, Paramount Pictures Incorporated, et al., petitioners, *v.* Brookside Theatre Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 675. Sherman B. Hogan, Central Truck Lines, Inc., and Fireman's Fund Indemnity Company, petitioners, *v.* Anna Laura Williams and Carrie Jackson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 258, Misc. Harmon M. Waley, petitioner, *v.* E. B. Swope, Warden, U. S. Penitentiary, Alcatraz, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 289, Misc. Hugh A. Bowen, 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. 302, Misc. William Burnard Sullivan, petitioner, *v.* Richard A. McGee, Director of Corrections of San Quentin Prison. Petition for certiorari to the Supreme Court of California denied.

No. 413, Misc. Gordon K. Darcy, petitioner, *v.* Robert A. Heinze, Warden of the California State Prison at Folsom. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 418, Misc. Ralph Barton Butz, petitioner, *v.* The Circuit Court of Randolph County, Illinois, et al. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 425, Misc. Philip J. Dovico, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Supreme Court of New York, Appellate Division, Fourth Department, denied.

No. 427, Misc. Henry E. Jones, petitioner, *v.* The City of Norfolk, Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 431, Misc. Anna T. Keleher, petitioner, *v.* John B. Keleher. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 435, Misc. Albert Kruse, petitioner, *v.* Dr. Alfred M. Stanley, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 436, Misc. Pete R. Tashkoff, petitioner, *v.* R. H. Hudspeth, Warden of the Kansas State Penitentiary, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 465, Misc. James C. Edwards, petitioner, *v.* State of Ohio. Petition for rehearing denied. Motion for stay of execution also denied.

No. 434, Misc. Bernard H. Tabor, petitioner, *v.* The Honorable Frank A. Hooper, United States District Judge. Motion for leave to file petition for writ of mandamus denied.

No. 443, Misc. Charles Pappas, petitioner, *v.* E. J. Welch, Superintendent, etc., et al. Motion for leave to file petition for writ of habeas corpus denied.

No. 452, Misc. Fred Charles Maringer, petitioner, *v.* Richard A. McGee, Director of Corrections of the State of California, et al. Application denied.

No. 455, Misc. Jacob Marrow, petitioner, *v.* Browning Robinson, Warden, Illinois State Penitentiary. Motion for leave to file petition for writ of mandamus denied.

No. 461, Misc. Jonor Wright, petitioner, *v.* O. J. Nygaard, Warden of the North Dakota State Penitentiary. Motion for leave to file petition for writ of habeas corpus denied.

The Court will take a recess from today until Monday, May 12, next.

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

The day call for Monday, May 12, will be as follows: No. 744 (and 745).

×

SUPREME COURT OF THE UNITED STATES

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

William Edward Oglesby, of San Antonio, Tex., Frank Licht, of Providence, R. I., Alexander Denbo, of Burlington, N. J., William Theodore Kruglak II, of Miami Beach, Fla., and Frank Douglas Hereford, of Waycross, Ga., on motion of Mr. Solicitor General Philip B. Perlman; Kirby L. Wilson, Jr., of River Rouge, Mich., on motion of Mr. Homer Ferguson; Phillip H. Loh III, of Morrilton, Ark., on motion of Mr. Brooks Hays; A. Donald MacKinnon, of New York, N. Y., on motion of Mr. William Dean Embree; William T. Wolvington, of Denver, Colo., on motion of Mr. Byron G. Rogers; Alfred Carl Tisdahl, of Chicago, Ill., on motion of Mr. Henry P. Chandler; Walter Kiechel, Jr., of Tecumseh, Nebr., on motion of Mr. Carl T. Curtis; Samuel Edwin Murrell, Jr., of Orlando, Fla., on motion of Mr. Samuel Edwin Murrell; Gordon L. Eakle, of Washington, D. C., on motion of Mr. Willis E. Ruffner; Philip G. Schanerman, of Newark, N. J., on motion of Mr. David Lloyd Kreeger; Howard Overholt Husband, of Pittsburgh, Pa., on motion of Mr. Raymond Coward; Merritt Roy Kotin, of Chicago, Ill., on motion of Mr. Roy G. Baker; Caleb A. Harding, of New York, N. Y., on motion of Mr. Josephus C. Trimble; Simon Metrik, of New York, N. Y., and Morris Cooperstein, of New York, N. Y., on motion of Mr. Jacob W. Friedman; Colin Wilson Wright, of Minneapolis, Minn., on motion of Mr. William H. Parsons; Kurt Frank Korf, of New York, N. Y., on motion of Mr. Daniel G. McGrath; Arnold Hoffman, of Washington, D. C., on motion of Mr. Edward Cowley Radue; Charles Francis Rouse, of Raleigh, N. C., on motion of Mr. Fred W. Morrison; Sidney A. Fine, of New York, N. Y., on motion of Mr. Thomas A. Kennedy; Joseph Borkin, of Arlington, Va., on motion of Mr. Nathan L. Silberberg; Vernon M. Turner, of Houston, Tex., on motion of Mr. Ross S. Shearer; Lewis H. Adams, Jr., of Columbia, Ala., on motion of Mr. Franklin W. Clarke; Ralph K. Brandt, of San Diego, Calif., on motion of Mr. Philip A. Walker; Marjorie I. Wilmarth, of Oklahoma City, Okla., on motion of Mr. Preston E. Peden; Dorothea Anna Baker, of Washington, D. C., and Joseph W. Kiernan, of Washington, D. C., on motion of Mr. James Arthur Smith; and Clifford D. O'Brien, of Chicago, Ill., on motion of Miss Ruth Weyand, were admitted to practice.

No. 301. The Palmer Oil Corporation, Paul Sterba and Paul Sterba, Jr., a Minor, etc., appellants, *v.* Amerada Petroleum Corporation et al.; and

No. 302. Kit C. Farwell, Frank Phohlemann, L. A. Davis, et al., appellants, *v.* Amerada Petroleum Corporation et al. Appeals from the Supreme Court of the State of Oklahoma. Appeals dismissed for the want of a substantial federal question. Opinion *per curiam* announced by Mr. Chief Justice Vinson.

No. 79. Charles Augustus Dixon, petitioner, *v.* Clinton T. Duffy, Warden, San Quentin Prison. On writ of certiorari to the Supreme Court of California. Cause further continued. Opinion *per curiam* announced by Mr. Chief Justice Vinson. Dissenting: Mr. Justice Douglas. Mr. Justice Minton took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

No. 666. James Singleton, petitioner, *v.* The United States of America. On 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. *Greenberg v. United States*, No. 461, October Term, 1951, decided April 7, 1952; *Hoffman v. United States*, 341 U. S. 479. The Chief Justice and Mr. Justice Reed dissent. Mr. Justice Douglas dissents from the action of the Court in reversing without oral argument.

No. 722. Tom's Express, Inc., and Red Star Transit Company, Inc., appellants, *v.* Division of State Highway Patrol, Department of Highways, State of Ohio. Appeal from the United States District Court for the Southern District of Ohio. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. Mr. Justice Reed and Mr. Justice Douglas dissent.

No. 731. Benjamin P. Shein, Herman Shein, Howard M. Shein, et al., appellants, *v.* The United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the District of New Jersey. *Per Curiam*: The motion of Jack Garrett Scott for leave to withdraw his appearance as counsel for the appellants is granted. The judgment is affirmed.

The Chief Justice said:

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

No. 334. Harry Gordon, Officer in Charge, Immigration and Naturalization Service, Department of Justice, petitioner, *v.* Knut Einar Heikkinen. The motion of petitioner to vacate and remand is denied.

No. 709. Eastern Motor Express, Inc., et al., appellants, *v.* The United States of America and Interstate Commerce Commission et al.; and

No. 710. The Secretary of Agriculture of the United States, appellant, *v.* The United States of America and Interstate Commerce Commission et al. In these cases probable jurisdiction is noted and the cases are assigned for argument with No. 647.

