

DECISIONS PER CURIAM AND ORDERS FROM
JANUARY 31 THROUGH MAY 9, 1949.

JANUARY 31, 1949.

Per Curiam Decision.

No. 429. ZIMMERMAN *v.* MARYLAND. Certiorari, 335 U. S. 870, to the Court of Appeals of Maryland. Argued January 14, 1949. Decided January 31, 1949. *Per Curiam*: The judgment is affirmed. *Akins v. Texas*, 325 U. S. 398 (1945). MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY and MR. JUSTICE RUTLEDGE dissent. *J. Cookman Boyd, Jr.* argued the cause and filed a brief for petitioner. *Hall Hammond*, Attorney General of Maryland, argued the cause for respondent. With him on the brief was *Richard W. Case*, Assistant Attorney General. Reported below: — Md. —, 59 A. 2d 675.

Miscellaneous Orders.

No. 500. UNION NATIONAL BANK *v.* LAMB. Appeal from the Supreme Court of Missouri. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits. Counsel are requested to discuss on briefs and oral argument the question whether the application for appeal was timely.

No. 298, Misc. HOUSE *v.* MAYO, STATE PRISON CUSTODIAN. Supreme Court of Florida. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied.

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No. 300, Misc. *IN RE RASH*. Motion for leave to file petition for writ of mandamus denied.

No. 301, Misc. *SHOTKIN v. WESTINGHOUSE ELECTRIC & MANUFACTURING CO. ET AL.* Application denied.

No. 308, Misc. *PHILLIPS v. RAGEN, WARDEN*. Motion of petitioner for leave to withdraw the motion for leave to file petition for writ of certiorari granted.

No. 311, Misc. *ARMSTRONG v. HOWARD, WARDEN*. Motion for leave to file petition for writ of habeas corpus denied.

No. 319, Misc. *GRIGSBY v. SWYGERT*. Motion for leave to file petition for writ of mandamus denied.

No. 327, Misc. *IN RE CANADIAN RIVER GAS CO.* Motion for leave to file petition for writ of mandamus denied. *Dan Moody* and *Wales H. Madden* for petitioner.

No. 329, Misc. *BURALL v. CLARK, ATTORNEY GENERAL*. Petition for injunction denied.

No. 331, Misc. *MOSS v. SWYGERT, DISTRICT JUDGE*. Motion for leave to file petition for writ of mandamus denied.

No. 334, Misc. *IN RE MCADAM*. Motion for leave to file petition for writ of habeas corpus denied.

No. 335, Misc. *BONHAM v. RAGEN, WARDEN*. Motion for leave to file petition for writ of certiorari denied.

Certiorari Granted.

No. 464. *CLAYTON MARK & CO. ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 7th Cir. Certiorari granted.

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Albert R. Connelly, Thurlow M. Gordon, Edward H. Green and W. Denning Stewart for petitioners. *Solicitor General Perlman* filed a memorandum stating that the Government did not oppose allowance of the petition. Reported below: 168 F. 2d 175.

Certiorari Denied. (See also No. 298, Misc., supra.)

No. 170. *ESTATE OF GIBB ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. *Certiorari denied.* *Whitney North Seymour, Leslie M. Rapp and Richard D. Duncan* for petitioners. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack and L. W. Post* for respondent. Reported below: 167 F. 2d 633.

No. 438. *FULTON IRON CO. v. LARSON, WAR ASSETS ADMINISTRATOR AND SURPLUS PROPERTY ADMINISTRATOR.* United States Court of Appeals for the District of Columbia Circuit. *Certiorari denied.* *James R. Kirkland, Walter H. Maloney, Edward J. Hayes and Irvin Goldstein* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison, Paul A. Sweeney and Edward H. Hickey* for respondent. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 994.

No. 445. *DAVID ET AL. v. SUTTON, EXECUTOR, ET AL.* C. A. 6th Cir. *Certiorari denied.* *I. H. Spears* for petitioners. *George A. Sutton* for respondents. Reported below: 170 F. 2d 148.

No. 454. *WORCESTER WOOLEN MILLS CORP. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 1st Cir. *Certiorari denied.* *Cosimo J. Toscano* for petitioner. *Solicitor General Perlman, David P. Findling and Ruth Weyand* for respondent. Reported below: 170 F. 2d 13.

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No. 458. *CARPENTER v. ROHM & HAAS Co., INC.* C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *James R. Morford* for respondent. Reported below: 170 F. 2d 146.

No. 459. *CARPENTER v. ERIE RAILROAD Co.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Edward J. McGratty, Jr.* for respondent. Reported below: 170 F. 2d 73.

No. 460. *CLEARY v. CHICAGO TITLE & TRUST Co.* Supreme Court of Illinois. Certiorari denied. *Walter F. Dodd* and *John A. Brown* for petitioner. *Joseph B. Fleming* and *Harold L. Reeve* for respondent.

No. 462. *GIERENS ET AL. v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. *Everett Jennings* for petitioners. Reported below: 400 Ill. 347, 81 N. E. 2d 165.

No. 463. *WABASH RAILROAD Co. v. DUNCAN*, U. S. DISTRICT JUDGE. C. A. 8th Cir. Certiorari denied. *Joseph A. McClain, Jr.* and *Sam B. Sebree* for petitioner. *William A. Franken* for respondent. Reported below: 170 F. 2d 38.

No. 466. *STEVENSON v. JOHNSON ET AL.* C. A. 5th Cir. Certiorari denied. *Dan Moody* for petitioner. *John H. Crooker*, *John D. Cofer*, *James V. Allred*, *Thurman Arnold*, *Abe Fortas*, *Alvin J. Wirtz* and *Everett L. Looney* for respondents. Reported below: 170 F. 2d 108.

No. 469. *JACKSON v. LAMBERT.* C. A. 7th Cir. Certiorari denied. *Guy Rogers* for petitioner. *Edmund F. Ortmeyer* for respondent.

No. 470. *HENSLEY ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Fred A. Ironside, Jr.* for

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petitioners. *Solicitor General Perlman, John R. Benney and Robert S. Erdahl* for the United States. Reported below: 171 F. 2d 78.

No. 489. HARRIS ET AL., DOING BUSINESS AS H-C PRODUCTS Co., *v. NATIONAL MACHINE WORKS, INC. ET AL.* C. A. 10th Cir. Certiorari denied. *John H. Bruninga, Charles M. McKnight and Richard G. Radue* for petitioners. *D. I. Johnston and Robert F. Davis* for respondents. Reported below: 171 F. 2d 85.

No. 456. PATTERSON *v. GRAY.* Supreme Court of Appeals of Virginia. Certiorari denied. Reported below: 188 Va. lxvii.

No. 183, Misc. EXKANO *v. HIATT, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 170 F. 2d 93.

No. 196, Misc. ADAMS *v. HIATT, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 170 F. 2d 73.

No. 205, Misc. HAWTHORNE *v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 170 F. 2d 149.

No. 211, Misc. CUCKOVICH ET AL. *v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 170 F. 2d 89.

No. 280, Misc. SPICHER *v. RAGEN, WARDEN.* Circuit Court of Knox County, Illinois. Certiorari denied.

No. 281, Misc. JORDAN *v. RAGEN, WARDEN.* Circuit Court of Will County, Illinois. Certiorari denied.

No. 288, Misc. BURNS *v. RAGEN, WARDEN.* Circuit Court of Will County, Illinois. Certiorari denied.

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No. 292, Misc. HICKMAN, ADMINISTRATOR, *v.* TAYLOR ET AL., DOING BUSINESS AS TAYLOR & ANDERSON TOWING & LIGHTERAGE CO. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* for petitioner. *Benjamin F. Stahl, Jr.* and *Samuel B. Fortenbaugh, Jr.* for respondents. Reported below: 170 F. 2d 327.

No. 293, Misc. SPICHER *v.* RAGEN, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 295, Misc. UNITED STATES EX REL. HOLDERFIELD *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 170 F. 2d 189.

No. 296, Misc. OAKS *v.* HUDSPETH, WARDEN. Supreme Court of Kansas. Certiorari denied. Reported below: 165 Kan. 664, 198 P. 2d 168.

No. 297, Misc. ALLEN *v.* HUDSPETH, WARDEN. Supreme Court of Kansas. Certiorari denied. Reported below: 165 Kan. 670, 198 P. 2d 170.

No. 303, Misc. DUNKLE *v.* ILLINOIS. Circuit Court of Peoria County, Illinois. Certiorari denied.

No. 313, Misc. BURNETT *v.* STEWART, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 314, Misc. ORMSBY *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 316, Misc. BAILEY *v.* STEWART, WARDEN. C. A. 8th Cir. Certiorari denied. Reported below: 170 F. 2d 1021.

No. 325, Misc. BEVELHYMER *v.* HUDSPETH, WARDEN. Supreme Court of Kansas. Certiorari denied.

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No. 328, Misc. *PYLE v. HUDSPETH, WARDEN*. Supreme Court of Kansas. Certiorari denied. Reported below: 165 Kan. 62, 199 P. 2d 469.

No. 333, Misc. *TALBOT v. CITY OF PASADENA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 170 F. 2d 703.

No. 336, Misc. *GAWRON v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

Rehearing Denied.

No. 44. *FRAZIER v. UNITED STATES*, 335 U. S. 497. Rehearing denied.

No. 171, Misc. *KISSINGER v. UNITED STATES*, 335 U. S. 901. Rehearing denied.

No. 272, Misc. *JACKSON v. GEORGIA*, 335 U. S. 905. Rehearing denied.

No. 274, Misc. *HOUGHTON v. HUDSPETH, WARDEN*, 335 U. S. 905. Rehearing denied.

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Per Curiam Decision.

No. 121, Misc. *TAYLOR v. DENNIS, WARDEN*. Certiorari, 335 U. S. 890. Argued January 31–February 1, 1949. Decided February 7, 1949. *Per Curiam*: The judgment and order of the United States District Court for the Middle District of Alabama and the order of the United States Court of Appeals for the Fifth Circuit are affirmed by an equally divided Court. MR. JUSTICE BLACK took no part in the consideration or decision of this case. *Nesbitt Elmore* argued the cause for petitioner. With

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him on the brief were *Thurgood Marshall*, *Frank D. Reeves* and *Franklin H. Williams*. *A. A. Carmichael*, Attorney General of Alabama, and *Bernard F. Sykes*, Assistant Attorney General, submitted on brief for respondent. [See 335 U. S. 252.]

Miscellaneous Orders.

No. 482. SEATRAN LINES, INC. *v.* WEST INDIA FRUIT & STEAMSHIP Co., INC. ET AL. Petition for writ of certiorari to the Court of Appeals for the Second Circuit dismissed on motion of counsel for the petitioner. *Arthur L. Winn, Jr.* for petitioner. *William Radner*, *Odell Kominers*, *Frank J. McConnell*, *Joseph M. Rault* and *Arthur M. Boal* for the West India Fruit & S. S. Co.; *Joseph Walker* for Loftin et al., Trustees; and *S. Stanley Kreutzer* for McCauley, respondents. Reported below: 170 F.2d 775.

No. 307, Misc. CLARKE *v.* RAGEN, WARDEN. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, dismissed on motion of the petitioner.

No. 337, Misc. O'NEILL *v.* CALIFORNIA;

No. 345, Misc. LLOYD *v.* HOWARD, WARDEN; and

No. 347, Misc. STEPHENSON *v.* NEW JERSEY. The motions for leave to file petitions for writs of habeas corpus are severally denied.

Certiorari Granted.

No. 457. HIATT, WARDEN, *v.* SMITH. C. A. 3d Cir. Motion of the Solicitor General to substitute Humphrey, the present warden, for Hiatt granted. Certiorari also granted. *Solicitor General Perlman* for petitioner. *Daniel F. Mathews* for respondent. Reported below: 170 F.2d 61.

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No. 465. *WOODS v. INTERSTATE REALTY CO.* C. A. 5th Cir. Certiorari granted. *William H. Watkins* and *P. H. Eager, Jr.* for petitioner. *John A. Osoinach* for respondent. Reported below: 170 F.2d 694.

Certiorari Denied.

No. 450. *POLLARD ET AL. v. HAWFIELD ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Luther Robinson Maddox* for petitioners. *Albert Brick* for respondents. Reported below: 83 U. S. App. D. C. 381, 170 F.2d 170.

No. 471. *WILSON BROS. & CO. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. *George M. Naus* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack* and *Melva M. Graney* for respondent. Reported below: 170 F.2d 423.

No. 483. *DIXIE CUP CO. v. PAPER CONTAINER MFG. CO.* C. A. 3d Cir. Certiorari denied. *Carlton Hill, Charles F. Meroni, William A. Smith, Jr.* and *William H. Foulk* for petitioner. *Thomas Cooch, Franklin M. Warden* and *Casper W. Ooms* for respondent. Reported below: 170 F.2d 333.

No. 497. *BOMAR v. KEYES ET AL.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *John P. McGrath* and *Seymour B. Quel* for respondent. Reported below: 170 F.2d 310.

No. 498. *AMERICAN LOCOMOTIVE CO. v. CHEMICAL RESEARCH CORP.*; and

No. 499. *AMERICAN LOCOMOTIVE CO. v. GYRO PROCESS CO.* C. A. 6th Cir. Certiorari denied. *Charles H. Tuttle, C. Dickerman Williams* and *Theodore L. Harrison* for

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petitioner. *Howell Van Auken* for respondents. Reported below: 171 F. 2d 115.

No. 185, Misc. *D'OSTROPH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 170 F. 2d 148.

No. 229, Misc. *NICHOLS v. OHIO*. Supreme Court of Ohio. Certiorari denied. Reported below: 150 Ohio St. 358, 82 N. E. 2d 543.

No. 278, Misc. *GIBBONS v. BRANDT ET AL.* C. A. 7th Cir. Certiorari denied. *John H. Gately* for petitioner. *L. Duncan Lloyd* and *Henry T. Martin* for respondents. Reported below: 170 F. 2d 385, 389.

No. 321, Misc. *PITTS v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 322, Misc. *WILLIAMS v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 323, Misc. *GARNER v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 324, Misc. *CIHA v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

Rehearing Granted.

