

DECISIONS PER CURIAM AND ORDERS FROM  
MAY 16 THROUGH JUNE 27, 1949.

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MAY 16, 1949.

*Per Curiam Decisions.*

No. 670. SECURITIES & EXCHANGE COMMISSION *v.* PHILADELPHIA COMPANY. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court with directions to dismiss the petition for review as moot, on joint motion for the parties. *Solicitor General Perlman* and *Roger S. Foster* for petitioner. *Thomas J. Munsch, Jr.* for respondent. Reported below: 84 U. S. App. D. C. 73, 175 F. 2d 808.

No. 679. KENNEDY *v.* WALKER, WARDEN. Appeal from the Supreme Court of Errors of Connecticut. *Per Curiam*: The judgment is affirmed. *Hurtado v. California*, 110 U. S. 516; *Adamson v. California*, 332 U. S. 46. MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, and MR. JUSTICE RUTLEDGE dissent. *Clayton L. Klein* for appellant. Reported below: 135 Conn. 262, 63 A. 2d 589.

No. 584. FEDERAL COMMUNICATIONS COMMISSION *v.* BROADCASTING SERVICE ORGANIZATION, INC. Certiorari, 336 U. S. 950, to the United States Court of Appeals for the District of Columbia Circuit. Argued May 9, 1949. Decided May 16, 1949. *Per Curiam*: The judgment is reversed. *Federal Communications Comm'n v. WOKO*, 329 U. S. 223. *Solicitor General Perlman* argued the cause

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for petitioner. With him on the brief were *Benedict P. Cottone*, *Max Goldman* and *Richard A. Solomon*. *Walter M. Bastian* argued the cause for respondent. With him on the brief were *Ben S. Fisher* and *John P. Southmayd*. Reported below: 84 U. S. App. D. C. 152, 171 F. 2d 1007.

No. 597, Misc. IN RE FEDERAL SECURITY ADMINISTRATOR AND THE ATTORNEY GENERAL OF THE UNITED STATES. On petition for writs of prohibition and/or mandamus. Argued and decided May 16, 1949. *Per Curiam*: The rule to show cause is discharged and the petition for writs of prohibition and/or mandamus is denied. MR. JUSTICE DOUGLAS dissents. *Robert L. Stern* argued the cause for petitioners, and *Solicitor General Perlman* was on the petition. *Walter M. Bastian* argued the cause and was on the return to the rule to show cause for Clark, Associate Judge, et al., respondents. *Charles S. Rhyne* argued the cause and was on the answer for Mytinger & Casselberry, Inc., intervenor.

#### *Miscellaneous Orders.*

No. 13, Original. UNITED STATES *v.* LOUISIANA; and  
No. 14, Original. UNITED STATES *v.* TEXAS. On motions for leave to file complaints. Argued May 9, 1949. Decided May 16, 1949. The motions for leave to file complaints are granted and process is ordered to issue returnable on or before September 1, next. MR. JUSTICE JACKSON took no part in the consideration or decision of these applications. *Solicitor General Perlman* argued the cause for the United States, plaintiff. With him on the brief were *Attorney General Clark*, *Assistant Attorney General Vanech*, *Arnold Raum*, *Robert E. Mulrony* and *Robert M. Vaughan*. *L. H. Perez* and *F. Trowbridge vom Baur* argued the cause for the defendant in No. 13. With them on the brief were *Bolivar E. Kemp, Jr.*, Attorney General of Louisiana, and *John L. Madden*, As-

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sistant Attorney General. *Price Daniel*, Attorney General of Texas, argued the cause for the defendant in No. 14. With him on the brief were *J. Chrys Dougherty* and *Jesse P. Luton, Jr.*, Assistant Attorneys General.

No. 692. *CASELL v. TEXAS*. Certiorari, 336 U. S. 943, to the Court of Criminal Appeals of Texas. It is ordered that *Chris Dixie, Esq.*, of Houston, Texas, be appointed to serve as counsel for the petitioner in this case.

No. 760. *SMITH v. RAGEN, WARDEN*. Certiorari, 336 U. S. 966, to the Circuit Court of Will County, Illinois. It is ordered that *Herbert A. Friedlich, Esq.*, of Chicago, Illinois, be appointed to serve as counsel for the petitioner in this case.

No. 449, Misc. *MERRILL v. SMITH, SUPERINTENDENT*;  
No. 536, Misc. *SWAIN v. DUFFY, WARDEN*;  
No. 538, Misc. *CANADA v. JONES, WARDEN*;  
No. 545, Misc. *MORSE v. LAINSON, WARDEN*;  
No. 556, Misc. *FREDERICKSEN v. JONES, WARDEN*; and  
No. 579, Misc. *WILLIAMS v. OVERHOLSER, SUPERINTENDENT*. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 437, Misc. *TATE v. CALIFORNIA*. Motion for leave to file petition for writ of certiorari denied.

No. 453, Misc. *SCHUMAN v. CALIFORNIA*; and  
No. 487, Misc. *IN RE STINSON*. Applications denied.

No. 551, Misc. *HOLLOWAY v. CLARK, ATTORNEY GENERAL, ET AL.* Motion for leave to file petition for writ of mandamus denied.

No. 610, Misc. *IN RE ELECTRIC POWER & LIGHT CORP. ET AL.* The petitions for a stay are denied. MR. JUSTICE

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REED, MR. JUSTICE DOUGLAS, and MR. JUSTICE JACKSON took no part in the consideration or decision of these applications. *Samuel Becker* and *Nathan B. Kogan* for certain committees for common stockholders of the Electric Power & Light Corp., petitioners. Memoranda opposing the petitions were filed by *Solicitor General Perlman* and *Roger S. Foster* for the Securities & Exchange Commission; *Daniel James* for the Electric Power & Light Corp.; *John F. MacLane* for the Electric Bond & Share Co.; and *Percival E. Jackson* for a certain preferred stock committee, respondents.

MR. JUSTICE FRANKFURTER, with whom MR. JUSTICE MURPHY joins, dissenting.

This is a motion to stay the execution of a plan of dissolution of Electric Power & Light Corporation as ordered by the Securities and Exchange Commission under § 11 (b) of the Public Utility Act of 1935. The Commission brought proceedings to enforce its order before the United States District Court for the Southern District of New York and that court, having found the plan "fair and equitable," ordered its enforcement. That court also denied motions for a stay of the execution of the plan. The petitioners took appeals from the order of enforcement to the Court of Appeals for the Second Circuit and asked for a stay of the execution of the plan pending appeal. It is conceded that such appeals would become nugatory if before their disposition the plan be executed. The Commission, naturally enough therefore, in its memorandum in opposition to the motions for stay before this Court, indicates that whether the requested stay should be granted or withheld turns on "the merit or lack of merit in the appeals."

But the merits of the appeals before the Court of Appeals should be determined by that court and not here. If, on the motions for stay, that court had concluded that

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the appeals were frivolous, the motions for stay would fall with the dismissal of the appeals. But the Court of Appeals has not found the appeals frivolous. On the contrary, when the motions for stay came before the Court of Appeals it suggested that the appeals be expedited by setting them for argument on the merits on a "typewritten record and briefs." The Commission and the other parties now opposing these motions resisted that suggestion "because of the serious consequences of delay . . . and the absence of any issues of substance." The Court of Appeals took the matter under advisement and thereafter denied the stay but still did not find the appeals frivolous and as such dismiss them. On the contrary, it indicated that if the appellants wished the court would set the appeals for an early hearing.

Even though Congress gives an appeal as a matter of right in a defined class of cases, a Court of Appeals may find that an appeal is wholly without merit and an abusive attempt to invoke its jurisdiction, just as this Court may dismiss an appeal for want of substantiality although on the surface a case may fall in the category of controversies for which Congress has conferred an appeal as of right. Inasmuch as the Court of Appeals here has not found the appeals so lacking in merit as to call for their dismissal, but on the contrary is continuing to entertain the appeals, I cannot bring myself to agree that the right of appeal which Congress has conferred upon appellants is to be denied by rendering it wholly ineffectual. This Court ought not to be called upon in the first instance to determine whether an appeal is without substance when the Court of Appeals has refused to do so, when it is that court and not this Court to which the appeal lies.

I am duly mindful of the considerations that are urged as to the consequences of further delay. But I should think that a court of equity is not without resources to devise means for avoiding unjust enrichment by the ap-

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pellants should the appeals ultimately go against them. In any event, if the appeals are without substance and should therefore be dismissed as frivolous, that conclusion ought to be capable of being summarily determined by the Court of Appeals without further delay. The disposition this Court is making of these motions is a shortcut that seems to me to disregard the relevant considerations for the exercise of appellate jurisdiction.

*Certiorari Granted.* (See also No. 500, ante, p. 38, and No. 670, supra.)

No. 583. REILLY, POSTMASTER, *v.* PINKUS, TRADING AS AMERICAN HEALTH AIDS CO., ALSO KNOWN AS ENERGY FOOD CENTER. C. A. 3d Cir. *Certiorari* granted. *Solicitor General Perlman* for petitioner. *Bernard G. Segal* and *Irving R. Segal* for respondent. Reported below: 170 F. 2d 786.

*Certiorari Denied.* (See also No. 437, Misc., supra.)

No. 561. BROADHURST *v.* OREGON. Supreme Court of Oregon. *Certiorari* denied. *W. H. Langroise* for petitioner. Reported below: 184 Ore. 178, 196 P. 2d 407.

No. 592. HOWELL *v.* UNITED STATES. C. A. 4th Cir. *Certiorari* denied. *J. Raymond Gordon* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Campbell* and *Robert S. Erdahl* for the United States. Reported below: 172 F. 2d 213.

No. 625. UNITED STATES *v.* FAUBER, ADMINISTRATRIX. Court of Claims. *Certiorari* denied. *Solicitor General Perlman* for the United States. *Arlon V. Cushman*, *John J. Darby*, *William M. Cushman* and *C. Willard Hayes* for respondent. Reported below: 112 Ct. Cl. 302, 81 F. Supp. 218.

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No. 673. SCOCOZZA ET AL. *v.* ERIE RAILROAD CO. C. A. 2d Cir. Certiorari denied. *William J. Dempsey* for petitioners. *Theodore Kiendl, Edward J. McGratty, Jr.* and *Cleveland C. Cory* for respondent. Reported below: 171 F.2d 745.

No. 681. SHAW *v.* DREYFUS ET AL. C. A. 2d Cir. Certiorari denied. *Morris J. Levy* for petitioner. *John A. Wilson* for respondents. Reported below: 172 F. 2d 140.

No. 682. MATHER & CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *Frederick H. Spotts, Thomas Stokes* and *George Wharton Pepper* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack, Lee A. Jackson* and *S. Walter Shine* for respondent. Reported below: 171 F.2d 864.

No. 683. HARTMANN *v.* AMERICAN NEWS CO. C. A. 7th Cir. Certiorari denied. *Alfred A. Albert* for petitioner. *William D. Whitney* for respondent. Reported below: 171 F. 2d 581.

No. 686. DUNNELL *v.* SAFEWAY STORES, INC. C. A. 9th Cir. Certiorari denied. *Emory L. Groff* for petitioner. *George Herrington* for respondent. Reported below: 172 F. 2d 649.

