

DECISIONS PER CURIAM AND ORDERS FROM
BEGINNING OF OCTOBER TERM, 1952,
THROUGH FEBRUARY 9, 1953.

CASE DISMISSED IN VACATION.

No. 251. *SAKIS ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the District of Columbia. August 26, 1952. Dismissed per stipulation pursuant to Rule 35 of the Rules of this Court. *Donald S. Caruthers* for appellants. *Solicitor General Perlman* for the United States; *Edward M. Reidy* for the Interstate Commerce Commission; and *John L. Sullivan* for the Boston & Maine Railroad, appellees. Reported below: 103 F. Supp. 292.

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Order Appointing Clerk.

It is ordered that Harold B. Willey be appointed Clerk of this Court in the place of Charles Elmore Cropley, deceased, and that he forthwith take the oath of office and give bond as required by statute and the order of this Court entered November 22, 1948.

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Per Curiam Decisions.

No. 84. *IVEY v. TEXAS.* Appeal from the Court of Criminal Appeals of Texas. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *L. N. D. Wells, Jr.* for appellant. *Price Daniel*, Attorney General of Texas, and *Willis E. Gresham* and *Calvin B. Garwood, Jr.*, Assistant Attorneys General, for appellee. Reported below: 156 Tex. Cr. R. —, 247 S. W. 2d 105.

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No. 81. *Aiken v. Richardson*. Appeal from the Court of Appeals of Georgia. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *G. Seals Aiken, pro se. Ralph Williams* for appellee. Reported below: 85 Ga. App. 180, 68 S. E. 2d 228.

No. 220. *Fernandez et al. v. Kellner et al., Constituting the Florida State Board of Dental Examiners*. Appeal from the Supreme Court of Florida. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *J. Tom Watson* for appellants. Reported below: 55 So. 2d 793.

No. 92. *Halliday, Administratrix, v. Union Properties, Inc. et al.* Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Harry L. Deibel and James M. De Vinne* for appellant. *Charles W. Sellers* for the Cleveland Metal Fabricating Co. et al., appellees. Reported below: 156 Ohio St. 262, 101 N. E. 2d 905.

No. 165. *Benis v. Georgia*. Appeal from the Supreme Court of Georgia. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Wallace Miller and Wallace Miller, Jr.* for appellant. *W. O. Cooper, Jr.* for appellee.

No. 228. *Flora Realty & Investment Co. v. City of Ladue*. Appeal from the Supreme Court of Missouri. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Victor Packman and Morris Miller* for appellant. *John H. Cunningham, Jr.* for appellee. Reported below: 362 Mo. 1025, 246 S. W. 2d 771.

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No. 241. MOTORS INSURANCE CORP. ET AL. *v.* ROBINSON, SUPERINTENDENT OF INSURANCE, ET AL. Appeal from the Supreme Court of Ohio. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *J. Rath Crabbe* and *Clarence D. Laylin* for appellants. *C. William O'Neill*, Attorney General of Ohio, *Robert E. Leach*, Chief Counsel, and *Ralph Klapp* and *Don W. Montgomery*, Assistant Attorneys General, for appellees. Reported below: 157 Ohio St. 354, 105 N. E. 2d 61.

No. 96. JEFFERSON *v.* CHRONICLE PUBLISHING CO. Appeal from the District Court of Appeal of California, Second Appellate District. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. MR. JUSTICE BLACK dissents. MR. JUSTICE BURTON is of the opinion that probable jurisdiction should be noted. *Welburn Mayock* for appellant. *Oscar Lawler* and *John M. Hall* for appellee. Reported below: 108 Cal. App. 2d 538, 238 P. 2d 1018.

No. 103. ARNALL, DIRECTOR OF PRICE STABILIZATION, *v.* SAFEWAY STORES, INC. On petition for writ of certiorari to the United States Emergency Court of Appeals. *Per Curiam:* The motion to substitute Tighe E. Woods, present Director of Price Stabilization, as the party petitioner in the place and stead of Ellis Arnall, resigned, is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Emergency Court of Appeals for consideration in the light of amendments to the Defense Production Act, approved June 30, 1952, 66 Stat. 296. *Philip B. Perlman*, then Solicitor General, and *Acting Solicitor General Stern* for petitioner. *Elisha Hanson*, *Arthur B. Hanson* and *Garland Clarke* for respondent. Reported below: 196 F. 2d 510.

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No. 148. *TIDE WATER ASSOCIATED OIL Co. v. ROBISON, ON BEHALF OF LOCAL 445, OIL WORKERS INTERNATIONAL UNION.* Appeal from the Superior Court of California, Contra Costa County. *Per Curiam:* The motion to affirm is granted and the judgment is affirmed. *Day-Brite Lighting, Inc. v. Missouri*, 342 U. S. 421. MR. JUSTICE FRANKFURTER and MR. JUSTICE JACKSON are of the opinion that probable jurisdiction should be noted and the case set down for argument. *Marion B. Plant* for appellant. *Lindsay P. Walden* for appellee.

No. 166. *ALL STATES FREIGHT, INC. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Northern District of Ohio. *Per Curiam:* The motion to affirm is granted and the judgment is affirmed. *H. Russell Bishop* and *Bingham W. Zellmer* for appellant. *Solicitor General Perlman* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Carl Helmetag, Jr.* for the Central Territory Railroads, appellees.

No. 190. *BROOKS TRANSPORTATION Co., INC. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Eastern District of Virginia. *Per Curiam:* The motion to affirm is granted and the judgment is affirmed. *J. Ninian Beall* and *William M. Blackwell* for appellant. *Solicitor General Perlman* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Wilmer A. Hill* for Falwell Fast Freight, Inc. et al., appellees. Reported below: 108 F. Supp. 244.

No. 174. *McGRATH, ATTORNEY GENERAL, v. NATIONAL ASSOCIATION OF MANUFACTURERS OF THE UNITED STATES OF AMERICA ET AL.* Appeal from the United States District Court for the District of Columbia. *Per*

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Curiam: The motion to vacate is granted. The judgment is vacated and the case is remanded to the United States District Court with directions to dismiss the complaint upon the ground that the case is moot. *Snyder v. Buck*, 340 U. S. 15. MR. JUSTICE CLARK took no part in the consideration or decision of this case. *Philip B. Perlman*, then Solicitor General, *Acting Solicitor General Stern*, *Philip Elman* and *Morton Hollander* for appellants. *Carl McFarland*, *Ashley Sellers*, *Raymond S. Smethurst* and *Kenneth L. Kimble* for appellees. Reported below: 103 F. Supp. 510.

No. 207. DIVISION 26 OF THE AMALGAMATED ASSOCIATION OF STREET, ELECTRIC RAILWAY & MOTOR COACH EMPLOYEES OF AMERICA ET AL. v. CITY OF DETROIT ET AL. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS dissent. MR. JUSTICE BURTON is of the opinion that probable jurisdiction should be noted. *Edward N. Barnard* for appellants. *James H. Lee* for appellees. Reported below: 332 Mich. 237, 51 N. W. 2d 228.

No. 211. SCOTT v. MISSISSIPPI. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion for leave to proceed in forma pauperis is granted. The appeal is dismissed for the want of jurisdiction. 28 U. S. C. § 1257 (2). The petition for writ of certiorari is denied. Reported below: 56 So. 2d 839.

No. 224. GOOD ET AL. v. DOW CHEMICAL CO. Appeal from the Court of Civil Appeals of Texas. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of jurisdiction. 28 U. S. C. § 1257 (2). Treating the papers whereon the appeal was allowed as a petition for writ of certiorari as required by

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28 U. S. C. § 2103, certiorari is denied. *Hayden C. Covington* for appellants. *W. S. Elkins* and *Leroy Jeffers* for appellee. Reported below: 247 S. W. 2d 608.

Miscellaneous Orders.

No. —, Original. *ARIZONA v. CALIFORNIA ET AL.* A rule is ordered to issue, returnable within sixty days, requiring the defendants to show cause why leave to file the bill of complaint should not be granted. *Fred O. Wilson*, Attorney General of Arizona, *Alexander B. Baker*, Chief Assistant Attorney General, *John H. Moeur*, *Burr Sutter* and *Perry M. Ling* for complainant.

No. 9, Original. *TEXAS v. NEW MEXICO ET AL.* The answers of the State of New Mexico and Middle Rio Grande Conservancy District et al. are received and filed.

No. 1. *LAND ET AL. v. DOLLAR ET AL.*; and

No. 2. *IN RE KILLION.* On writs of certiorari, 341 U. S. 737, to the United States Court of Appeals for the District of Columbia Circuit. Dismissed on motions of counsel for petitioners. MR. JUSTICE BLACK and MR. JUSTICE CLARK took no part in the consideration or decision of these motions. *Attorney General McGranery* for Land et al., petitioners in No. 1. *Arthur B. Dunne* for petitioner in No. 2. *Herman Phleger, Gregory A. Harrison, Moses Lasky, Edmund L. Jones* and *Howard Boyd* for Dollar et al., respondents. Reported below: See 88 U. S. App. D. C. 311, 190 F. 2d 366.

No. 5. *SAWYER, SECRETARY OF COMMERCE, ET AL. v. DOLLAR ET AL.*; and

No. 6. *IN RE KILLION.* On writs of certiorari, 342 U. S. 875, to the United States Court of Appeals for the District of Columbia Circuit. The judgment of the Court of Appeals is vacated and the cases are remanded to that court with directions to dismiss the proceedings upon the

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ground that the cause is moot. MR. JUSTICE BLACK and MR. JUSTICE CLARK took no part in the consideration or decision of these cases. *Attorney General McGranery* and *C. Dickerman Williams* for Sawyer, Secretary of Commerce, et al., petitioners in No. 5. *Arthur B. Dunne* for petitioner in No. 6. *Herman Phleger, Gregory A. Harrison, Moses Lasky, Edmund L. Jones* and *Howard Boyd* for respondents. Reported below: 89 U. S. App. D. C. 38, 190 F. 2d 623.