No. 59. *MARZANI v. UNITED STATES*, 335 U. S. 895. The petition for rehearing is granted and the case is ordered restored to the docket for reargument. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Osmond K. Fraenkel* and *Allan R. Rosenberg* for petitioner.

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Rehearing Denied.

No. 30. *KORDEL v. UNITED STATES*, 335 U. S. 345. Motion for leave to file petition for rehearing out of time denied.

No. 405. *GUGGENHEIM v. UNITED STATES*, 335 U. S. 908. Rehearing denied.

Nos. 658 and 659, October Term, 1945. *GRIERSON v. ASHE, WARDEN, ET AL.*, 327 U. S. 790. Rehearing denied.

No. 275, Misc. *MARCUS v. HUDSPETH, WARDEN*, 335 U. S. 912. Rehearing denied.

No. 286, Misc. *WILSON v. HUDSPETH, WARDEN*, 335 U. S. 909. Rehearing denied.

No. 312, Misc. *LOWE v. KILLINGER*, 335 U. S. 910. Rehearing denied.

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Per Curiam Decision.

No. 472. *HILL v. ATLANTIC COAST LINE RAILROAD CO.* On petition for writ of certiorari to the Supreme Court of North Carolina. *Per Curiam*: The petition for writ of certiorari is granted and the judgment of the Supreme Court of North Carolina is reversed. See *Tiller v. Atlantic Coast Line R. Co.*, 318 U. S. 54 (1943); *Bailey v. Central Vermont R. Co.*, 319 U. S. 350 (1943); and *Ellis v. Union Pacific R. Co.*, 329 U. S. 649 (1947). MR. JUSTICE FRANKFURTER is of opinion that the petition for certiorari should not be granted, for reasons indicated in his concurring opinion in *Wilkerson v. McCarthy*, 336 U. S. 53, at p. 64. *Isaac D. Thorp* for petitioner. *Thomas W. Davis* and *F. S. Spruill* for respondent. Reported below: 229 N. C. 236, 49 S. E. 2d 481.

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Miscellaneous Orders.

No. 44. *FRAZIER v. UNITED STATES*, 335 U. S. 497. It is ordered that the first sentence of the last paragraph on page 7 of the slip opinion [335 U. S. at 505, lines 8-13], which begins "Given ten arbitrary choices among twenty-two prospective jurors . . .," be, and it is hereby, amended to read as follows:

"Given ten arbitrary choices among twenty-two prospective jurors not disqualified for cause, of whom thirteen were Government employees and nine privately engaged, he knowingly, of his own right, rejected nine of the latter and with knowledge or the full opportunity to secure it accepted without challenge all but one of the former."

[The opinion was reported as amended in the bound volume of 335 U. S.]

Certiorari Granted. (See also No. 472, *supra*.)

No. 476. *WOODS, HOUSING EXPEDITER, v. DURR*. C. A. 3d Cir. Certiorari granted. *Solicitor General Perlman* for petitioner. *J. H. Thayer Martin* for respondent. Reported below: 170 F. 2d 976.

Certiorari Denied.

No. 402. *LOVE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Robert S. Erdahl* and *Joseph M. Howard* for the United States. Reported below: 170 F. 2d 32.

No. 467. *MEYERS v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Robert T. Bushnell* and *William J. Butler* for petitioner. *Solicitor General Perlman, Robert S. Erdahl* and *Joseph M. Howard* for the United States. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 800.

No. 468. *BARCOTT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Anthony M. Ursich* for petitioner.

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Solicitor General Perlman, Assistant Attorney General Caudle, James M. McInerney and Ellis N. Slack for the United States. Reported below: 169 F. 2d 929.

No. 478. *COFFMAN v. FEDERAL LABORATORIES, INC. ET AL.* C. A. 3d Cir. Certiorari denied. *John G. Buchanan, James D. Carpenter, Jr., John G. Buchanan, Jr. and Samuel M. Coombs, Jr.* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison, Paul A. Sweeney and Melvin Richter* for the United States; and *Thomas McNulty* for the Federal Laboratories, Inc., respondents. Reported below: 171 F. 2d 94.

No. 479. *HOUVARDAS v. WIXON, DISTRICT DIRECTOR OF IMMIGRATION & NATURALIZATION.* C. A. 9th Cir. Certiorari denied. *Carlos R. Freitas* for petitioner. *Solicitor General Perlman, Robert S. Erdahl and Andrew F. Oehmann* for respondent. Reported below: 169 F. 2d 980.

No. 480. *PANGBORN CORPORATION v. AMERICAN FOUNDRY EQUIPMENT Co.* C. A. 3d Cir. Certiorari denied. *William F. Hall, E. Ennalls Berl and Charles M. Thomas* for petitioner. *Hugh M. Morris and Thomas Turner Cooke* for respondent. Reported below: 170 F. 2d 339.

No. 481. *AMERICAN FOUNDRY EQUIPMENT Co. v. PANGBORN CORPORATION.* C. A. 3d Cir. Certiorari denied. *Hugh M. Morris and Thomas Turner Cooke* for petitioner. *William F. Hall, E. Ennalls Berl and Charles M. Thomas* for respondent. Reported below: 170 F. 2d 339.

No. 485. *BRUCE v. OHIO OIL Co. ET AL.* C. A. 10th Cir. Certiorari denied. *John B. Dudley* for petitioner.

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A. M. Gee for respondents. Reported below: 169 F. 2d 709.

No. 491. *LEE FONG FOOK v. WIXON, DISTRICT DIRECTOR, IMMIGRATION & NATURALIZATION SERVICE*. C. A. 9th Cir. Certiorari denied. *Gus C. Ringole* for petitioner. *Solicitor General Perlman* and *Robert S. Erdahl* for respondent. Reported below: 170 F. 2d 245.

No. 492. *KNOWLES ET AL. v. WAR DAMAGE CORPORATION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Philip W. Amram, James M. Carlisle* and *Ward M. French* for petitioners. *Solicitor General Perlman, Assistant Attorney General Morison, Paul A. Sweeney, Edward H. Hickey* and *Cecelia H. Goetz* for respondent. Reported below: 83 U. S. App. D. C. 388, 171 F. 2d 15.

No. 501. *WOLFE v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Robert H. Montgomery* and *James O. Wynn* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack* and *Morton K. Rothschild* for respondent. Reported below: 170 F. 2d 73.

No. 508. *MARRIS v. SOCKEY*. C. A. 10th Cir. Certiorari denied. *H. A. Ledbetter* and *Guy H. Sigler* for petitioner. *Jack T. Conn* for respondent. Reported below: 170 F. 2d 599.

No. 484. *SHARBLE ET AL. v. KUEHNLE-WILSON, INC.* Petition for writ of certiorari to the Supreme Court of Pennsylvania denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (c). *John H. Hoffman* for petitioners. *Joseph W. Henderson* and *George M. Brodhead* for respondent. Reported below: 359 Pa. 494, 59 A. 2d 58.

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No. 339, Misc. DARNELL *v.* HUDSPETH, WARDEN. Supreme Court of Kansas. Certiorari denied. Reported below: 166 Kan. 1, 199 P. 2d 473.

No. 342, Misc. WOFFORD *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 343, Misc. CLARK *v.* RAGEN, WARDEN. Circuit Court of Lake County, Illinois. Certiorari denied.

Rehearing Denied.

No. 7. JUNGENSEN *v.* OSTBY & BARTON CO. ET AL.;

No. 8. OSTBY & BARTON CO. ET AL. *v.* JUNGENSEN; and

No. 48. JUNGENSEN *v.* BADEN ET AL., 335 U. S. 560;
and

No. 90. HENSLEE, COLLECTOR OF INTERNAL REVENUE, *v.* UNION PLANTERS BANK & TRUST CO. ET AL., 335 U. S. 595. Motions for leave to file petitions for rehearing denied.

No. 3. ESTATE OF SPIEGEL ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE, 335 U. S. 701. Rehearing denied.

No. 5. COMMISSIONER OF INTERNAL REVENUE *v.* ESTATE OF CHURCH, 335 U. S. 632. Rehearing denied.

No. 426. WORLD PUBLISHING CO. *v.* UNITED STATES, 335 U. S. 911. Rehearing denied.

Nos. 439 and 440. UNIVERSAL OIL PRODUCTS CO. *v.* WILLIAM WHITMAN CO., INC.; and

No. 441. AMERICAN SAFETY TABLE CO. *v.* SINGER SEWING MACHINE CO., 335 U. S. 912. Rehearing denied.

No. 223, Misc. STORY *v.* BURFORD, WARDEN, 335 U. S. 894. Rehearing denied.

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FEBRUARY 28, 1949.

Per Curiam Decision.

No. 118. *PETTI v. UNITED STATES*. Certiorari, 335 U. S. 811, to the United States Court of Appeals for the Second Circuit. *Per Curiam*: The Government having moved the Court to vacate the judgments and remand the case to the District Court for a new trial, the motion is granted, and the judgments of the Court of Appeals and the District Court are vacated and the case is remanded to the United States District Court for the Southern District of New York with directions to grant a new trial. *Edward Halle* for petitioner. *Solicitor General Perlman* for the United States. Reported below: 168 F. 2d 221.

Miscellaneous Orders.

No. 202, Misc. *QUICKSALL v. MICHIGAN*. The petition for appeal is denied. Treating the appeal papers as a petition for a writ of certiorari to the Supreme Court of Michigan, certiorari is granted and the case is ordered transferred to the appellate docket. Petitioner *pro se*. *Stephen J. Roth*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent. Reported below: 322 Mich. 351, 33 N. W. 2d 904.

No. 277, Misc. *GRANT v. UNITED STATES*. Motion for leave to file petition for writ of certiorari denied.

No. 353, Misc. *KANE v. BURKE, WARDEN*. Motion for leave to file petition for writ of habeas corpus denied.

No. 358, Misc. *EX PARTE GREENE*; and

No. 383, Misc. *WILSON v. SUPERIOR COURT OF SAN JOAQUIN COUNTY, CALIFORNIA*. Applications denied.

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Certiorari Granted. (See also No. 202, Misc., supra.)

No. 442. COHEN, EXECUTRIX, ET AL. *v.* BENEFICIAL INDUSTRIAL LOAN CORP. ET AL.; and

No. 512. BENEFICIAL INDUSTRIAL LOAN CORP. *v.* SMITH, U. S. DISTRICT JUDGE, ET AL. C. A. 3d Cir. *Certiorari granted.* *Edward J. O'Mara, Charles Hershenstein, Samuel Dreskin and Philip B. Kurland* for petitioners in No. 442. *John M. Harlan and Charles Danzig* for the Beneficial Industrial Loan Corporation, petitioner in No. 512 and respondent in No. 442. Reported below: 170 F. 2d 44.

No. 495. FEDERAL COMMUNICATIONS COMMISSION *v.* WJR, THE GOODWILL STATION, INC. ET AL. United States Court of Appeals for the District of Columbia Circuit. *Certiorari granted.* MR. JUSTICE MURPHY took no part in the consideration or decision of this application. *Solicitor General Perlman and Benedict P. Cottone* for petitioner. *Louis G. Caldwell, Donald C. Beelar and Percy H. Russell, Jr.* for WJR, The Goodwill Station, Inc., respondent. Reported below: 84 U. S. App. D. C. —, 174 F. 2d 226.

No. 522. RAGAN *v.* MERCHANTS TRANSFER & WAREHOUSE Co., INC. C. A. 10th Cir. *Certiorari granted.* *Daniel L. Brenner* for petitioner. *Douglas Hudson* for respondent. Reported below: 170 F. 2d 987.

No. 344, Misc. WATTS *v.* INDIANA. Petition for writ of certiorari to the Supreme Court of Indiana granted and case ordered transferred to the appellate docket. The stay order of January 31, 1949, is continued and it is ordered that execution of the sentence of death be stayed pending the final disposition of this case by this Court. *Thurgood Marshall, Franklin H. Williams and Henry J. Richardson* for petitioner. *J. Emmett McMan-*

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amon, Attorney General of Indiana, *Frank E. Coughlin*, Deputy Attorney General, and *Earl R. Cox* for respondent. Reported below: 226 Ind. —, 82 N. E. 2d 846.

Certiorari Denied.

No. 446. ALLEN ET AL. *v.* McFADDEN ET AL. Supreme Court of California. Certiorari denied. *Robert W. Kenny* and *Welburn Mayock* for petitioners. *Fred N. Howser*, Attorney General of California, *J. Francis O'Shea*, Assistant Attorney General, and *Leonard M. Friedman*, Deputy Attorney General, for Jordan, Secretary of State; and *Stanley A. Weigel* for McFadden, respondents. Reported below: 32 Cal. 2d 330, 196 P. 2d 787.

No. 475. McHUGH *v.* FLORIDA. Supreme Court of FLORIDA. Certiorari denied. *L. J. Cushman* for petitioner. *Richard W. Ervin*, Attorney General of Florida, *Reeves Bowen* and *Howard S. Bailey*, Assistant Attorneys General, for respondent. Reported below: 160 Fla. 823, 36 So. 2d 786.

No. 477. ALLIED PAPER MILLS ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. *William W. Corlett* and *Alfred McCormack* for petitioners. *Solicitor General Perlman*, *Assistant Attorney General Bergson*, *Robert G. Seaks*, *W. T. Kelley* and *Walter B. Wooden* for respondent. Reported below: 168 F. 2d 600.

No. 487. CHANDLER *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Edward C. Park* for petitioner. *Solicitor General Perlman*, *Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 171 F. 2d 921.

No. 488. ROWLAND *v.* ARKANSAS. Supreme Court of Arkansas. Certiorari denied. *C. Floyd Huff, Jr.* for petitioner. *Ike Murry*, Attorney General of Arkansas, *Jeff*

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Duty and Wyatt Cleveland Holland, Assistant Attorneys General, for respondent. Reported below: 213 Ark. 780, 213 S. W. 2d 370.

No. 496. *KELLEY ET AL. v. JOHNSON ET AL.* Supreme Court of Appeals of Virginia. Certiorari denied. Reported below: 188 Va. lxvi.