Nos. 687 and 688. METROPOLITAN TRUST CO. *v.* MUTER COMPANY ET AL. C. A. 7th Cir. Certiorari denied. *Thomas D. Nash* for petitioner. *Thomas Dodd Healy* and *A. Bradley Eben* for respondents. Reported below: 171 F. 2d 380.

No. 702. HARBOR TOWING CORP. *v.* PARKER ET AL. C. A. 4th Cir. Certiorari denied. *John H. Skeen* for

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petitioner. *George W. P. Whip* for Parker, respondent. Reported below: 171 F. 2d 416.

No. 714. UPDIKE ET AL., DOING BUSINESS AS UPDIKE AWNING Co., v. WEST ET AL. C. A. 10th Cir. Certiorari denied. *Glenn O. Young* for petitioners. *Frank Settle* and *E. O. Monnet* for West et al., respondents. Reported below: 172 F. 2d 663.

No. 741. REPUBLIC OF THE UNITED STATES OF BRAZIL, TRADING AS LLOYD BRASILEIRO, v. GENERAL FOODS CORP. C. A. 2d Cir. Certiorari denied. *Frank J. McConnell* for petitioner. *Henry N. Longley* and *John W. R. Zisgen* for respondent. Reported below: 172 F. 2d 131.

Nos. 526 and 527. SIOUX TRIBE OF INDIANS v. UNITED STATES. Court of Claims. Certiorari denied. *Ralph H. Case* and *James S. Y. Ivins* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Vanech* and *John R. Benney* for the United States. Reported below: 112 Ct. Cl. 39, 50, 78 F. Supp. 787, 793.

No. 648. DEWAR v. HUNTER, WARDEN. C. A. 10th Cir. Certiorari denied. *Howard F. McCue* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Campbell*, *Robert S. Erdahl* and *Philip R. Monahan* for respondent. Reported below: 170 F. 2d 993.

No. 432, Misc. LOUGHRAN v. MARYLAND. Court of Appeals of Maryland. Certiorari denied. *Joseph Kadans* for petitioner. Reported below: — Md. —, 64 A. 2d 712.

No. 436, Misc. CULVER ET AL. v. CARTER OIL CO. ET AL. C. A. 6th Cir. Certiorari denied. *Thaddeus Greene Ben-*

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*ton* and *William J. Hughes, Jr.* for petitioners. *William M. Acton* for respondents. Reported below: 170 F. 2d 147.

No. 454, Misc. *MARTINEZ v. CALIFORNIA*. District Court of Appeal, First Appellate District, of California. Certiorari denied. *Elizabeth Cassidy* for petitioner. Reported below: 88 Cal. App. 2d 767, 199 P. 2d 375.

No. 480, Misc. *AGNEW v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 490, Misc. *COYLE v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 537, Misc. *COUTURE v. SMITH, SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

No. 550, Misc. *MORANT v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 554, Misc. *FRANKLIN v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 560, Misc. *WAKAT v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 565, Misc. *TWITTY v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 566, Misc. *CROWLEY v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

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No. 567, Misc. REEVES *v.* RAGEN, WARDEN. Circuit Court of Iroquois County, Illinois. Certiorari denied.

No. 568, Misc. SCOTT *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 569, Misc. MICHAEL *v.* RAGEN, WARDEN. Criminal Court of Cook County and Supreme Court of Illinois. Certiorari denied.

No. 571, Misc. LUTZ *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 171 F. 2d 788.

No. 572, Misc. TERRY *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 573, Misc. GAMBONY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 402 Ill. 74, 83 N. E. 2d 321.

No. 575, Misc. DZAN *v.* RAGEN, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 577, Misc. HAMILTON *v.* RAGEN, WARDEN. Circuit Court of Saline County and Supreme Court of Illinois. Certiorari denied.

*Rehearing Granted.*

No. 185. GRAVER TANK & MFG. CO., INC. *v.* LINDE AIR PRODUCTS Co., 336 U. S. 271. The petition for rehearing is granted, limited to the question of infringement of Claims 18, 20, 22 and 23 of the Jones et al. patent. The Court desires argument as to the applicability of

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the doctrine of equivalents to the findings of fact in this case. *John F. Oberlin, Ashley M. Van Duzer, Thomas V. Koykka, James R. Stewart and Charles L. Byron* for petitioners. *John T. Cahill, James A. Fowler, Jr., Richard R. Wolfe and Loftus E. Becker* for respondent.

*Rehearing Denied.*

No. 406, Misc. *EAGLE v. CHERNEY ET AL.*, 336 U. S. 928. Second petition for rehearing denied.

No. 413, Misc. *BIRD v. STATE OF WASHINGTON*, 336 U. S. 954. Rehearing denied.

No. 447, Misc. *LUCAS v. TEXAS*, 336 U. S. 950. Rehearing denied.

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*Per Curiam Decisions.*

No. 754. *TEXAS ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Western District of Oklahoma. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. *Price Daniel*, Attorney General, *Charles E. Crenshaw*, Assistant Attorney General, *Fred E. Fuller, John L. Gushman* and *Arnold Boyd* for the State of Texas et al.; and *Bolivar E. Kemp, Jr.*, Attorney General, *Carroll Buck*, First Assistant Attorney General, *A. W. Gilliland* and *Charles D. Egan* for the State of Louisiana et al., appellants. *Solicitor General Perlman* and *Daniel W. Knowlton* for appellees. Reported below: 84 F. Supp. 791.

No. 785. *SAN DIEGO ELECTRIC RAILWAY CO. v. STATE BOARD OF EQUALIZATION*. Appeal from the District Court of Appeal, Third Appellate District, of California. *Per*

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*Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *William L. Holloway* and *C. Coolidge Kreis* for appellant. *Fred N. Howser*, Attorney General of California, *James E. Sabine* and *Irving H. Perluss*, Deputy Attorneys General, for appellee. Reported below: 89 Cal. App. 2d 267, 200 P. 2d 573.

*Miscellaneous Orders.*

No. 275. *KILPATRICK v. TEXAS & PACIFIC RAILWAY Co.*;

No. 276. *PARKER v. TEXAS & PACIFIC RAILWAY Co.*;  
No. 119, Misc. *EX PARTE KILPATRICK*; and

No. 120, Misc. *EX PARTE PARKER*. In Nos. 275 and 276 the petition for writs of certiorari to the United States Court of Appeals for the Fifth Circuit is denied. In Nos. 119, Misc. and 120, Misc., the motion for leave to file petition for writs of prohibition is denied. *William H. DeParcq* for petitioners. *John M. Scott* and *William H. Timbers* for respondent.

No. —. *EISLER v. UNITED STATES*. The motion for an extension of time within which to file petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is denied. MR. JUSTICE FRANKFURTER joins in denying this motion because the Court is without jurisdiction over the person of the petitioner. *David Rein*, *Abraham J. Isserman* and *Joseph Forer* for petitioner. *Solicitor General Perlman* for the United States.

No. 589, Misc. *IN RE LEWIS ET AL.* Supreme Court of Louisiana. Certiorari denied. Motion for leave to file

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petition for writs of mandamus and prohibition also denied.

No. 585, Misc. *IN RE ABERNATHY*. Motion for leave to file petition for writ of habeas corpus denied.

No. 587, Misc. *IN RE STEIMLE*. Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. THE CHIEF JUSTICE, MR. JUSTICE REED, MR. JUSTICE FRANKFURTER, and MR. JUSTICE BURTON are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, § 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v. United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948); *Everett v. Truman*, 334 U. S. 824 (1948). MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, and MR. JUSTICE RUTLEDGE are of the opinion that argument should be heard on the motion for leave to file the petition in order to settle what remedy, if any, the petitioner has. MR. JUSTICE JACKSON took no part in the consideration or decision of this application.

No. 591, Misc. *TOMPSETT v. OHIO ET AL.* Motion for leave to file petition for writ of habeas corpus denied.

No. 592, Misc. *IN RE RYAN*. Application denied.

*Certiorari Granted.*

No. 694. *COLGATE-PALMOLIVE-PEET Co. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 9th Cir. Certiorari granted limited to the question of the construction of § 8 (3) of the National Labor Relations Act of 1935 [49 Stat. 449, 29 U. S. C. § 158 (3)] in relation to this

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case. *Philip S. Ehrlich* and *Bartley C. Crum* for petitioner. *Solicitor General Perlman, Robert N. Denham, David P. Findling, Ruth Weyand* and *Bernard Dunau* filed a memorandum for the National Labor Relations Board, respondent. *Mathew O. Tobriner* for the International Chemical Workers Union, A. F. of L., respondent. Reported below: 171 F. 2d 956.

No. 709. *SAVORGNAN v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari granted. *Suel O. Arnold* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Oscar H. Davis, Robert S. Erdahl* and *Israel Convisser* for respondents. *Walbridge S. Taft* filed a brief for Margaret Trimble Revedin, as *amicus curiae*, supporting the petition. Reported below: 171 F. 2d 155.

No. 729. *KINGSLAND, COMMISSIONER OF PATENTS, v. DORSEY.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Perlman* for petitioner. *William E. Leahy, William J. Hughes, Jr.* and *James F. Reilly* for respondent. Reported below: 84 U. S. App. D. C. 264, 173 F. 2d 405.

*Certiorari Denied.* (See also Nos. 275 and 276 and No. 589, Misc., *supra*.)

No. 654. *SCHIAPPI v. WEST VIRGINIA LIQUOR CONTROL COMMISSION.* Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 655. *UNITED STATES EX REL. DORFLER ET AL. v. WATKINS, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION.* C. A. 2d Cir. Certiorari denied. *Joseph W. Solomon* for petitioners. *Solicitor General Perlman, Assistant Attorney General Morison* and *Sam-*

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uel *D. Slade* for respondent. Reported below: 171 F. 2d 431.

No. 662. BUNDE ET AL. *v.* CALIFORNIA. District Court of Appeal, Third Appellate District, of California. Certiorari denied. *George E. Flood* for petitioners. *Fred N. Howser*, Attorney General of California, *Walter Rountree* and *Doris H. Maier*, Deputy Attorneys General, for respondent. Reported below: 87 Cal. App. 2d 735, 197 P. 2d 823.

No. 663. MOORE ET AL. *v.* CALIFORNIA. District Court of Appeal, Third Appellate District, of California. Certiorari denied. *George E. Flood* for petitioners. *Fred N. Howser*, Attorney General of California, *Walter Rountree* and *Doris H. Maier*, Deputy Attorneys General, for respondent. Reported below: 87 Cal. App. 2d 753, 197 P. 2d 835.

No. 693. WHITING STOKER Co. *v.* CHICAGO STOKER CORP. C. A. 7th Cir. Certiorari denied. *Harry Abrahams* and *Ode L. Rankin* for petitioner. *Martin Stanton Gordon* for respondent. Reported below: 171 F. 2d 248.

No. 695. WAREHOUSE UNION LOCAL 6, INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION (C. I. O.), *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 9th Cir. Certiorari denied. *Bertram Edises* for petitioner. *Solicitor General Perlman*, *Robert N. Denham*, *David P. Findling*, *Ruth Weyand* and *Bernard Dunau* for the National Labor Relations Board; and *Mathew O. Tobriner* for the International Chemical Workers Union, A. F. of L., respondents. Reported below: 171 F. 2d 956.