No. 353, October Term, 1950. *LAND ET AL. v. DOLLAR ET AL.*, 340 U. S. 884. The motion of petitioners for leave to withdraw the motion for leave to file petition for reconsideration is granted. MR. JUSTICE BLACK and MR. JUSTICE CLARK took no part in the consideration or decision of this motion. *Attorney General McGranery* for petitioners. *Herman Phleger, Gregory A. Harrison, Moses Lasky, Edmund L. Jones* and *Howard Boyd* for respondents.

No. 129. *BABB v. BENJAMIN, CHIEF OF THE CHICAGO AREA, SOCIAL SECURITY ADMINISTRATION, ET AL.* C. A. 7th Cir. Certiorari denied. Motion for leave to file petition for writ of mandamus also denied. Petitioner *pro se*. *Solicitor General Perlman* for respondents.

No. 54, Misc. *SLUSSER v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Motion to amend the petition for writ of certiorari granted.

No. 28, Misc. *FISK v. FRISBIE, WARDEN*. Supreme Court of Michigan. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 126, Misc. *HICKS v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Petition for appeal and motion for leave to file petition for writ of habeas corpus also denied.

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No. 29, Misc. GODWIN *v.* HUNTER, WARDEN, ET AL.;

No. 34, Misc. EVANS *v.* OVERHOLSER, SUPERINTENDENT;

No. 36, Misc. GREER *v.* SOUTH CAROLINA;

No. 46, Misc. CURLANIS *v.* STEELE, WARDEN;

No. 50, Misc. JORDAN *v.* STEELE, WARDEN; and

No. 64, Misc. WHORTON *v.* EIDSON, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 38, Misc. COLLINS *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS. Motion for leave to file petition for writ of mandamus denied.

No. 95, Misc. PORT *v.* GOODMAN, DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. *Percy V. Long, Bert W. Levit, Arthur H. Kent and Valentine Brookes* for petitioner. *Acting Solicitor General Stern, Acting Assistant Attorney General Slack and Fred G. Folsom* for respondent.

No. 125, Misc. EX PARTE GREYVAN LINES, INC. Motion for leave to file petition for writ of mandamus denied. *Edward R. Adams, Drew L. Carraway, Homer S. Carpenter and Roland Rice* for petitioner. *Acting Solicitor General Stern, Acting Assistant Attorney General Clapp, Charles H. Weston, E. Riggs McConnell and Edward M. Reidy* for the United States and the Interstate Commerce Commission; *Carl Helmetag, Jr.* for the Class I Railroads; and *Burton K. Wheeler, Robert G. Seaks and J. Albert Woll* for the Teamsters Union, respondents.

No. 19, Misc. SANGUIGNI *v.* FRISBIE, WARDEN. Motion for leave to file petition for writ of certiorari denied.

No. 26, Misc. IN RE CLULOW. Application denied.

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Certiorari Granted. (See also No. 103, supra.)

No. 66. *LUTWAK ET AL. v. UNITED STATES.* C. A. 7th Cir. Certiorari granted. *Anthony Bradley Eben, Richard F. Watt and Joseph L. Nellis* for petitioners. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 195 F. 2d 748.

No. 89. *AUTOMATIC CANTEEN CO. v. FEDERAL TRADE COMMISSION.* C. A. 7th Cir. Certiorari granted. *Edward F. Howrey, L. A. Gravelle, Emil N. Levin and Elmer M. Leesman* for petitioner. *Solicitor General Perlman and W. T. Kelley* filed a memorandum for respondent, stating that the Government does not oppose allowance of the petition. Reported below: 194 F. 2d 433.

No. 139. *SHAUGHNESSY, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION, v. UNITED STATES EX REL. MEZEI.* C. A. 2d Cir. Certiorari granted. *Solicitor General Perlman* for petitioner. *Jack Wasserman* for respondent. Reported below: 195 F. 2d 964.

No. 150. *WESTERN PACIFIC RAILROAD CORP. ET AL. v. WESTERN PACIFIC RAILROAD CO. ET AL.; and*

No. 160. *METZGER ET AL. v. WESTERN PACIFIC RAILROAD CO. ET AL.* C. A. 9th Cir. Certiorari granted. *Herman Phleger, Moses Lasky, Frank C. Nicodemus, Jr. and Norris Darrell* for petitioners in No. 150. *Julius Levy* for petitioners in No. 160. *Allan P. Matthew, James D. Adams and Walker W. Lowry* for the Western Pacific Railroad Co. et al., and *Everett A. Mathews, A. Donald MacKinnon and Forbes D. Shaw* for the Western Realty Co., respondents. Reported below: 197 F. 2d 994, 1012, 1013.

No. 203. *CITY OF NEW YORK v. NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO.* C. A. 2d Cir. Cer-

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tiorari granted. *Denis M. Hurley* and *Seymour B. Quel* for petitioner. *Edward R. Brumley* for respondent. Reported below: 197 F. 2d 428.

No. 205. UNITED STATES *v.* PUBLIC UTILITIES COMMISSION OF CALIFORNIA ET AL.; and

No. 206. COUNTY OF MINERAL, NEVADA, *v.* PUBLIC UTILITIES COMMISSION OF CALIFORNIA ET AL. Supreme Court of California. Certiorari granted. *Solicitor General Perlman* for the United States. *L. E. Blaisdell* for Mineral County, Nevada. *Everett C. McKeage* for the Public Utilities Commission of California; and *Henry W. Coil* and *Donald J. Carman* for the California Electric Power Co., respondents.

No. 218. MARTINEZ *v.* NEELLY, SUCCESSOR TO JORDAN, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari granted. *Eugene Cotton* for petitioner. *Acting Solicitor General Stern*, *Assistant Attorney General Murray*, *Beatrice Rosenberg* and *Kenneth C. Shelver* for respondent. Reported below: 197 F. 2d 462.

No. 226. LAURITZEN *v.* LARSEN. C. A. 2d Cir. Certiorari granted. *James M. Estabrook* for petitioner. *Archibald McGrath*, *Richard M. Cantor* and *George Halpern* for respondent. Briefs of *amici curiae* supporting the petition were filed by *John Lord O'Brian* for the Royal Danish Government; *Lawrence Hunt* and *Wilbur E. Dow, Jr.* for the United Kingdom of Great Britain and Northern Ireland; *Frank Marcellino* for the Government of the Kingdom of the Netherlands; and *James S. Hemingway* for the Royal Norwegian Government. *Mr. Cantor* and *Mr. Halpern* filed a brief for the Seafarers International Union of North America et al., as *amici curiae*, opposing the petition. Reported below: 196 F. 2d 220.

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No. 60. PENNSYLVANIA RAILROAD CO. *v.* O'ROURKE. C. A. 2d Cir. Certiorari granted. *John Vance Hewitt* for petitioner. *Herbert Zelenko* for respondent. Reported below: 194 F. 2d 612.

No. 75. FEDERAL TRADE COMMISSION *v.* MOTION PICTURE ADVERTISING SERVICE CO., INC. C. A. 5th Cir. Certiorari granted. *Solicitor General Perlman* for petitioner. *Charles Rosen* for respondent. Reported below: 194 F. 2d 633.

No. 76. HEALY ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari granted. *Frank J. Maguire* for petitioners. *Solicitor General Perlman* for respondent. Reported below: 194 F. 2d 662.

No. 86. LOCAL UNION NO. 10, UNITED ASSOCIATION OF JOURNEYMEN PLUMBERS AND STEAMFITTERS, ET AL. *v.* GRAHAM ET AL., TRADING AS GRAHAM BROTHERS. Supreme Court of Appeals of Virginia. Certiorari granted. *John R. Foley* for petitioners. *Richmond Moore, Jr.* for respondents.

No. 97. NATIONAL LABOR RELATIONS BOARD *v.* DANT ET AL., DOING BUSINESS AS DANT & RUSSELL, LTD. C. A. 9th Cir. Certiorari granted. *Solicitor General Perlman* and *George J. Bott* for petitioner. *R. S. Smethurst* and *John T. Casey* for respondents. Reported below: 195 F. 2d 299.

No. 217. NATIONAL LABOR RELATIONS BOARD *v.* SEVEN-UP BOTTLING COMPANY OF MIAMI, INC. C. A. 5th Cir. Certiorari granted. *Solicitor General Perlman* and *George J. Bott* for petitioner. *Albert B. Bernstein* and *Marion A. Prowell* for respondent. Reported below: 196 F. 2d 424.

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No. 242. *BAILESS, COUNTY TREASURER, ET AL. v. PAUKUNE.* Supreme Court of Oklahoma. Certiorari granted. *R. L. Lawrence* and *R. F. Barry* for petitioners. *Reford Bond, Jr.* for respondent. Reported below: 206 Okla. 527, 244 P. 2d 1137.

No. 253. *UNITED STATES v. CERTAIN PARCELS OF LAND IN THE COUNTY OF FAIRFAX, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari granted. *Solicitor General Perlman* for the United States. *Joseph W. Wyatt* and *Frederick A. Ballard* for respondents. Reported below: 196 F. 2d 657.