No. 505. *PENNSYLVANIA RAILROAD Co. v. CORRADO.* C. A. 2d Cir. Certiorari denied. *Marion H. Fisher* for petitioner. *Vine H. Smith* for respondent. Reported below: 171 F. 2d 73.

No. 510. *INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION (C. I. O.) ET AL. v. WIRTZ, CIRCUIT COURT JUDGE, ET AL.* C. A. 9th Cir. Certiorari denied. *Herbert Resner* for petitioners. *Walter D. Ackerman, Jr.*, Attorney General of Hawaii, *Michiro Watanabe*, Deputy Attorney General, and *Thomas W. Flynn* for Wirtz, Circuit Court Judge; and *C. Nils Tavares* for Maui Agricultural Co., Ltd., respondents. Reported below: 170 F. 2d 183.

No. 603. *BRETAGNA v. NEW YORK.* Court of Appeals of New York. Certiorari denied. *Harry G. Anderson* for petitioner. Reported below: 298 N. Y. 323, 83 N. E. 2d 537.

No. 511. *INCOME BONDHOLDERS OF THE PEORIA & EASTERN RAILWAY Co. v. NEW YORK CENTRAL RAILROAD Co. ET AL.* United States District Court for the Southern District of New York. Certiorari denied. *Charles S. Aronstam*, *Arthur A. Ballantine*, *John M. Harlan*, *Lyman M. Tondel, Jr.* and *Edward L. Friedman, Jr.* for petitioners. *Gerald E. Dwyer* and *Samuel H. Hellenbrand* for the New York Central Railroad Co. et al.; and *James F. Hart* for the Peoria & Eastern Railway Co., respondents. Reported below: 78 F. Supp. 312.

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No. 516. *KLOR v. CALIFORNIA*. Supreme Court of California. Certiorari denied. *Morris Lavine* for petitioner. *Fred N. Howser*, Attorney General of California, *Frank Richards* and *Henry A. Dietz*, Deputy Attorneys General, for respondent. Reported below: 32 Cal. 2d 658, 197 P. 2d 705.

No. 55, Misc. UNITED STATES EX REL. *PARKER v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied. *Walter F. Dodd* and *Eldridge Bancroft Pierce* for petitioner. *Ivan A. Elliott*, Attorney General of Illinois, *William C. Wines*, *James C. Murray* and *Raymond S. Sarnow*, Assistant Attorneys General, for respondent. Reported below: 167 F. 2d 792.

No. 283, Misc. *LE VAN v. STILER ET AL.* Appellate Department of the Superior Court of California. Certiorari denied.

No. 320, Misc. *LILLY v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 326, Misc. *DE SOTO v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 346, Misc. *MANGAN v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 352, Misc. *KUH v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 357, Misc. *PITTS v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 361, Misc. *KELLY v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

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No. 387, Misc. CANADA *v.* JONES, WARDEN. C. A. 8th Cir. Certiorari denied. Reported below: 170 F. 2d 606.

No. 390, Misc. BROWN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 393, Misc. PALMER *v.* ARKANSAS. Supreme Court of Arkansas. Certiorari denied. Reported below: 213 Ark. 956, 214 S. W. 2d 372.

No. 218, Misc. CURTIS *v.* HIATT, WARDEN. C. A. 3d Cir. Humphrey substituted as the party respondent. Certiorari denied. Petitioner *pro se.* *Solicitor General Perlman, Robert S. Erdahl and Joseph M. Howard* for respondent. Reported below: 169 F. 2d 1019.

Rehearing Denied.

No. 9. KOVACS *v.* COOPER, JUDGE, *ante*, p. 77. Rehearing denied.

No. 372. LEISHMAN *v.* RADIO CONDENSER CO. ET AL., 335 U. S. 891. Rehearing denied.

No. 460. CLEARY *v.* CHICAGO TITLE & TRUST Co., *ante*, p. 904. Rehearing denied.

No. 196, Misc. ADAMS *v.* HIATT, WARDEN, *ante*, p. 905. Rehearing denied.

No. 292, Misc. HICKMAN, ADMINISTRATOR, *v.* TAYLOR ET AL., *ante*, p. 906. Rehearing denied.

No. 287, Misc. VILES *v.* JOHNSON, 335 U. S. 912. Leave to file petition for rehearing denied.

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Rehearing Denied.

No. 603. *BRETAGNA v. NEW YORK*, *ante*, p. 919. Rehearing denied.

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Per Curiam Decisions.

No. 59. *MARZANI v. UNITED STATES*. Certiorari, 334 U. S. 858, to the Court of Appeals for the District of Columbia Circuit. Reargued February 28, 1949. *Per Curiam*: Upon rehearing, 336 U. S. 910, the judgment entered December 20, 1948, 335 U. S. 895, affirming the judgment by an equally divided Court, is adhered to and reaffirmed by an equally divided Court. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this case. *Osmond K. Fraenkel* and *Allan R. Rosenberg* reargued the cause for petitioner. *Solicitor General Perlman* reargued the cause for the United States. Reported below: 83 U. S. App. D. C. 78, 168 F. 2d 133.

No. 517. *POORE v. MISSISSIPPI*. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). The petition for writ of certiorari is denied. *W. Arlington Jones* for appellant. Reported below: 205 Miss. 528, 37 So. 2d 3.

Miscellaneous Orders.

No. 389, Misc. *BADGLEY ET AL. v. INDIANA*. Petition for writ of certiorari to the Supreme Court of Indiana dismissed on motion of counsel for the petitioners. *Robert A. Buhler* for petitioners. Reported below: 226 Ind. —, 82 N. E. 2d 841.

No. 234, Misc. *IN RE DAMMANN*;

No. 249, Misc. *IN RE SCHALLERMAIR*;

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No. 259, Misc. IN RE SEIDEL;

No. 318, Misc. IN RE PUHR; and

No. 332, Misc. IN RE SCHMIDT. Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. THE CHIEF JUSTICE, MR. JUSTICE REED, MR. JUSTICE FRANKFURTER, and MR. JUSTICE BURTON are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, § 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948); *Everett v. Truman*, 334 U. S. 824 (1948). MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, and MR. JUSTICE RUTLEDGE are of the opinion that argument should be heard on the motions for leave to file the petitions in order to settle what remedy, if any, the petitioners have. MR. JUSTICE JACKSON took no part in the consideration or decision of these applications.

No. 362, Misc. SHOTKIN *v.* PERKINS ET AL. Petition for appeal denied.

No. 363, Misc. WILLIS *v.* WRIGHT, WARDEN;

No. 364, Misc. KOZDRON *v.* KETCHUM, WARDEN;

No. 366, Misc. PETERS *v.* LOUISIANA;

No. 369, Misc. ELLIOTT *v.* HOWARD, WARDEN;

No. 385, Misc. MOSELEY *v.* ILLINOIS;

No. 396, Misc. IN RE PARKER;

No. 404, Misc. COOKE *v.* OVERHOLSER;

No. 409, Misc. RUTHVEN *v.* OVERHOLSER, SUPERINTENDENT;

No. 410, Misc. BERTRAND *v.* RAGEN, WARDEN; and

No. 412, Misc. IN RE RAMSEY. The motions for leave to file petitions for writs of habeas corpus are severally denied.

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No. 381, Misc. McCANN ET AL. v. CLARK, ATTORNEY GENERAL;

No. 395, Misc. STEINBERG v. HOFFMAN, JUDGE, ET AL.;
and

No. 398, Misc. IN RE KNIGHT. The motions for leave to file petitions for writs of mandamus are severally denied.

Certiorari Granted.

No. 506. UNITED STATES EX REL. JOHNSON v. WATKINS, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION. C. A. 2d Cir. Certiorari granted. *Gunther Jacobson* for petitioner. *Solicitor General Perlman, Robert W. Ginnane and Robert S. Erdahl* for respondent. Reported below: 170 F. 2d 1009.

Certiorari Denied. (See also No. 517, supra.)

No. 453. WADE v. MICHIGAN. Recorder's Court of Detroit, Michigan. Certiorari denied. *Larry S. Davidow and Anne R. Davidow* for petitioner. *Stephen J. Roth, Attorney General of Michigan, Edmund E. Shepherd, Solicitor General, and Daniel J. O'Hara, Assistant Attorney General*, for respondent.

No. 502. KOEHNE ET AL. v. MATTHEWS, U. S. MARSHAL, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Ira Chase Koehne and Orille C. Gaudette* for petitioners. *Solicitor General Perlman, Robert S. Erdahl and Joseph M. Howard* for respondents. Reported below: 83 U. S. App. D. C. 401, 169 F. 2d 889.

No. 513. BURNHAM CHEMICAL CO. v. BORAX CONSOLIDATED, LTD. ET AL. C. A. 9th Cir. Certiorari denied. *Thurman Arnold, Sterling Carr and Walton Hamilton* for petitioner. *Maurice E. Harrison, Moses Lasky and*

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Paul Sandmeyer for Borax Consolidated, Ltd. et al.; and *Joseph W. Burns, Michael F. McCarthy* and *Charles A. Beardsley* for American Potash & Chemical Corp., respondents. Reported below: 170 F. 2d 569.

No. 515. *WALKER v. GALT ET AL.* C. A. 5th Cir. Certiorari denied. *Thomas H. Anderson* for petitioner. *C. A. Hiaasen* for respondents. Reported below: 171 F. 2d 613.

No. 518. *ATLANTIC FREIGHT LINES, INC. v. PENNSYLVANIA PUBLIC UTILITY COMMISSION ET AL.* Superior Court of Pennsylvania. Certiorari denied. *Laurence H. Eldredge* and *Dean D. Sturgis* for petitioner. *Charles E. Thomas* for Pennsylvania Public Utility Commission; and *Harold S. Shertz* for Super Highway Express, Inc. et al., respondents. Reported below: 163 Pa. Super. 215, 60 A. 2d 589.

No. 521. *SMITH ET AL. v. MARYLAND.* Court of Appeals of Maryland. Certiorari denied. *R. Palmer Ingram* and *T. Barton Harrington* for petitioners. *Hall Hammond*, Attorney General, and *Harrison L. Winter*, Assistant Attorney General, for respondent. Reported below: — Md. —, 62 A. 2d 287.

No. 541. *TURNER COUNTY, SOUTH DAKOTA, v. MILLER.* C. A. 8th Cir. Certiorari denied. *Dwight Campbell* and *T. M. Bailey* for petitioner. *Roy E. Willy* for respondent. Reported below: 170 F. 2d 820.

No. 221, Misc. *PATRICK ET AL. v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Perlman, Robert S. Erdahl* and *Joseph M. Howard* for the United States. Reported below: 170 F. 2d 269.

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No. 294, Misc. *McINTOSH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Robert S. Erdahl and Joseph M. Howard* for the United States. Reported below: 171 F. 2d 705.

No. 306, Misc. *BINKLEY v. HUNTER, WARDEN*. C. A. 10th Cir. Certiorari denied. *Donald H. Latshaw and Louis R. Gates* for petitioner. *Solicitor General Perlman, Robert S. Erdahl and Joseph M. Howard* for respondent. Reported below: 170 F. 2d 848.

No. 315, Misc. *McINTOSH v. PESCOR, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 330, Misc. *WILLIAMS v. OHIO*. Supreme Court of Ohio. Certiorari denied.

No. 340, Misc. *BARNETT v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 349, Misc. *COOK v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Robert S. Erdahl and Joseph M. Howard* for the United States. Reported below: 171 F. 2d 567.

No. 354, Misc. *WHITE v. NIERSTHEIMER, WARDEN, ET AL.* Circuit Court of St. Clair County, Illinois. Certiorari denied.

No. 355, Misc. *STEWART v. CHAPMAN, SUPERINTENDENT*. Supreme Court of Florida. Certiorari denied. *Zachariah Hicklin Douglas and Samuel W. Getzen* for petitioner.

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No. 365, Misc. *CAMPBELL v. PENNSYLVANIA ET AL.* Petition for writ of certiorari to the Supreme Court of Pennsylvania, United States District Court for the Western District of Pennsylvania, and United States Court of Appeals for the Third Circuit denied.

No. 367, Misc. *DAY v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 368, Misc. *FRANKLIN v. HUDSPETH, WARDEN, ET AL.* Supreme Court of Kansas. Certiorari denied. Reported below: 166 Kan. 218, 200 P. 2d 276.

No. 370, Misc. *FOSTER v. HUDSPETH, WARDEN, ET AL.* Supreme Court of Kansas. Certiorari denied. Reported below: 166 Kan. 60, 199 P. 2d 189.

No. 371, Misc. *KOBLITZ v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 401 Ill. 224, 81 N. E. 2d 881.

No. 375, Misc. *BOREMAN v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 401 Ill. 566, 82 N. E. 2d 459.

No. 376, Misc. *JOHNSON v. RAGEN, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 171 F. 2d 630.

No. 382, Misc. *SKELTON v. HUDSPETH, WARDEN, ET AL.* Supreme Court of Kansas. Certiorari denied. Reported below: 166 Kan. 70, 199 P. 2d 470.

No. 386, Misc. *JOHNSON v. INDIANA ET AL.* Lake County Criminal Court of Indiana. Certiorari denied.

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No. 388, Misc. *BROWN v. HUDSPETH, WARDEN, ET AL.* Supreme Court of Kansas. Certiorari denied. Reported below: 166 Kan. 93, 199 P. 2d 160.

No. 392, Misc. *MATHIS v. RAGEN, WARDEN.* Circuit Court of Peoria County, Illinois. Certiorari denied.

No. 394, Misc. *HOLIDAY v. WARDEN OF THE MARYLAND STATE PENITENTIARY.* Court of Appeals of Maryland. Certiorari denied. Reported below: — Md. —, 62 A. 2d 573.

No. 397, Misc. *MEYERS v. WILSON ET AL., JUSTICES OF THE SUPREME COURT OF ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 402, Misc. *SWAIN v. DUFFY, WARDEN.* Supreme Court of California. Certiorari denied.

No. 406, Misc. *EAGLE v. CHERNEY ET AL.* Court of Appeals of New York. Certiorari denied. Reported below: See 297 N. Y. 861, 79 N. E. 2d 269.