No. 697. MASON ET AL. *v.* TEXAS COMPANY. C. A. 1st Cir. Certiorari denied. *Hardy K. Maclay* for peti-

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tioners. *Solicitor General Perlman, Assistant Attorney General Morison, Samuel D. Slade, Leavenworth Colby and Cecelia H. Goetz* for respondent. Reported below: 171 F. 2d 559.

No. 699. *BRAUN v. TAUB ET AL.* C. A. 2d Cir. Certiorari denied. *David Haar* for petitioner. *Joseph M. Schwartz* for respondents. Reported below: 171 F. 2d 649.

No. 700. *VEATCH v. BORTHWICK, TAX COMMISSIONER OF HAWAII.* C. A. 9th Cir. Certiorari denied. *Melvin M. Belli* for petitioner. *Walter D. Ackerman, Jr., Attorney General of Hawaii, Rhoda V. Lewis, Assistant Attorney General, and Thomas W. Flynn, Deputy Attorney General,* for respondent. Reported below: 172 F. 2d 226.

No. 704. *LINQUATA v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. *Harry Bergson* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, James M. McInerney, Ellis N. Slack and John H. Mitchell* for the United States. Reported below: 173 F. 2d 201.

No. 705. *SHEPHERD ET AL. v. HUNTER ET AL.* C. A. 7th Cir. Certiorari denied. *Burke Williamson, Jack A. Williamson and Robert McCormick Adams* for petitioners. *Richard E. Westbrook* for Hunter et al.; and *R. S. Outlaw and W. J. Milroy* for the Atchison, Topeka & Santa Fe Railway Co., respondents. Reported below: 171 F. 2d 594.

No. 706. *COURT SQUARE BUILDING, INC. v. CITY OF NEW YORK.* Court of Appeals of New York. Certiorari denied. *M. Carl Levine, David Morgulas and Albert*

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*Foreman* for petitioner. *John P. McGrath* for respondent. Reported below: 298 N. Y. 380, 83 N. E. 2d 843.

No. 710. GLOVER ET AL., TRUSTEES, *v.* MALONEY, COLLECTOR OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Carl E. Davidson* for petitioners. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack, Lee A. Jackson and Melva M. Graney* for respondent. Reported below: 171 F. 2d 870.

Nos. 715 and 716. B. B. B. CONSTRUCTION CORP. *v.* AETNA CASUALTY & SURETY Co. C. A. 2d Cir. Certiorari denied. *Joseph Joffe* for petitioner. *M. Carl Levine* and *David Morgulas* for respondent. Reported below: 173 F. 2d 307.

No. 717. HAMILTON FOODS, INC. *v.* ATCHISON, TOPEKA & SANTA FE RAILWAY Co. ET AL. C. A. 9th Cir. Certiorari denied. *Albert H. Allen* and *Hyman Goldman* for petitioner. *H. K. Lockwood* for the Atchison, Topeka & Santa Fe Railway Co., respondent. Reported below: 173 F. 2d 573.

No. 719. KELLY, ADMINISTRATOR, ET AL. *v.* SHAMROCK OIL & GAS CORP. C. A. 5th Cir. Certiorari denied. *Lawrence E. Kelly* and *Howard F. Saunders* for petitioners. *R. C. Johnson* and *W. M. Sutton* for respondent. Reported below: 171 F. 2d 909.

No. 720. THYS ET AL., DOING BUSINESS AS THYS & MILLER, *v.* STATE OF WASHINGTON. Supreme Court of Washington. Certiorari denied. *Elwood Hutcheson* and *George W. Wilkins* for petitioners. *Smith Troy*, Attorney General of Washington, for respondent. Reported below: 31 Wash. 2d 739, 199 P. 2d 68.

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No. 721. FRANCIS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *George D. Reilly* for petitioner. *Solicitor General Perlman* for the United States. Reported below: 172 F. 2d 619.

Nos. 722 and 723. FRANK ET AL. *v.* WILSON & Co., INC. C. A. 7th Cir. Certiorari denied. *Alex Elson* for petitioners. *Richard C. Winkler* for respondent. *Solicitor General Perlman* and *William S. Tyson* filed a memorandum for the Wage & Hour Administrator, as *amicus curiae*, supporting the petition. Reported below: 172 F. 2d 712.

No. 726. GRANNIS ET AL., ADMINISTRATORS, ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Robert H. Dye* and *Claude C. Pierce, Jr.* for petitioners. *Solicitor General Perlman*, *Assistant Attorney General Morrison*, *Samuel D. Slade* and *Morton Liftin* for the United States. Reported below: 172 F. 2d 507.

No. 730. ANDERSON *v.* BOWERS, COLLECTOR OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *J. Davis Kerr* and *Harvey W. Johnson* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Caudle*, *Ellis N. Slack* and *Joseph W. Bishop, Jr.* for respondent. Reported below: 170 F. 2d 676.

No. 731. HUGH SMITH, INC. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *F. E. Hagler* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Caudle*, *Ellis N. Slack* and *Harry Baum* for respondent. Reported below: 173 F. 2d 224.

No. 732. BECHTEL, EXECUTOR, ET AL. *v.* THATCHER ET AL. Supreme Court of Iowa. Certiorari denied. *Wayne*

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*G. Cook* for petitioners. *H. M. Havner* and *Fred A. Ontjes* for respondents. Reported below: 239 Iowa 1298, 31 N. W. 2d 853.

No. 738. *DENNY ET UX. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Michael J. Kaine, Jr.* and *Warren E. Miller* for petitioners. *Solicitor General Perlman*, *Assistant Attorney General Morison*, *Paul A. Sweeney* and *Morton Hollander* for the United States. Reported below: 171 F. 2d 365.

No. 745. *RICHMOND SCREW ANCHOR CO., INC. v. UMBACH ET AL.* C. A. 7th Cir. Certiorari denied. *Victor E. LaRue* and *Eugene A. Tappy* for petitioner. *Fred Gerlach* for respondents. Reported below: 173 F. 2d 521.

No. 764. *GULF OIL CORP. v. THE JOHN A. BROWN*. C. A. 2d Cir. Certiorari denied. *Chauncey I. Clark* for petitioner. *Paul Speer* for respondent. Reported below: 173 F. 2d 108.

No. 807. *DANIELLY v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. *Ernest Spagnoli* for petitioner. Reported below: 33 Cal. 2d 362, 202 P. 2d 18.

No. 696. *ALLEN v. LITSINGER ET AL.* Supreme Court of Appeals of Virginia. Certiorari denied. *Charles Orlando Pratt* and *John Alvin Croghan* for petitioner. *R. O. Norris* and *Gordon Lewis* for respondents. Reported below: 188 Va. lxxv.

No. 708. *SONNESEN v. PANAMA TRANSPORT CO.* Court of Appeals of New York. Certiorari denied. *Jacob Rasser* for petitioner. *Walter X. Connor* and *Vernon Sims Jones* for respondent. *Silas B. Axtell* filed a brief for the

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Friends of Andrew Furuseth Legislative Association, as *amicus curiae*, supporting petitioner. Reported below: 298 N. Y. 262, 82 N. E. 2d 569.

No. 338, Misc. GANN *v.* HIATT, WARDEN. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Harold D. Cohen for respondent. Reported below: 170 F. 2d 473.

No. 380, Misc. WILLIAMS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 171 F. 2d 952.

No. 482, Misc. ADAMS *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 172 F. 2d 693.

No. 485, Misc. CONE *v.* WEST VIRGINIA PULP & PAPER Co. C. A. 4th Cir. Certiorari denied. *H. Wayne Unger* and *W. J. McLeod, Jr.* for petitioner. Reported below: 170 F. 2d 770.

No. 563, Misc. KEYE *v.* ROBINSON, WARDEN. Supreme Court of Illinois. Certiorari denied.

*Rehearing Denied.*

No. 135. UNITED STATES *v.* JONES, RECEIVER; and  
No. 198. JONES, RECEIVER, *v.* UNITED STATES, 336 U. S. 641. Rehearing denied. MR. JUSTICE REED and MR. JUSTICE JACKSON took no part in the consideration or decision of this application.

No. 162. EXCEL AUTO RADIATOR Co. *v.* BISHOP & BABCOCK MANUFACTURING Co., 335 U. S. 823. Motion for leave to file second petition for rehearing denied.

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No. 355. CALIFORNIA *v.* ZOOK ET AL., 336 U. S. 725. Motion for leave to file petition for rehearing granted, and the petition is denied.

No. 458. CARPENTER *v.* ROHM & HAAS Co., INC., 336 U. S. 904. Motion for leave to file second petition for rehearing denied.

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

No. 568. KRAKOWER *v.* NEW YORK, 336 U. S. 963. Rehearing denied. MR. JUSTICE JACKSON took no part in the consideration or decision of this application.

No. 649. LONGYEAR HOLDING Co. ET AL. *v.* MINNESOTA, 336 U. S. 948. Rehearing denied. MR. JUSTICE BURTON took no part in the consideration or decision of this application.

No. 298. DEFENSE SUPPLIES CORP. ET AL. *v.* LAWRENCE WAREHOUSE Co. ET AL., 336 U. S. 631. Rehearing denied.

No. 417. GRIFFIN *v.* UNITED STATES, 336 U. S. 704. Rehearing denied.

No. 427. WADE *v.* HUNTER, WARDEN, 336 U. S. 684. Rehearing denied.

No. 542. FOUNTAIN *v.* FILSON ET UX., 336 U. S. 681. Rehearing denied.

No. 30, Misc. ILLINOIS EX REL. MARINO *v.* RAGEN, WARDEN, 336 U. S. 969. Rehearing denied.

No. 483, Misc. PHILLIPS *v.* RAGEN, WARDEN, 336 U. S. 965. Rehearing denied.

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*Miscellaneous Order.*

No. 655, Misc. *McGEE v. MISSISSIPPI*. Petition for stay of execution of sentence of death denied.

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*Per Curiam Decisions.*

No. 786. *TABER v. STATE BOARD OF REGISTRATION AND EXAMINATION IN DENTISTRY*. Appeal from the Supreme Court of New Jersey. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Irving R. M. Panzer* and *Henry G. Fischer* for appellant. *Theodore D. Parsons*, Attorney General of New Jersey, and *Joseph A. Murphy*, Assistant Deputy Attorney General, for appellee. Reported below: 1 N. J. 351, 63 A. 2d 535.

No. 805. *DOLES v. METROPOLITAN LIFE INSURANCE Co.* Appeal from the Supreme Court of Arkansas. *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. *P. L. Smith* for appellant. Reported below: 214 Ark. 215, 216 S. W. 2d 382.

*Miscellaneous Orders.*

No. 535, Misc. *SAUERWINE v. NEW YORK, CHICAGO & ST. LOUIS RAILROAD Co.* Motion for leave to file petition for writs of certiorari, prohibition or mandamus denied. *Melvin L. Griffith* and *Francis H. Monek* for petitioner. *Harold A. Smith* for respondent.