No. 605. Lucena Elizabeth Clark Johnson, petitioner, *v.* The Portland Trust and Savings Bank. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 650. Molly A. Harkness, petitioner, *v.* Commissioner of Internal Revenue; and

No. 651. Floyd J. Harkness, petitioner, *v.* Commissioner of Internal Revenue. Petition for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 668. Paul Blackford, William W. Blackford, Carroll D. Hager, et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 673. Cortlandt R. Turney, petitioner, *v.* The Home Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 680. Samuel W. Winger, Administrator of the Estate of Samuel W. Winger, Jr., Deceased, petitioner, *v.* The McCullough Transfer Company. Petition for writ of certiorari to the Court of Appeals of Ohio, Seventh Judicial District, denied.

No. 685. Thomas Edward Furlong, Harry Scott Kneever, and Charles Joseph Swartz, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 676. Raoul Berger, petitioner, *v.* J. Howard McGrath, Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 678. Michael Livanos et al., petitioners, *v.* George M. Pateras, as Master, et al. Motion to dispense with printing the petition and record granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 443. The United States of America, appellant, *v.* Efroim Spector. Petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 514. LeRoy J. Leishman, petitioner, *v.* General Motors Corporation. Second petition for rehearing denied.

No. 195. James Rutkin, petitioner, *v.* The United States of America;

No. 373. Fred Stroble, petitioner, *v.* People of the State of California;

No. 584. Paul D. Lynch, petitioner, *v.* Howard J. Gruber and Isabel Gruber, husband and wife;

No. 303, Misc. The United States of America, ex rel. Fletcher Mills, petitioner, *v.* Joseph C. Reing, United States Marshal;

No. 381, Misc. Joseph W. Di Silvestro, petitioner, *v.* Carl Gray, Jr., as Administrator of Veterans' Affairs; and

No. 446, Misc. In the Matter of the Petition of Robert C. Whitney, petitioner. Petitions for rehearing denied.

No. 282, Misc. James F. Patterson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 326, Misc. Rubin Leviton, Arthur Blumenfeld, and Martin Markowitz, petitioners, *v.* The United States of America. 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. Memorandum filed by Mr. Justice Frankfurter.

No. 401, Misc. Turman G. Wilson and Utah E. Wilson, petitioners, *v.* The State of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 424, Misc. Raymond E. Montgomery, petitioner, *v.* Ralph N. Eidson, Warden, etc., et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 447, Misc. Robert S. Skladd, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 454, Misc. Clarence Lamar Cogdell, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 458, Misc. Albert L. Johnson, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 459, Misc. John Eldon Wells, petitioner, *v.* Elsie Borman Dustmann, etc. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 462, Misc. Edward Okulczyk, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 468, Misc. Robert Gray Taylor, petitioner, *v.* Gene D. Smith, Secretary of the Commonwealth of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 478, Misc. Edwin Martin Larson, petitioner, *v.* John R. Cranor, Warden, etc. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 460, Misc. Daniel Jones, petitioner, *v.* Ralph W. Alvis, Warden of the Ohio State Penitentiary, et al. Motion for leave to file petition for writ of mandamus denied.

ORDER

The Court will take a recess at the conclusion of the argument in Nos. 744 and 745 until Monday, May 19, from that day until Monday, May 26, and from that day until Monday, June 2, upon which day it will adjourn for the term unless otherwise ordered. No motions, except motions for admission to practice, will be received after the session next before the date fixed for adjournment of the term.

No. 744. The Youngstown Sheet and Tube Company et al., petitioners, *v.* Charles Sawyer; and

No. 745. Charles Sawyer, Secretary of Commerce, petitioner, *v.* The Youngstown Sheet and Tube Company et al. Argument commenced by Mr. John W. Davis for the petitioners in No. 744 and the respondents in No. 745, and continued by Mr. Solicitor General Perlman for the respondent in No. 744 and the petitioner in No. 745.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, May 13, will be as follows: No. 744 (and 745).

×

SUPREME COURT OF THE UNITED STATES

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

Herbert L. Faulkner, of Juneau, Alaska, on motion of Mr. Hugh T. Fullerton; and Wm. W. Doyle, of Cincinnati, Ohio, on motion of Mr. Chas. H. Elston, were admitted to practice.

No. 744. The Youngstown Sheet and Tube Company et al., petitioners, v. Charles Sawyer; and

No. 745. Charles Sawyer, Secretary of Commerce, petitioner, v. The Youngstown Sheet and Tube Company et al. Argument continued by Mr. Solicitor General Perlman for the respondent in No. 744 and the petitioner in No. 745, and by Mr. John W. Davis for the petitioners in No. 744 and the respondents in No. 745, and by Mr. Arthur J. Goldberg for the United Steelworkers of America, C. I. O., as *amicus curiae*, by special leave of Court, and concluded by Mr. Clifford D. O'Brien and Mr. Harold C. Heiss for the Brotherhood of Locomotive Firemen and Enginemen et al., as *amici curiae*, by special leave of Court.

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

×

SUPREME COURT OF THE UNITED STATES

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

Herbert W. Sugarman, of New York, N. Y., and Michael J. Galvin, of Boston, Mass., on motion of Mr. Solicitor General Philip B. Perlman; T. K. Irwin, of Dallas, Tex., Ivan Irwin, of Dallas, Tex., T. K. Irwin, Jr., of Dallas, Tex., George W. Irwin, of Dallas, Tex., and Lee J. Irwin, of Dallas, Tex., on motion of Mr. Tom Connally; Alonzo D. Camp, of Little Rock, Ark., on motion of Mr. Brooks Hays; Vaughn C. Ball, of Saint Louis, Mo., on motion of Mr. Rodolfo A. Correa; Ralph J. Blank, Jr., of West Palm Beach, Fla., on motion of Mr. Frank J. Wideman; William J. Ash, of Port Huron, Mich., on motion of Mr. Jesse P. Wolcott; Lowell Goerlich, of Toledo, Ohio, on motion of Mr. Joseph L. Rauh, Jr.; Harry Silverstone, of Arlington, Va., on motion of Mr. Solomon J. Pokrass; Samuel Rosenblum, of New York, N. Y., and Harold M. Weiss, of New York, N. Y., on motion of Mr. N. Meyer Baker; Lowell C. Stellberger, of Detroit, Mich., on motion of Mr. Albert F. Beasley; Herman W. Goldner, of Saint Petersburg, Fla., on motion of Mr. Earl A. Munyan; Giy H. Postell, of Atlanta, Ga., on motion of Mr. Edgar Watkins, Jr.; Russell W. Root, of Chicago, Ill., on motion of Mr. Lawrence J. Fenlon; Heber T. Dotson, of Chicago, Ill., on motion of Mr. James M. Nabrit, Jr.; Harrison G. Sloane, of San Diego, Calif., on motion of Mr. Walton H. Hamilton; Edith Rose Gardner, of Washington, D. C., and John L. Carey, of Morris, Ill., on motion of Mr. Albert J. Clark; O. P. Easterwood, Jr., of Washington, D. C., on motion of Mr. Russell O. Pettibone; Alice W. Cohn, of Atlanta, Ga., on motion of Mr. A. D. G. Cohn; Benjamin Feld, of New York, N. Y., on motion of Mr. George M. Thorpe; Nehemiah Silver, of Washington, D. C., and Paul W. Moores, of College Park, Md., on motion of Mr. Joseph A. Nacrelli; Sherman R. Hill, of San Francisco, Calif., on motion of Mr. Richard P. Whiteley; Dorothy Arnold Vahey, of Boston, Mass., and Joseph S. Vahey, of Boston, Mass., on motion of Mr. William F. McDonnell; Charles B. Mahin, of Chicago, Ill., on motion of Miss Amy Ruth Mahin; James M. McHaney, of Little Rock, Ark., on motion of Mr. Telford Taylor; Thomas Albert Stansbury, of Chicago, Ill., on motion of Mr. Edward C. Sweeney; Harry A. Sellery, Jr., of