No. 53. *AMERICAN NEWSPAPER PUBLISHERS ASSOCIATION v. NATIONAL LABOR RELATIONS BOARD.* C. A. 7th Cir. Certiorari granted limited to question No. 2 presented by the petition for the writ, *i. e.*:

"Whether the demand and insistence of the International Typographical Union that publishers pay employees in their composing rooms for setting 'bogus' violated Section 8 (b)(6) of the National Labor Relations Act in view of the fact that composing room employees perform no service incident or essential to the production of a newspaper in their handling of such 'bogused' material."

Elisha Hanson, William K. Van Allen and *Arthur B. Hanson* for petitioner. *Solicitor General Perlman, George J. Bott, David P. Findling, Mozart G. Ratner* and *Bernard Dunau* filed a memorandum for respondent, stating that counsel do not oppose the grant of the petition limited to the question of the interpretation of § 8 (b)(6) of the National Labor Relations Act. Reported below: 193 F. 2d 782.

No. 87. *UNITED STATES v. RUMELY.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *MR. JUSTICE BURTON* and *MR. JUSTICE MINTON* took no part in the consideration or decision

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of this application. *Solicitor General Perlman* for the United States. *Donald R. Richberg, Alfons B. Landa* and *Delmar W. Holloman* for respondent. Reported below: 90 U. S. App. D. C. 382, 197 F. 2d 166.

No. 138. *COMMISSIONER OF INTERNAL REVENUE v. SMITH*. C. A. 6th Cir. Certiorari granted. *Solicitor General Perlman* for petitioner. *Sol Goodman* for respondent. Reported below: 194 F. 2d 536.

No. 182. *GORDON ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari granted limited to questions Nos. 2 and 3 presented by the petition for the writ, *viz.*:

"Where the key witness for the prosecution has given damaging evidence against the defendants and it is developed on cross-examination that the witness at the time of his arrest and on several occasions thereafter made written statements to the FBI in which he failed to implicate the defendants and in fact named another person as the one from whom he obtained the stolen merchandise, is it error to deny inspection and production of and cross-examination on the previous statements so that a full and complete disclosure may be had?

"Is it an undue restriction of cross-examination and deprivation of a fair trial to prohibit cross-examination of the Government's key witness which would have shown that at the time he entered his plea of guilty to the offense about which he testified against the defendants his own case had been referred to the Probation Department for presentence recommendation; that the witness' lawyer and the prosecutor had discussed disposition of the witness' case in chambers with the Court the previous day; that he was advised by the Court that if he expected a recommendation for lenient sentence or for probation, it would be essential that he satisfy the Probation Department that he had given the law enforcement authorities

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full information, and that he was admonished by the Court that he would be 'well advised' to tell the probation authorities the whole story even though it might involve others."

George F. Callaghan for Gordon, and *Maurice J. Walsh* for MacLeod, petitioners. *Solicitor General Perlman*, *Assistant Attorney General McInerney* and *Beatrice Rosenberg* for the United States. Reported below: 196 F. 2d 886.

No. 193. *FORD MOTOR CO. v. HUFFMAN ET AL.*; and

No. 194. *INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, CIO, v. HUFFMAN ET AL.* C. A. 6th Cir. Certiorari granted. Motion for leave to file brief of Veterans of Foreign Wars of the United States, as *amicus curiae*, denied. *William T. Gossett*, *L. Homer Surbeck* and *Richard W. Hogue, Jr.* for petitioner in No. 193. *Lowell Goerlich* and *Sol Goodman* for petitioner in No. 194. *Samuel M. Rosenstein* for respondents. Briefs of *amici curiae* supporting the petition in No. 193 were filed by *Nicholas Kelley*, *Francis S. Bensel* and *Hancock Griffin, Jr.* for the Chrysler Corporation; and *George Morris Fay* for the Briggs Manufacturing Co. *Louis S. Lebo* filed a brief for the Electric Auto-Lite Co., as *amicus curiae*, supporting the petitions. Reported below: 195 F. 2d 170.

No. 238. *NATIONAL LABOR RELATIONS BOARD v. GAMBLE ENTERPRISES, INC.* C. A. 6th Cir. Certiorari granted. *Solicitor General Perlman* and *George J. Bott* for petitioner. Reported below: 196 F. 2d 61.

No. 9, Misc. *WARD v. UNITED STATES.* C. A. 5th Cir. Certiorari granted. *James T. Wright* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General*

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McInerney, Beatrice Rosenberg and Murry Lee Randall
for the United States. Reported below: 195 F. 2d 441.

No. 15, Misc. *STEIN v. NEW YORK*;
No. 16, Misc. *WISSNER v. NEW YORK*; and
No. 24, Misc. *COOPER v. NEW YORK*. Court of Appeals of New York. Certiorari granted limited to the question as to the admissibility of the confessions. *Philip J. O'Brien* and *Philip J. O'Brien, Jr.* for *Stein*; *I. Maurice Wormser*, *J. Bertram Wegman* and *Richard J. Burke* for *Wissner*; and *Peter L. F. Sabbatino* and *Thomas J. Todarelli* for *Cooper*, petitioners. *Burton C. Meighan* for respondent. Reported below: 303 N. Y. 856, 982, 104 N. E. 2d 917, 106 N. E. 2d 63.

No. 52, Misc. *WELLS, ADMINISTRATRIX, v. SIMONDS ABRASIVE Co.* C. A. 3d Cir. Certiorari granted limited to question No. 2 presented by the petition for the writ, *i. e.*:

“Does not the Pennsylvania Statute, as construed by the Court below, violate the Full Faith and Credit Clause of the United States Constitution?”

Henry S. Drinker, *Charles J. Biddle* and *Francis Hopkinson* for petitioner. *Philip Price* for respondent. Reported below: 195 F. 2d 814.

Certiorari Denied. (*See also Nos. 129, 211 and 224 and Misc. Nos. 19, 28 and 126, supra.*)

No. 45. *PICKERILL ET AL. v. SCHOTT, DIRECTOR OF BEVERAGE DEPARTMENT.* Supreme Court of Florida. Certiorari denied. *Nixon Butt* and *Frank J. Wideman* for petitioners. *Wm. Joe Sears, Jr.* and *A. H. Rothstein* for respondent. Reported below: 55 So. 2d 716.

No. 48. *ALLEN v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. *William B. Crawford* for petitioner. Reported below: 410 Ill. 508, 103 N. E. 2d 92.

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No. 49. *SIMPSON ET AL., DOING BUSINESS AS SIMPSON CONSTRUCTION CO., v. UNITED STATES.* Court of Claims. Certiorari denied. *Giles J. Patterson* for petitioners. *Solicitor General Perlman, Assistant Attorney General Baldridge* and *Samuel D. Slade* for the United States. Reported below: 121 Ct. Cl. 506, 102 F. Supp. 562.

No. 50. *ROBINS, DOING BUSINESS AS ROBINS TRANSFER CO., v. ATLANTIC COAST LINE RAILROAD CO.* C. A. 5th Cir. Certiorari denied. *George W. Yancey* for petitioner. *Peyton D. Bibb* and *Charles Cook Howell* for respondent. Reported below: 192 F. 2d 657.

No. 54. *MODERN MANUFACTURING CO., INC. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 2d Cir. Certiorari denied. *James Barnes* for petitioner. *Solicitor General Perlman, George J. Bott, David P. Findling* and *Mozart G. Ratner* for the National Labor Relations Board, respondent. Reported below: 193 F. 2d 613.

No. 55. *RUDY BROOK CLOTHES, INC. v. BRITISH & FOREIGN MARINE INSURANCE CO., LTD. ET AL.* C. A. 7th Cir. Certiorari denied. *Henry H. Koven* for petitioner. *Carl Meyer* and *Leo F. Tierney* for respondents. Reported below: 195 F. 2d 86.

No. 56. *INTERNATIONAL TYPOGRAPHICAL UNION ET AL. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 7th Cir. Certiorari denied. *Henry Kaiser, Gerhard P. Van Arkel* and *Eugene Gressman* for petitioners. *Solicitor General Perlman, George J. Bott, David P. Findling, Mozart G. Ratner* and *Fannie M. Boyls* for the National Labor Relations Board; and *Elisha Hanson, William K. Van Allen* and *Arthur B. Hanson* for the American Newspaper Publishers Association, respondents. Reported below: 193 F. 2d 782.

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No. 57. *NORWITT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Leo R. Friedman* for petitioner. *Solicitor General Perlman, Acting Assistant Attorney General Slack, Meyer Rothwacks and Arthur B. Cunningham* for the United States. Reported below: 195 F. 2d 127.

No. 58. *PROVIDENCE FRUIT & PRODUCE BLDG., INC. ET AL. v. GAMCO INCORPORATED*. C. A. 1st Cir. Certiorari denied. *Frank Licht* for petitioners. *Loretta I. Martone* for respondent. Reported below: 194 F. 2d 484.

No. 59. *NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO. v. TRANSIT ADVERTISERS, INC.* C. A. 2d Cir. Certiorari denied. *Edward R. Brumley* for petitioner. *J. Edward Lumbard, Jr.* for respondent. Reported below: 194 F. 2d 907.

No. 61. *YANISH ET AL. v. BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 9th Cir. Certiorari denied. *Allan Brotsky* for petitioners. *Solicitor General Perlman, Assistant Attorney General McInerney and Beatrice Rosenberg* for respondent. Reported below: 196 F. 2d 53.

No. 62. *OLSEN v. ARABIAN AMERICAN OIL CO.*; and

No. 63. *ALWINE v. ARABIAN AMERICAN OIL CO.* C. A. 2d Cir. Certiorari denied. *Guy O. Walser* for petitioners. *Louis F. Huttenlocher and Thomas F. Barry* for respondent. Reported below: 194 F. 2d 477.