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No. 570, Misc. MEZICK *v.* WRIGHT, WARDEN;  
No. 602, Misc. VOLKMANN *v.* RAGEN, WARDEN;  
No. 604, Misc. HALL *v.* RAGEN, WARDEN; and  
No. 617, Misc. FOLEY *v.* RAGEN, WARDEN. The motions for leave to file petitions for writs of habeas corpus are denied.

*Certiorari Granted.* (See also Misc. Nos. 47, 106, 109, 184, 372 and 374, ante, p. 235.)

No. 486. BOYD *v.* GRAND TRUNK WESTERN RAILROAD Co. Supreme Court of Michigan. *Certiorari granted.* *Melvin L. Griffith, Francis H. Monek and John L. Mechem* for petitioner. *H. Victor Spike* for respondent. Reported below: 321 Mich. 693, 33 N. W. 2d 120.

No. 713. DARR *v.* BURFORD, WARDEN. C. A. 10th Cir. *Certiorari granted.* *John B. Ogden* for petitioner. Reported below: 172 F. 2d 668.

No. 742. MANUFACTURERS TRUST CO., TRUSTEE, *v.* BECKER ET AL. C. A. 2d Cir. *Certiorari granted.* *Edward K. Hanlon* for petitioner. *David W. Kahn* for respondents. *Solicitor General Perlman* and *Roger S. Foster* filed a brief for the Securities & Exchange Commission, as *amicus curiae*, supporting the petition. Reported below: 173 F. 2d 944.

No. 746. CREEL ET AL. *v.* LONE STAR DEFENSE CORP. C. A. 5th Cir. *Certiorari granted.* *C. M. Kennedy* and *Pat Coon* for petitioners. *Otto Atchley* for respondent. Reported below: 173 F. 2d 964.

No. 751. REO MOTORS, INC. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. *Certiorari granted.* *James O. Wynn* and *N. Barr Miller* for petitioner. *Solicitor General Perlman* filed a memorandum for respondent. Reported below: 170 F. 2d 1001.

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No. 744. COMMISSIONER OF INTERNAL REVENUE *v.* CONNELLY ET UX. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Perlman* for petitioner. *Caesar L. Aiello* and *A. Murray Preston* for respondents. Reported below: 84 U. S. App. D. C. 260, 172 F. 2d 877.

*Certiorari Denied.* (See also No. 805 and No. 535, Misc., supra.)

No. 672. VLAVIANOS ET AL. *v.* THE CYPRESS ET AL.; and

No. 752. MARYLAND DRYDOCK CO. *v.* VLAVIANOS ET AL. C. A. 4th Cir. Certiorari denied. *I. Duke Avnet* for petitioners in No. 672. *David R. Owen* for the Maryland Drydock Co., petitioner in No. 752 and respondent in No. 672. Reported below: 171 F. 2d 435.

No. 674. WATERMAN STEAMSHIP CORP. *v.* DEAN ET AL.; and

No. 753. DEAN ET AL. *v.* WATERMAN STEAMSHIP CORP. C. A. 4th Cir. Certiorari denied. *Robert S. Erskine* and *Robert W. Williams* for petitioner in No. 674 and respondent in No. 753. *I. Duke Avnet* for petitioners in No. 753 and respondents in No. 674. Reported below: 171 F. 2d 408.

No. 701. COBLEIGH ET AL. *v.* WOODS, HOUSING EXPEDITER. C. A. 1st Cir. Certiorari denied. *Neil Tolman* for petitioners. *Solicitor General Perlman*, *John R. Benney*, *Ed Dupree*, *Hugo V. Prucha* and *Nathan Siegel* for respondent. Reported below: 172 F. 2d 167.

No. 724. KOHINOOR COAL CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *James J. Dougherty* for petitioner. *Solicitor General*

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*Perlman, Assistant Attorney General Caudle, Ellis N. Slack, Morton K. Rothschild and Joseph W. Bishop, Jr.* for respondent. Reported below: 171 F. 2d 880.

No. 727. *TODOROW ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioners. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Harold D. Cohen* for the United States. Reported below: 173 F. 2d 439.

No. 734. *PETERSON v. UNITED STATES;*

No. 735. *NIZNIK v. UNITED STATES;* and

No. 736. *COMODOR v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Hayden C. Covington, Victor F. Schmidt and Grover C. Powell* for petitioners. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Philip R. Monahan* for the United States. Reported below: 173 F. 2d 111, 328.

No. 737. *GIBSON v. REYNOLDS ET AL.* C. A. 8th Cir. Certiorari denied. *Hayden C. Covington and Grover C. Powell* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison, John R. Benney and Paul A. Sweeney* for respondents. Reported below: 172 F. 2d 95.

No. 740. *TIBBALS ET AL. v. MICA MOUNTAIN MINES, INC. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 172 F. 2d 449.

No. 747. *STANDARD BRANDS, INC. ET AL. v. EASTERN SHORE CANNING Co., INC.* C. A. 4th Cir. Certiorari denied. *Ellis W. Leavenworth* for petitioners. *George M. Lanning* for respondent. Reported below: 172 F. 2d 144.

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No. 765. GRAYSON SHOPS, INC. *v.* STONE. C. A. 2d Cir. Certiorari denied. *David Mackay* for petitioner. *Thomas A. Gaffney* for respondent. Reported below: 173 F. 2d 135.

No. 305, Misc. CHADWICK *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 170 F. 2d 986.

No. 378, Misc. BUTLER *v.* CLEMMER. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Richard L. Tedrow* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Joseph M. Howard* for respondent. Reported below: 84 U. S. App. D. C. 58, 171 F. 2d 132.

No. 478, Misc. TODD *v.* TODD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *M. Edward Buckley, Jr.* for petitioner. Reported below: 84 U. S. App. D. C. 100, 171 F. 2d 143.

No. 489, Misc. BUTLER *v.* PENIX, RECEIVER. C. A. 5th Cir. Certiorari denied. Reported below: 173 F. 2d 761.

No. 558, Misc. COHEN *v.* DECKER ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 170 F. 2d 479.

No. 562, Misc. LUCAS *v.* MOORE, WARDEN. Court of Criminal Appeals of Texas. Certiorari denied.

No. 564, Misc. MOHLER *v.* SMITH, SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 580, Misc. D'OSTROPH *v.* UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 173 F. 2d 897.

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No. 593, Misc. BINKOWSKI *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 594, Misc. CORDTS *v.* ILLINOIS. Circuit Court of St. Clair County, Illinois. Certiorari denied.

No. 595, Misc. ADAMS *v.* NIERSTHEIMER, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 603, Misc. CANTOO *v.* RAGEN, WARDEN. Circuit Court of Rock Island County, Illinois. Certiorari denied.

No. 624, Misc. MESSINA *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

*Rehearing Denied.*

No. 598. HENRY *v.* SMITH, COMMANDING GENERAL, 336 U. S. 968. Rehearing denied.

No. 612. LEISHMAN *v.* RICHARDS & CONOVER CO., 336 U. S. 952. Rehearing denied.

No. 638. CHESAPEAKE & OHIO RAILWAY CO. *v.* MORRIS, 336 U. S. 967. Rehearing denied.

No. 480, Misc. AGNEW *v.* CALIFORNIA, 337 U. S. 909. Rehearing denied.

No. 539, Misc. WILSON *v.* HINMAN ET AL., 336 U. S. 970. Rehearing denied.

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*Miscellaneous Orders.*

No. 26. UNITED STATES *v.* KANSAS CITY LIFE INSURANCE CO. This case is ordered restored to the docket for reargument.

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- No. 299. UNITED STATES *v.* GERLACH LIVE STOCK Co.;  
No. 300. UNITED STATES *v.* POTTER;  
No. 301. UNITED STATES *v.* ERRECA;  
No. 302. UNITED STATES *v.* JAMES J. STEVINSON (A CORPORATION);  
No. 303. UNITED STATES *v.* STEVINSON; and  
No. 304. UNITED STATES *v.* 3-H SECURITIES Co.  
These cases are ordered restored to the docket for reargument.

No. 13, Original. UNITED STATES *v.* LOUISIANA, 337 U. S. 902. The petition for rehearing is denied. The objections to the granting of leave to file the complaint are overruled and the State of Louisiana is directed to answer the allegations of the complaint within the time specified in the subpoena, otherwise the plaintiff may proceed *ex parte*. Rule 6, par. 2 and 3. MR. JUSTICE JACKSON took no part in the consideration or disposition of the petition for rehearing. *Bolivar E. Kemp, Jr.*, Attorney General of Louisiana, *John L. Madden*, Assistant Attorney General, *L. H. Perez* and *F. Trowbridge vom Baur* for defendant.

No. 500. UNION NATIONAL BANK *v.* LAMB, 337 U. S. 38. Petition for rehearing and alternative request for modification of the opinion denied.

No. 582, Misc. STEPHENSON *v.* NEW JERSEY;  
No. 601, Misc. IN RE GRUETTER;  
No. 606, Misc. GIBSON *v.* LAINSON, WARDEN;  
No. 607, Misc. ROBERTS *v.* HEINZE, WARDEN; and  
No. 619, Misc. JOYNER *v.* WRIGHT, WARDEN. The motions for leave to file petitions for writs of habeas corpus are severally denied.

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No. 598, Misc. SHOTKIN ET AL. *v.* DENVER PUBLISHING Co. ET AL.; and

No. 615, Misc. SMITH *v.* WITSELL. Applications denied.

No. 614, Misc. LEMMONS *v.* FOSTER, WARDEN. Motion for leave to file petition for certiorari denied.

No. 633, Misc. HILLIARD *v.* UNDERWOOD, U. S. DISTRICT JUDGE; and

No. 637, Misc. MCINTOSH *v.* STEELE, WARDEN. The motions for leave to file petitions for writs of mandamus are denied.

*Certiorari Granted.*

No. 711. PARKER ET AL. *v.* COUNTY OF LOS ANGELES ET AL.; and

No. 712. STEINER *v.* COUNTY OF LOS ANGELES ET AL. District Court of Appeal, 2d Appellate District, of California. Certiorari granted. *Lee Pressman, A. L. Wirin* and *Fred Okrand* for petitioners. *Harold W. Kennedy* for respondents. Reported below: 88 Cal. App. 2d 481, 199 P. 2d 429.

No. 743. O'DONNELL, ADMINISTRATRIX, *v.* ELGIN, JOLIET & EASTERN RAILWAY Co. C. A. 7th Cir. Certiorari granted. *Joseph D. Ryan* for petitioner. *Harlan L. Hackbert* for respondent. Reported below: 171 F. 2d 973.

No. 762. COLE ET AL. *v.* ARKANSAS. Supreme Court of Arkansas. Certiorari granted. *Arthur J. Goldberg* and *Thomas E. Harris* for petitioners. *Ike Murry*, Attorney General of Arkansas, *Wyatt Cleveland Holland* and *Jeff Duty*, Assistant Attorneys General, for respondent. Reported below: 214 Ark. 387, 216 S. W. 2d 402.