Chicago, Ill., on motion of Mr. Mastin G. White; Henry Fogler, of New York, N. Y., on motion of Mr. Warren E. Miller; Robert A. Fitch, of Omaha, Nebr., on motion of Mr. J. Winfield Hendry; Frances Fletcher Ames, of Accomac, Va., James Atkins, of Washington, D. C., and Wescott Brownlee Northam, of Accomac, Va., on motion of Mr. Francis C. Browne; Harold C. Theus, of Oklahoma City, Okla., on motion of Mr. Russell Chapin; Carl Helmetag, Jr., of Philadelphia, Pa., on motion of Mr. Hugh B. Cox; Thurman S. Hurst, of Tulsa, Okla., on motion of Mr. Preston E. Peden; Leon Fischel, of New York, N. Y., on motion of Mr. John L. Grabber; Irving Turner, of Alexandria, Va., on motion of Mr. John R. Foley, Jr.; Fred S. March, of Erie, Colo., on motion of Mr. Samuel W. McIntosh; Joseph Robbie, Jr., of Mitchell, S. Dak., on motion of Mr. Carl William Berueffy; and Halsey L. Rixford, of San Francisco, Calif., on motion of Mr. Monte Appel, 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. 744. The Youngstown Sheet and Tube Company et al., petitioners, *v.* Charles Sawyer; and

No. 745. Charles Sawyer, Secretary of Commerce, petitioner, *v.* The Youngstown Sheet and Tube Company et al. The motions for leave to file briefs of American Legion Post No. 88 and Everett S. Layman as *amici curiae* are denied.

No. 683. N. T. Smith, petitioner, *v.* H. C. Jones, Collector of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 686. W. E. Moss, Trustee in Bankruptcy of the Estate of Leon S. Horne and Nell Horne, doing business as Star City Lumber Company, petitioner, *v.* W. D. May. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 692. Ring Construction Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 717. Alfred H. Osborne, Robert B. Sympton, and Phil Cabbell, petitioners, *v.* J. A. Purdome, Sheriff of Jackson County, Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 727. Air Products, Inc., petitioner, *v.* Boston Metals Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 732. Sears, Roebuck and Company, petitioner, *v.* Cecil H. Broughton. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied;

No. 426. The United States of America, appellant, *v.* Clarence E. Hood, Jr., Frank F. Mize, Bascom C. Beasley, et al.;

No. 575. Meyer Schneider, petitioner, *v.* The United States of America; and

No. 445, Misc. Richard O'Neil, petitioner, *v.* Browning Robinson, Warden, etc. Petitions for rehearing denied.

No. 232, Misc. Ralph D. Rutledge, petitioner, *v.* R. H. Hudspeth, Warden, Kansas State Penitentiary, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 384, Misc. Herbert Fentress, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of the Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 441, Misc. S. P. Beecher, petitioner, *v.* The Leavenworth State Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 444, Misc. Harry Collins, petitioner, *v.* Dr. John W. Claudy, Warden, etc. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 451, Misc. Frank Buzzie, petitioner, *v.* Robert A. Heinze, Warden, California State Prison. Petition for writ of certiorari to the Supreme Court of California denied.

No. 453, 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. 472, Misc. Ralph D. Rutledge, petitioner, *v.* R. H. Hudspeth, Warden, Kansas State Penitentiary. Petition for writ of certiorari to the Supreme Court of Kansas denied.

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

SUPREME COURT OF THE UNITED STATES

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

Samuel K. Wasaff, of El Paso, Tex., and Royal W. France, of New York, N. Y., on motion of Mr. Solicitor General Philip B. Perlman; Herbert M. Boyle, of Denver, Colo., on motion of Mr. E. D. Millikin; John H. Anderson, Jr., of Raleigh, N. C., Willis Smith, Jr., of Raleigh, N. C., and James K. Dorsett, Jr., of Raleigh, N. C., on motion of Mr. Willis Smith; Burton Stevenson, of Chillicothe, Ohio, Robert W. Minor, of Columbus, Ohio, and Charles A. Webb, of Arlington, Va., on motion of Mr. John W. Bricker; Jno. T. Shea, of Memphis, Tenn., Harry C. Pierotti, of Memphis, Tenn., and W. Preston Battle, of Memphis, Tenn., on motion of Mr. Clifford Davis; W. G. East, of Eugene, Oreg., on motion of Mr. Walter Norblad; Aaron L. Stein, of Chicago, Ill., and Prince H. Preston, of Statesboro, Ga., on motion of Mr. Henry P. Chandler; Sterling L. Brown, of New Richmond, Ohio, on motion of Mr. Chas. H. Elston; Joseph L. Carrigg, of Susquehanna, Pa., Hardie Scott, of Philadelphia, Pa., and Christopher C. Mullady, of Omaha, Nebr., on motion of Mr. Elmore Whitehurst; Robert L. Merritt, of Cleveland, Ohio, and Frank M. Cobourn, of Toledo, Ohio, on motion of Mr. William A. Sutherland; Eugene J. Bradley, of Washington, D. C., on motion of Mr. Charles Sylvanus Rhyne; Frank Fedele, of Brooklyn, N. Y., Curtis A. Whittington, Jr., of Merritt Island, Fla., Virginia Althea Hardy, of Marion, Ind., Fred Wade, of Pope, Tenn., Bernard B. Smith, of Oklahoma City, Okla., Dorothy S. Feddern, of Wakefield, Mass., Sharon Ralph, of Philadelphia, Pa., W. A. Collier, of Oklahoma City, Okla., Perry H. Burnham, of Salt Lake City, Utah, and Sigmon A. Lunceford, of Lanett, Ala., on motion of Mr. Bert E. Johnson; Ralph T. Yamaguchi, of Honolulu, T. H., on motion of Mr. Henry F. Butler; Alfred W. Meldon, of Manhasset, N. Y., on motion of Mr. Philip J. Miele; Clayton Wilbur Daneker, of Baltimore, Md., on motion of Mr. Hall Hammond; George Lee Haskins, of Philadelphia, Pa., and William B. Johnson, of Philadelphia, Pa., on motion of Mr. Hugh B. Cox; Carl E. Williamson, of Doniphan, Mo., on motion of Mr. George N. Anderson; Burr Sutter, of Phoenix, Ariz., on motion of Mr. John H. Moeur; William Stirling Maxwell, of Chicago, Ill., on motion of

Mr. James C. Hamilton; Clifford A. Weisel, of Pittsburgh, Pa., on motion of Mr. Samuel E. Neel; Arthur W. Proctor, of Pelham, N. Y., on motion of Mr. Roy C. Frank; Charles Goodwin, Jr., of New York, N. Y., on motion of Mr. Richard A. Mahar; Alfred H. Corbett, of Portland, Oreg., on motion of Mr. Edwin Jason Dryer; Albert E. Van Dusen, of New York, N. Y., on motion of Mr. Oscar S. Cox; Sam Elson, of Saint Louis, Mo., on motion of Mr. Walter Freedman; Andrew T. Altmann, of Washington, D. C., on motion of Mr. Clyde D. Garrett; Clarence F. Kiech, of Los Angeles, Calif., on motion of Mr. William Wallace Cochran; Alan R. Rado, of New York, N. Y., on motion of Mr. Norman S. Altman; Joseph A. Weisman, of Newark, N. J., on motion of Mr. Charles Gordon; Maurice A. Roberts, of Arlington, Va., on motion of Mr. Loran Paul Winings; Victor Konow, of New York, N. Y., on motion of Mr. William T. Collins II, John Hungerford Gullett, of Springfield, Ill., on motion of Mr. Carl B. Klein; Westerdahl William Gudmundson, of Merced, Calif., on motion of Mr. Seymour Sheriff; Francis W. McInerny, of Washington, D. C., on motion of Mr. David Grant MacDonald; L. Clark Ewing, of Easton, Md., on motion of Mr. Ross W. Donoghue; Welburn S. Mayoock, of Washington, D. C., on motion of Mr. Welburn Mayoock; W. A. Armstrong, of Louisville, Ky., and Donald Edward Armstrong, of Louisville, Ky., on motion of Mr. Neville Miller; Harry E. McCoy, Jr., of Norfolk, Va., on motion of Mr. William Perry Epes; and Richard T. McDonough, of Newark, N. J., and William H. Clarke, of Washington, D. C., on motion of Mr. Richard W. Galiher, were admitted to practice.