No. 411, Misc. *GORE v. RAGEN, WARDEN.* Superior Court of Cook County, Illinois. Certiorari denied.

Rehearing Denied.

No. 22. *VERMILYA-BROWN CO., INC. ET AL. v. CONNELL ET AL.,* 335 U. S. 377. Rehearing denied.

No. 45. *FISHER v. PACE, SHERIFF, ante,* p. 155. Rehearing denied.

No. 244. *OTT, COMMISSIONER OF PUBLIC FINANCE, ET AL. v. MISSISSIPPI VALLEY BARGE LINE CO. ET AL., ante,* p. 169. Rehearing denied.

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No. 450. POLLARD ET AL. *v.* HAWFIELD ET AL., *ante*, p. 909. Rehearing denied.

No. 483. DIXIE CUP Co. *v.* PAPER CONTAINER MFG. Co., *ante*, p. 909. Rehearing denied.

No. 489. HARRIS ET AL., DOING BUSINESS AS H-C PRODUCTS Co., *v.* NATIONAL MACHINE WORKS, INC. ET AL., *ante*, p. 905. Rehearing denied.

No. 458. CARPENTER *v.* ROHM & HAAS Co., INC., *ante*, p. 904; and

No. 459. CARPENTER *v.* ERIE RAILROAD Co., *ante*, p. 904. Rehearing denied for the reason that the applications were not received within the time provided by Rule 33.

No. 121, Misc. TAYLOR *v.* DENNIS, WARDEN, *ante*, p. 907. Rehearing denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application.

No. 278, Misc. GIBBONS *v.* BRANDT ET AL., *ante*, p. 910. Rehearing denied.

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Per Curiam Decisions.

No. 514. COUNTY OF LOS ANGELES *v.* SOUTHERN CALIFORNIA TELEPHONE Co. Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Harold W. Kennedy* for appellant. *Oscar Lawler* and *Francis N. Marshall* for appellee. Reported below: See 62 Cal. 2d 378, 196 P. 2d 773.

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Nos. 529, 530 and 531. STANDARD OIL CO. OF INDIANA *v.* SUPERIOR COURT OF DELAWARE IN AND FOR NEW CASTLE COUNTY ET AL. Appeals from the Supreme Court of Delaware. *Per Curiam*: The appeals are dismissed for want of a substantial federal question. *Hugh M. Morris, Ralph S. Harris, John R. McCullough* and *Frederick W. P. Lorenzen* for appellant. Reported below: — Del. —, 62 A. 2d 454.

No. 535. THOMAS *v.* DAUGHTERS OF UTAH PIONEERS ET AL. Appeal from the Supreme Court of Utah. *Per Curiam*: The appeal is dismissed for want of a properly presented substantial federal question. *H. A. Rich* for appellant. *Clinton D. Vernon*, Attorney General of Utah, for appellees. Reported below: — Utah —, 197 P. 2d 477.

No. 560. Fox *v.* Fox. Appeal from the Supreme Court of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Charles E. Congdon* for appellant. *Alfred M. Saperston* for appellee.

No. 283. RILEY, LABOR COMMISSIONER, ET AL. *v.* INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA, LOCAL UNION No. 633, ET AL. On petition for writ of certiorari to the Supreme Court of New Hampshire. *Per Curiam*: The petition for writ of certiorari is granted. It appearing that the cause has become moot, the judgment of the Supreme Court of New Hampshire is vacated without costs and the cause is remanded for such proceedings as by that Court may be deemed appropriate. *Ernest R. D'Amours*, Attorney General of New Hampshire, for petitioners. *H. Thornton Lorimer* for respondents. Reported below: 95 N. H. 162, 59 A. 2d 476.

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Certiorari Granted. (See also No. 474, ante, p. 368, and No. 283, supra.)

No. 473. UNITED STATES *v.* WITTEK. United States Court of Appeals for the District of Columbia Circuit. *Certiorari granted.* *Solicitor General Perlman* for the United States. *Ward B. McCarthy* for respondent. Reported below: 83 U. S. App. D. C. 377, 171 F. 2d 8.

Certiorari Denied.

No. 523. T. M. DUCHE & SONS, INC. *v.* UNITED STATES. United States Court of Customs and Patent Appeals. *Certiorari denied.* *Albert MacC. Barnes* and *J. Bradley Colburn* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Edelstein* and *John R. Benney* for the United States. Reported below: 36 C. C. P. A. (Customs) 19.

No. 524. COSBY *v.* HARTS ET AL. C. A. 7th Cir. *Certiorari denied.* *B. Lacey Catron* for petitioner. *Hugh J. Graham, Jr.* for respondents. Reported below: 169 F. 2d 689.

No. 539. PAINTER, ADMINISTRATRIX, ET AL. *v.* SOUTHERN TRANSPORTATION Co. C. A. 4th Cir. *Certiorari denied.* *Abraham E. Freedman* for petitioners. *Leon T. Seawell* for respondent. Reported below: 170 F. 2d 854.

No. 545. SEABOARD AIR LINE RAILROAD Co. *v.* HINTON ET AL. C. A. 4th Cir. *Certiorari denied.* *James B. McDonough, Jr.* and *W. R. C. Cocke* for petitioner. *Joseph C. Waddy* and *Charles H. Houston* for respondents. Reported below: 170 F. 2d 892.

Rehearing Denied.

No. 7. JUNGENSEN *v.* OSTBY & BARTON Co. ET AL.;

No. 8. OSTBY & BARTON Co. ET AL. *v.* JUNGENSEN; and

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No. 48. *JUNGERSEN v. BADEN ET AL.*, 335 U. S. 560. Petition for reconsideration of order denying leave to file petition for rehearing denied.

No. 462. *GIERENS ET AL. v. ILLINOIS*, 336 U. S. 904. Motion for leave to file petition for rehearing denied.

No. 329, Misc. *BURALL v. CLARK, ATTORNEY GENERAL*, 336 U. S. 902. Rehearing denied.

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Per Curiam Decisions.

No. 533. *BOSTON RAILROAD HOLDING CO. ET AL. v. DELAWARE & HUDSON CO. ET AL.* Appeal from the Supreme Judicial Court of Massachusetts. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *John L. Hall* and *Richard Wait* for appellants. Reported below: 323 Mass. 282, 81 N. E. 2d 553.

No. 551. *ODOM v. MISSISSIPPI*. Appeal from, and petition for writ of certiorari to, the Supreme Court of Mississippi. *Per Curiam*: The appeal is dismissed. See *Bute v. Illinois*, 333 U. S. 640. The petition for writ of certiorari is denied. *W. E. Morse* for appellant-petitioner. Reported below: 205 Miss. 592, 37 So. 2d 300.

No. 557. *LAGEMANN v. LAGEMANN*. Appeal from the Supreme Court of Nevada. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. Appellant *pro se*. *Everett Sanders* for appellee. Reported below: 65 Nev. —, 196 P. 2d 1018.

No. 569. *IANNELLA ET AL. v. JOHNSON, RECORDER OF THE TOWNSHIP OF PISCATAWAY, ET AL.* Appeal from the Supreme Court of New Jersey. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for

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want of a substantial federal question. *John T. Keefe* for appellants. *Maurice M. Bernstein* for appellees. Reported below: 137 N. J. L. 659, 61 A. 2d 237.

No. 581. *McLAURIN v. MISSISSIPPI*. Appeal from, and petition for writ of certiorari to, the Supreme Court of Mississippi. *Per Curiam*: The appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). The petition for writ of certiorari is denied. *Ross R. Barnett* for appellant-petitioner. Reported below: 205 Miss. 554, 37 So. 2d 8.

No. 606. *SCHNELL, MEMBER OF THE BOARD OF ELECTION REGISTRARS OF MOBILE COUNTY, ET AL. v. DAVIS ET AL.* Appeal from the United States District Court for the Southern District of Alabama. *Per Curiam*: The judgment is affirmed. *Lane v. Wilson*, 307 U. S. 268; *Yick Wo v. Hopkins*, 118 U. S. 356. Cf. *Williams v. Mississippi*, 170 U. S. 213. MR. JUSTICE REED, in view of the fact that a constitutional provision of a state is involved, presented by the Attorney General, is of the opinion that probable jurisdiction should be noted and the case set down for argument. *A. A. Carmichael*, Attorney General of Alabama, and *Silas C. Garrett, III*, Assistant Attorney General, for appellants. *Loring B. Moore* and *George N. Leighton* for appellees. Reported below: 81 F. Supp. 872.

No. 621. *GREAT NORTHERN RAILWAY Co. v. UNITED STATES ET AL.* Appeal from the United States District Court for the District of Delaware. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. *Board of Trade v. United States*, 314 U. S. 534; *Virginian R. Co. v. United States*, 272 U. S. 658; *Central R. Co. v. United States*, 257 U. S. 247. *Edwin C. Matthias*, *Reuben J. Hagman*, *Louis E. Torinus, Jr.*, *A. Rea Wil-*

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liams, Clarence A. Southerland, David F. Anderson and William Poole for appellant. Solicitor General Perlman, Assistant Attorney General Bergson, Edward Dumbauld and J. Stanley Payne for the United States and the Interstate Commerce Commission; and S. J. Wettrick and Floyd F. Shields for General Mills, Inc. et al., respondents. Reported below: 81 F. Supp. 921.

Miscellaneous Orders.

No. 626. UNITED STATES *v.* ZISBLATT. Appeal from the United States District Court for the Southern District of New York. Dismissed on motion of counsel for the appellant. Solicitor General Perlman for appellant. Reported below: 78 F. Supp. 9.

No. 348, Misc. ENFIELD *v.* BIOW COMPANY, INC. ET AL. Motion for leave to file petition for writ of certiorari denied. Petitioner *pro se.* T. B. Cosgrove and Leonard A. Diether for respondents.

No. 405, Misc. DALE *v.* HEINZE, WARDEN; and

No. 423, Misc. WILLIAMS *v.* OVERHOLSER, SUPERINTENDENT. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 430, Misc. EX PARTE LOUISIANA FARMERS PROTECTIVE UNION, INC. Motion for leave to file petition for writ of mandamus denied. Cameron C. McCann, James H. Morrison, Edward R. Schowalter and K. K. Kennedy for petitioner.

Certiorari Granted.

No. 528. CHRISTOFFEL *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. O. John Rogge for peti-

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tioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Joseph M. Howard* for the United States. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 1004.

No. 532. STANDARD-VACUUM OIL Co. v. UNITED STATES. Court of Claims. Certiorari granted. *Albert R. Connelly and George S. Collins* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison and Samuel D. Slade* for the United States. Reported below: 112 Ct. Cl. 137, 80 F. Supp. 657.

No. 537. FAULKNER v. GIBBS. C. A. 9th Cir. Certiorari granted. *Harold W. Mattingly* for petitioner. *Herbert A. Huebner* for respondent. Reported below: 170 F. 2d 34.

No. 558. FEDERAL POWER COMMISSION v. PANHANDLE EASTERN PIPE LINE Co. ET AL. C. A. 3d Cir. Certiorari granted. *Solicitor General Perlman and Bradford Ross* for petitioner. *E. Ennalls Berl and Francis J. Syphen* for Panhandle Eastern Pipe Line Co.; *Jeff A. Robertson and Jay Kyle* for the State Corporation Commission of Kansas; and *Arthur G. Connolly and Charles S. Layton* for Smith et al., respondents. Reported below: 172 F. 2d 57.

No. 565. CARTER v. ATLANTA & SAINT ANDREWS BAY RAILWAY Co. C. A. 5th Cir. Certiorari granted. *J. Kirkman Jackson* for petitioner. *James N. Frazer* for respondent. Reported below: 170 F. 2d 719.

Certiorari Denied. (See also Nos. 551 and 581, supra.)

No. 507. CITY OF OMAHA ET AL. v. FRANK BROTHERS FOOTWEAR, INC. Supreme Court of Nebraska. Certio-

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rari denied. *Ralph E. Svoboda* for petitioners. *Charles S. Rhyne* filed a brief for the National Institute of Municipal Law Officers, as *amicus curiae*, supporting the petition. *M. James Spitzer* filed a brief for Best & Co., Inc., as *amicus curiae*, opposing the petition. Reported below: 149 Neb. 888, 33 N. W. 2d 161.

No. 519. BIRCH SECURITIES CO. *v.* CALIFORNIA. District Court of Appeal, 3d Appellate District, of California. Certiorari denied. *R. S. McLaughlin* for petitioner. *Fred N. Howser*, Attorney General of California, and *James E. Sabine*, Deputy Attorney General, for respondent. Reported below: 86 Cal. App. 2d 703, 196 P. 2d 143.

No. 534. J. D. RICHARDSON CO. *v.* UNITED STATES. United States Court of Customs & Patent Appeals. Certiorari denied. *Eugene R. Pickrell* and *Albert H. Bosch* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Edelstein* and *John R. Benney* for the United States. Reported below: 36 C. C. P. A. (Customs) 15.

No. 536. LEVINE, EXECUTOR, *v.* UNITED STATES. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman*, *Assistant Attorney General Morrison*, *Paul A. Sweeney* and *Morton Hollander* for the United States. Reported below: 112 Ct. Cl. 187, 80 F. Supp. 674.

No. 538. FRIEDMAN *v.* DELANEY, COLLECTOR OF INTERNAL REVENUE. C. A. 1st Cir. Certiorari denied. *Lee M. Friedman* and *Louis B. King* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Caudle*, *Ellis N. Slack* and *Lee A. Jackson* for respondent. Reported below: 171 F. 2d 269.

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No. 543. *SCHOEN v. MOUNTAIN PRODUCERS CORP. ET AL.* C. A. 3d Cir. Certiorari denied. *Charles B. McInnis, Louis B. Arnold* and *Herbert L. Cobin* for petitioner. *William S. Potter* and *James L. Latchum* for Johnson et al., respondents. Reported below: 170 F. 2d 707.

No. 546. *GUNN v. DALLMAN, COLLECTOR OF INTERNAL REVENUE.* C. A. 7th Cir. Certiorari denied. *Werner W. Schroeder, Harry B. Sutter* and *Montgomery S. Winning* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle* and *Ellis N. Slack* for respondent. Reported below: 171 F. 2d 36.