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*Certiorari Denied.* (See also No. 614, *Misc.*, *supra.*)

No. 685. *MAHONEY v. MICHIGAN.* Supreme Court of Michigan. *Certiorari* denied. *William G. Fitzpatrick* for petitioner. *Stephen J. Roth*, Attorney General of Michigan, and *Edmund E. Shepherd*, Solicitor General, for respondent. Reported below: 322 Mich. 474, 34 N. W. 2d 15.

No. 689. *CARLSON v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. *Certiorari* denied. *Philip M. Baker* and *Charles E. Thompson* for petitioner. *Solicitor General Perlman* and *Benedict P. Cottone* for the Federal Communications Commission; and *Vincent B. Welch* for Louise C. Carlson, respondents. Reported below: 84 U. S. App. D. C. 415, 172 F. 2d 766.

No. 750. *AMERICAN SURETY CO. v. UNITED STATES.* C. A. 2d Cir. *Certiorari* denied. *Cyril Coleman* and *William H. Timbers* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Morison* and *Paul A. Sweeney* for the United States. *Alexander M. Heron* filed a brief for the Association of Casualty & Surety Companies, as *amicus curiae*, supporting the petition. Reported below: 172 F. 2d 135.

No. 766. *TRAVELERS FIRE INSURANCE CO. ET AL. v. RANNEY-DAVIS MERCANTILE CO.* C. A. 10th Cir. *Certiorari* denied. *F. A. Rittenhouse* for petitioners. *W. L. Cunningham* and *D. Arthur Walker* for respondent. Reported below: 173 F. 2d 844.

No. 776. *RHODES v. METROPOLITAN LIFE INSURANCE CO.* C. A. 5th Cir. *Certiorari* denied. *Fred G. Benton* for petitioner. *Benj. B. Taylor*, *C. V. Porter*, *L. W. Brooks* and *Benj. B. Taylor, Jr.* for respondent. Reported below: 172 F. 2d 183.

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No. 800. *MERCURY PRESS, INC. v. DISTRICT OF COLUMBIA*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Herbert G. Pilsen* for petitioner. *Vernon E. West, Chester H. Gray* and *George C. Updegraff* for respondent. Reported below: 84 U. S. App. D. C. 203, 173 F. 2d 636.

No. 777. *SNYDER v. UNITED STATES*. Court of Claims. Certiorari denied. Reported below: 113 Ct. Cl. 61, 82 F. Supp. 335.

No. 803. *UNITED STATES v. 25.406 ACRES OF LAND IN ARLINGTON COUNTY, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Solicitor General Perlman* for the United States. *Francis M. Shea, Warner W. Gardner* and *Gardner L. Boothe* for respondents. Reported below: 172 F. 2d 990.

No. 415, Misc. *ROCKOWER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Hancock Griffin, Jr.* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 171 F. 2d 423.

No. 416, Misc. *GRIMALDI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Henry K. Chapman* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 171 F. 2d 619.

No. 417, Misc. *WHELAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Vine H. Smith* for petitioner. *Solicitor General Perlman, Assistant Attorney General*

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*Campbell, Robert S. Erdahl and Philip R. Monahan* for the United States. Reported below: 171 F. 2d 619.

No. 425, Misc. HASSON *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 440, Misc. WILDE *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. Reported below: 214 La. 453, 38 So. 2d 72.

No. 486, Misc. McAFFEE *v.* CLEMMER, DIRECTOR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward E. O'Neill* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Joseph M. Howard* for respondent. Reported below: 84 U. S. App. D. C. 57, 171 F. 2d 131.

No. 557, Misc. GLAZEWSKI *v.* PENNINGTON, SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied. *Leo W. White* for petitioner. *Mitchell Jenkins* for respondent.

No. 576, Misc. NICHOLSON, ADMINISTRATOR, ET AL. *v.* THOMPSON, TRUSTEE. C. A. 6th Cir. Certiorari denied. *William A. McTighe* for petitioners. *Walter P. Armstrong* for respondent. Reported below: 171 F. 2d 295.

No. 583, Misc. DARDEN *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 584, Misc. WRIGHT *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

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No. 600, Misc. SMITH *v.* DUFFY, WARDEN. Supreme Court of California. Certiorari denied.

No. 608, Misc. MACKEY *v.* MARTIN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 609, Misc. BLAUVELT *v.* JACKSON, WARDEN. Court of Appeals of New York. Certiorari denied. Reported below: See 298 N. Y. 928, 85 N. E. 2d 67.

No. 613, Misc. WRIGHT *v.* RAGEN, WARDEN, ET AL. Circuit Court of Peoria County, Illinois. Certiorari denied.

No. 618, Misc. WINN *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 620, Misc. NOTTEBAUM *v.* MAYO, STATE PRISON CUSTODIAN. C. A. 5th Cir. Certiorari denied. Reported below: 173 F. 2d 574.

No. 622, Misc. GOODMAN *v.* SWENSON, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: — Md. —, 60 A. 2d 527.

No. 625, Misc. BLAKE *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 632, Misc. FISHER *v.* SWENSON, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: — Md. —, 64 A. 2d 124.

No. 636, Misc. SMITH *v.* RAGEN, WARDEN. Supreme Court of Illinois. Certiorari denied.

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No. 638, Misc. O'MALLEY *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 644, Misc. CORDTS *v.* RAGEN, WARDEN, ET AL. Circuit Court of St. Clair County, Illinois. Certiorari denied.

*Rehearing Denied.* (See also No. 13, Original and No. 500, *supra.*)

No. 679. KENNEDY *v.* WALKER, WARDEN, 337 U. S. 901. Motion for leave to file petition for rehearing denied.

No. 268. WEBER *v.* UNITED STATES, 335 U. S. 872. Rehearing denied.

No. 272. TERMINIELLO *v.* CHICAGO, 337 U. S. 1. Rehearing denied.

No. 457. HUMPHREY, WARDEN, *v.* SMITH, 336 U. S. 695. Rehearing denied.

No. 647. MOMAND *v.* UNIVERSAL FILM EXCHANGES, INC. ET AL., 336 U. S. 967. Rehearing denied.

No. 648. DEWAR *v.* HUNTER, WARDEN, 337 U. S. 908. Rehearing denied.

No. 379, Misc. IN RE BUSH, 336 U. S. 971. Rehearing denied.

No. 490, Misc. COYLE *v.* CALIFORNIA, 337 U. S. 909. Rehearing denied.

No. 560, Misc. WAKAT *v.* RAGEN, WARDEN, 337 U. S. 909. Rehearing denied.

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*Per Curiam Decisions.*

No. 4. *LOFTUS v. ILLINOIS*. Certiorari to the Supreme Court of Illinois. *Per Curiam*: Certiorari was granted in this case, 333 U. S. 831, because of petitioner's serious claim that he was denied the assistance of counsel under circumstances which constitute a disregard of the safeguards to which he was entitled under the Due Process Clause of the Fourteenth Amendment. After hearing argument, we continued the cause to enable the Supreme Court of Illinois to advise us whether its affirmance of petitioner's conviction was intended to rest on an adequate independent State ground or whether decision of the claim under the Fourteenth Amendment was necessary to its judgment inasmuch as it was urged on behalf of Illinois that the constitutional claim was not properly before the Illinois Supreme Court on writ of error, but must be pursued in Illinois by habeas corpus. 334 U. S. 804. That Court's response in *People v. Loftus*, 400 Ill. 432, 81 N. E. 2d 495, makes it clear that its judgment rested upon an independent State ground. The writ of certiorari heretofore granted is therefore dismissed. *Henry H. Fowler* for petitioner. *George F. Barrett*, then Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

No. 102, Misc. *THOMPSON v. NIERSTHEIMER, WARDEN*. On petition for writ of certiorari to the Circuit Court of Randolph County, Illinois. *Per Curiam*: The petition for writ of certiorari is granted. The order denying the petition for habeas corpus is vacated and the cause is remanded to the Circuit Court of Randolph County, Illinois, for consideration of the petition in the light of the opinions of the Supreme Court of Illinois in *People v. Loftus*, 400 Ill. 432, 81 N. E. 2d 495; *People v. Shoffner*,

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400 Ill. 174, 79 N. E. 2d 200; and *People v. Wilson*, 399 Ill. 437, 78 N. E. 2d 514. See *Young v. Ragen*, 337 U. S. 235.

No. 847. GULFSTREAM PARK RACING ASSOCIATION, INC. *v.* ROBERT L. WEED, ARCHITECT, INC. 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 appellant. *Thomas H. Anderson* for appellee. Reported below: 39 So. 2d 921.

*Miscellaneous Orders.*

No. 451, Misc. CHANEY *v.* UNITED STATES; and

No. 561, Misc. HANNA *v.* UNITED STATES. The motions for leave to file petitions for writs of certiorari in these cases are denied. *James J. Laughlin* for petitioner in No. 561, Misc.

No. 612, Misc. ROUGHT *v.* UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI ET AL. Motion for leave to file petition for writ of mandamus denied.

No. 631, Misc. MILLER *v.* HIATT, WARDEN;

No. 635, Misc. KREPPER *v.* UNITED STATES;

No. 642, Misc. ROBERTS *v.* FRISBIE, WARDEN;

No. 653, Misc. RUTHVEN *v.* OVERHOLSER;

No. 661, Misc. MCINTOSH *v.* STEELE, WARDEN, ET AL.;

No. 664, Misc. PULLINS *v.* OHIO ET AL.; and

No. 672, Misc. FINCHAM *v.* LILLARD, SHERIFF. The motions for leave to file petitions for writs of habeas corpus in these cases are severally denied.

No. 670, Misc. EDWARDS *v.* CLEMMER, DIRECTOR. Application denied.

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No. 773. ESTATE OF HAGER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit dismissed per stipulation of counsel. *Hugo Kohlmann* for petitioner. *Solicitor General Perlman* for respondent. Reported below: 173 F. 2d 613.

*Certiorari Granted.* (See also No. 102, Misc., *supra.*)

No. 789. FEDERAL POWER COMMISSION *v.* EAST OHIO GAS CO. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. MR. JUSTICE BURTON took no part in the consideration or decision of this application. *Solicitor General Perlman* and *Bradford Ross* for petitioner. *Herbert S. Duffy*, Attorney General of Ohio, *Kenneth B. Johnston*, Assistant Attorney General, *William B. Cockley*, *Walter J. Milde*, *Wm. A. Dougherty* and *Sturgis Warner* for respondents. Reported below: 84 U. S. App. D. C. 312, 173 F. 2d 429.

No. 801. WILMETTE PARK DISTRICT *v.* CAMPBELL, COLLECTOR OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari granted. *Edward R. Johnston* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Caudle*, *Ellis N. Slack* and *Melva M. Graney* for respondent. Reported below: 172 F. 2d 885.

*Certiorari Denied.* (See also Nos. 451 and 561, Misc., *supra.*)

No. 659. FUJINO *v.* CLARK, ATTORNEY GENERAL OF THE UNITED STATES. C. A. 9th Cir. Certiorari denied. *J. Garner Anthony* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Bazelon* and *James L. Morrisson* for respondent. Reported below: 172 F. 2d 384.

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No. 725. CALHOUN ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *William H. Fryer* for petitioners. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Philip R. Monahan* for the United States. Reported below: 172 F. 2d 457.