No. 474. Marion W. Stenbridge, petitioner, *v.* The State of Georgia. On writ of certiorari to the Court of Appeals of the State of Georgia and to the Supreme Court of the State of Georgia. Writ of certiorari dismissed as improvidently granted. Opinion by Mr. Justice Minton. Concurring: Mr. Justice Reed. Mr. Justice Black, Mr. Justice Frankfurter and Mr. Justice Burton dissent from the dismissal.

No. 448. Federal Trade Commission, petitioner, *v.* The Ruberoid Company; and

No. 504. The Ruberoid Company, petitioner, *v.* Federal Trade Commission. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals affirmed. Opinion by Mr. Justice Clark. Mr. Justice Black concurs in the judgment and opinion with the exception noted. Mr. Justice Frankfurter, not having heard the argument, owing to illness, took no part in the disposition of this case. Mr. Justice Douglas dissents

from the denial of enforcement of the order. Opinion by Mr. Justice Jackson dissenting in No. 504.

No. 522. Joseph Burstyn, Inc., appellant, *v.* Lewis A. Wilson, Commissioner of Education of the State of New York, et al. Appeal from the Court of Appeals of the State of New York. Judgment reversed with costs and case remanded to the Court of Appeals of New York for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark. Concurring: Mr. Justice Reed. Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton join.

No. 224. Public Utilities Commission of the District of Columbia, Capital Transit Company, et al., petitioners, *v.* Franklin S. Pollak and Guy Martin; and

No. 295. Franklin S. Pollak and Guy Martin, petitioners, *v.* Public Utilities Commission of the District of Columbia, Capital Transit Company, and Washington Transit Radio, Inc. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the Court of Appeals reversed and case remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Frankfurter for reasons stated by him, took no part in the consideration or decision of this case. Separate opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Douglas.

No. 230. Besser Manufacturing Company and Jesse H. Besser, appellants, *v.* The United States of America. Appeal from the United States District Court for the Eastern District of Michigan. Judgment affirmed. Opinion by Mr. Justice Jackson. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 401. Konrad G. Johansen, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit; and

No. 414. Samuel Mandel, Administrator of the Estate of Robert Willie Dillehay, Jr., Deceased, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgments of Court of Appeals affirmed. Case No. 401 is remanded to the United States District Court for the Southern District of New York. Case No. 414 is remanded to the United States District Court for the Eastern District of Pennsylvania. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Black in which the Chief Justice, Mr. Justice Douglas and Mr. Justice Minton concur.

No. 428. Pennsylvania Water and Power Company and Susquehanna Transmission Company of Maryland, petitioners, *v.* Federal Power Commission et al.; and

No. 429. Pennsylvania Public Utility Commission, petitioner, *v.* Federal Power Commission. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and cases remanded to the United States Court of Appeals for the District of Columbia Circuit. Opinion by Mr. Justice Black. Mr. Justice Frankfurter, not having heard the argument, owing to illness, took no part in the disposition of these cases. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Reed concurs.

No. 126. National Labor Relations Board, petitioner, *v.* American National Insurance Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed and case remanded to the United States Court of Appeals for the Fifth Circuit. Opinion by Mr. Chief Justice Vinson. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Black and Mr. Justice Douglas join.

The Chief Justice announced the following order of the Court:

No. 752. Charles Mizer, R. J. Swearingen, Elmer E. Anderson, and Howard Barber, appellants, *v.* Kansas-Bostwick Irrigation District No. 2, F. H. Garman and Ward Douglas, et al. Appeal from the Supreme Court of Kansas. *Per Curiam*: The motion to dismiss is 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. 444. Wilbur C. King et al., as and constituting the Florida Railroad and Public Utilities Commission, appellants, *v.* The United States of America et al. The motion for leave to file brief of Florida Rate Conference et al., as *amici curiae* is denied.

No. 747. The United States of America, appellant, *v.* Universal C. I. T. Credit Corporation, George P. Neal, Frank E. Wolfe, et al. In this case probable jurisdiction is noted.

No. 610. The United States, petitioner, *v.* Caltex (Philippines), Incorporated, The Shell Company of the Philippine Islands, Limited, et al. Petition for writ of certiorari to the United States Court of Claims granted.

No. 306, Misc. Isidore Edelman, petitioner, *v.* The People of the State of California. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Superior Court of Los Angeles County, Appellate Department, State of California, granted and the case is transferred to the appellate docket and placed on the summary docket.

No. 568. S. S. W., Incorporated, a Corporation, et al., petitioners, *v.* Air Transport Association of America, et al.; and

No. 591. Air Transport Association of America et al., petitioners, *v.* S. S. W., Incorporated, and Air Transport Associates, Incorporated, and Golden North Airways, Incorporated. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 679. The Choctaw Nation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 689. Louis S. Weiner, petitioner, *v.* Reconstruction Finance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 693. Nahum Birnbaum et al., Co-Partners, Doing Business Under the Firm Name and Style of Birnbaum & Co., etc., petitioners, *v.* Newport Steel Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 694. Eusebius James Biggs, petitioner, *v.* Walter Spader and Mrs. Walter Spader, his Wife, et al. Petition for writ of certiorari to the Supreme Court of Illinois, and Superior Court of Cook County, Illinois, denied.

No. 695. The Northern Trust Company of Chicago, as Executor of the Last Will and Testament of Aleta M. Gomell, Deceased, 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. 696. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* Sarah O'Donnell, Administratrix of the Estate of William O'Donnell, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 697. General Armature and Manufacturing Co., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 699. Loy Vernal Imboden, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 711. American Crystal Sugar Company, petitioner, *v.* Mandeville Island Farms, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 715. California Paving Co., a Partnership Composed of Angelo Bragato and Wm. D. Smith, et al., petitioners, *v.* L. C. Smith and Hilltop Quarry, Inc., a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 723. Susan C. Kimmell and E. P. Dutton and Company, Inc., petitioners, *v.* Harwood A. White. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 738. The Patent Scaffolding Co., Inc., a Corporation, petitioner, *v.* Up-Right, Inc., a Corporation, and Wallace J. S. Johnson, an Individual. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 78. Marianna von Moltke, petitioner, *v.* A. Blake Gillies, Superintendent of the Detroit House of Correction; and

No. 395. Richfield Oil Corporation, appellant, *v.* The United States of America. Petitions for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 654. Paul Ginsburg, petitioner, *v.* John D. Black et al.; and

No. 655. Paul Ginsburg, petitioner, *v.* The First National Bank of Chicago and Alfred L. Kuehn. Petition for rehearing denied.

No. 665. Auto Transports, Incorporated, and General Motors Corporation, appellants, *v.* The United States of America and The Interstate Commerce Commission. The motions for leave to file briefs of Contract Carrier Conference, American Trucking Associations, Inc.; and Complete Auto Transport, et al., as *amici curiae*, are denied. Petition for rehearing denied.

No. 299, Misc. Iva Ikuko Toguri d'Aquino, petitioner, *v.* The United States of America. Petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 309, Misc. Anthony Freapane, petitioner, *v.* The State of Illinois. Second petition for rehearing denied.

No. 322, Misc. William Mahler, petitioner, *v.* Julian N. Frisbie, Warden, etc.;

No. 397, Misc. Fred Tate, petitioner, *v.* The United States District Court for the Northern District of California et al.; and

No. 416, Misc. Marion Black, petitioner, *v.* H. E. Moore, the Warden of the Texas Prison System, et al. Petitions for rehearing denied.

No. 395, Misc., October Term, 1950. Emmett H. Bozell, petitioner, *v.* The United States of America. Second petition for rehearing denied.

No. 361, Misc. Fujiko Furusho, petitioner, *v.* Dean Acheson, as Secretary of State of the United States. Petition for writ of certio-

rari to the United States Court of Appeals for the Ninth Circuit denied.

No. 498, Misc. George W. Story, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 476, Misc. Harry Sylvester Barnes, petitioner, *v.* Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. Motions for leave to file petitions for writs of habeas corpus and certiorari denied.

Adjourned until Monday, June 2, next, at 12 o'clock.