No. 64. *ANDRUS ET AL. v. WHITMAN ET AL.* C. A. 6th Cir. Certiorari denied. *I. Joseph Farley* for petitioners. *Frank E. Liverance, Jr.* for respondents. Reported below: 194 F. 2d 270.

No. 65. *PRESSEY ET AL., DOING BUSINESS AS S. W. PRESSEY & SON, v. SCHLOTTMAN ET AL.* C. A. 10th Cir.

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Certiorari denied. *Emmett Thurmon* for petitioners. Reported below: 195 F. 2d 343.

No. 67. *JEFFERSON LAKE SULPHUR Co. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Brunswick G. Deutsch* for petitioner. *Solicitor General Perlman, Acting Assistant Attorney General Slack* and *Melva M. Graney* for the United States. Reported below: 195 F. 2d 1012.

No. 68. *F. S. WHELAN & SONS v. UNITED STATES.* United States Court of Customs and Patent Appeals. Certiorari denied. *Hammond E. Chaffetz* and *Chauncey P. Carter, Jr.* for petitioner. *Solicitor General Perlman* and *John R. Benney* for the United States. Reported below: 39 C. C. P. A. (Cust.) 168.

No. 69. *SHERWOOD DISTILLING Co. ET AL. v. PEOPLES FIRST NATIONAL BANK & TRUST Co.* C. A. 4th Cir. Certiorari denied. *William Hoffenberg* and *Wilson K. Barnes* for petitioners. *Richard F. Cleveland* for respondent. Reported below: 194 F. 2d 387.

No. 70. *ALGONQUIN GAS TRANSMISSION Co. ET AL. v. NORTHEASTERN GAS TRANSMISSION Co. ET AL.; and*

No. 172. *FEDERAL POWER COMMISSION v. NORTHEASTERN GAS TRANSMISSION Co. ET AL.* C. A. 3d Cir. Certiorari denied. *Charles E. McGee* and *Helmer R. Johnson* for the Algonquin Gas Transmission Co.; and *David T. Searls, Charles I. Francis, Charles I. Thompson, W. D. Deakins, Jr. and J. Ross Gamble* for the Texas Eastern Transmission Corp., petitioners in No. 70. *Solicitor General Perlman* and *Bradford Ross* for the Federal Power Commission, petitioner in No. 172. *Charles V. Shannon* for the Northeastern Gas Transmission Co. et al., and *Ray C. Westgate* for the Fall River Gas Works Co., respondents. Reported below: 195 F. 2d 872.

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No. 71. *MUNDET CORK CORP. v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. *Conover English* for petitioner. *Fred Herrigel, Jr.* for respondent. Reported below: 8 N. J. 359, 86 A. 2d 1.

No. 72. *ROLES v. EARLE, COLLECTOR OF INTERNAL REVENUE, ET AL.* C. A. 9th Cir. Certiorari denied. *Thomas L. Gatch* and *David Pattullo* for petitioner. *Solicitor General Perlman, Acting Assistant Attorney General Slack, A. F. Prescott* and *Carlton Fox* for respondents. Reported below: 195 F. 2d 346.

No. 73. *H. B. ZACHRY Co. v. TERRY*. C. A. 5th Cir. Certiorari denied. *Maury Maverick* and *Chester H. Johnson* for petitioner. *G. C. Mann* for respondent. Reported below: 195 F. 2d 185.

No. 78. *NATIONAL LABOR RELATIONS BOARD v. ARTHUR WINER, INC.* C. A. 7th Cir. Certiorari denied. *Solicitor General Perlman* and *George J. Bott* for petitioner. *Harry N. Wyatt* for respondent. Reported below: 194 F. 2d 370.

No. 82. *NATIONAL MUTUAL INSURANCE Co. v. LIBERTY MUTUAL INSURANCE Co. ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Cornelius H. Doherty* and *Alfred L. Bennett* for petitioner. Reported below: 90 U. S. App. D. C. 362, 196 F. 2d 597.

No. 83. *LICHTENSTEIN ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 9th Cir. Certiorari denied. *George E. Lindelof, Jr.* for petitioners. *Solicitor General Perlman, Charles H. Weston, William T. Kelley* and *Robert B. Dawkins* for respondent. Reported below: 194 F. 2d 607.

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No. 88. *BRODY v. MASSACHUSETTS*. Superior Court of Suffolk County, Massachusetts. Certiorari denied. *Edward M. Dangel* and *Leo E. Sherry* for petitioner. *Francis E. Kelly*, Attorney General of Massachusetts, and *Henry P. Fielding*, Assistant Attorney General, for respondent.

No. 90. *ANHEUSER-BUSCH, INC. ET AL. v. KAINZ ET AL.*, DOING BUSINESS AS MATT & NEAL'S LIQUORS, ET AL. C. A. 7th Cir. Certiorari denied. *Charles M. Price*, *Charles B. Mahin* and *Robert C. Keck* for Anheuser-Busch, Inc., and *Victor E. La Rue* for Home Delivery, Inc. et al., petitioners. *Hirsch E. Soble* for respondents. Reported below: 194 F. 2d 737.

No. 91. *58TH STREET PLAZA THEATRE, INC. ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Paul R. Russell* and *Howard D. Pack* for petitioners. *Solicitor General Perlman*, *Acting Assistant Attorney General Slack*, *Lee A. Jackson* and *Melva M. Graney* for respondent. Reported below: 195 F. 2d 724.

No. 93. *REVEDIN v. ACHESON*, SECRETARY OF STATE, ET AL. C. A. 2d Cir. Certiorari denied. *Cornelius W. Wickersham* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General McInerney*, *Beatrice Rosenberg* and *Edward S. Szukelewicz* for the Secretary of State, respondent. Reported below: 194 F. 2d 482.

No. 94. *HERBERGER ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *George T. Altman* for petitioners. *Solicitor General Perlman*, *Acting Assistant Attorney General Slack*, *Fred E. Youngman* and *John R. Benney* for respondent. Reported below: 195 F. 2d 293.

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No. 98. *WATWOOD v. STONE'S MERCANTILE AGENCY, INC.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *H. Winship Wheatley* and *H. Winship Wheatley, Jr.* for respondent. Reported below: 90 U. S. App. D. C. 419, 194 F. 2d 160.

No. 99. *BECK v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Watson Washburn* for petitioner. *Solicitor General Perlman, Acting Assistant Attorney General Slack, Joseph W. Bishop, Jr.* and *Melva M. Graney* for respondent. Reported below: 194 F. 2d 537.

No. 104. *JONES ET AL., DOING BUSINESS AS JONES & HAITHCOCK USED CARS, v. HARPER, MAJOR GENERAL, UNITED STATES ARMY.* C. A. 10th Cir. Certiorari denied. *Duke Duvall* for petitioners. *Solicitor General Perlman, Assistant Attorney General Baldridge, John F. Davis, Paul A. Sweeney* and *Hubert H. Margolies* for respondent. Reported below: 195 F. 2d 705.

No. 105. *CHAPMAN ET UX. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Jack K. Ayer* and *Stone Wells* for petitioners. *Solicitor General Perlman, Assistant Attorney General Baldridge* and *Samuel D. Slade* for the United States. Reported below: 194 F. 2d 974.

No. 107. *SINCLAIR REFINING Co. v. GUTOWSKI.* C. A. 6th Cir. Certiorari denied. *Milo H. Crawford* and *A. Stewart Kerr* for petitioner. Reported below: 195 F. 2d 637.

No. 109. *GIRARD TRUST CORN EXCHANGE BANK, TRUSTEE, v. COMMISSIONER OF INTERNAL REVENUE.*

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C. A. 3d Cir. Certiorari denied. *Philip Price* and *George Craven* for petitioner. *Solicitor General Perlman, Acting Assistant Attorney General Slack* and *Melva M. Graney* for respondent. Reported below: 194 F. 2d 708.

No. 110. *WILLIAMS v. STEELE, WARDEN*. C. A. 8th Cir. Certiorari denied. *Arthur J. Freund, Morris L. Ernst, Osmond K. Fraenkel* and *Herbert Monte Levy* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 194 F. 2d 917.

No. 114. *TAYLOR v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Jackson A. Dykman* for petitioner. *Solicitor General Perlman, Acting Assistant Attorney General Slack* and *I. Henry Kutz* for respondent. Reported below: 194 F. 2d 528.

No. 115. *STEEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *George T. Altman* for petitioner. *Solicitor General Perlman, Acting Assistant Attorney General Slack* and *Robert N. Anderson* for the United States. Reported below: 195 F. 2d 379.

No. 116. *AMERICAN STEAMSHIP Co. v. INTERLAKE STEAMSHIP Co.* C. A. 6th Cir. Certiorari denied. *Laurence E. Coffey* and *Lucian Y. Ray* for petitioner. *Thomas V. Koykka* for respondent. Reported below: 194 F. 2d 25.

No. 117. *DEENA PRODUCTS Co. v. UNITED BRICK & CLAY WORKERS OF AMERICA ET AL.* C. A. 6th Cir. Certiorari denied. *James G. Wheeler* for petitioner. *J. Albert Woll, Herbert S. Thatcher* and *James A. Glenn* for respondents. Reported below: 195 F. 2d 612.

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No. 118. *LANOLIN PLUS COSMETICS, INC. v. MARZALL, COMMISSIONER OF PATENTS, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James R. McKnight* and *Emory L. Groff* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Baldridge*, *Paul A. Sweeney* and *Hubert H. Margolies* for the Commissioner of Patents; and *Alfonso B. Landa* and *Raymond C. Cushwa* for *Botany Mills, Inc.*, respondents. Reported below: 90 U. S. App. D. C. 349, 196 F. 2d 591.