No. 756. ESTATE OF MACMANUS ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *John J. Sloan and Harold Goodman* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack, Morton K. Rothschild and Joseph W. Bishop, Jr.* for respondent. Reported below: 172 F. 2d 697.

No. 757. GREAT NORTHERN RAILWAY CO. ET AL. *v.* LEHMAN ET AL. Supreme Court of Minnesota. Certiorari denied. *Edwin C. Matthias, Anthony Kane, James L. Hetland and A. Rea Williams* for petitioners. *Bert McMullen* for respondents. Reported below: 227 Minn. 482, 36 N. W. 2d 336.

No. 758. SGAMBATI *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison and Paul A. Sweeney* for the United States. Reported below: 172 F. 2d 297.

No. 759. ROTH, DOING BUSINESS AS PSYCHIC RESEARCH PRESS, *v.* GOLDMAN, POSTMASTER. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Assistant Attorney General Morison, Paul A. Sweeney, John R. Benney and Joseph Kovner* for respondent. Reported below: 172 F. 2d 788.

No. 772. NOLAND, TRUSTEE, *v.* WESTOVER, COLLECTOR, UNITED STATES TREASURY DEPARTMENT, ET AL. C. A. 9th

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Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman* for respondents. Reported below: 172 F. 2d 614.

No. 774. PITTSBURGH & WEST VIRGINIA RAILWAY CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *W. A. Seifert, William R. Spofford* and *Norman D. Keller* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack* and *Hilbert P. Zarky* for respondent. Reported below: 172 F. 2d 1010.

No. 775. MATSON NAVIGATION CO. *v.* WAR DAMAGE CORP. C. A. 9th Cir. Certiorari denied. *Herman Phleger, Gregory A. Harrison* and *Lyman Henry* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison, Samuel D. Slade* and *Joseph Kovner* for respondent. Reported below: 172 F. 2d 942.

No. 778. KAN *v.* TSANG. C. A. 9th Cir. Certiorari denied. *Gilbert S. Woolworth* for petitioner. *Lemuel H. Matthews* for respondent. Reported below: 173 F. 2d 204.

No. 780. DISTRICT OF COLUMBIA *v.* SMOOT SAND & GRAVEL CORP. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Vernon E. West, Chester H. Gray* and *George C. Updegraff* for petitioner. *David R. Shelton* for respondent. Reported below: 84 U. S. App. D. C. 367, 174 F. 2d 505.

No. 782. LOCKARD ET AL. *v.* LOS ANGELES ET AL. Supreme Court of California. Certiorari denied. *Albert H. Allen* and *Hyman Goldman* for petitioners. *Ray L. Chesebro* and *Bourke Jones* for respondents. Reported below: 33 Cal. 2d 453, 202 P. 2d 38.

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No. 788. LATTA ET AL. *v.* WESTERN INVESTMENT CO. ET AL. C. A. 9th Cir. Certiorari denied. *James D. Meredith* for petitioners. *Stanley A. Weigel, Horace B. Wulff* and *Evan J. Foulds* for respondents. Reported below: 173 F. 2d 99.

No. 790. SALES AFFILIATES, INC. *v.* NATIONAL MINERAL CO., NOW HELENE CURTIS INDUSTRIES, INC. C. A. 7th Cir. Certiorari denied. *Hobart N. Durham* and *George B. Finnegan, Jr.* for petitioner. *Casper W. Ooms* for respondent. Reported below: 172 F. 2d 608.

No. 791. CONTINENTAL CASUALTY CO. *v.* UNITED STATES FOR THE USE OF SCHAEFER, DOING BUSINESS AS CONCRETE CONSTRUCTION Co., ET AL. C. A. 9th Cir. Certiorari denied. *George W. Wilkins* for petitioner. *Cutler W. Halverson* for Schaefer, respondent. Reported below: 173 F. 2d 5.

No. 792. INTERNATIONAL HARVESTER Co. *v.* TROUTMAN, ADMINISTRATRIX. C. A. 6th Cir. Certiorari denied. *Louis Seelbach* for petitioner. *Lawrence S. Grauman* and *Herman Cohen* for respondent. Reported below: 173 F. 2d 895.

No. 794. UNION TRUST Co. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Lucien L. Dunbar* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack, Lee A. Jackson, L. W. Post* and *Joseph W. Bishop, Jr.* for the United States. Reported below: 173 F. 2d 54.

No. 813. PLOUGH *v.* BALTIMORE & OHIO RAILROAD Co.;  
No. 814. HANSON, ADMINISTRATRIX, *v.* BALTIMORE & OHIO RAILROAD Co.;

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No. 815. VAN SLYKE *v.* BALTIMORE & OHIO RAILROAD Co.; and

No. 816. LYNCH, ADMINISTRATRIX, *v.* BALTIMORE & OHIO RAILROAD Co. C. A. 2d Cir. Certiorari denied. *Frank G. Raichle* for petitioners. *William C. Combs* for respondent. Reported below: 172 F. 2d 396.

No. 819. BERGER, DOING BUSINESS AS BERGER SALES Co., *v.* BRANNAN, SECRETARY OF AGRICULTURE, SUING ON BEHALF OF THE UNITED STATES. C. A. 10th Cir. Certiorari denied. *Byron G. Rogers* for petitioner. Reported below: 172 F. 2d 241.

No. 826. WHETSTONE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman* for the United States.

No. 830. RICCARDI *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Frederic M. P. Pearse* for petitioner. *Solicitor General Perlman* for the United States. Reported below: 174 F. 2d 883.

No. 691. PETERSEN ET AL. *v.* CHRIST'S CHURCH OF THE GOLDEN RULE ET AL. C. A. 9th Cir. The motion for leave to withdraw the appearance of Howard B. Crittenden, Jr. as counsel for the petitioners is denied. Certiorari denied. *Howard B. Crittenden, Jr.* for petitioners. Reported below: 170 F. 2d 555.

No. 748. ZIMMERMANN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Coleman Gay* and *Henry H. Brooks* for petitioner. *Solicitor General Perlman* for the United States. Reported below: 171 F. 2d 790.

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No. 832. LYONS *v.* CAPITAL TRANSIT Co. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 867. UNITED STATES EX REL. SCHIRRMEISTER *v.* WATKINS, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. The petition for writ of certiorari to the United States Court of Appeals for the Second Circuit is denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (c). *P. Bateman Ennis* for petitioner. *Solicitor General Perlman* for respondent. Reported below: 171 F. 2d 858.

No. 302, Misc. PIPPIN *v.* NIERSTHEIMER, WARDEN. The petition for writ of certiorari to the Supreme Court of Illinois is denied without prejudice to the filing of an application for writ of habeas corpus in any State court of competent jurisdiction. See *Young v. Ragen*, 337 U. S. 235. Petitioner *pro se.* *Ivan A. Elliott*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

No. 359, Misc. KOENIG *v.* SMITH, SUPERINTENDENT. The motion to strike respondent's brief is denied. The petition for writ of certiorari to the Supreme Court of Washington is also denied. Petitioner *pro se.* *Smith Troy*, Attorney General of the State of Washington, and *C. John Newlands*, Assistant Attorney General, for respondent.

No. 2, Misc. THOMPSON *v.* ILLINOIS. Circuit Court of St. Clair County, Illinois. Certiorari denied. Peti-

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tioner *pro se*. *George F. Barrett*, then Attorney General of Illinois, *William C. Wines*, *James C. Murray* and *Raymond S. Sarnow*, Assistant Attorneys General, for respondent.

No. 10, Misc. THOMPSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 373, Misc. BANKS *v.* NIERSTHEIMER, WARDEN, ET AL. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 377, Misc. FERGUSON, TEMPORARY ADMINISTRATOR, ET AL. *v.* FERGUSON. Court of Civil Appeals, 3d Supreme Judicial District, of Texas. Certiorari denied.

No. 414, Misc. THOMAS *v.* MOORE, WARDEN. District Court of Walker County, Texas. Certiorari denied. Petitioner *pro se*. *Price Daniel*, Attorney General of Texas, *Frank Lake*, Assistant Attorney General, and *Joe R. Greenhill*, First Assistant Attorney General, for respondent.

No. 424, Misc. ODDO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman*, *Assistant Attorney General Campbell*, *Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 171 F. 2d 854.

No. 450, Misc. DE NORMAND ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman*, *Assistant Attorney General Campbell*, *Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 171 F. 2d 854.

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No. 476, Misc. *LOWE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Philip R. Monahan* for the United States. Reported below: 173 F. 2d 346.

No. 477, Misc. *WAGNER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Philip R. Monahan* for the United States. Reported below: 171 F. 2d 354.

No. 484, Misc. *FLYNN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Assistant Attorney General Campbell and Robert S. Erdahl* for the United States. Reported below: 172 F. 2d 12.

No. 491, Misc. *BIRTCH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 173 F. 2d 316.

No. 533, Misc. *MARION v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 171 F. 2d 185.

No. 540, Misc. *PASCAL v. BURKE, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied.

No. 542, Misc. *SHOE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 170 F. 2d 480.

No. 546, Misc. *LOWE v. HUMPHREY, WARDEN*. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl and Philip R. Monahan* for respondent.

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No. 553, Misc. GOULD *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 173 F. 2d 30.

No. 555, Misc. HICKS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *William Alfred Hall, Jr.* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell* and *Robert S. Erdahl* for the United States. Reported below: 173 F. 2d 570.

No. 574, Misc. HALEY *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *E. L. Mills* and *Edgar W. Jones* for petitioner. *D. Deane McLaughlin* and *John Rossetti* for respondent. Reported below: 151 Ohio St. 80, 84 N. E. 2d 217.

No. 581, Misc. GAY *v.* FIDELITY UNION TRUST CO., EXECUTOR. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se.* *Charles Danzig* for respondent. Reported below: 1 N. J. 581, 65 A. 2d 60.

No. 586, Misc. JACKSON *v.* HIATT, WARDEN. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Philip R. Monahan* for respondent. Reported below: 173 F. 2d 760.

No. 590, Misc. GARNER ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioners. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Harold D. Cohen* for the United States. Reported below: 84 U. S. App. D. C. 361, 174 F. 2d 499.

No. 596, Misc. SKINNER *v.* ROBINSON, WARDEN. Circuit Court of Lee County, Illinois. Certiorari denied.

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No. 599, Misc. *GODWIN v. SMYTH*, SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. Reported below: 188 Va. 753, 51 S. E. 2d 230.

No. 605, Misc. *FIAMENGO ET AL. v. THE SAN FRANCISCO ET AL.* C. A. 9th Cir. Certiorari denied. *David A. Fall* for petitioners. *Arch E. Ekdale* for respondents. Reported below: 172 F. 2d 767.

No. 611, Misc. *BURCH v. KIEREN*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 174 F. 2d 324.

No. 616, Misc. *CARTER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 173 F. 2d 685.

No. 621, Misc. *RODDA v. RODDA.* Supreme Court of Oregon. Certiorari denied. Reported below: 185 Ore. 140, 202 P. 2d 638.

No. 623, Misc. *ADAMS v. HIATT*, WARDEN. C. A. 3d Cir. Certiorari denied. *Wm. H. Ramsey* for petitioner. Reported below: 173 F. 2d 896.