×

SUPREME COURT OF THE UNITED STATES

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

Theodore Sherbow, of Baltimore, Md., and Fredrick J. Ludwig, of New York, N. Y., on motion of Mr. Solicitor General Philip B. Perlman; Philip Rossman, of Denver, Colo., on motion of Mr. Bryon G. Rogers; Willard J. Hodges, Jr., of Odenville, Ala., Giles J. McCarthy, of Cold Spring, Ky., George Royalty Edwards, of Waco, Tex., and Wendell C. Dreier, of Louisville, Ky., on motion of Mr. Herbert Miller Kidner; L. E. Blaisdell, of Hawthorne, Nev., on motion of Mr. Patrick A. McCarran; Edward G. Hudon, of Brunswick, Maine, on motion of Mr. Charles J. Zinn; William T. Sevald, of Royal Oak, Mich., on motion of Mr. George A. Dondero; Elmer E. Welty, of Lima, Ohio, on motion of Mr. Joseph P. Tumulty, Jr.; Vernon L. Stouffer, of Columbus, Ohio, and Joe F. Asher, of Columbus, Ohio, on motion of Mr. Robert E. Quirk; Remsen B. Ogilby, of Washington, D. C., John L. Barr, Jr., of Washington, D. C., Richard Huhn, of Washington, D. C., and Ingham Gallinger Mack, of Washington, D. C., on motion of Mr. C. F. R. Ogilby; Arthur H. Sherry, of San Francisco, Calif., on motion of Mr. Robert L. Stern; Thomas M. Parrington, of Alhambra, Calif., on motion of Mr. Howell John Hatcher; William Calvin Wells, Jr., of Jackson, Miss., on motion of Mr. Thomas E. Rhodes; Louis S. Lebo, of Toledo, Ohio, on motion of Mr. Almon S. Nelson; Joseph G. Connolly, of Hollis, N. Y., on motion of Mr. E. Russell Kelly; James A. Murray, of New York, N. Y., on motion of Mr. Fulton M. Brylawski; David S. Harrison, of Atlantic City, N. J., on motion of Mr. John M. Raymond; Martha L. Colmetz, of Washington, D. C., on motion of Miss Carolyn E. Agger; Sidney Waller, of Evanston, Ill., on motion of Mr. William Wolcott Goodrich; Alfred B. Huddleston, of Murfreesboro, Tenn., on motion of Mr. Harry S. Barger; Gustave I. Jahr, of New York, N. Y., on motion of Mr. Lawrence C. Moore; Samuel Anatole Lourie, of New York, N. Y., on motion of Mr. Clarence E. Dawson; James Woodrow Sack, of Buffalo, N. Y., on motion of Mr. Manly Fleischmann; Alexander Wyckliff Nisbet, of Little Rock, Ark., and Harry W. Frazee, of Little Rock, Ark., on motion of Mr. W. L. Pope; Allen Yates Arledge, of Raleigh, N. C., on motion of Mr. Fred W. Morrison; Walter Siben, of Bay Shore, N. Y., on motion of Mr. Warren E. Miller; and Aaron L.

Danzig, of New York, N. Y., and Lawrence H. Gall, of Washington, D. C., on motion of Mr. Wesley E. Disney, were admitted to practice.

The Chief Justice said:

"Admissions to the Bar will be postponed until announcement of the opinion in the Steel case."

No. 744. The Youngstown Sheet and Tube Company et al., petitioners, *v.* Charles Sawyer; and

No. 745. Charles S. Sawyer, Secretary of Commerce, petitioner, *v.* The Youngstown Sheet and Tube Company et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of the United States District Court for the District of Columbia affirmed. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Douglas. Opinion by Mr. Justice Jackson concurring in the judgment and opinion of the Court. Opinion by Mr. Justice Burton concurring in the opinion and judgment of the Court. Opinion by Mr. Justice Clark concurring in the judgment of the Court. Dissenting opinion by Mr. Chief Justice Vinson in which Mr. Justice Reed and Mr. Justice Minton join.

No. 543. On Lee, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Jackson. Dissenting: Mr. Justice Black. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Frankfurter concurs.

No. 388. Leroy J. Robertson, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the District of Utah. Opinion by Mr. Justice Douglas. Mr. Justice Frankfurter, not having heard the argument owing to illness, took no part in the disposition of this case. Dissenting: Mr. Justice Jackson.

No. 570. Tomoya Kawakita, petitioner, *v.* The United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of California. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Chief Justice Vinson in which Mr. Justice Black and Mr. Justice Burton join. Mr. Justice Frankfurter, not having heard the argument, owing to illness, took no part in the disposition of this case. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 513. Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor, appellant, *v.* The United States of America, Interstate Commerce Commission and Omaha Grain Exchange of Omaha, Nebraska. Appeal from the United States District Court for the Eastern District of Missouri. Judgment reversed and case remanded for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Vinson.

No. 151. The United States of America, Interstate Commerce Commission, et al., appellants, *v.* Great Northern Railway Company. Appeal from the United States District Court for the District of Minnesota. Judgment reversed and case remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Vinson. Mr. Justice Black, Mr. Justice Jackson and Mr. Justice Burton concur in the result.

The Chief Justice announced the following orders of the Court:

No. 707. W. L. Gelling, appellant, *v.* The State of Texas. Appeal from the Court of Criminal Appeals of Texas. *Per Curiam*: The judgment is reversed. See *Burstyn v. Wilson*, No. 522, October Term, 1951, decided May 26, 1952; and *Winters v. New York*, 333 U. S. 507.

Mr. Justice Frankfurter, concurring in the judgment of reversal:

The appellant here was convicted under an ordinance of the city of Marshall, Texas, for exhibiting a picture after being denied a license by the local Board of Censors, and the conviction was affirmed by the Court of Criminal Appeals of Texas. The ordinance authorizes a local Board of Censors to deny a license for the showing of a motion picture, which the Board is "of the opinion" is "of such character as to be prejudicial to the best interests of the people of said City," and makes the showing of a picture without a license a misdemeanor. This ordinance offends the Due Process Clause of the Fourteenth Amendment on the score of indefiniteness. See my concurring opinion in *Burstyn v. Wilson*, 343 U. S. — and *Winters v. Wilson*, 333 U. S. 507.

No. 688. Hays Finance Company, Inc., and United States Fidelity and Guaranty Company, appellants, *v.* Mrs. Thomas L. Bailey, State Tax Collector. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 771. Dixie Brokerage & Guaranty Company of Jackson, Inc., et al., appellants, *v.* Mr. Thomas L. Bailey, State Tax Collector. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question pursuant to the stipulation of counsel to abide the judgment in *Hays Finance Co. v. Bailey*, No. 688, October Term, 1951, decided this day.

No. 760. Carmine Pizza, appellant, *v.* John A. Lyons, as a New York State Commissioner of Corrections, et al., and

No. 766. County Transportation Company, Inc., appellant, *v.* The People of the State of New York. Appeals from the Court of Appeals of New York. *Per Curiam*: The appeals are 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. 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 for leave to file brief of the Citizens Budget Commission, Inc., as *amicus curiae* is denied.

No. 677. Louis K. Nathanson, Trustee, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted and case transferred to the summary docket.

No. 721. Lloyd A. Fry Roofing Company, petitioner, *v.* Scott Wood et al., as Arkansas Public Service Commission. Petition for writ of certiorari to the Supreme Court of Arkansas granted.

No. 725. Sidney Steele et al., petitioners, *v.* Bulova Watch Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 736. Montgomery Building and Construction Trades Council et al., petitioners, *v.* Ledbetter Erection Company, Inc. Petition for writ of certiorari to the Supreme Court of Alabama granted.

No. 734. F. W. Woolworth Company, petitioner, *v.* Contemporary Arts, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted limited to the question presented by the application of Section 101 (b) of Title 17 of the United States Code to this case.

No. 405, Misc. Clementin Wottle, Administrator of the Estate of Edward Begay, Deceased, petitioner, *v.* The Atchison, Topeka and Santa Fe Railway Company. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case transferred to the appellate docket and placed on the summary docket.