No. 549. *ALBURN, TRUSTEE, ET AL. v. UNION TRUST Co. ET AL.*; and

No. 550. *ALBURN, TRUSTEE, ET AL. v. NATIONAL CITY BANK OF CLEVELAND ET AL.* Supreme Court of Ohio. Certiorari denied. *Paul R. Harmel, William S. Evatt* and *Cary R. Alburn* for petitioners. *Herbert S. Duffy, Attorney General of Ohio,* and *W. H. Annat, Assistant Attorney General,* for Superintendent of Banks; *C. W. Sellers* for National City Bank of Cleveland; *Howard F. Burns* for Union Properties, Inc.; and *George Q. Keeley* for Burdick et al., respondents. Reported below: 150 Ohio St. 357, 82 N. E. 2d 543.

No. 552. *O'NEILL v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Monroe Goldwater* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack* and *Melva M. Graney* for respondent. Reported below: 170 F. 2d 596.

No. 554. *CRIPPEN, TRUSTEE IN BANKRUPTCY, v. CITY OF DALLAS.* C. A. 5th Cir. Certiorari denied. *Webster Atwell* for petitioner. Reported below: 171 F. 2d 526.

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No. 559. NEW AMSTERDAM CASUALTY CO. *v.* A. CIMPI EXPRESS LINES, INC. ET AL. Court of Appeals of New York. Certiorari denied. *George R. Fearon* for petitioner. *Charles D. Lewis* for A. Cimpi Express Lines, Inc.; and *George F. Roesch, 2nd*, for Gullberg, respondents. Reported below: 298 N. Y. 693, 82 N. E. 2d 588.

No. 564. TUCKER PRODUCTS CORP. *v.* HELMS ET AL. C. A. 9th Cir. Certiorari denied. *Herbert Resner* for petitioner. *James W. Harvey* for respondents. Reported below: 171 F. 2d 126.

No. 582. HAZELTINE RESEARCH, INC. *v.* GENERAL MOTORS CORP. C. A. 6th Cir. Certiorari denied. *Miles D. Pillars, Philip F. LaFollette, Leonard A. Watson* and *Laurence B. Dodds* for petitioner. *Drury W. Cooper, Stephen H. Philbin* and *C. Blake Townsend* for respondent. Reported below: 170 F. 2d 6.

No. 235, Misc. MORANDY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Perlman, Robert S. Erdahl* and *John R. Benney* for the United States. Reported below: 170 F. 2d 5.

No. 245, Misc. JACKSON *v.* HIATT, WARDEN. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Robert S. Erdahl* and *Joseph M. Howard* for respondent. Reported below: 170 F. 2d 630.

No. 247, Misc. GRIMM *v.* STEWART, WARDEN. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se*. *J. E. Taylor*, Attorney General of Missouri, *Gordon P. Weir* and *Samuel Watson*, Assistant Attorneys General, for respondent.

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No. 257, Misc. CASSEL *v.* OVERHOLSER. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Reported below: 83 U. S. App. D. C. 350, 169 F. 2d 683.

No. 262, Misc. MCGREGOR *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Ivan A. Elliott*, Attorney General of Illinois, *William C. Wines*, *James C. Murray* and *Raymond S. Sarnow*, Assistant Attorneys General, for respondent.

No. 351, Misc. KELLEY *v.* DELAWARE, LACKAWANNA & WESTERN RAILROAD. C. A. 1st Cir. Certiorari denied. *Henry Lawlor* and *Paul H. Snow* for petitioner. *Paul F. Perkins* for respondent. Reported below: 170 F. 2d 195.

No. 356, Misc. BLACKWELL *v.* NEVADA. Supreme Court of Nevada. Certiorari denied. *Clel Georgetta* for petitioner. *Alan Bible*, Attorney General of Nevada, *Homer Mooney*, *George P. Annanda*, Deputy Attorneys General, and *Gray Mashburn* for respondent. Reported below: 65 Nev. —, 198 P. 2d 280.

No. 360, Misc. STEELE *v.* JACKSON, WARDEN. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Nathaniel L. Goldstein*, Attorney General of New York, *Wendell P. Brown*, Solicitor General, *Irving I. Waxman* and *Louis Winer*, Assistant Attorneys General, for respondent. Reported below: 171 F. 2d 432.

No. 399, Misc. JANIEC *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Reported below: See 137 N. J. L. 94, 58 A. 2d 543.

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No. 401, Misc. SMITH *v.* HUDSPETH, WARDEN. Supreme Court of Kansas. Certiorari denied. Reported below: 166 Kan. 222, 199 P. 2d 804.

No. 407, Misc. BLEVINS *v.* HUDSPETH, WARDEN. Supreme Court of Kansas. Certiorari denied. Reported below: 166 Kan. 117, 199 P. 2d 171.

No. 418, Misc. BLAUVELT *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Reported below: See 298 N. Y. 928, 85 N. E. 2d 67.

No. 421, Misc. LAWRENCE *v.* STEWART, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 422, Misc. ROGERS *v.* INDIANA. Supreme Court of Indiana. Supreme Court of Indiana. Certiorari denied. Reported below: 226 Ind. —, 82 N. E. 2d 89.

No. 479, Misc. KALLAS *v.* INDIANA. Supreme Court of Indiana. Certiorari denied. *George Cohan* and *Robert G. Estill* for petitioner. *J. Emmett McManamon*, Attorney General of Indiana, *Merl M. Wall* and *Frank E. Coughlin*, Deputy Attorneys General, for respondent. Reported below: 227 Ind. —, 83 N. E. 2d 769.

No. 492, Misc. WALKER *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *Morris Lavine* for petitioner. Reported below: 33 Cal. 2d 250, 201 P. 2d 6.

Rehearing Denied.

No. 53. WILKERSON *v.* MCCARTHY ET AL., 336 U. S. 53. Rehearing denied.

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No. 488. ROWLAND *v.* ARKANSAS, 336 U. S. 918. Rehearing denied.

No. 456. PATTERSON *v.* GRAY, 336 U. S. 905. Motion for leave to file petition for rehearing denied.

No. 193, Misc. HALEY *v.* PENNSYLVANIA, 335 U. S. 904. Rehearing denied.

No. 218, Misc. CURTIS *v.* HUMPHREY, WARDEN, 336 U. S. 921. Rehearing denied.

No. 334, Misc. IN RE McADAM, 336 U. S. 902. Rehearing denied.

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Per Curiam Decisions.

No. 476. WOODS, HOUSING EXPEDITER, *v.* DURR. Certiorari, 336 U. S. 912, to the United States Court of Appeals for the Third Circuit. *Per Curiam*: The motion of the Solicitor General for remand of this case is granted. The judgment of the Court of Appeals is vacated and the cause is remanded to that court for consideration of the effect of § 209 of the Housing and Rent Act of 1947, 61 Stat. 193, 200, as amended by § 206 of the Act of March 30, 1949, 63 Stat. 18, 29, and the eviction regulations of the Housing Expediter issued pursuant thereto, 14 Fed. Reg. 1571. *Solicitor General Perlman* for petitioner. *J. H. Thayer Martin* for respondent. Reported below: 170 F. 2d 976.

No. 622. A/S J. LUDWIG MOWINCKELS REDERI ET AL. *v.* ISBRANDTSEN Co., INC. ET AL. Appeal from the United States District Court for the Southern District of New York. *Per Curiam*: The appeal is dismissed. *Roscoe H. Hupper* and *Burton H. White* for appellants. *John J. O'Connor* and *William L. McGovern* for appellees. Reported below: 81 F. Supp. 544.

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No. 643. *BUNN v. NORTH CAROLINA*. Appeal from the Supreme Court of North Carolina. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Petitioner *pro se*. *Harry McMullan*, Attorney General of North Carolina, and *T. W. Bruton*, Assistant Attorney General, for appellee. Reported below: 229 N. C. 734, 51 S. E. 2d 179.

Miscellaneous Orders.

No. 42. *KLAPPROTT v. UNITED STATES*. The motion of the respondent to modify the judgment of this Court in this case is granted. The judgment announced January 17, 1949 [335 U. S. 601, 616], reading as follows: "The judgments accordingly are reversed and the cause is remanded to the District Court with instructions to set aside the judgment by default and grant the petitioner a hearing on the merits raised by the denaturalization complaint.", is amended to read: "The judgment of the Court of Appeals is reversed and the cause is remanded to the District Court with directions to receive evidence on the truth or falsity of the allegations contained in petitioner's petition to vacate the default judgment entered in the denaturalization proceedings." MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, and MR. JUSTICE RUTLEDGE dissent from the modification of the order. *Solicitor General Perlman* was on the motion to modify the judgment, for the United States. *P. Bateman Ennis*, *W. Clifton Stone* and *Morton Singer* were on the brief in opposition, for petitioner.

No. 309, Misc. *DOELLE v. MICHIGAN*;

No. 427, Misc. *VAN PELT v. RAGEN, WARDEN*; and

No. 434, Misc. *MORTON v. STEELE, WARDEN*. The motions for leave to file petitions for writs of habeas corpus are denied.

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No. 444, Misc. *MOSS v. SWYGERT*, U. S. DISTRICT JUDGE. The motion for leave to file petition for writ of mandamus is denied.

No. 445, Misc. *CORDTS v. RAGEN, WARDEN*. The motion for leave to file petition for writ of certiorari is denied.

No. 547, Misc. *BERRY v. FLORIDA*. The petition for a stay of execution of the sentence of death is denied.

Certiorari Granted.

No. 567. *STEMMER v. NEW YORK*; and

No. 568. *KRAKOWER v. NEW YORK*. Court of Appeals of New York. Certiorari granted. *Arthur Garfield Hays, Osmond K. Fraenkel* and *Sidney Struble* for petitioner in No. 567; and *Harry G. Anderson* and *Harris B. Steinberg* for petitioner in No. 568. *Frank S. Hogan* and *Whitman Knapp* for respondent. Reported below: 298 N. Y. 728, 83 N. E. 2d 141.

No. 578. *OAKLEY v. LOUISVILLE & NASHVILLE RAILROAD CO. ET AL.*; and

No. 579. *HAYNES v. SOUTHERN RAILWAY SYSTEM ET AL.* C. A. 6th Cir. Certiorari granted. *Solicitor General Perlman* for petitioners. *C. S. Landrum* for respondent in No. 578; *Carl M. Jacobs* and *W. S. MacGill* for respondent in No. 579; and *James Park, Frank L. Mulholland, Clarence M. Mulholland* and *Willard H. McEwen* for System Federations Nos. 21 and 91, Railway Employes' Department, A. F. of L., respondents. Reported below: No. 578, 170 F. 2d 1008; No. 579, 171 F. 2d 128.

No. 400, Misc. *CASELL v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari granted. Reported below: 152 Tex. Cr. Rep. —, 216 S. W. 2d 813.

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Certiorari Denied.

No. 247. RAILWAY EXPRESS AGENCY, INC. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Ellsworth C. Alvord* and *Floyd F. Toomey* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Caudle*, *Ellis N. Slack* and *Abbott M. Sellers* for respondent. Reported below: 169 F. 2d 193.

No. 504. KINGSLAND, COMMISSIONER OF PATENTS, *v.* BARRON-GRAY PACKING CO. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Perlman* for petitioner. *Curtis F. Prangle* and *Charles L. Sturtevant* for respondent. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 576.

No. 540. BOTSTONE *v.* LINDSLEY ET AL. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Paul M. Segal* and *Harry P. Warner* for respondents. Reported below: 170 F. 2d 705.

No. 548. BROTHERHOOD OF RAILROAD TRAINMEN *v.* BALTIMORE & OHIO RAILROAD CO. ET AL. C. A. 7th Cir. Certiorari denied. *Burke Williamson* and *Jack A. Williamson* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Bergson*, *Stanley M. Silverberg*, *Edward Dumbauld*, *Daniel W. Knowlton* and *Harry Underwood* for the Interstate Commerce Commission; and *Ernest S. Ballard* for Baltimore & Ohio Railroad Co. et al., respondents. Reported below: 170 F. 2d 654.

No. 555. CUMMINGS *v.* LAINSON, WARDEN. Supreme Court of Iowa. Certiorari denied. *Raymond E. Hanke* for petitioner. Reported below: 239 Iowa 1193, 33 N. W. 2d 395.

No. 556. BETHEA, INDEPENDENT EXECUTRIX, *v.* SCOFFIELD, COLLECTOR OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *J. B. Lewright* for petitioner. *Solici-*

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tor *General Perlman*, *Assistant Attorney General Caudle*, *Ellis N. Slack*, *Lee A. Jackson* and *Carlton Fox* for respondent. Reported below: 170 F. 2d 934.

No. 571. *KOBER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Mark P. Friedlander* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Morison*, *Paul A. Sweeney* and *Morton Liftin* for the United States. Reported below: 170 F. 2d 590.

No. 572. *METROPOLIS THEATRE CO. v. BARKHAUSEN ET AL.* C. A. 7th Cir. Certiorari denied. *Walter Bachrach*, *Walter H. Moses*, *William C. Wines* and *B. B. Fensterstock* for petitioner. *Edward Blackman*, *Edward R. Johnston*, *Louis M. Mantynband*, *George L. Siegel* and *Herbert A. Friedlich* for respondents. Reported below: 170 F. 2d 481.

No. 573. *CHESTER & DELAWARE COUNTIES BARTENDERS, HOTEL & RESTAURANT EMPLOYEES UNION, LOCAL No. 677, A. F. L., ET AL. v. WILBANK ET UX.* Supreme Court of Pennsylvania. Certiorari denied. *Albert Blumberg* for petitioners. *Robert F. Jackson* for respondents. Reported below: 360 Pa. 48, 60 A. 2d 21.

No. 595. *ESTATE OF BASSETT v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Prew Savoy* and *Chauncey P. Carter* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Caudle*, *Ellis N. Slack*, *A. F. Prescott* and *Louise Foster* for respondent. Reported below: 170 F. 2d 916.