No. 119. *MASSACHUSETTS MUTUAL LIFE INSURANCE CO. v. SMITH.* C. A. 5th Cir. Certiorari denied. *Harlan Hobart Grooms* for petitioner. *James A. Simpson* for respondent. Reported below: 194 F. 2d 1006.

No. 121. *IN RE BOVE.* C. A. 3d Cir. Certiorari denied. Reported below: 196 F. 2d 217.

No. 122. *COLON ET AL., TRADING AS E. & J. DISTRIBUTING CO., v. FEDERAL TRADE COMMISSION.* C. A. 2d Cir. Certiorari denied. *Arthur D. Herrick* for petitioners. *Solicitor General Perlman*, *Acting Assistant Attorney General Clapp*, *Charles H. Weston*, *William T. Kelley* and *Robert B. Dawkins* for respondent. Reported below: 193 F. 2d 179.

No. 124. *ELECTRIC AUTO-LITE CO. v. NATIONAL LABOR RELATIONS BOARD*; and

No. 140. *LOCAL 12, INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, C. I. O., v. NATIONAL LABOR RELATIONS BOARD.* C. A. 6th Cir. Certiorari denied. *Louis S. Lebo* for petitioner in No. 124. *Lowell Goerlich* for petitioner in No. 140. *Solicitor General Perlman*, *George J. Bott*, *David P. Findling* and *Mozart G. Ratner* for respondent. Reported below: 196 F. 2d 500.

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No. 125. *WHITE ET AL. v. CHICAGO LAND CLEARANCE COMMISSION.* Supreme Court of Illinois. Certiorari denied. *Heber T. Dotson* and *Richard E. Westbrooks* for petitioners. *Clay Judson* for respondent. Reported below: 411 Ill. 310, 104 N. E. 2d 236.

No. 127. *HOTEL & RESTAURANT EMPLOYEES' BARTENDERS' INTERNATIONAL UNION, A. F. OF L., ET AL. v. RICHARDS-GREENFIELD, INC.* Circuit Court of Wayne County, Michigan. Certiorari denied. *Hugh Francis* for petitioners. *Guy W. Moore* for respondent.

No. 128. *TILLEY v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. *Arthur M. Fitzgerald* for petitioner. *Solicitor General Perlman* for respondent. Reported below: 411 Ill. 473, 104 N. E. 2d 499.

No. 130. *MARTIN v. COMMISSIONER OF PATENTS.* United States Court of Customs and Patent Appeals. Certiorari denied. *Arthur W. Procter* and *Caleb A. Harding* for petitioner. *Solicitor General Perlman*, *Assistant Attorney General Baldridge* and *Paul A. Sweeney* for respondent. Reported below: 39 C. C. P. A. (Pat.) 893, 195 F. 2d 303.

No. 131. *LABRENZ ET AL. v. ILLINOIS EX REL. WALLACE ET AL.* Supreme Court of Illinois. Certiorari denied. *Hayden C. Covington* for petitioners. *Ivan A. Elliott*, Attorney General of Illinois, *William C. Wines*, Assistant Attorney General, and *John S. Boyle* for respondents. Reported below: 411 Ill. 618, 104 N. E. 2d 769.

No. 132. *GENSMER v. MINNESOTA.* Supreme Court of Minnesota. Certiorari denied. *John R. Foley, Sr.* and *John R. Foley, Jr.* for petitioner. *J. A. A. Burnquist*, Attorney General of Minnesota, *Charles E. Houston*, As-

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sistant Attorney General, and *George B. Sjoselius*, Deputy Attorney General, for respondent. Reported below: 235 Minn. 72, 51 N. W. 2d 680.

No. 133. *DELANY v. PADGETT ET AL.* C. A. 5th Cir. Certiorari denied. *Theodore B. Stubbs* for petitioner. Reported below: 193 F. 2d 806.

No. 134. *GOODYEAR TIRE & RUBBER CO., INC. v. TIERNEY ET AL.* Supreme Court of Illinois. Certiorari denied. *Charles M. Spence* for petitioner. Reported below: 411 Ill. 421, 104 N. E. 2d 222.

No. 135. *PARKER v. NORTH CAROLINA.* Supreme Court of North Carolina. Certiorari denied. *Jane A. Parker* for petitioner. *Harry McMullan*, Attorney General of North Carolina, and *Claude L. Love*, Assistant Attorney General, for respondent. Reported below: 235 N. C. 302, 69 S. E. 2d 542.

No. 136. *AIR TRANSPORT ASSOCIATES, INC. v. CIVIL AERONAUTICS BOARD ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Warren E. Miller* for petitioner. *Solicitor General Perlman*, *Acting Assistant Attorney General Clapp*, *J. Roger Wollenberg* and *Emory T. Nunneley, Jr.* for the Civil Aeronautics Board; and *L. Welch Pogue* for Alaska Airlines, Inc., respondents.

No. 141. *WEBSTER v. OHIO.* Supreme Court of Ohio. Certiorari denied. *Alexander H. Martin* for petitioner. *Joseph H. Crowley* for respondent. Reported below: 156 Ohio St. 279, 102 N. E. 2d 18.

No. 142. *ESTATE OF HAUPTFUHRER ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari

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denied. *Henry S. Drinker and Frederick E. S. Morrison* for petitioners. *Solicitor General Perlman, Acting Assistant Attorney General Slack* and *Harry Marselli* for respondent. Reported below: 195 F. 2d 548.

No. 144. *CARPENTER CONTAINER CORP. v. CONTAINER COMPANY.* C. A. 3d Cir. Certiorari denied. *Hugh M. Morris, Alexander L. Nichols and Marvin C. Harrison* for petitioner. *Newton A. Burgess, Eugene G. Mason, H. H. Hamilton* and *John J. Mahoney* for respondent. Reported below: 194 F. 2d 1013.

Nos. 145 and 146. *CAMPBELL v. DEVINY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Assistant Attorney General Baldridge* and *Samuel D. Slade* for respondents. With them on the briefs were *Herman Marcuse* in No. 145 and *Morton Hollander* in No. 146. Reported below: 90 U. S. App. D. C. 171, 176, 194 F. 2d 876, 881.

No. 147. *WABASH RAILROAD CO. v. BYLER.* C. A. 8th Cir. Certiorari denied. *Sam B. Sebree* for petitioner. *John R. Baty* for respondent. Reported below: 196 F. 2d 9.

No. 149. *MILLS v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles E. Ford* and *H. Clifford Allder* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 90 U. S. App. D. C. 365, 196 F. 2d 600.

No. 151. *STOEHR, TRADING AS STOEHR & FISTER, v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Charles J. Margiotti* and *Samuel Goldstein* for petitioner.

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Solicitor General Perlman, Acting Assistant Attorney General Slack and John Lockley for the United States. Reported below: 196 F. 2d 276.

No. 152. *MONDAKOTA GAS Co. v. MONTANA-DAKOTA UTILITIES Co.* C. A. 9th Cir. Certiorari denied. *Edward S. Shattuck* for petitioner. *John C. Benson* for respondent. Reported below: 194 F. 2d 705.

No. 158. *OCHS v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Carbery O'Shea* for petitioner. *Solicitor General Perlman, Acting Assistant Attorney General Slack and Louise Foster* for respondent. Reported below: 195 F. 2d 692.

No. 159. *WITT v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Hyman M. Greenstein* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney and Beatrice Rosenberg* for the United States. Reported below: 196 F. 2d 285.

No. 161. *MACHATY v. ASTRA PICTURES, INC. ET AL.* C. A. 2d Cir. Certiorari denied. *Henry Pearlman* for petitioner. *Melvin A. Albert* for respondents. Reported below: 197 F. 2d 138.

No. 162. *ASTRA PICTURES, INC. v. EUREKA PRODUCTIONS, INC. ET AL.* C. A. 2d Cir. Certiorari denied. *Melvin A. Albert* for petitioner. *Henry Pearlman* for respondents. Reported below: 197 F. 2d 138.

No. 163. *DEENA PRODUCTS Co. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 7th Cir. Certiorari denied. *Sidney R. Zatz* for petitioner. *Solicitor General Perlman, George J. Bott, David P. Findling, Mozart G. Ratner and Frederick U. Reel* for respondent. Reported below: 195 F. 2d 330.

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No. 164. *SPENCER v. UNITED STATES*. Court of Claims. Certiorari denied. *Frederick Bernays Wiener* and *Thomas H. King* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Baldridge* and *Paul A. Sweeney* for the United States. Reported below: 121 Ct. Cl. 558, 102 F. Supp. 774.

No. 169. *MARTINEZ ET AL. v. RIVERA ET AL.* C. A. 10th Cir. Certiorari denied. *Quincy D. Adams* for petitioners. *J. O. Seth* for respondents. Reported below: 196 F. 2d 192.

No. 170. *SLACKMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Maury Hughes* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg* and *Edward S. Szukelewicz* for the United States. Reported below: 196 F. 2d 501.

No. 171. *RICHMOND, FREDERICKSBURG & POTOMAC RAILROAD Co. v. BROOKS*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *G. Bowdoin Craighill, Murray Preston* and *Wirt P. Marks, Jr.* for petitioner. *Bernard M. Savage* and *Alfred L. Bennett* for respondent. Reported below: 91 U. S. App. D. C. 24, 197 F. 2d 404.

No. 173. *HANSEN v. ARABIAN AMERICAN OIL Co.* C. A. 2d Cir. Certiorari denied. *Guy O. Walser* for petitioner. *Louis F. Huttenlocher* and *Thomas F. Barry* for respondent. Reported below: 195 F. 2d 682.

No. 175. *FRIEDMAN v. HEATING EQUIPMENT MANUFACTURING Co.* Court of Appeals of Ohio, Eighth District. Certiorari denied. *Edward D. Wyner* for petitioner. *Saul Perlis* for respondent.