No. 611. Consolidated Gas Electric Light and Power Company of Baltimore, petitioner, *v.* The Pennsylvania Water and Power Company et al.; and

No. 612. The Public Service Commission of Maryland, petitioner, *v.* The Pennsylvania Water and Power Company et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 690. Continental Illinois National Bank and Trust Company, as Executor of the Estate of Alfred N. Severin, Deceased, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 691. Southern Furniture Manufacturing 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. 698. John H. Arthur, petitioner, *v.* Standard Engineering Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 700. James Ryan, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 701. Charles Gordon, petitioner, *v.* William E. Bergin, Individually and as Adjutant General of the Army. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 702. Oscar L. Chapman, Secretary of the Interior, et al., petitioners, *v.* Santa Fe Pacific Railroad Company, a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 704. James J. Moran, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 706. Safeway Stores, Incorporated, petitioner, *v.* Ellis Arnall, Director of Price Stabilization. Petition for writ of certiorari to the United States Emergency Court of Appeals denied.

No. 712. Mutual Benefit Health & Accident Association, a Corporation, petitioner, *v.* Pearl Cohen, Executrix of the Estate of Louis Cohen, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 713. Lawrence B. Scott, petitioner, *v.* Hal W. Harman. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 716. George S. May, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 718. Jerome Dworsky et al., Individually and as Co-Partners, etc., et al., petitioners, *v.* C. E. Warner, as Trustee in Bankruptcy of

Hyman Cohen, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 719. United Electrical, Radio and Machine Workers of America, a Voluntary Association, et al., petitioners, *v.* Westinghouse Electric Corporation, a Pennsylvania Corporation, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 724. The Hamilton Foundry and Machine Company, petitioner, *v.* International Molders & Foundry Workers Union of North America (AFL), et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 733. Irene Moses, Claimant of one 1949 Pontiac Sedan, Motor No. P-8 RH 10913, 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. 743. Evan A. Sholl and National Casualty Company, petitioners, *v.* Edna V. Cadwallader. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 749. Overseas Tankship Corporation, petitioner, *v.* Guy B. Keen. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 703. Stuart Laboratories, Inc., and William B. Hugle, petitioners, *v.* Union Carbide and Carbon Corporation. Motion to dispense with printing the record granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 708. James B. Armstrong, petitioner, *v.* War Contracts Price Adjustment Board. The motion to substitute the United States of America as the party respondent in the place and stead of War Contracts Price Adjustment Board is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied.

No. 714. Union Carbide and Carbon Corporation, petitioner, *v.* Graver Tank and Mfg. Co., Inc., and the Lincoln Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 468. Michael Cohen, petitioner, *v.* The United States of America;

No. 586. Olin Industries, Incorporated, Winchester Repeating Arms Company Division, petitioner, *v.* National Labor Relations Board;

No. 601. The Erie Forge Company, petitioner, *v.* The United States of America;

No. 625. College Homes, Incorporated, petitioner, *v.* The United States of America; and

No. 636. Irving K. Baxter, petitioner, *v.* The State of New York. Petitions for rehearing denied.

No. 252, Misc. Bernard M. Shotkin, petitioner, *v.* Atchison, Topeka and Santa Fe Railroad Company et al. Second petition for rehearing denied.

No. 258, Misc. Harmon M. Waley, petitioner, *v.* E. B. Swope, Warden, U. S. Penitentiary, Alcatraz, California; and

No. 439, Misc. In re Paysoff Tinkoff, petitioner. Petitions for rehearing denied.

No. 368, Misc. Walter E. Mellott, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 387, Misc. Joseph Peter Oddo, petitioner, *v.* E. B. Swope, Warden, United States Penitentiary, Alcatraz, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 408, Misc. Grant Bowles, petitioner, *v.* The State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 409, Misc. Earl C. Weldon, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 420, Misc. Lilburn H. Barbeau, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 457, Misc. William Lawson, petitioner, *v.* The People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 463, Misc. Arnold D. Hearn, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 464, Misc. Ludvik Kromarek, petitioner, *v.* State of North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 467, Misc. Samuel Kelley, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 471, Misc. Oscar Collazo, 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. 473, Misc. James Otis Mitchell, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 480, Misc. John O. Story, petitioner, *v.* Jerome J. Waters, Jr., Warden, Oklahoma State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 481, Misc. G. W. Lindsey, petitioner, *v.* J. A. Watson and Mary Watson. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 482, Misc. Albert Ciha, petitioner, *v.* Hon. J. Earl Major, Judge, U. S. Court of Appeals for the Seventh Circuit. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 487, Misc. Frank Casone, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 490, Misc. Fred Otis Mills, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 491, Misc. A. F. Levy, petitioner, *v.* United States District Court for the Southern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 505, Misc. Mac Henry Davis, petitioner, *v.* O. B. Ellis and State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 483, Misc. Herman Lee Ross, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Application for stay of execution also denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 470, Misc. D. P. Glenn, petitioner, *v.* W. M. Manning, Superintendent of South Carolina Penitentiary;

No. 474, Misc. John F. Lacey, petitioner, *v.* Ralph N. Eidson, Warden;

No. 477, Misc. Billy Anderson, petitioner, *v.* Harley O. Teets, Warden of the California State Penitentiary; and

No. 501, Misc. Raymond Grant, petitioner, *v.* State of Georgia. Motions for leave to file petitions for writs of habeas corpus denied.

No. 497, Misc. Clyde Roach, petitioner, *v.* Supreme Court of Indiana. Motion for leave to file petition for writ of mandate denied.

No. 469, Misc. In re Disbarment of Abraham J. Isserman. It is ordered that Abraham J. Isserman, of Newark, New Jersey, be sus-

pended from the practice of the law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of the law in this Court.

ORDER

The Court will take a recess from today until Monday, June 9, next, on which day it will adjourn for the term unless otherwise ordered.

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

×

SUPREME COURT OF THE UNITED STATES

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

Owen A. Kane, Jr., of Phoenix, Ariz., on motion of Mr. Henry F. Ashurst; Jane A. Parker, of Smithfield, N. C., on motion of Mr. Solicitor General Philip B. Perlman; Merton C. Bernstein, of New York, N. Y., on motion of Miss Helen F. Humphrey; Mr. Joe C. Jenkins, of Gainesville, Fla., on motion of Mr. Loder L. Patterson; William A. Tinney, Jr., of Washington, D. C., on motion of Mr. Joel D. Blackwell; Lionel Rowe, of Washington, D. C., on motion of Mr. George Washington Bains; Ralph L. Payne, of Alexandria, Va., on motion of Mr. William H. Dorsey, Jr.; John Marcus Winkler, of Portland, Oreg., on motion of Mr. Wayne Lyman Morse; Abe Louis Shugerman, of Miami, Fla., and William Arthur Rosenbauer, of Union City, N. J., on motion of Mr. Louis F. Oberdorfer; Samuel T. Parelman, of Washington, D. C., on motion of Mr. John Maktos; John Marshall Martin, Jr., of Martin, Tenn., on motion of Mr. Frank W. Barton; Howard A. Vogel, of New York, N. Y., on motion of Mr. Isidore H. Wachtel; Daniel W. Cannon, of Washington, D. C., on motion of Mr. James W. Haley; Virginia H. Adams, of Washington, D. C., Albert F. Adams, of Washington, D. C., and Sumner M. Redstone, of Washington, D. C., on motion of Mr. Peyton Ford; George A. Horkan, Jr., of Washington, D. C., on motion of Mr. James A. Smith; Robert Morris, of New York, N. Y., on motion of Mr. J. G. Sourwine; and Carl Atwood Elliott, of Jasper, Ala., on motion of Mr. John Sparkman, were admitted to practice.

No. 176. Morris Leland, appellant, *v.* State of Oregon. Appeal from the Supreme Court of the State of Oregon. Judgment affirmed with costs. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Black joins.

No. 493. Isbrandtsen Company, Inc., petitioner, *v.* Matthew Johnson. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed with costs and case remanded to the United States District Court for the Eastern District of Pennsylvania. Opinion by Mr. Justice Burton. Dissenting: Mr. Justice Jackson.