No. 596. *PHILCO CORPORATION v. F. & B. MANUFACTURING Co.* C. A. 7th Cir. Certiorari denied. *Edward S. Rogers*, *William T. Woodson* and *Beverly W. Pattishall* for petitioner. *John A. Marzall* and *Lloyd C. Root* for respondent. Reported below: 170 F. 2d 958.

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No. 656. *DUNN ET AL. v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Bernard Hershkopf* and *Harry G. Anderson* for petitioners. *Frank S. Hogan* and *Whitman Knapp* for respondent. Reported below: 298 N. Y. 865, 84 N. E. 2d 635.

No. 544. *DE MEERLEER v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. *David W. Louisell* for petitioner. *Stephen J. Roth*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent. Reported below: 323 Mich. 287, 35 N. W. 2d 255.

No. 271, Misc. *CIPULLO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Richard W. Galiher* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Campbell*, *Robert S. Erdahl* and *Andrew F. Oehmann* for the United States. Reported below: 170 F. 2d 311.

No. 341, Misc. *ATKINS v. WARDEN OF PRISON SYSTEM OF TEXAS ET AL.* Supreme Court of Texas. Certiorari denied.

No. 419, Misc. *GRIFFIN v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied. Reported below: See 402 Ill. 247, 83 N. E. 2d 746.

No. 420, Misc. *DAVIS v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 426, Misc. *WISEMAN v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 428, Misc. *MICHAEL v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

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No. 429, Misc. STEPHENSON *v.* NEW JERSEY ET AL. Supreme Court of New Jersey. Certiorari denied.

No. 433, Misc. HARRIS *v.* ROBINSON, WARDEN. Circuit Court of Sangamon County, Illinois. Certiorari denied.

No. 435, Misc. CIHA *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 438, Misc. MOORE *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

Rehearing Denied.

No. 458. CARPENTER *v.* ROHM & HAAS Co., INC.; and
No. 459. CARPENTER *v.* ERIE RAILROAD Co., 336 U. S. 904. The motions to enlarge the time to file petitions for rehearing are denied.

No. 453. WADE *v.* MICHIGAN, 336 U. S. 924. Rehearing denied.

No. 487. CHANDLER *v.* UNITED STATES, 336 U. S. 918. Rehearing denied.

No. 502. KOEHNE ET AL. *v.* MATTHEWS, U. S. MARSHAL, ET AL., 336 U. S. 924. Rehearing denied.

No. 517. POORE *v.* MISSISSIPPI, 336 U. S. 922. Rehearing denied.

No. 368, Misc. FRANKLIN *v.* HUDSPETH, WARDEN, ET AL., 336 U. S. 927. Rehearing denied.

No. 406, Misc. EAGLE *v.* CHERNEY ET AL., 336 U. S. 928. Rehearing denied.

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Per Curiam Decisions.

No. 613. VIATOR *v.* STONE, CHAIRMAN, STATE TAX COMMISSION OF MISSISSIPPI, ET AL. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The appeal is dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it. *Albert Sidney Johnston, Jr.* and *Weaver E. Gore* for appellant. Reported below: 203 Miss. 109, 37 So. 2d 1.

No. 649. LONGYEAR HOLDING CO. ET AL. *v.* MINNESOTA. Appeal from the Supreme Court of Minnesota. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by 28 U. S. C. § 2103, certiorari is denied. MR. JUSTICE BURTON took no part in the consideration or decision of this case. *John B. Putnam*, *Pierce Butler* and *John A. Hadden* for appellants. *J. A. A. Burnquist*, Attorney General of Minnesota, *George B. Sjoselius*, Deputy Attorney General, and *Wm. C. Green* for appellee. Reported below: 227 Minn. 255, 35 N. W. 2d 291.

No. 680. GULFSTREAM PARK RACING ASSOCIATION, INC. ET AL. *v.* HIALEAH RACE COURSE, INC. ET AL. Appeal from the Supreme Court of Florida. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *W. G. Ward* for the Gulfstream Park Racing Assn., Inc.; and *E. Albert Pallot* for the Gables Racing Assn., Inc., appellants. *Lawrence A. Truett* and *William C. Gaither* for appellees. Reported below: 37 So. 2d 692.

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No. 593. RYLES *v.* UNITED STATES. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. Upon the suggestion of the Solicitor General that the judgments be vacated and the case remanded to the District Court for a new trial, and upon consideration of the record, the judgments of the Court of Appeals and the District Court are vacated and the case is remanded to the United States District Court for the Eastern District of Oklahoma with directions to grant a new trial. *James W. Bounds* for petitioner. *Solicitor General Perlman* and *Assistant Attorney General Campbell* for the United States. Reported below: 172 F. 2d 72.

Miscellaneous Orders.

No. 609. QUICKSALL *v.* MICHIGAN. Certiorari, 336 U. S. 916, to the Supreme Court of Michigan. It is ordered that *Isadore Levin, Esquire*, of Detroit, Michigan, a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 42. KLAPPROTT *v.* UNITED STATES, 335 U. S. 601. Motion for clarification of the modified judgment, 336 U. S. 942, denied. MR. JUSTICE BLACK dissents. *P. Bateman Ennis, W. Clifton Stone* and *Morton Singer* for petitioner.

No. 650. PRINTING SPECIALTIES & PAPER CONVERTERS UNION, LOCAL 388, A. F. OF L., ET AL. *v.* LEBARON, REGIONAL DIRECTOR, NATIONAL LABOR RELATIONS BOARD. The petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit is dismissed on motion of counsel for the petitioners. *J. Albert Woll, Herbert S. Thatcher* and *James A. Glenn* for petitioners. Reported below: 171 F. 2d 331.

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No. 443, Misc. LUNDY *v.* WARDEN, STATE PRISON OF SOUTHERN MICHIGAN. Supreme Court of Michigan. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 431, Misc. SHOTKIN *v.* GENERAL ELECTRIC CO. ET AL.; and

No. 447, Misc. LUCAS *v.* TEXAS. Applications denied.

No. 441, Misc. BICKFORD *v.* UNITED STATES; and

No. 559, Misc. BIRD *v.* JOHNSON, SECRETARY OF DEFENSE, ET AL. The motions for leave to file petitions for writs of habeas corpus are denied. *George T. Davis* and *Joseph S. Robinson* for petitioner in No. 559, Misc.

No. 446, Misc. SWEET *v.* HOWARD, WARDEN. Motion for leave to file petition for writ of certiorari denied.

Certiorari Granted. (See also No. 542, ante, p. 681, and No. 593, supra.)

No. 574. UNITED STATES *v.* WESTINGHOUSE ELECTRIC & MANUFACTURING Co. C. A. 1st Cir. Certiorari granted. *Solicitor General Perlman* for the United States. *Milton J. Donovan* for respondent. Reported below: 170 F. 2d 752.

No. 633. UNITED STATES *v.* SPELAR, ADMINISTRATRIX. C. A. 2d Cir. Certiorari granted. *Solicitor General Perlman* for the United States. *Gerald F. Finley* and *Arnold B. Elkind* for respondent. Reported below: 171 F. 2d 208.

No. 584. FEDERAL COMMUNICATIONS COMMISSION *v.* BROADCASTING SERVICE ORGANIZATION, INC. United States Court of Appeals for the District of Columbia

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Circuit. Certiorari granted. *Solicitor General Perlman* and *Benedict P. Cottone* for petitioner. *Ben S. Fisher*, *John P. Southmayd* and *Walter M. Bastian* for respondent. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 1007.

Certiorari Denied. (See also No. 649 and No. 443, Misc., supra.)

No. 490. EDWARD P. STAHEL & Co., INC. ET AL. v. UNITED STATES; and

No. 623. UNITED STATES v. EDWARD P. STAHEL & Co., INC. ET AL. Court of Claims. Certiorari denied. *William A. Roberts* and *Irene Kennedy* for petitioners in No. 490 and respondents in No. 623. *Solicitor General Perlman*, *Assistant Attorney General Morison* and *Paul A. Sweeney* for the United States, respondent in No. 490; and *Solicitor General Perlman* for the United States, petitioner in No. 623. Reported below: 111 Ct. Cl. 682, 78 F. Supp. 800.

No. 576. STINSON CANNING Co. ET AL. v. UNITED STATES. C. A. 4th Cir. Certiorari denied. *Huger Sinkler* for petitioners. *Solicitor General Perlman*, *Assistant Attorney General Campbell*, *Robert S. Erdahl* and *Harold D. Cohen* for the United States. Reported below: 170 F. 2d 764.

No. 577. McEvoy Company v. KELLEY ET AL., DOING BUSINESS AS BEN F. KELLEY Co. C. A. 5th Cir. Certiorari denied. *Ben Connally* for petitioner. Reported below: 171 F. 2d 837.

No. 586. MARSHALL v. STATE BAR OF CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Edward D. Lyman* for respondent.

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No. 587. CITY OF CRYSTAL LAKE *v.* NATIONAL YEAST CORP. C. A. 7th Cir. Certiorari denied. *Homer D. Dines* for petitioner. *Walter J. Cummings, Jr.* for respondent. Reported below: 170 F. 2d 491.

No. 588. SPEARS *v.* SPEARS ET AL. C. A. 6th Cir. Certiorari denied. *I. H. Spears* for petitioner. Reported below: 171 F. 2d 296.

No. 589. NORTHERN ILLINOIS COAL CORP. *v.* MIDWEST-RADIANT CORP. C. A. 7th Cir. Certiorari denied. *David F. Root* and *Leonard Hoffman* for petitioner. *Henry Driemeyer, Frederick E. Merrills* and *Isaac C. Orr* for respondent. Reported below: 171 F. 2d 635.

No. 611. EAGLESTON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *George T. Davis, Sol A. Abrams* and *Anthony E. O'Brien* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Harold D. Cohen* for the United States. Reported below: 172 F. 2d 194.

No. 612. LEISHMAN *v.* RICHARDS & CONOVER Co. C. A. 10th Cir. Certiorari denied. *John Flam* for petitioner. *Foorman L. Mueller* for respondent. Reported below: 172 F. 2d 365.

No. 615. ADDA *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Hugh Satterlee, Mitchell B. Carroll* and *Rollin Browne* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack, Helen Goodner* and *Irving I. Axelrad* for respondent. Reported below: 171 F. 2d 457.

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No. 616. *RUTLEDGE ET AL. v. UNITED SERVICES LIFE INSURANCE Co.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *P. Bateman Ennis* and *William H. Collins* for petitioners. *Neil Burkinshaw* for respondent. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 27.

No. 632. *NEW ORLEANS SHIPWRECKING CORP. v. SMITH ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Daniel S. Ring*, *Robert S. McDaniel* and *Ralph O. Clare* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Morison* and *Samuel D. Slade* for respondents. Reported below: 84 U. S. App. D. C. —, 172 F. 2d 30.

No. 644. *RUAN TRANSPORT CORP. ET AL. v. CHICAGO, BURLINGTON & QUINCY RAILROAD Co.* C. A. 8th Cir. Certiorari denied. *Rex H. Fowler* for petitioners. *J. C. Pryor* and *Eldon Martin* for respondent. Reported below: 171 F. 2d 781.

No. 562. *ALKER ET AL. v. FEDERAL DEPOSIT INSURANCE CORP.* C. A. 3d Cir. Motion of petitioners to defer consideration denied; certiorari also denied. *Edwin Hall, II*, and *Harry J. Alker, Jr.* for petitioners. *Norris C. Bakke*, *Allen S. Olmsted, 2d* and *John L. Cecil* for respondent. Reported below: See 169 F. 2d 336.

No. 590. *SOUTH CAROLINA PUBLIC SERVICE AUTHORITY v. SECURITIES & EXCHANGE COMMISSION ET AL.*; and

No. 591. *SOUTH CAROLINA PUBLIC SERVICE AUTHORITY v. FEDERAL POWER COMMISSION ET AL.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. MR. JUSTICE DOUG-

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LAS took no part in the consideration or decision of this application. *R. M. Jefferies, Wm. S. Youngman, Jr.* and *Duncan C. Lee* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison, Stanley M. Silverberg, Paul A. Sweeney, Melvin Richter, Bradford Ross, Howard E. Wahrenbrock, Francis R. Bell, Roger S. Foster* and *Harry G. Slater* for the Securities & Exchange Commission and Federal Power Commission; *George Roberts* for the Commonwealth & Southern Corporation; and *W. C. McLain* and *J. B. S. Lyles* for the South Carolina Electric & Gas Co., respondents. Reported below: 170 F. 2d 948.

No. 627. *TILLMAN v. TILLMAN*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Emory B. Smith* for petitioner. *Naomi Wheeler* for respondent. Reported below: 84 U. S. App. D. C. —, 172 F. 2d 270.

No. 350, Misc. *BLAIR v. COEN*. C. A. 7th Cir. Certiorari denied. *Elmer McClain* and *William Lemke* for petitioner. *McCawley Baird* for respondent. Reported below: 170 F. 2d 830.

No. 391, Misc. *COKER v. ILLINOIS CENTRAL RAILROAD Co. ET AL.* Supreme Court of Tennessee. Certiorari denied. *Harold R. Ratcliff* for petitioner. *Marion G. Evans* and *Lovick P. Miles* for respondents.

No. 403, Misc. *FRIES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Robert P. Hobson* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison, Paul A. Sweeney* and *Morton Hollander* for the United States. Reported below: 170 F. 2d 726.

No. 413, Misc. *BIRD v. STATE OF WASHINGTON*. Supreme Court of Washington. Certiorari denied. Peti-

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tioner *pro se*. *E. N. Eisenhower* for respondent. Reported below: 31 Wash. 2d 777, 198 P. 2d 978.

No. 442, Misc. *BONINO v. NEW YORK*. Appellate Division of the Supreme Court of New York. Certiorari denied.

Rehearing Denied.

No. 513. *BURNHAM CHEMICAL Co. v. BORAX CONSOLIDATED, LTD. ET AL.*, 336 U. S. 924. Rehearing denied.

No. 529, 530 and 531. *STANDARD OIL Co. v. SUPERIOR COURT OF DELAWARE IN AND FOR NEW CASTLE COUNTY ET AL.*, 336 U. S. 930. Rehearing denied.