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No. 176. *CRANE, DOING BUSINESS AS ASSOCIATED FRUIT DISTRIBUTORS OF CALIFORNIA, v. JOSEPH DENUNZIO FRUIT CO. ET AL.* C. A. 9th Cir. Certiorari denied. *Benjamin W. Shipman* for petitioner. *Eli H. Brown, III* and *Charles B. Tachau* for the Joseph Denunzio Fruit Co., respondent.

No. 177. *GAGE v. UNITED STATES.* Court of Claims. Certiorari denied. *Edward S. Irons* and *Hamer H. Jamieson* for petitioner. *Acting Solicitor General Stern, Samuel D. Slade* and *Herman Marcuse* for the United States. Reported below: 122 Ct. Cl. 160, 103 F. Supp. 1022.

No. 180. *PIGNATARO v. WATERMAN STEAMSHIP CORP. ET AL.* C. A. 2d Cir. Certiorari denied. *Philip F. Di Costanza* and *Jacob Rassner* for petitioner. *Charles H. Lawson* for Waterman Steamship Corp., respondent. Reported below: 194 F. 2d 404.

No. 183. *SANDERS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *Charles E. Dierker* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg* and *Vincent A. Kleinfeld* for the United States. Reported below: 196 F. 2d 895.

No. 186. *ROBISON v. ROBISON.* Supreme Court of New Jersey. Certiorari denied. *Theodore D. Parsons* for petitioner. *Paul M. Strack* for respondent. Reported below: 9 N. J. 288, 88 A. 2d 202.

No. 189. *HARRIS v. HARRIS.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Orille C. Gaudette* for petitioner. Reported below: 90 U. S. App. D. C. 239, 196 F. 2d 46.

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No. 192. *TAYLOR v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. *Alexander H. Sands, H. V. Forsyth* and *Wm. Marshall Bullitt* for petitioner. *J. D. Buckman, Jr.*, Attorney General of Kentucky, and *M. B. Holifield* and *H. D. Reed, Jr.*, Assistant Attorneys General, for respondent. Reported below: 246 S. W. 2d 981.

No. 195. *T. M. DUCHE & SONS, INC. v. UNITED STATES*. United States Court of Customs and Patent Appeals. Certiorari denied. *George M. Morris, Albert MacC. Barnes* and *John H. Pratt* for petitioner. *Solicitor General Perlman* and *John R. Benney* for the United States. Reported below: 39 C. C. P. A. (Cust.) 186.

No. 196. *FERGUSON ET AL. v. SOUTH CAROLINA*. Supreme Court of South Carolina. Certiorari denied. *Clint T. Graydon* for petitioners. *T. C. Callison*, Attorney General of South Carolina, and *William A. Dallis*, Assistant Attorney General, for respondent. Reported below: 221 S. C. 300, 70 S. E. 2d 355.

No. 199. *CROLICH ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *J. Edward Thornton* for petitioners. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 196 F. 2d 879.

No. 200. *CLARK v. BALTIMORE & OHIO RAILROAD CO.* C. A. 6th Cir. Certiorari denied. *Hal H. Griswold* for petitioner. *R. T. Sawyer, Jr.* for respondent. Reported below: 196 F. 2d 206.

No. 201. *SLENKER ET AL. v. GRAND LODGE OF THE STATE OF ILLINOIS OF THE INDEPENDENT ORDER OF ODD FELLOWS*.

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Supreme Court of Illinois. Certiorari denied. *Walter F. Dodd* and *Hubert L. Will* for petitioners. *William O. Morris* for respondent.

No. 202. *CALIFORNIA ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Edmund G. Brown*, Attorney General of California, *Walter L. Bowers*, Assistant Attorney General, and *James E. Sabine* and *Edward Sumner*, Deputy Attorneys General, for petitioners. *Acting Solicitor General Stern*, *Acting Assistant Attorney General Slack* and *Fred E. Youngman* for the United States. Reported below: 195 F. 2d 530.

No. 204. *CONTINENTAL SOUTHERN LINES, INC. v. CIVIL AERONAUTICS BOARD ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *A. L. Wheeler* for petitioner. *Solicitor General Perlman*, *Acting Assistant Attorney General Clapp*, *Ralph S. Spritzer*, *Emory T. Nunneley, Jr.* and *O. D. Ozment* for the Civil Aeronautics Board, respondent. Reported below: 90 U. S. App. D. C. 352, 197 F. 2d 397.

No. 208. *GRAND TRUNK WESTERN RAILROAD Co. v. ADEL PRECISION PRODUCTS CORP.* Supreme Court of Michigan. Certiorari denied. *H. V. Spike* and *Clayton F. Jennings* for petitioner. *Walter S. Foster* for respondent. Reported below: 332 Mich. 519, 51 N. W. 2d 922.

No. 209. *WEISS v. SMITH*. C. A. 2d Cir. Certiorari denied. *William H. Timbers* for petitioner. *Frederick E. Weinberg* for respondent. Reported below: 198 F. 2d 268.

No. 212. *A. GUSMER, INC. v. McGRANERY, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN*. United States Court of Appeals for the District of Colum-

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bia Circuit. Certiorari denied. *Frank R. Bruce* and *A. K. Shipe* for petitioner. *Solicitor General Perlman, Rowland F. Kirks, James D. Hill, George B. Searls* and *Irwin A. Seibel* for respondent. Reported below: 90 U. S. App. D. C. 372, 196 F. 2d 860.

No. 213. *SCHAEFER v. MACRI ET AL.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Carl E. Croson* for the Continental Casualty Co.; and *Harry Henke, Jr.* for *McKelvy*, respondents. Reported below: 196 F. 2d 162.

No. 214. *BRIGANTINE BEACH HOTEL CORP. v. MARIANO, RECEIVER, ET AL.* C. A. 3d Cir. Certiorari denied. *Philip Sterling* for petitioner. *Samuel P. Orlando* for *Mariano*; and *Louis Kravis* for the creditors, respondents. Reported below: 197 F. 2d 296.

No. 216. *CHICAGO & NORTH WESTERN RAILWAY CO. v. CHICAGO PACKAGED FUEL CO.* C. A. 7th Cir. Certiorari denied. *Lowell Hastings, Drennan J. Slater* and *Amos M. Mathews* for petitioner. *Joseph H. Hinshaw* and *Oswell G. Treadway* for respondent. Reported below: 195 F. 2d 467.

No. 219. *MAPLE ISLAND FARM, INC. v. BITTERLING.* C. A. 8th Cir. Certiorari denied. *M. J. Doherty* and *Pierce Butler* for petitioner. *Roland J. Faricy* for respondent. Reported below: 196 F. 2d 55.

No. 221. *ROSS ET AL. v. UNITED STATES*; and
No. 273. *Ross v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Robert N. Gorman* and *Stanley A. Silversteen* for petitioners in No. 221. *Joseph B. Keenan* and *Alvin O. West* for petitioner in No. 273. *Acting Solicitor General Stern, Assistant Attorney General Murray* and *Beatrice Rosenberg* for the United States. Reported below: 197 F. 2d 660.

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No. 222. *WOHLMUTH v. ACHESON, SECRETARY OF STATE*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Henry F. Butler* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General McInerney* and *Beatrice Rosenberg* for respondent. Reported below: 90 U. S. App. D. C. 375, 196 F. 2d 866.

No. 223. *GOLDBERGER ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Kahl K. Spriggs* for petitioners. *Acting Solicitor General Stern, Assistant Attorney General Murray* and *Beatrice Rosenberg* for the United States. Reported below: 197 F. 2d 330.

No. 225. *ILLINOIS EX REL. TARRANTO v. BABB, SHERIFF*. Supreme Court of Illinois. Certiorari denied. *Thomas F. Dolan* for petitioner. Reported below: 412 Ill. 123, 105 N. E. 2d 750.

No. 229. *LEFORCE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Maury Hughes* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray* and *Beatrice Rosenberg* for the United States. Reported below: 196 F. 2d 1017.

No. 231. *McGEE ET AL. v. RECONSTRUCTION FINANCE CORPORATION ET AL.* C. A. 5th Cir. Certiorari denied. *J. A. Amis, Jr.* for Pearce et al., petitioners. *Acting Solicitor General Stern, Assistant Attorney General Baldridge, Samuel D. Slade* and *Hubert H. Margolies* for the Reconstruction Finance Corporation, respondent. Reported below: 195 F. 2d 396.

No. 234. *GULF REFINING CO. v. ATCHISON ET AL.* C. A. 5th Cir. Certiorari denied. *Archie D. Gray* and *Melvin Evans* for petitioner. *Warren O. Coleman* for respondents. Reported below: 196 F. 2d 258.

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No. 236. *WEBER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Memorandum filed by MR. JUSTICE FRANKFURTER. *Howard W. Ameli* and *James F. Ryan* for petitioner. *Acting Solicitor General Stern*, *Assistant Attorney General Murray* and *Beatrice Rosenberg* for the United States. Reported below: 197 F. 2d 237.

MR. JUSTICE FRANKFURTER.

This is another instance where I deem it appropriate to indicate what was before us in a petition for certiorari. See *Maryland v. Baltimore Radio Show*, 338 U. S. 912. One of the questions presented by this petition is the sufficiency of the claim that the verdict was vitiated because publications reflecting adversely on the defendant, before any testimony was taken in the case, precluded a fair and impartial trial. Under the circumstances the Court of Appeals, composed of Swan, Chief Judge, Augustus N. Hand and Frank, Circuit Judges, rejected the claim while acknowledging that

“such comments by newspapers [as revealed by the exhibits herein] during the pendency of a criminal trial are inexcusable.” *United States v. Weber*, 197 F. 2d 237, 239.