No. 379. Ralph Casey, George La Clair, and Edward Plesa, petitioners, *v.* The 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 Western District of Washington for proceedings in conformity with the opinion of this Court. Opinion *Per Curiam* announced by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Reed join.

No. 458. Brotherhood of Railroad Trainmen, an Unincorporated Association, et al., petitioners, *v.* Simon L. Howard, Sr., and St. Louis-San Francisco Railway Company. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment of the Court of Appeals reversing that of the District Court affirmed with costs and cause remanded to the United States District Court for the Eastern District of Missouri for further proceedings in accordance with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Minton in which the Chief Justice and Mr. Justice Reed join.

The Chief Justice announced the following orders of the Court:

No. 517. Richard A. McGee, Director, California Department of Corrections, and Robert A. Heinze, Warden, etc., petitioners, *v.* James Nels Ekberg. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The judgment of the Court of Appeals is vacated and the case is remanded to the District Court with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot.

No. 759. Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors, et al., petitioners, *v.* The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The orders of the District Court are vacated and the case is remanded to that court with directions to dismiss the complaint upon the ground that the cause is moot.

No. 788. The Eight O'Clock Club, a Corporation, and Roy Wood, appellants, *v.* Otto K. Buder and Michigan Liquor Control Commission. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 790. R. J. Ross and Stanley R. Caidin, appellants, *v.* Berniece W. Harris, Postmaster of North Hollywood, California, et al. Appeal from the United States District Court for the Southern District of California. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 235, Misc. Ed. Williams, petitioner, *v.* State of Illinois. On petition for writ of certiorari to the Supreme Court of Illinois. *Per Curiam*: The motion for leave to proceed in forma pauperis is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Illinois Supreme Court for further proceedings. *Jennings v. Illinois*, 342 U. S. 104.

No. 485, Misc. Roosevelt R. Hoffman, petitioner, *v.* Circuit Court of Winnebago County, Illinois. On petition for writ of certiorari to the Circuit Court of Winnebago County, Illinois. *Per Curiam*: The motion for leave to proceed in forma pauperis is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Circuit Court of Winnebago County for further consideration in the light of the response filed by the Attorney General of Illinois to the application for the writ.

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. 44. John Kedroff and Benjamin Fedchenkoff, etc., appellants, *v.* Saint Nicholas Cathedral of the Russian Orthodox Church in North America. This case is ordered restored to the docket for reargument. In view of the opinion, concurring opinion, dissent, judgment and remittitur of the Court of Appeals of New York concerning the status of the Patriarchate in Russia, counsel are requested to include in their presentation a discussion of whether the judgment may be sustained on state grounds.

No. 626. Bennie Daniels and Lloyd Ray Daniels, petitioners, *v.* Robert A. Allen, Warden, Central Prison of the State of North Carolina;

No. 643. Raleigh Speller, petitioner, *v.* Robert A. Allen, Warden, Central Prison of North Carolina, Raleigh, North Carolina;

No. 670. Clyde Brown, petitioner, *v.* Robert A. Allen, Warden, Central Prison of North Carolina, Raleigh, North Carolina; and

No. 669. The United States of America, ex rel. James Smith, petitioner, *v.* Dr. Frederick S. Baldi, Superintendent of the Philadelphia County Prison. These cases are ordered restored to the docket for reargument and are assigned for hearing at the head of the call for Monday, October 13th. Each of the cases is transferred to the summary docket.

No. 353, October Term, 1950. Emory S. Land, Edward Macauley, John M. Carmody, et al., etc., petitioners, *v.* R. Stanley Dollar, Dollar Steamship Line, et al. It is ordered that petitioners' motion for leave

to file a motion for reconsideration of the denial of certiorari be continued on the docket.

No. 623. Ernest Perez, petitioner, *v.* The People of the State of California, et al.;

No. 233, Misc. Peter Pianezzi, petitioner, *v.* Robert A. Heinze, Warden; and

No. 484, Misc. Junius Lee Robinson, petitioner, *v.* State of Louisiana. Consideration of the applications for writs of certiorari in these cases is deferred pending further action in the case of *Dixon v. Duffy*, No. 79, October Term, 1951.

No. 792. Martha L. Alison *v.* The United States of America; and

No. 793. The United States of America *v.* Stevenson-Chislett, Inc. Pursuant to the provisions of section 1254 (3) of Title 28 of the United States Code and par. 2 of Rule 37 of the Rules of this Court it is ordered that the entire record in each of these cases be sent up so that the Court may decide the entire matter in controversy.

No. 605. Lucena Elizabeth Clark Johnson, petitioner, *v.* The Portland Trust and Savings Bank. The motion of respondent for the allowance of costs is denied.

No. 743. Evan A. Sholl and National Casualty Company, petitioners, *v.* Edna V. Cadwallader. The motion of counsel for respondent for the allowance of attorneys' fees is granted and counsel is awarded the sum of Five Hundred Dollars, it appearing that the party respondent and counsel for petitioners agree thereto.

No. 744. The Youngstown Sheet and Tube Company et al., petitioners, *v.* Charles Sawyer; and

No. 745. Charles Sawyer, Secretary of Commerce, petitioner, *v.* The Youngstown Sheet and Tube Company et al. The motion of Fyke Farmer for leave to file a brief as *amicus curiae* 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 defendant, City of New York, for leave to file petition to modify the decree entered herein May 25, 1931 (283 U. S. 805), and the motion of defendant, State of New York, for leave to file memorandum in support of the petition are 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.

ORDER

IT IS ORDERED that the petition of the defendant, City of New York, for modification of the decree entered herein May 25, 1931 (283 U. S. 805), the memorandum of the defendant, State of New York, and the answers to the petition filed by the State of New Jersey and the Com-

monwealth of Pennsylvania, be referred to Kurt F. Pantzer, Esquire, of Indianapolis, Indiana, as a Special Master, with directions and authority to proceed to a consideration of the issues involved and to report to the Court with all convenient speed his recommendations in respect of the amendment of the decree, if any.

The Special Master is authorized to employ stenographic and clerical help, to fix times and places for taking evidence, to issue subpoenas to witnesses, including those of his own selection, and to administer oaths. When the report of the Special Master is filed the Clerk of the Court shall cause the same to be printed. The Special 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 proportions as the Court hereafter may direct.

If the appointment herein made of a Special 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. 436. Oliver Brown, Mrs. Richard Lawton, Mrs. Sadie Emanuel, et al., appellants, *v.* Board of Education of Topeka, Shawnee County, Kansas, et al. In this case probable jurisdiction is noted.

No. 816. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District #22, Clarendon County, S. C., et al. In this case probable jurisdiction is noted and the case is assigned for argument immediately following No. 436.

No. 730. Thomas Schwartz, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas granted.

No. 729. Margaret Johnson, as Administratrix of the Goods, Chattels, and Credits of Charles Johnson, Deceased, petitioner, *v.* The New York, New Haven and Hartford Railroad Co. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to the issue raised as to the application of Rule 50 (b) of the Rules of Civil Procedure. The case is transferred to the summary docket.

No. 741. Public Service Commission of Utah, Hal S. Bennett, et al., petitioners, *v.* Wycoff Company, Incorporated, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted. Counsel are requested to discuss on briefs and oral argument the question whether a single judge had

jurisdiction to hear and determine this case in view of section 2281 of Title 28 of the United States Code.

No. 597. Joseph Mandoli, also known as Guiseppe Mendolia, petitioner, *v.* Dean Acheson, Secretary of State. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted and case transferred to the summary docket.

No. 746. Hugh W. Sanford, petitioner, *v.* Robert C. Kepner. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the summary docket.

No. 753. F. Donald Arrowsmith and Ruth R. Bauer, Executors, etc., et al., petitioners, *v.* Commissioner of Internal Revenue. 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. 305, Misc. Roy Webber Tinder, Jr., petitioner, *v.* The 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 Fourth Circuit granted and case transferred to the appellate docket and placed on the summary docket.