No. 554. *CRIPPEN, TRUSTEE IN BANKRUPTCY, v. CITY OF DALLAS*, 336 U. S. 937. Rehearing denied.

No. 306, Misc., October Term, 1947. *McGOUGH v. UNITED STATES*, 334 U. S. 829. Rehearing denied.

No. 294, Misc. *McINTOSH v. UNITED STATES*, 336 U. S. 926. Rehearing denied.

No. 303, Misc. *DUNKLE v. ILLINOIS*, 336 U. S. 906. Rehearing denied.

No. 315, Misc. *McINTOSH v. PESCOR, WARDEN*, 336 U. S. 926. Rehearing denied.

No. 410, Misc. *BERTRAND v. RAGEN, WARDEN*, 336 U. S. 923. Rehearing denied.

No. 301, Misc. *SHOTKIN v. WESTINGHOUSE ELECTRIC & MANUFACTURING Co. ET AL.*, 336 U. S. 902. Motion for leave to file petition for rehearing denied.

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Miscellaneous Order.

No. 506. UNITED STATES EX REL. JOHNSON *v.* WATKINS, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION. Certiorari, 336 U. S. 924, to the United States Court of Appeals for the Second Circuit. Shaughnessy, Acting District Director of Immigration and Naturalization, substituted as party respondent, per stipulation of counsel, on motion of *Gunther Jacobson* for the petitioner.

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Per Curiam Decisions.

No. 464. CLAYTON MARK & CO. ET AL. *v.* FEDERAL TRADE COMMISSION. Certiorari, 336 U. S. 902, to the United States Court of Appeals for the Seventh Circuit. Argued March 31, 1949. Decided April 25, 1949. *Per Curiam*: The judgment is affirmed by an equally divided Court. MR. JUSTICE JACKSON took no part in the consideration or decision of this case. *Albert R. Connelly* argued the cause for petitioners. With him on the brief were *Thurlow M. Gordon, Edward H. Green, Earl F. Reed, W. Denning Stewart* and *Milton H. Tucker*. *Charles H. Weston* argued the cause for respondent. With him on the brief were *Solicitor General Perlman, Assistant Attorney General Bergson, W. T. Kelley, Robert B. Dawkins* and *Walter B. Wooden*. *Julius Henry Cohen, Burton A. Zorn* and *Edwin P. Kaufman* filed a brief for the Chamber of Commerce of the State of New York, as *amicus curiae*, urging reversal. Reported below: 168 F. 2d 175.

No. 631. ALLEN *v.* ALLEN. Appeal from and on petition for writ of certiorari to the Supreme Court of Oklahoma. *Per Curiam*: The motion for leave to file state-

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ment as to jurisdiction is granted. The appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). The petition for writ of certiorari is denied. *Lynn Adams* and *Robert E. Shelton* for appellant-petitioner. *Tom W. Garrett* for appellee-respondent. Reported below: 201 Okla. —, 201 P. 2d 786.

No. 664. *VERDIER v. SUPERIOR COURT OF CALIFORNIA IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO ET AL.* Appeal from the District Court of Appeal, 1st Appellate District, of California. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. MR. JUSTICE MURPHY took no part in the consideration or decision of this case. *Morgan J. Doyle* and *J. Joseph Sullivan* for appellant. Reported below: 88 Cal. App. 2d 527, 199 P. 2d 325.

No. 669. *BIG SLOUGH DRAINAGE DISTRICT OF SEDGWICK COUNTY ET AL. v. BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY ET AL.* Appeal from the Supreme Court of Kansas. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *J. Wirth Sargent* for appellants. *Charles S. Rhyne* for appellees. Reported below: 166 Kan. 122, 199 P. 2d 530.

No. 690. *SMITH v. CALIFORNIA.* Appeal from the Superior Court in and for the County of Alameda, California. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *George Olshausen* for appellant.

No. 698. *ANDERSON v. MICHIGAN.* Appeal from the Circuit Court of Berrien County, Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Allan R. Rosenberg* for appellant. *Stephen J. Roth*, Attorney

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General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for appellee.

No. 599. MITCHELL ET AL. *v.* WHITE CONSOLIDATED, INC. 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. The judgment of the Court of Appeals dismissing the appeal is vacated and the cause remanded to it to determine, pursuant to Rule 86 (b) of the Rules of Civil Procedure, whether the application of amended Rule 73 (a) to this particular action would work injustice. *Jay E. Darlington* for petitioners.

Miscellaneous Orders.

No. 40. OKLAHOMA TAX COMMISSION *v.* TEXAS COMPANY; and

No. 41. OKLAHOMA TAX COMMISSION *v.* MAGNOLIA PETROLEUM Co. The request of counsel for the respondent in No. 41 to adopt the petition for rehearing in No. 40 is granted. The petition for rehearing is denied. In view of its contents, however, it may be added to what was said in the Court's opinion, 336 U. S. 342, that, as with all other questions of state law involved in the case, see *id.* at n. 44, insofar as the law of Oklahoma may permit the application of its taxing statutes only prospectively, nothing in this Court's opinion or decision forbids the Supreme Court of Oklahoma to apply that law to the taxes involved in this case. Cf. *Great Northern R. Co. v. Sunburst Co.*, 287 U. S. 358, 364.

No. —, Original. UNITED STATES *v.* LOUISIANA; and

No. —, Original. UNITED STATES *v.* TEXAS. Motion of Annie C. and Agnes E. Lewis for leave to intervene denied.

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No. 4, Misc. LANG *v.* WALSH, SHERIFF. The petition for writ of certiorari to the Supreme Court of Illinois is dismissed on motion of counsel for the petitioner. *Wm. Scott Stewart* for petitioner.

No. 448, Misc. RASH *v.* HOWARD, WARDEN; and

No. 474, Misc. TOUCHE *v.* LAINSON, WARDEN. The motions for leave to file petitions for writs of habeas corpus are denied.

Certiorari Granted. (See also No. 599, *supra.*)

No. 575. SECRETARY OF AGRICULTURE *v.* CENTRAL ROIG REFINING CO. ET AL.; and

No. 580. PORTO RICAN AMERICAN SUGAR REFINERY, INC. *v.* CENTRAL ROIG REFINING CO. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Perlman* for petitioner in No. 575. *Orlando J. Antonsanti, Arthur L. Quinn* and *Gordon P. Peyton* for petitioner in No. 580. *Frederic P. Lee* and *Noel T. Dowling* for the Central Roig Refining Co. et al.; *Howard C. Westwood* and *Donald Hiss* for the American Sugar Refining Co. et al.; and *Thurman Arnold* and *Walton Hamilton* for the Government of Puerto Rico, respondents. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 1016.

No. 585. GOVERNMENT OF PUERTO RICO *v.* SECRETARY OF AGRICULTURE ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Thurman Arnold* and *Walton Hamilton* for petitioner. *Frederic P. Lee* and *Noel T. Dowling* for the Central Roig Refining Co. et al.; and *Howard C. Westwood* and *Donald Hiss* for the American Sugar Refining Co. et al., respondents. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 1016.

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No. 617. UNITED STATES *v.* AETNA CASUALTY & SURETY Co. C. A. 2d Cir. Certiorari granted. *Solicitor General Perlman* for the United States. *William A. Hyman* for respondent. Reported below: 170 F. 2d 469.

No. 618. UNITED STATES *v.* WORLD FIRE & MARINE INSURANCE Co. C. A. 10th Cir. Certiorari granted. *Solicitor General Perlman* for the United States. *Pearce C. Rodey* for respondent.

No. 619. UNITED STATES *v.* YORKSHIRE INSURANCE Co.; and

No. 620. UNITED STATES *v.* HOME INSURANCE Co. C. A. 3d Cir. Certiorari granted. *Solicitor General Perlman* for the United States. Reported below: 171 F. 2d 374.

Certiorari Denied. (See also No. 631, *supra.*)

No. 435. INLAND STEEL Co. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 7th Cir. Certiorari denied. *Ernest S. Ballard* for petitioner. *Solicitor General Perlman, David P. Findling, Ruth Weyand* and *Marcel Mallet-Prevost* for the National Labor Relations Board, respondent. Reported below: 170 F. 2d 247.

No. 594. ROETT *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Frederic M. P. Pearse* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Harold D. Cohen* for the United States. Reported below: 172 F. 2d 379.

No. 597. SHEPARD NILES CRANE & HOIST CORP. *v.* McCOMB, WAGE & HOUR ADMINISTRATOR. C. A. 2d Cir. Certiorari denied. *James L. Burke* for petitioner. *Solicitor General Perlman, William S. Tyson* and *Bessie Margolin* for respondent. Reported below: 171 F. 2d 69.

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No. 602. UNITED STATES *v.* DADDONA. C. A. 2d Cir. Certiorari denied. *Solicitor General Perlman* for the United States. *Francis B. Feeley* and *Stephen K. Elliott* for respondent. Reported below: 170 F. 2d 964.

No. 608. CAPITAL AIRLINES, INC. *v.* CIVIL AERONAUTICS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles H. Murchison* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Bergson*, *Charles H. Weston*, *Emory T. Nunneley, Jr.* and *Warren L. Sharfman* for respondent. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 339.

No. 635. WEST VIRGINIA NORTHERN RAILROAD CO. *v.* RILEY, ADMINISTRATRIX. Supreme Court of Appeals of West Virginia. Certiorari denied. *Harry H. Byrer* and *F. E. Parrack* for petitioner. Reported below: — W. Va. —, 51 S. E. 2d 119.

No. 636. WEST VIRGINIA NORTHERN RAILROAD CO. *v.* PRITT. Supreme Court of Appeals of West Virginia. Certiorari denied. *Harry H. Byrer* and *F. E. Parrack* for petitioner. Reported below: — W. Va. —, 51 S. E. 2d 105.

No. 637. STUEBER ET AL. *v.* ADMIRAL CORPORATION. C. A. 7th Cir. Certiorari denied. *Julius L. Sherwin* and *Theodore R. Sherwin* for petitioners. *Francis H. Uriell* for respondent. Reported below: 171 F. 2d 777.

No. 639. ESTATE OF FULLER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *Warren W. Grimes* and *Earl Whittier Shinn* for petitioners. *Solicitor General Perlman*, *Assistant Attorney General Caudle*, *Ellis N. Slack* and *S. Walter Shine* for respondent. Reported below: 171 F. 2d 704.

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No. 645. UNIVERSAL ATLAS CEMENT CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *A. Chauncey Newlin* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack and Morton K. Rothschild* for respondent. Reported below: 171 F. 2d 294.

No. 658. COHN *v.* COHN ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Warren E. Miller and David S. Allshouse* for petitioner. *John J. Courtney* for respondents. *Solicitor General Perlman* filed a memorandum for the United States, respondent, asserting that the Government takes no position as to whether the writ of certiorari should issue. Reported below: 84 U. S. App. D. C. —, 171 F. 2d 828.

No. 661. ATWELL BUILDING CORP. *v.* SOUND, INC. ET AL. C. A. 7th Cir. Certiorari denied. *Vincent O'Brien* for petitioner. *John A. Bussian* for respondents. Reported below: 171 F. 2d 253.

No. 665. HILL *v.* TERMINAL RAILROAD ASSOCIATION. Supreme Court of Missouri. Certiorari denied. *Edward F. Prichard, Jr. and Roberts P. Elam* for petitioner. *Warner Fuller and Arnot L. Sheppard* for respondent. Reported below: 358 Mo. 597, 216 S. W. 2d 487.

No. 473, Misc. SMITH *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 475, Misc. SMITH *v.* HUDSPETH, WARDEN. Supreme Court of Kansas. Certiorari denied.

No. 481, Misc. ROSS *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

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Rehearing Denied. (See also Nos. 40 and 41, *supra.*)

No. 262, Misc. MCGREGOR *v.* RAGEN, WARDEN, 336 U. S. 939. Rehearing denied.

No. 306, Misc. BINKLEY *v.* HUNTER, WARDEN, 336 U. S. 926. Motion for leave to file petition for rehearing denied.

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Per Curiam Decisions.

No. 567. STEMMER *v.* NEW YORK; and

No. 568. KRAKOWER *v.* NEW YORK. Certiorari, 336 U. S. 943, to the Court of Appeals of New York. Argued April 22, 25, 1949. Decided May 2, 1949. *Per Curiam*: The judgment is affirmed by an equally divided Court. MR. JUSTICE JACKSON took no part in the consideration or decision of these cases. *Osmond K. Fraenkel* argued the cause for petitioner in No. 567. With him on the brief were *Arthur Garfield Hays* and *Sidney Struble*. *Harry G. Anderson* argued the cause for petitioner in No. 568. With him on the brief was *Harris B. Steinberg*. *Whitman Knapp* argued the cause for respondent. With him on the brief were *Frank S. Hogan* and *Charles W. Manning*. Reported below: 298 N. Y. 728, 83 N. E. 2d 141.

No. 728. MIDWEST HAULERS, INC. ET AL. *v.* GLANDER, TAX COMMISSIONER. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and 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. *Arthur M. Sebastian* for appellants. *Herbert S. Duffy*, Attorney General of Ohio, and *W. H. Annat*, Assistant Attorney General, for appellee. Reported below: 150 Ohio St. 402, 83 N. E. 2d 53.

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Miscellaneous Orders.

No. 579. HAYNES *v.* SOUTHERN RAILWAY SYSTEM ET AL. The motion to correct the record by changing the name of respondent, now set forth as Southern Railway System, to read Cincinnati, New Orleans & Texas Pacific Railway Company, is granted.