“² In England it is probable that the publishers would be severely penalized. See cases cited in *Maryland v. Baltimore Radio Show*, 338 U. S. 912, 921-936, 70 S. Ct. 252, 94 L. Ed. 562.”

No. 237. *WILLIAMS, DOING BUSINESS AS L. J. WILLIAMS LUMBER Co., ET AL. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 4th Cir. Certiorari denied. *Henry Hammer* for petitioners. *Acting Solicitor General Stern*, *George J. Bott*, *David P. Findling* and *Mozart G. Ratner* for respondent. Reported below: 195 F. 2d 669.

No. 239. *AERATION PROCESSES, INC. v. LANGE ET AL.* C. A. 8th Cir. Certiorari denied. *H. A. Toulmin, Jr.*

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and *Hugh M. Bennett* for petitioner. *John H. Bruninga* for respondents. Reported below: 196 F. 2d 981.

No. 252. *McGUIRE ET AL. v. TODD ET AL.* C. A. 5th Cir. Certiorari denied. Petitioners *pro se*. *H. P. Kucera* for respondents. Reported below: 198 F. 2d 60.

No. 254. *WHITE v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. *Henry D. O'Connor* for petitioner. *Acting Solicitor General Stern, Acting Assistant Attorney General Slack, Lee A. Jackson* and *S. Dee Hanson* for respondent. Reported below: 196 F. 2d 728.

No. 255. *DAVENPORT v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *James H. Martin* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray* and *Beatrice Rosenberg* for the United States. Reported below: 197 F. 2d 157.

No. 256. *RISING v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *James H. Martin* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 197 F. 2d 335.

No. 257. *WASHINGTON LUMBER & MILLWORK Co. v. DANT & RUSSELL SALES Co.* Supreme Court of Pennsylvania. Certiorari denied. *Edwin P. Rome* for petitioner. *Walter Biddle Saul* for respondent. Reported below: 370 Pa. 627, 88 A. 2d 757.

No. 259. *ADVANCE MACHINERY EXCHANGE, INC. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *J. H. Landman* for petitioner. *Acting*

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Solicitor General Stern, Acting Assistant Attorney General Slack, Lee A. Jackson and Joseph F. Goetten for respondent. Reported below: 196 F. 2d 1006.

No. 261. *BARNETT v. JENKINS*. St. Louis Court of Appeals of Missouri. Certiorari denied. Petitioner *pro se*. *Milton F. Napier* for respondent. Reported below: 243 S. W. 2d 804.

No. 263. *HARDENBERGH ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied. *Leland W. Scott* for petitioners. *Acting Solicitor General Stern, Acting Assistant Attorney General Slack and L. W. Post* for respondent. Reported below: 198 F. 2d 63.

No. 265. *COAST v. HUNT OIL CO. ET AL.* C. A. 5th Cir. Certiorari denied. *William H. Bronson* for petitioner. *David T. Searls and J. D. Head* for the Hunt Oil Co., and *Calvin A. Brown, C. F. Currier, Leon O'Quin and Arthur O'Quin* for the Ohio Oil Co., respondents. Reported below: 195 F. 2d 870.

No. 268. *DUPONT v. DUPONT*. Supreme Court of Delaware. Certiorari denied. *Arthur G. Logan* for petitioner. *James R. Morford* for respondent. Reported below: — Del. —, 90 A. 2d 468.

No. 269. *CITY OF LOS ANGELES ET AL. v. HOUSING AUTHORITY OF THE CITY OF LOS ANGELES*. Supreme Court of California. Certiorari denied. *Ray L. Chesebro, William H. Neal, Bourke Jones and Charles S. Rhyne* for petitioners. *Joseph P. Loeb and Leonard S. Janofsky* for respondent. Reported below: 38 Cal. 2d 853, 243 P. 2d 515.

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No. 270. *KOBE, INC. ET AL. v. DEMPSEY PUMP CO. ET AL.* C. A. 10th Cir. Certiorari denied. *Rufus S. Day, Jr.* and *Ford Harris, Jr.* for petitioners. *Fenelon Boesche, Richard B. McDermott, Charles M. McKnight* and *Robert F. Davis* for respondents. Reported below: 198 F. 2d 416.

No. 275. *CARTER ET AL. v. SIMPSON, EXECUTRIX, ET AL.* C. A. 7th Cir. Certiorari denied. *James E. Wilson* for petitioners. *John K. Ruckelshaus* for respondents. Reported below: 195 F. 2d 8.

No. 279. *WEITKNECHT ET AL., EXECUTORS, v. DISTRICT OF COLUMBIA.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Robert E. Kline, Jr.* for petitioners. *Vernon E. West, Chester H. Gray* and *George C. Updegraff* for respondent. Reported below: 90 U. S. App. D. C. 291, 195 F. 2d 570.

No. 282. *DEALER'S TRANSPORT CO. v. GRASSE.* Supreme Court of Illinois. Certiorari denied. *F. Trowbridge vom Baur* for petitioner. *James L. Coburn* for respondent. Reported below: 412 Ill. 179, 126 N. E. 2d 124.

No. 74. *INDEPENDENT BROADCASTING CO. v. FEDERAL COMMUNICATIONS COMMISSION.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Harold E. Mott* and *Robert L. Heald* for petitioner. *Solicitor General Perlman, Benedict P. Cottone* and *Richard A. Solomon* for respondent. Reported below: 89 U. S. App. D. C. 396, 193 F. 2d 900.

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No. 108. *BREHM v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BURTON took no part in the consideration or decision of this application. *Leo A. Rover* and *Clarence G. Pechacek* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney* and *Beatrice Rosenberg* for the United States. Reported below: 90 U. S. App. D. C. 370, 196 F. 2d 769.

No. 111. *ROSENBERG ET AL. v. UNITED STATES*; and

No. 112. *SOBELL v. UNITED STATES*. C. A. 2d Cir. The motion in No. 111 for leave to file brief of National Lawyers Guild, as *amicus curiae*, is denied. Certiorari denied. MR. JUSTICE BLACK is of the opinion the petitions should be granted. *Emanuel H. Bloch* for petitioners in No. 111. *Howard N. Meyer* for petitioner in No. 112. *Solicitor General Perlman, Assistant Attorney General McInerney, Robert S. Erdahl* and *John R. Wilkins* for the United States. Reported below: 195 F. 2d 583.

No. 137. *BURLINGTON COUNTY BRIDGE COMMISSION ET AL. v. DRISCOLL, GOVERNOR, ET AL.*;

No. 184. *NONGARD ET AL., TRADING AS KETCHAM & NONGARD, ET AL. v. DRISCOLL, GOVERNOR, ET AL.*; and

No. 188. *BELL v. DRISCOLL, GOVERNOR, ET AL.* Supreme Court of New Jersey. Certiorari denied. MR. JUSTICE BLACK took no part in the consideration or decision of these applications. *Bennett Boskey* and *Robert L. Hood* for petitioners in No. 137. *Kenneth C. Royall, Milton M. Unger, John F. Caskey* and *Frederick W. R. Pride* for petitioners in No. 184. *Wm. A. Schnader, Bernard G. Segal* and *John E. Toolan* for petitioner in No. 188. *Theodore D. Parsons*, Attorney General of New Jersey, and *Walter D. Van Riper* for Driscoll et al.; *James D. Carpenter, Allen T. Klots, Augustus C. Studer, Jr.*,

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Harold A. Price and Peter H. Kaminer for Bacon, Stevenson & Co. et al.; and *Waldron M. Ward and Donald B. Kipp* for the Chemical Bank & Trust Co. et al., respondents. Reported below: 8 N. J. 433, 86 A. 2d 201.

No. 143. *JAROSZEWSKI v. CENTRAL RAILROAD CO. OF NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Isadore Glauberman* for petitioner. *Anthony T. Augelli and William F. Hanlon* for respondent. Reported below: 9 N. J. 231, 87 A. 2d 705.

No. 168. *JOHNSON v. UNITED STATES*. Court of Claims. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Charles J. Margiotti* for petitioner. *Acting Solicitor General Stern and Samuel D. Slade* for the United States. Reported below: 122 Ct. Cl. 100, 104 F. Supp. 106.

No. 215. *FASS ET AL. v. GRAY*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *O. John Rogge and Murray A. Gordon* for petitioners. *Acting Solicitor General Stern, Assistant Attorney General Baldridge and Samuel D. Slade* for respondent. Reported below: 91 U. S. App. D. C. 28, 197 F. 2d 587.

No. 235. *WEST COAST MEAT CO. v. RECONSTRUCTION FINANCE CORPORATION*. United States Emergency Court of Appeals. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Alexander Boskoff* for petitioner. *Acting Solicitor General Stern and Samuel D. Slade* for respondent. Reported below: 197 F. 2d 866.

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No. 7, Misc. *MOCK v. DAVIES, DEPUTY SHERIFF, ET AL.* Supreme Court of California. Certiorari denied. *Rolla D. Mock* for petitioner. Reported below: 38 Cal. 2d 315, 239 P. 2d 876.

No. 8, Misc. *RUBENS v. BOIES, SHERIFF, ET AL.* Supreme Court of Arizona. Certiorari denied. Reported below: 73 Ariz. 101, 238 P. 2d 402.

No. 10, Misc. *CEPERO v. PAN AMERICAN AIRWAYS, INC.* C. A. 1st Cir. Certiorari denied. Reported below: 195 F. 2d 453.

No. 11, Misc. *HICKS v. REID, SUPERINTENDENT, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Assistant Attorney General McInerney and Beatrice Rosenberg* for respondents. Reported below: 90 U. S. App. D. C. 109, 194 F. 2d 327.