No. 624. Rose Cadden, petitioner, *v.* The Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 705. William C. Ramsey et al., Trustees of Sterling Manufacturing Company, Debtor, etc., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 720. Thomas J. Brennan, 44 Beatrice Avenue, Buffalo, New York, etc., et al., petitioners, *v.* The Delaware, Lackawanna & Western Railroad Company, et al.; and

No. 728. Switchmen's Union of North America et al., petitioners, *v.* The Delaware, Lackawanna & Western Railroad Company, et al. Petitions for writs of certiorari to the Court of Appeals of New York denied.

No. 735. Hy-V Company, Inc., petitioner, *v.* Campbell Soup Company. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 737. Nick Chournos, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 739. Fred J. Lauchli, Trustee of Hartman Corporation of America (a Corp.), Bankrupt, petitioner, *v.* Milton Hartman et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 740. Moran Towing & Transportation Company, Inc., petitioner, *v.* Empresa Hondurena de Vapores, etc., United States of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 762. Lowell John Block, petitioner, *v.* The People of the State of Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 763. Leon F. Shackell, petitioner, *v.* John A. Marzall, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 774. Oxnard Cannery, Inc., and James L. Smith, petitioners, *v.* Thomas W. Bradley. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 779. The American Tobacco Co., R. J. Reynolds Tobacco Co., Bank of Greece, et al., petitioners, *v.* J. C., N. C. and A. C. Hadjipateras and Hellenic Lines, Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 814. J. Harry Goldblatt and G. & G. Holding Corp., petitioners, *v.* Isidore Zamore, Trustee in Bankruptcy of Moraes Construction Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 776. Cardox Corporation, petitioner, *v.* Armstrong Coalbreak Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. The Chief Justice took no part in the consideration or decision of this application.

No. 35. Frank Carlson, Miriam Christine Stevenson, David Hyun, and Harry Carlisle, petitioners, *v.* Herman R. Landon, District Director of Immigration and Naturalization Service, United States Department of Justice; and

No. 136. James W. Butterfield, Director of the Immigration and Naturalization Service, etc., petitioner, *v.* John Zydok. Petition for rehearing denied. The motion of petitioner Carlson to stay issuance of the mandate, insofar as applicable to him, pending his trial in United States *v.* Schneiderman et al., is granted to permit his attendance at his trial which is now in progress in the United States District Court for the Southern District of California. This stay will be automatically dissolved when Carlson's case is submitted to the jury or when it is finally decided by the trial court, whichever is the sooner. Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Minton dissent from the order granting the stay.

No. 75. Louise McGrew Moffett, as an Individual and Executrix of the Estate of Thomas S. Moffett, petitioner, *v.* Commerce Trust Company, a Corporation, et al. Motion for leave to file a second petition for rehearing denied.

No. 542. The Creamette Company, petitioner, *v.* T. A. Conlin et al. Motion for leave to file petition for rehearing denied.

No. 118. Joseph Beauharnais, petitioner, *v.* The People of the State of Illinois;

No. 717. Alfred H. Osborne, Robert B. Sympson, and Phil Cabbell, petitioners, *v.* J. A. Purdome, Sheriff of Jackson County, Missouri;

No. 722. Tom's Express, Inc., and Red Star Transit Company, Inc., appellants, *v.* Division of State Highway Patrol, Department of Highways, State of Ohio;

No. 232, Misc. Ralph D. Rutledge, petitioner, *v.* R. H. Hudspeth, Warden, Kansas State Penitentiary, et al.; and

No. 472, Misc. Ralph D. Rutledge, petitioner, *v.* R. H. Hudspeth, Warden, Kansas State Penitentiary;

No. 289, Misc. Hugh A. Bowen, petitioner, *v.* The United States of America;

No. 326, Misc. Rubin Leviton, Arthur Blumenfeld, and Martin Markowitz, petitioners, *v.* The United States of America;

No. 427, Misc. Henry E. Jones, petitioner, *v.* The City of Norfolk, Nebraska; and

No. 447, Misc. Robert S. Skladd, petitioner, *v.* People of the State of Michigan. Petitions for rehearing denied.

No. 30, Misc. Nell Sanders Aspero, petitioner, *v.* Memphis and Shelby County Bar Assn. Motion for leave to file a second petition for rehearing denied.

No. 246, Misc. James G. Eaton, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 407, Misc. Mario Livolsi, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 411, Misc. R. L. Bradford, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 422, Misc. Wayman C. Hamilton, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 442, Misc. Willis L. Beal, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 449, Misc. Commonwealth of Pennsylvania, ex rel. William Sawchak, petitioner, *v.* Stanley P. Ashe, Warden, Western State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania denied.

No. 450, Misc. William J. Murray, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 466, Misc. Merritt B. Schuyler, petitioner, *v.* Frederick A. Moran, as Chairman of New York State Board of Parole, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 475, Misc. John R. Ayers, petitioner, *v.* O. K. Parry and Emerson Haines. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 479, Misc. Harold Bernstein, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 486, Misc. Augustine F. Lawrence, 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. 488, Misc. Earl W. Taylor, petitioner, *v.* United States District Court for the District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 489, Misc. Walter Galloway, petitioner, *v.* State of Indiana et al. Petition for writ of certiorari to the Criminal Court of Marion County, Indiana, denied.

No. 493, Misc. Jasper Cooper, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 494, Misc. Frank Monaghan, petitioner, *v.* Cornelius J. Burke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 499, Misc. William E. Howell, petitioner, *v.* Herbert H. Hann, Warden of Nebraska State Penitentiary. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 502, Misc. Frank Chase, petitioner, *v.* John R. Cranor, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 503, Misc. George Hewlett, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 506, Misc. Harry Lee Dodd, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 507, Misc. William Green, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 512, Misc. Clarence James, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 513, Misc. Ralph Brink, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 516, Misc. Olan Williams, petitioner, *v.* Browning Robinson, Warden, etc. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 517, Misc. Benjamin Domako, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 518, Misc. Laurie J. Carpenter, petitioner, *v.* Erie Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 440, Misc. Earl W. Taylor, petitioner, *v.* Dr. Ivan W. Steele, Superintendent, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 500, Misc. Edward S. Fortune, petitioner, *v.* Richard L. Harris, Superintendent, U. S. V. A. Insane Asylum. Petition for writ of certiorari to the Court of Appeals of New York denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 495, Misc. Annie C. Lewis and Agnes E. Lewis, petitioners, *v.* United Gas Pipe Line Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Motion for leave to file petition for writs of mandamus and prohibition also denied.

No. 492, Misc. Albert Tinnin, petitioner, *v.* Robert A. Heinze, Warden; and

No. 514, Misc. William Henry Roberts, petitioner, *v.* Richard A. McGee, Director, etc. Motions for leave to file petitions for writs of habeas corpus denied.

No. 496, Misc. Alline D. Cross, petitioner, *v.* People of the State of Illinois;

No. 510, Misc. In the Matter of the Petition of the Liquor Control Commission of the State of Connecticut; and

No. 511, Misc. In re Sol Newstead, petitioner. Motions for leave to file petitions for writs of mandamus denied.

ORDER

It is ordered by the Court that T. Perry Lippitt be, and he is hereby, appointed Marshal of this Court effective upon the retirement of the present Marshal, Thomas Ennalls Waggaman, at the close of business June 30, 1952.

The Chief Justice said:

I regret I must announce the retirement of Thomas E. Waggaman as Marshal of this Court, but with gratitude for his services. His name will now be added to the Honor Roll of those who through long years of service have given themselves to the great interests of the Court.

Mr. Waggaman came here as a page boy more than forty years ago. For nearly fifteen years he has discharged the complicated and pervasive demands made upon the Marshal with wisdom and conspicuous devotion. The duties of that office are not dramatic. The more they are performed with quiet and almost unseen effectiveness, the better they are discharged. But they are duties that require tact, resourcefulness, disregard of self—high intelligence and character. Mr. Waggaman has all these qualities and he has devoted them wholeheartedly to the service of the Court. He leaves behind him grateful memories. He goes with our best wishes for long years of health and for the happy exercise of his faculties.

The Chief Justice announced the following order:

ORDER

All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

It is ordered by this Court that all cases on the docket be, and they are hereby, continued to the next term.

Adjourned to the time and place appointed by law.

×