No. 452, Misc. *IN RE MUHLBAUER*.^{*} Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. THE CHIEF JUSTICE, MR. JUSTICE REED, MR. JUSTICE FRANKFURTER, and MR. JUSTICE BURTON are of

^{*}Together with No. 455, Misc., *In re List*; No. 456, Misc., *In re Rendulic*; No. 457, Misc., *In re Kuntze*; No. 458, Misc., *In re Felmy*; No. 459, Misc., *In re Lanz*; No. 460, Misc., *In re Dehner*; No. 461, Misc., *In re Leyser*; No. 462, Misc., *In re Speidel*; No. 463, Misc., *In re Von Ammon*; No. 464, Misc., *In re Joel*; No. 465, Misc., *In re Klemm*; No. 466, Misc., *In re Lautz*; No. 467, Misc., *In re Mettgenberg*; No. 468, Misc., *In re Oeschey*; No. 469, Misc., *In re Rothaug*; No. 470, Misc., *In re Rothenberger*; No. 471, Misc., *In re Schlegelberger*; No. 493, Misc., *In re Bobermin*; No. 494, Misc., *In re Eirenschmalz*; No. 495, Misc., *In re Frank*; No. 496, Misc., *In re Fanslau*; No. 497, Misc., *In re Hohberg*; No. 498, Misc., *In re Loerner*; No. 499, Misc., *In re Loerner*; No. 500, Misc., *In re Mummenthey*; No. 501, Misc., *In re Pohl*; No. 502, Misc., *In re Sommer*; No. 503, Misc., *In re Volk*; No. 504, Misc., *In re Hohberg*; No. 505, Misc., *In re Pook*; No. 506, Misc., *In re Sommer*; No. 507, Misc., *In re Pohl et al.*; No. 508, Misc., *In re Brueckner*; No. 509, Misc., *In re Creutz*; No. 510, Misc., *In re Hofmann*; No. 511, Misc., *In re Huebner*; No. 512, Misc., *In re Lorenz*; No. 513, Misc., *In re Schwalm*; No. 514, Misc., *In re Biberstein*; No. 515, Misc., *In re Blobel*; No. 516, Misc., *In re Blume*; No. 517, Misc., *In re Braune*; No. 518, Misc., *In re Haensch*; No. 519, Misc., *In re Jost*; No. 520, Misc., *In re Klingelhoefner*; No. 521, Misc., *In re Naumann*; No. 522, Misc., *In re Seibert*; No. 523, Misc., *In re Schubert*; No. 524, Misc., *In re Steimle*; No. 525, Misc., *In re Strauch*; No. 526, Misc., *In re Von Radetzky*; No. 527, Misc., *In re Six*; No. 528, Misc., *In re Ott*; No. 529, Misc., *In re Ohlendorf*; No. 530, Misc., *In re Sandberger*; No. 531, Misc., *In re Von Radetzky*; and No. 532, Misc., *In re Hoth*.

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the opinion that there is want of jurisdiction. U. S. Constitution, Article III, § 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948); *Everett v. Truman*, 334 U. S. 824 (1948). MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, and MR. JUSTICE RUTLEDGE are of the opinion that argument should be heard on the motions for leave to file the petitions in order to settle what remedy, if any, the petitioners have. MR. JUSTICE JACKSON took no part in the consideration or decision of these applications.

No. 534, Misc. *WILSON v. OKLAHOMA*; and

No. 541, Misc. *FRTZ v. BURKE, WARDEN*. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 483, Misc. *PHILLIPS v. RAGEN, WARDEN*. The motion for leave to file petition for writ of certiorari is denied.

Certiorari Granted. (See also No. 640, ante, p. 804.)

No. 624. *UNITED STATES v. TORONTO, HAMILTON & BUFFALO NAVIGATION Co.* Court of Claims. Certiorari granted. *Solicitor General Perlman* for the United States. *C. Austin White* and *Frederick L. Wheeler* for respondent. Reported below: 112 Ct. Cl. 240, 81 F. Supp. 237.

No. 652. *BROWN v. WESTERN RAILWAY OF ALABAMA*. Court of Appeals of Georgia. Certiorari granted. *Thomas J. Lewis* for petitioner. *Arthur Heyman* and *Hugh Howell, Sr.* for respondent. Reported below: See 77 Ga. App. 780, 49 S. E. 2d 833.

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No. 668. UNITED STATES *v.* BENEDICT ET AL., TRUSTEES, ET AL. Court of Claims. Certiorari granted. *Solicitor General Perlman* for the United States. Reported below: 112 Ct. Cl. 550, 81 F. Supp. 717.

No. 733. UNITED STATES EX REL. KNAUFF *v.* WATKINS, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION. C. A. 2d Cir. Certiorari granted. *Gunther Jacobson* for petitioner. Reported below: 173 F. 2d 599.

No. 265, Misc. SMITH *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari granted. Petitioner *pro se.* *Ivan A. Elliott*, Attorney General of Illinois, *William C. Wines*, *James C. Murray* and *Raymond S. Sarnow*, Assistant Attorneys General, for respondent.

No. 408, Misc. HUGHES ET AL. *v.* SUPERIOR COURT OF CALIFORNIA IN AND FOR THE COUNTY OF CONTRA COSTA. Supreme Court of California. Certiorari granted. *Bert-ram Edises* for petitioners. *W. H. Orrick* for respondent. *Arthur J. Goldberg* and *Thomas E. Harris* filed a brief for the Congress of Industrial Organizations, as *amicus curiae*, urging reversal. Reported below: 32 Cal. 2d 850, 198 P. 2d 885.

Certiorari Denied.

No. 600. ARONSTAM *v.* NEW YORK CENTRAL RAILROAD CO. ET AL.; and

No. 601. EPPLER & CO. *v.* NEW YORK CENTRAL RAILROAD CO. ET AL. United States District Court for the Southern District of New York. Certiorari denied. *Charles S. Aronstam*, *Arthur A. Ballantine* and *John M. Harlan* for petitioner in No. 600. *George W. Jaques* for petitioner in No. 601. *Gerald E. Dwyer* and *Samuel H. Hellenbrand* for the New York Central Railroad Co. et

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al.; and *Peter Keber* for the Peoria & Eastern Railway Co., respondents.

No. 605. *ANDEREGG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Robert Lewis Young* for petitioner. *Solicitor General Perlman, Assistant Attorney General Vanech, Roger P. Marquis and John C. Harrington* for the United States. Reported below: 171 F. 2d 127.

No. 634. *DOLL v. MEYER*. Supreme Court of Louisiana. Certiorari denied. *Delvaille H. Theard* for petitioner. Reported below: 214 La. 444, 38 So. 2d 69.

No. 638. *CHESAPEAKE & OHIO RAILWAY CO. v. MORRIS*. C. A. 7th Cir. Certiorari denied. *Albert H. Cole* for petitioner. *H. K. Cuthbertson* for respondent. Reported below: 171 F. 2d 579.

No. 642. *PHILLIPS ET AL. v. SAUNDERS ET AL.* Court of Appeals of Maryland. Certiorari denied. *Wilson K. Barnes* for petitioners. *Charles H. Houston* for respondents. Reported below: — Md. —, 62 A. 2d 602.

No. 647. *MOMAND v. UNIVERSAL FILM EXCHANGES, INC. ET AL.* C. A. 1st Cir. Certiorari denied. *George S. Ryan* for petitioner. *Jacob J. Kaplan* for respondents. Reported below: 172 F. 2d 37.

No. 651. *MARYLAND CASUALTY CO. v. TOUPS ET AL.* C. A. 5th Cir. Certiorari denied. *Roszel C. Thomsen* for petitioner. *Quentin Keith* for respondents. Reported below: 172 F. 2d 542.

No. 657. *NEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *E. Chas. Eichenbaum* for petitioner. *Solicitor General Perlman, Assistant Attorney General*

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Caudle, Ellis N. Slack and S. Walter Shine for the United States. Reported below: 171 F. 2d 449.

No. 660. *SPANEL v. BERKMAN ET AL.* C. A. 7th Cir. Certiorari denied. *Max Swiren* for petitioner. *Francis L. Daily* for respondents. Reported below: 171 F. 2d 513.

No. 666. *BROOKLYN & RICHMOND FERRY CO., INC. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *A. Chauncey Newlin* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack and Irving I. Axelrad* for respondent. Reported below: 171 F. 2d 616.

No. 684. *WOLFE ET AL. v. PHILLIPS ET AL.* C. A. 10th Cir. Certiorari denied. *James W. Bounds* for petitioners. *Jack T. Conn* for respondents. Reported below: 172 F. 2d 481.

No. 598. *HENRY v. HODGES, COMMANDING GENERAL.* C. A. 2d Cir. Smith substituted for Hodges as the party respondent herein. Certiorari denied. *Robert N. Gorman* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Philip R. Monahan.* Reported below: 171 F. 2d 401.

No. 607. *BECKER v. WEBSTER, COMMANDING OFFICER.* C. A. 2d Cir. Certiorari denied. *Edward A. Lipton* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Philip R. Monahan* for respondent. Reported below: 171 F. 2d 762.

No. 646. *CRAWFORD v. RAGEN, WARDEN.* Supreme Court of Illinois. Certiorari denied. Reported below: 401 Ill. 419, 82 N. E. 2d 457.

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No. 653. *BROWN v. HUNTER, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. *Howard F. McCue* for petitioner. Reported below: 172 F. 2d 487.

No. 707. *CORRELL v. NORTH CAROLINA.* Supreme Court of North Carolina. Certiorari denied. *Raymond Kyle Hayes* for petitioner. *Harry McMullan*, Attorney General of North Carolina, and *T. W. Bruton*, Assistant Attorney General, for respondent. Reported below: 229 N. C. 640, 50 S. E. 2d 717.

No. 30, Misc. *ILLINOIS EX REL. MARINO v. RAGEN, WARDEN.* Circuit Court of Winnebago County, Illinois. Certiorari denied. MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, and MR. JUSTICE RUTLEDGE are of the opinion certiorari should be granted. *Wm. Scott Stewart* for petitioner.

No. 276, Misc. *McLAREN v. NIERSTHEIMER, WARDEN.* Criminal Court of Cook County, Illinois. Certiorari denied. Petitioner *pro se.* *Ivan A. Elliott*, Attorney General of Illinois, *William C. Wines*, *James C. Murray* and *Raymond S. Sarnow*, Assistant Attorneys General, for respondent.

No. 304, Misc. *McLAREN v. NIERSTHEIMER, WARDEN.* Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 439, Misc. *WEBER v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 401 Ill. 584, 83 N. E. 2d 297.

No. 472, Misc. *MACKENNA v. NEW YORK.* Court of Appeals of New York. Certiorari denied. Petitioner

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pro se. *Frank S. Hogan and Whitman Knapp* for respondent. Reported below: 298 N. Y. 494, 84 N. E. 2d 795.

No. 488, Misc. *TABET ET AL. v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 402 Ill. 93, 83 N. E. 2d 329.

No. 539, Misc. *WILSON v. HINMAN ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 172 F. 2d 914.

No. 543, Misc. *BARDELL v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 402 Ill. 93, 83 N. E. 2d 329.

No. 544, Misc. *WRONA v. RAGEN, WARDEN.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 548, Misc. *FOREMAN v. RAGEN, WARDEN.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 549, Misc. *BONGIORNO v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 588, Misc. *BECKMAN v. BARRETT, SUPERINTENDENT OF POLICE.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James J. Laughlin* for petitioner. Reported below: 84 U. S. App. D. C. —, 174 F. 2d 158.

Rehearing Denied.

Nos. 14 and 15. *INTERNATIONAL UNION, U. A. W. A., A. F. OF L., LOCAL 232, ET AL. v. WISCONSIN EMPLOYMENT RELATIONS BOARD ET AL.,* 336 U. S. 245. Rehearing denied.

No. 557. *LAGEMANN v. LAGEMANN,* 336 U. S. 932. Rehearing denied.

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No. 510. INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION (CIO) ET AL. *v.* WIRTZ, CIRCUIT COURT JUDGE, ET AL., 336 U. S. 919. Rehearing denied.

No. 643. BUNN *v.* NORTH CAROLINA, 336 U. S. 942. Rehearing denied.

No. 360, Misc. STEELE *v.* JACKSON, WARDEN, 336 U. S. 939. Rehearing denied.

No. 218, Misc. CURTIS *v.* HUMPHREY, WARDEN, 336 U. S. 941. Second petition for rehearing denied.

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Miscellaneous Orders.

No. 733. UNITED STATES EX REL. KNAUFF *v.* WATKINS, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION. Shaughnessy, Acting District Director, substituted as the party respondent.

No. 597, Misc. IN RE FEDERAL SECURITY ADMINISTRATOR AND THE ATTORNEY GENERAL OF THE UNITED STATES. The motion for leave to file petition for writs of prohibition and/or mandamus is granted. A rule is ordered to issue, returnable on Monday, May 16th, requiring the respondents to show cause why the petition for writs of prohibition and/or mandamus should not be granted and the cause is assigned for argument on that day. The motion of Mytinger & Casselberry, Inc. for leave to intervene is granted. *Solicitor General Perlman* for petitioner. *Charles S. Rhyne* for intervenor.

No. 379, Misc. IN RE BUSH. Motion for leave to file petition for writ of habeas corpus denied without prejudice to the right to apply to any appropriate court that may have jurisdiction. *Curtis Bush* and *A. G. Bush* for petitioner.

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Certiorari Denied.

No. 628. COMMERCE COMPANY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Ben Connally* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack and Lee A. Jackson* for the United States. *William A. Sutherland* filed a brief, as *amicus curiae*, supporting the petition. Reported below: 171 F. 2d 189.

No. 676. BAILEY ET AL. *v.* PROCTOR ET AL., RECEIVERS. C. A. 1st Cir. Certiorari denied. *Jesse Climenko* and *George Trosk* for petitioners. *Edward O. Proctor* for Proctor et al.; and *William B. Sleigh, Jr.* for Putnam, Bell, Dutch & Santry, respondents. Reported below: 171 F. 2d 980.

No. 677. WEISSMAN, DOING BUSINESS AS FRED P. WEISSMAN CO., ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Richard C. Stoll* for petitioners. *Solicitor General Perlman, Robert N. Denham, David P. Findling, Ruth Weyand and William W. Kapell* for respondent. Reported below: 170 F. 2d 952.

No. 678. FRED P. WEISSMAN CO. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Richard C. Stoll* for petitioner. *Solicitor General Perlman, Robert N. Denham, David P. Findling, Ruth Weyand and William W. Kapell* for respondent. Reported below: 170 F. 2d 952.

No. 739. DOAK ET AL. *v.* FEDERAL LAND BANK OF BALTIMORE. C. A. 4th Cir. Certiorari denied.