No. 626, Misc. *HOWELL v. UNITED STATES.* C. A. 8th and 10th Circuits. Certiorari denied.

No. 627, Misc. *LOPER v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 152 Tex. Cr. Rep. —, 219 S. W. 2d 81.

No. 628, Misc. *REEVES v. GEORGIA.* Court of Appeals of Georgia. Certiorari denied. *W. A. Bootle* for petitioner. *Eugene Cook*, Attorney General of Georgia, *Claude Shaw*, Deputy Assistant Attorney General, and *J. R. Parham*, Assistant Attorney General, for respondent. Reported below: 78 Ga. App. 702, 50 S. E. 2d 708.

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No. 629, Misc. WALLACE *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *George J. Danforth* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 174 F. 2d 112.

No. 630, Misc. STORY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *George J. Danforth* for petitioner. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 174 F. 2d 120.

No. 639, Misc. FULLER *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 640, Misc. POPE *v.* MAYO, CUSTODIAN. Supreme Court of Florida. Certiorari denied. Reported below: 160 Fla. 788, 39 So. 2d 286.

No. 641, Misc. TABOR *v.* SWENSON, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: — Md. —, 66 A. 2d 205.

No. 645, Misc. EDMONDSON *v.* WRIGHT, WARDEN. Court of Appeals of Maryland. Certiorari denied.

No. 646, Misc. TAYLOR *v.* HUDSPETH, WARDEN. Supreme Court of Kansas. Certiorari denied.

No. 647, Misc. SMITH *v.* RAGEN, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 648, Misc. EDWARDS *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

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No. 649, Misc. *DARDEN v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 650, Misc. *CURRENT v. HUDSPETH, WARDEN*. Supreme Court of Kansas. Certiorari denied.

No. 654, Misc. *NOORLANDER v. CALIFORNIA*. Superior Court for the County of Los Angeles, California. Certiorari denied.

No. 656, Misc. *GOODMAN v. IOWA*. Supreme Court of Iowa. Certiorari denied.

No. 657, Misc. *GOODMAN v. LAINSON, WARDEN*. District Court of Lee County, Iowa. Certiorari denied.

No. 658, Misc. *WRIGHT v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 659, Misc. *KRANZ v. HUMPHREY, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 174 F. 2d 741.

No. 660, Misc. *GRYGER v. BURKE, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied.

No. 662, Misc. *PHILLIPS v. HUDSPETH, WARDEN*. Supreme Court of Kansas. Certiorari denied.

No. 663, Misc. *MANCHESTER v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. Reported below: 33 Cal. 2d 740, 204 P. 2d 881.

No. 665, Misc. *WHALEN ET AL. v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

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No. 666, Misc. EDELMAN *v.* CALIFORNIA. Appellate Department of the Superior Court of California. Certiorari denied.

No. 667, Misc. CLARK *v.* EIDSON, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 669, Misc. KIMBREL *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Frederick Bernays Wiener* for petitioner. Reported below: 85 U. S. App. D. C. —, 174 F. 2d 672.

No. 673, Misc. DESSAURE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Franklin H. Williams* and *Thurgood Marshall* for petitioner. Reported below: 299 N. Y. 126, 85 N. E. 2d 900.

No. 674, Misc. HALL *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 675, Misc. TENNANT *v.* RAGEN, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 676, Misc. MANNING *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 677, Misc. CORDTS *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 678, Misc. WILLIAMS *v.* NEW YORK. Supreme Court of New York. Certiorari denied.

No. 679, Misc. MEYER *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

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No. 680, Misc. *WILDE v. WYOMING*. Supreme Court of Wyoming. Certiorari denied.

*Rehearing Denied.*

No. 197. *NATIONAL LABOR RELATIONS BOARD v. CROMPTON-HIGHLAND MILLS, INC.*, 337 U. S. 217. Rehearing denied.

No. 690. *SMITH v. CALIFORNIA*, 336 U. S. 957. Motion for leave to file petition for rehearing denied.

No. 719. *KELLY, ADMINISTRATOR, ET AL. v. SHAMROCK OIL & GAS CORP.*, 337 U. S. 917. The motion for an extension of time within which to file petition for rehearing is granted and the petition is denied.

No. 720. *THYS ET AL., DOING BUSINESS AS THYS & MILLER, v. STATE OF WASHINGTON*, 337 U. S. 917. Rehearing denied.

No. 721. *FRANCIS v. UNITED STATES*, 337 U. S. 918. Rehearing denied.

No. 338, Misc. *GANN v. HIATT, WARDEN*, 337 U. S. 920. Rehearing denied.

No. 472, Misc. *MACKENNA v. NEW YORK*, 336 U. S. 969. Rehearing denied.

No. 580, Misc. *D'OSTROPH v. UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT ET AL.*, 337 U. S. 926. Rehearing denied.

No. 550, Misc. *MORANT v. NEW YORK*, 337 U. S. 909. Motion for leave to file petition for rehearing denied.

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*Per Curiam Decisions.*

No. 43. CENTRAL STATES COOPERATIVES, INC. *v.* WATSON BROS. TRANSPORTATION Co., 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 is vacated and the cause is remanded to that court for further consideration in the light of *National Mutual Ins. Co. v. Tidewater Transfer Co.*, 337 U. S. 582. *Thomas G. McBride* and *George E. Billett* for petitioner. *Julius L. Sherwin* and *Theodore R. Sherwin* for respondent. Reported below: 165 F. 2d 392.

No. 493. UNITED STATES GYPSUM Co. *v.* GLANDER, TAX COMMISSIONER. Appeal from the Supreme Court of Ohio. *Per Curiam*: The judgment of the Supreme Court of Ohio is vacated and the cause is remanded to that court in order to enable it to reexamine its decision in the light of *Wheeling Steel Corp. v. Glander*, 337 U. S. 562. MR. JUSTICE BLACK dissents. *Charles M. Price* and *Clarence D. Laylin* for appellant. Reported below: 150 Ohio St. 229, 80 N. E. 2d 863.

No. 494. UNITED STATES GYPSUM Co. *v.* GLANDER, TAX COMMISSIONER. Appeal from the Supreme Court of Ohio. *Per Curiam*: Judgment reversed. *Wheeling Steel Corp. v. Glander*, 337 U. S. 562. MR. JUSTICE BLACK dissents. *Charles M. Price* and *Clarence D. Laylin* for appellant. Reported below: 150 Ohio St. 229, 80 N. E. 2d 863.

No. 604. AJAX TRUCKING Co., INC. *v.* BROWNE ET AL., CONSTITUTING THE STATE TAX COMMISSION. Appeal from the Court of Appeals of New York. *Per Curiam*: The appeal is dismissed. *Matson Navigation Co. v. State*

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*Board of Equalization*, 297 U. S. 441. *Sidney Meyers* for appellant. Reported below: 298 N. Y. 736, 83 N. E. 2d 144.

No. 749. GREAT LAKES STEEL CORP. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Eastern District of Michigan. *Per Curiam*: Judgment reversed. *United States v. Interstate Commerce Comm'n*, 337 U. S. 426. MR. JUSTICE FRANKFURTER, MR. JUSTICE JACKSON, and MR. JUSTICE BURTON dissent for reasons stated in the dissenting opinion in *United States v. Interstate Commerce Comm'n*, 337 U. S. 426, 444. *Sherwin A. Hill*, *Edward T. Goodrich*, *James McEvoy, Jr.* and *Harry D. Fenske* for appellant. *Solicitor General Perlman* for the United States; *Daniel W. Knowlton*, *Edward M. Reidy* and *Daniel H. Kunkel* for the Interstate Commerce Commission; and *W. T. Pierson* and *Frank H. Cole, Jr.* for the Baltimore & Ohio Railroad Co. et al., appellees. Reported below: 81 F. Supp. 450.

*Miscellaneous Orders.*

No. 12, Original. UNITED STATES *v.* CALIFORNIA. The report of the Special Master is received and ordered filed.

No. 12, Original. UNITED STATES *v.* CALIFORNIA. The order of February 12, 1949, appointing William H. Davis, Esquire, of New York City, Special Master herein is continued and he is directed to proceed with all convenient speed, with respect to the seven coastal segments enumerated in Groups I and II of the Master's Report, to consider: (1) a simplification of the issues; (2) statements of the issues and amendments thereto in the nature of pleadings; (3) the nature and form of evidence proposed to be submitted, including admission of facts and of documents which will avoid unnecessary proof; and report thereon to the Court.

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Should the office of Master become vacant during the recess of the Court, THE CHIEF JUSTICE shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

MR. JUSTICE JACKSON took no part in the consideration or decision of this question.

No. 386. CLARK, ATTORNEY GENERAL, AS SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, *v.* MANUFACTURERS TRUST Co.; and

No. 443. MANUFACTURERS TRUST Co. *v.* CLARK, ATTORNEY GENERAL, AS SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN. The motions for leave to file petitions for rehearing are granted and the petitions for rehearing are granted. The orders entered January 17, 1949, denying certiorari, 335 U. S. 910, are vacated and the petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit are granted. *Solicitor General Perlman* for petitioner in No. 386 and respondent in No. 443. *Lester E. Denonn* and *Henry Landau* for respondents in No. 386 and petitioner in No. 443. Reported below: No. 386, 169 F. 2d 932.

No. 683, Misc. EDGEMAN *v.* OHIO ET AL.; and

No. 689, Misc. BROWN *v.* MINNESOTA. The motions for leave to file petitions for writs of habeas corpus are denied.

No. 686, Misc. IN RE FELSCH. Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied. THE CHIEF JUSTICE, MR. JUSTICE REED, MR. JUSTICE FRANKFURTER, and MR. JUSTICE BURTON are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, § 2, Clause 2; see *Ex parte Betz* and companion cases, all 329 U. S. 672 (1946); *Milch v.*

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*United States*, 332 U. S. 789 (1947); *Brandt v. United States*, 333 U. S. 836 (1948); *In re Eichel*, 333 U. S. 865 (1948); *Everett v. Truman*, 334 U. S. 824 (1948). MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, and MR. JUSTICE RUTLEDGE are of the opinion that argument should be heard on the motion for leave to file the petition in order to settle what remedy, if any, the petitioner has. MR. JUSTICE JACKSON took no part in the consideration or decision of this application.

*Certiorari Granted.* (See also Nos. 43, 386 and 443, *supra*.)

No. 436. DENNIS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. *Certiorari* granted limited to the question whether government employees could properly serve on the jury which tried petitioner. MR. JUSTICE BURTON took no part in the consideration or decision of these applications. *Earl Dickerson* and *Harry Sacher* for petitioner. *Solicitor General Perlman*, *Robert S. Erdahl* and *Beatrice Rosenberg* for the United States. *Arthur G. Silverman* filed a brief for the National Lawyers Guild, as *amicus curiae*, supporting the petition. Reported below: 84 U. S. App. D. C. 31, 171 F. 2d 986.

No. 452. GRAHAM ET AL. *v.* BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN. United States Court of Appeals for the District of Columbia Circuit. *Certiorari* granted. The motion of petitioners to vacate the stay and to reinstate the injunction is denied. *Joseph L. Rauh, Jr.*, *Irving J. Levy* and *Henry Epstein* for petitioners. *Lester P. Schoene*, *Milton Kramer*, *Harold C. Heiss* and *Russell B. Day* for respondent. *Solicitor General Perlman* and *Robert L. Stern* filed a brief for the United States, as *amicus curiae*, supporting the petition. Reported below: 84 U. S. App. D. C. 67, 175 F. 2d 802.

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No. 783. *SINCLAIR v. UNITED STATES*. C. A. 3d Cir. Certiorari granted. *David Berger* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Campbell*, *Robert S. Erdahl* and *Israel Convisser* for the United States. Reported below: 174 F. 2d 933.

No. 787. *MANNING, COLLECTOR OF INTERNAL REVENUE, v. SEELEY TUBE & BOX Co.* C. A. 3d Cir. Certiorari granted. *Solicitor General Perlman* for petitioner. *Nathan Bilder* and *George G. Tyler* for respondent. Reported below: 172 F. 2d 77.

No. 809. *AARON ET AL. v. FORD, BACON & DAVIS, INC.* C. A. 8th Cir. Certiorari granted. *Paul E. Talley*, *Charles H. Earl*, *Cooper Jacoway* and *June P. Wooten* for petitioners. *Grover T. Owens* and *E. L. McHaney, Jr.* for respondent. *Solicitor General Perlman* and *William S. Tyson* filed a brief for the United States, as *amicus curiae*, supporting the petition. Reported below: 174 F. 2d 730.

No. 817. *UNITED STATES EX REL. WILLUMETT v. WATKINS, DISTRICT DIRECTOR, IMMIGRATION & NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari granted. *William Dean Embree* for petitioner. *Solicitor General Perlman* for respondent. Reported below: 171 F. 2d 773.

No. 260. *UNITED STATES EX REL. EICHENLAUB v. WATKINS, DISTRICT DIRECTOR OF IMMIGRATION & NATURALIZATION*. The order entered November 15, 1948, denying certiorari, 335 U. S. 867, is vacated. The petition for writ of certiorari to the United States Court of Appeals for the Second Circuit is granted. *Charles E. Wallington* for petitioner. *Solicitor General Perlman*, *Robert S. Erdahl* and *Josephine H. Klein* for respondent. Reported below: 167 F. 2d 659.

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*Certiorari Denied.*

No. 71. FONG ET AL. *v.* SUPERIOR COURT OF WASHINGTON FOR KING COUNTY ET AL. Supreme Court of Washington. Certiorari denied. *John J. Kennett* for petitioners. Reported below: 29 Wash. 2d 601, 188 P. 2d 125.

No. 178. UNITED STATES EX REL. SUTTON *v.* MULCAHY, UNITED STATES MARSHAL, ET AL. C. A. 2d Cir. Certiorari denied. *Burton B. Turkus* for petitioner. *George A. Ferris* for respondents. Reported below: 169 F. 2d 94.

No. 391. A. F. WAGNER IRON WORKS ET AL. *v.* WAR ASSETS ADMINISTRATION ET AL. C. A. 7th Cir. Certiorari denied. *Harold W. Norman* for petitioners. *Solicitor General Perlman, Assistant Attorney General Morison, Paul A. Sweeney* and *Alvin O. West* for respondents.

No. 509. KOHL *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. *Tyrrell M. Ingersoll* and *Charles T. Akre* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack* and *Harry Baum* for respondent. Reported below: 170 F. 2d 531.

No. 525. MOORE *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Walter H. Liebman* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack* and *Harry Baum* for respondent. Reported below: 170 F. 2d 191.

No. 641. BECKER *v.* VIRGINIA. Supreme Court of Appeals of Virginia. Certiorari denied. *Thomas H. Willcox* and *Harry H. Kanter* for petitioner. Reported below: 188 Va. lxxv.

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No. 675. *POLIZIO v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Edward H. Levine* for petitioner. *Howard R. Lonergan* for respondent. Reported below: 298 N. Y. 814, 83 N. E. 2d 861.

No. 703. *STINNETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *George E. Allen* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, James M. McInerney* and *Ellis N. Slack* for the United States. Reported below: 173 F. 2d 129.

No. 779. *PATERNO ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Anthony A. Calandra* for petitioners. *Solicitor General Perlman, Assistant Attorney General Campbell, Robert S. Erdahl* and *Andrew F. Oehmann* for the United States. Reported below: 173 F. 2d 757.

No. 781. *DUNCAN, TRANSFEREE, v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *J. B. Lewright* for petitioner. *Solicitor General Perlman, Assistant Attorney General Caudle, Ellis N. Slack, Lee A. Jackson* and *Irving I. Axelrad* for respondent. Reported below: 173 F. 2d 218.

No. 784. *CAMPBELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Benj. B. Taylor, C. V. Porter, L. W. Brooks* and *Benj. B. Taylor, Jr.* for petitioner. *Solicitor General Perlman, Assistant Attorney General Morison, Paul A. Sweeney* and *Morton Hollander* for the United States. Reported below: 172 F. 2d 500.

No. 795. *FAINBLATT v. COMMISSIONER OF INTERNAL REVENUE*; and

No. 796. *FAINBLATT v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Mark H. Johnson* for petitioners. *Solicitor General Perlman, As-*

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*sistant Attorney General Caudle, Ellis N. Slack, Lee A. Jackson and Morton K. Rothschild for respondent. Reported below: 172 F. 2d 389.*

No. 799. GRAYLYN BAINBRIDGE CORP. *v.* WOODS, HOUSING EXPEDITER. C. A. 8th Cir. Certiorari denied. *William G. Boatright* for petitioner. *Solicitor General Perlman, John R. Benney, Ed Dupree, Hugo V. Prucha and Nathan Siegel* for respondent. Reported below: 173 F. 2d 790.

No. 804. MISSOURI-KANSAS-TEXAS RAILROAD Co. *v.* UNITED STATES EX REL. DEAVERS. C. A. 5th Cir. Certiorari denied. *C. S. Burg, M. E. Clinton, Dan Moody and J. B. Robertson* for petitioner. *Solicitor General Perlman, Newell A. Clapp and Samuel D. Slade* for respondent. Reported below: 171 F. 2d 961.

No. 810. CARTER OIL Co. *v.* RAMSEY ET AL. C. A. 7th Cir. Certiorari denied. *William M. Acton* for petitioner. *Charles Wham* for respondents. Reported below: 172 F. 2d 622.

No. 818. FARMAKIS *v.* FARMAKIS ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David Rein* for petitioner. *Solicitor General Perlman* for the United States; and *Warren E. Miller and David S. Allshouse* for Farmakis, respondents. Reported below: 84 U. S. App. D. C. 297, 172 F. 2d 291.

No. 845. EISLER *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David Rein, Abraham J. Isserman, Carol King and Joseph Forer* for petitioner. *Solicitor General Perlman* for the United States. Reported below: 84 U. S. App. D. C. 404, 176 F. 2d 21.

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No. 860. EMPIRE PACKING CO. ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Michael F. Mulcahy* and *Henry W. Dieringer* for petitioners. *Solicitor General Perlman* for the United States. Reported below: 174 F. 2d 16.

No. 877. KEATING *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* for petitioner. *Solicitor General Perlman* for the United States.

No. 520. COMMISSIONER OF INTERNAL REVENUE *v.* HARTZ. C. A. 8th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion the petition should be granted. *Solicitor General Perlman* for petitioner. *Donald B. Smith* for respondent. Reported below: 170 F. 2d 313.

No. 843. FITZ SIMONS & CONNELL DREDGE & DOCK Co. *v.* MULLEN; and

No. 844. FITZ SIMONS & CONNELL DREDGE & DOCK Co. *v.* SAVELA. C. A. 7th Cir. Certiorari denied. *Edward B. Hayes* for petitioner. *Irving Breakstone* for respondents. Reported below: 172 F. 2d 601.

No. 186, Misc. PALARDY *v.* AMERICAN-HAWAIIAN STEAMSHIP Co. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* for petitioner. *Thomas E. Byrne, Jr.* for respondent. *Abraham M. Fisch* filed a brief for the International Longshoremen's Association, as *amicus curiae*, supporting the petition. Reported below: 169 F. 2d 619.

No. 291, Misc. AIRD *v.* WEYERHAEUSER STEAMSHIP Co. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* for petitioner. *Thomas E. Byrne, Jr.* for respondent. Reported below: 169 F. 2d 606.

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No. 634, Misc. THOMAS *v.* FURNESS (PACIFIC) LIMITED ET AL. C. A. 9th Cir. Certiorari denied. *Herbert Resner* for petitioner. *Farnham P. Griffiths* for respondents. Reported below: 171 F. 2d 434.

No. 651, Misc. McDONALD *v.* SWOPE, WARDEN. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman* for respondent. Reported below: 173 F. 2d 852.

No. 671, Misc. McCORMICK *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 681, Misc. HINTON *v.* REID, SUPERINTENDENT. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioner.

No. 682, Misc. BRAMBLE *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 684, Misc. WESTBROOK *v.* RAGEN, WARDEN. Circuit Court of Christian County, Illinois. Certiorari denied.

No. 685, Misc. MAIMONE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 687, Misc. KAMROWSKI *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 688, Misc. BASSINGER *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 403 Ill. 108, 85 N. E. 2d 758.

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No. 690, Misc. HOLDERFIELD *v.* RAGEN, WARDEN. Circuit Court of Franklin County, Illinois. Certiorari denied.

No. 691, Misc. UNITED STATES EX REL. ROONEY ET AL. *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 173 F. 2d 668.

No. 692, Misc. COLLINS *v.* DUFFY, WARDEN. Supreme Court of California. Certiorari denied.

*Rehearing Granted.* (See Nos. 386 and 443, *supra.*)

*Rehearing Denied.*

No. 156. DONOVAN *v.* QUEENSBORO CORPORATION ET AL.; and

No. 49, Misc. DONOVAN *v.* QUEENSBORO CORPORATION ET AL., 335 U. S. 804. Motion for leave to file petition for rehearing denied.

No. 513. BURNHAM CHEMICAL Co. *v.* BORAX CONSOLIDATED, LTD. ET AL., 336 U. S. 924. The motion for an extension of time within which to file a second petition for rehearing is denied.

No. 647. MOMAND *v.* UNIVERSAL FILM EXCHANGES, INC. ET AL., 336 U. S. 967. Second petition for rehearing denied.

No. 671. WILLIAMS *v.* NEW YORK, 337 U. S. 241. Petition for rehearing and motion for a stay of mandate denied.

No. 708. SONNESEN *v.* PANAMA TRANSPORT Co., 337 U. S. 919. The motion to enlarge the time to file petition for rehearing is denied.

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No. 805. *DOLES v. METROPOLITAN LIFE INSURANCE Co.*, 337 U. S. 922. Rehearing denied.

No. 425, Misc. *HASSON v. UNITED STATES*, 337 U. S. 932. Rehearing denied.

No. 437, Misc. *TATE v. CALIFORNIA*, 337 U. S. 903. Rehearing denied.

No. 489, Misc. *BUTLER v. PENIX, RECEIVER*, 337 U. S. 926. Rehearing denied.