No. 13, Misc. *LATIMER v. WASHINGTON.* Supreme Court of Washington. Certiorari denied.

No. 14, Misc. *WRIGHT v. ILLINOIS.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 17, Misc. *HODGES v. CALIFORNIA.* Supreme Court of California. Certiorari denied.

No. 18, Misc. *JIMENEZ-MELENDEZ v. JONES, WARDEN.* C. A. 1st Cir. Certiorari denied. *Santos P. Amadeo and Rafael V. Perez-Marchand* for petitioner. *Victor Gutierrez Franqui* for respondent. Reported below: 195 F. 2d 159.

No. 20, Misc. *PRATT v. WASHINGTON.* Supreme Court of Washington. Certiorari denied.

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No. 21, Misc. *DANIELS v. RAGEN, WARDEN*. Circuit Court of Winnebago County, Illinois. Certiorari denied.

No. 22, Misc. *TULLY v. WASHINGTON*. Supreme Court of Washington. Certiorari denied.

No. 23, Misc. *DUNBAR v. WASHINGTON*. Supreme Court of Washington. Certiorari denied.

No. 25, Misc. *BALLARD v. INTERNATIONAL HARVESTER Co.* Supreme Court of Illinois. Certiorari denied. *Charles Wolff* for petitioner. *John A. Kratz* for respondent. Reported below: 410 Ill. 543, 103 N. E. 2d 109.

No. 30, Misc. *DIAZ ET AL. v. CROM, TRUSTEE*. C. A. 5th Cir. Certiorari denied. *J. Tom Watson* for Diaz, petitioner. Reported below: 195 F. 2d 517.

No. 31, Misc. *NEAL v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 32, Misc. *WITTE v. DOWD, WARDEN*. Supreme Court of Indiana. Certiorari denied. *James C. Cooper* for petitioner. Reported below: 230 Ind. 485, 102 N. E. 2d 630.

No. 33, Misc. *BITSAKIS v. WINE ET AL.* Court of Appeals of New York. Certiorari denied. Reported below: 303 N. Y. 802, 104 N. E. 2d 361.

No. 35, Misc. *ROBERTS v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 37, Misc. *YOUNGS v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

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No. 39, Misc. PYEATTE *v.* BURKE, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 40, Misc. MIRANDA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Maxwell W. Willens* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg and Edward S. Szukelewicz* for the United States. Reported below: 196 F. 2d 408.

No. 41, Misc. KAVAL *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 42, Misc. PALMER *v.* UNITED STATES. Court of Claims. Certiorari denied. *Hugh Howell, Jr.* for petitioner. *Solicitor General Perlman, Assistant Attorney General Baldridge and Samuel D. Slade* for the United States. Reported below: 121 Ct. Cl. 415.

No. 43, Misc. SHOTKIN *v.* LINDSLEY ET AL. Supreme Court of Colorado. Certiorari denied.

No. 44, Misc. SMALL *v.* SHAW, DIRECTOR OF DANNE-MORA STATE HOSPITAL. Court of Appeals of New York. Certiorari denied.

No. 45, Misc. GRESHAM *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 47, Misc. LAZENBY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 48, Misc. GREENE *v.* ROBINSON, WARDEN, ET AL. Circuit Court of Peoria County, Peoria, Illinois. Certiorari denied.

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No. 49, Misc. *BOOTH v. KING, SUPERINTENDENT*. Supreme Court of California. Certiorari denied.

No. 51, Misc. *ALLEN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 411 Ill. 582, 104 N. E. 2d 768.

No. 53, Misc. *GLIVA v. JACQUES, WARDEN, ET AL.* Supreme Court of Michigan. Certiorari denied.

No. 55, Misc. *GEORGE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg* and *Felicia H. Dubrovsky* for the United States. Reported below: 196 F. 2d 445.

No. 56, Misc. *MARTINEZ ET AL. v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. *G. Wray Gill* for petitioners. Reported below: 220 La. 899, 57 So. 2d 888.

No. 57, Misc. *DIXON v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 58, Misc. *HEIN v. CRANOR, SUPERINTENDENT*. C. A. 9th Cir. Certiorari denied. *Will G. Beardslee* and *Graham K. Betts* for petitioner. Reported below: 194 F. 2d 288.

No. 59, Misc. *WATERMAN v. NELSON ET AL.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman* for respondents. Reported below: 195 F. 2d 523.

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No. 60, Misc. *POLK v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied.

No. 61, Misc. *SHOTKIN v. BLACK, DISTRICT COURT JUDGE, ET AL.* Supreme Court of Colorado. Certiorari denied.

No. 62, Misc. *TIMMONS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman, Ed Dupree, A. M. Edwards and Nathan Siegel* for the United States. Reported below: 194 F. 2d 357.

No. 63, Misc. *KERSHNER v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Reported below: 9 N. J. 471, 88 A. 2d 849.

No. 65, Misc. *BARBEE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 66, Misc. *SUPERO v. ILLINOIS*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 67, Misc. *GUSIK v. SCHILDER, WARDEN*. C. A. 6th Cir. Certiorari denied. *Morris Morgenstern, Bernard B. Direnfeld, Leo Chimo, Francis Picklow, Marvin L. Shaw and Cedric Griffith* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg and Robert G. Maysack* for respondent. Reported below: 195 F. 2d 657.

No. 68, Misc. *LA SALLE v. CARTY, WARDEN*. Supreme Court of New Jersey. Certiorari denied.

No. 71, Misc. *PACKWOOD v. BRIGGS & STRATTON CORP. ET AL.* C. A. 3d Cir. Certiorari denied. *Thomas Cooch*

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and *John E. Hubbell* for petitioner. *Ira Milton Jones* and *Arthur G. Connolly* for respondents. Reported below: 195 F. 2d 971.

No. 73, Misc. *STEWART v. ALVIS, WARDEN*. Supreme Court of Ohio. Certiorari denied. *George Bailes* and *Myron S. Rudd* for petitioner. Reported below: 156 Ohio St. 521, 103 N. E. 2d 551.

No. 74, Misc. *BOLDEN v. DEPARTMENT OF PUBLIC SAFETY ET AL.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 79, Misc. *MATVEYCHUK v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Perlman* for the United States. Reported below: 195 F. 2d 613.

No. 80, Misc. *CAREY v. KEEPER OF THE MONTGOMERY COUNTY PRISON*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 370 Pa. 604, 88 A. 2d 904.

No. 81, Misc. *MADDRON v. INDIANA ET AL.* Superior Court of St. Joseph County, Indiana. Certiorari denied.

No. 82, Misc. *PODOLSKI v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. Reported below: 332 Mich. 508, 52 N. W. 2d 201.

No. 83, Misc. *PONCE v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 84, Misc. *GERMANY v. HUDSPETH, WARDEN, ET AL.* Supreme Court of Kansas. Certiorari denied. Reported below: 173 Kan. 214, 245 P. 2d 981.

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No. 85, Misc. *SHANNON v. UNION BARGE LINE CORP.* C. A. 3d Cir. Certiorari denied. *Victor Rabinovitz* for petitioner. *Selim B. Lemle* for respondent. Reported below: 194 F. 2d 584.

No. 88, Misc. *PIERCE v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward A. McCabe* for petitioner. *Solicitor General Perlman, Assistant Attorney General McInerney, Beatrice Rosenberg and Murry Lee Randall* for the United States. Reported below: 91 U. S. App. D. C. 19, 197 F. 2d 189.

No. 90, Misc. *RUBINO v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 92, Misc. *FREY v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 93, Misc. *FOWLER v. NEW YORK.* Supreme Court of New York, Appellate Division, Third Department. Certiorari denied.

No. 94, Misc. *RIVERS v. INDIANA ET AL.* Circuit Court of St. Joseph County, Indiana. Certiorari denied.

No. 96, Misc. *MIMMS v. CALIFORNIA.* Supreme Court of California. Certiorari denied.

No. 97, Misc. *KERR v. TEETS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 197 F. 2d 151.

No. 98, Misc. *STELLOH v. WISCONSIN.* Supreme Court of Wisconsin. Certiorari denied. Reported below: 262 Wis. 114, 53 N. W. 2d 700.

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No. 100, Misc. *GIRON ET AL. v. CRANOR, SUPERINTENDENT.* Supreme Court of Washington. Certiorari denied.

No. 103, Misc. *WESTER v. CALIFORNIA.* District Court of Appeal of California, Fourth Appellate District. Certiorari denied. Reported below: 110 Cal. App. 2d 650, 242 P. 2d 56.

No. 104, Misc. *ROBINSON v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 106, Misc. *Di VINCENZO v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Perlman and Acting Assistant Attorney General Slack* for respondent. Reported below: 196 F. 2d 218.

No. 108, Misc. *SEVERA v. BOROUGH OF THROOP ET AL.* C. A. 3d Cir. Certiorari denied.

No. 109, Misc. *KNOTT v. SWENSON, WARDEN.* Court of Appeals of Maryland. Certiorari denied. Reported below: — Md. —, 90 A. 2d 177.

No. 110, Misc. *BREWER v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied.

No. 69, Misc. *GOLEMON v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Bernard A. Golding* for petitioner. *Price Daniel*, Attorney General of Texas, and *Calvin B. Garwood, Jr.*, Assistant Attorney General, for respondent. Reported below: 156 Tex. Cr. R. —, 247 S. W. 2d 119.

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No. 89, Misc. *REID v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Harold Buchman* for petitioner. *Hall Hammond*, Attorney General of Maryland, for respondent. Reported below: — Md. —, 89 A. 2d 227.

Rehearing Denied.

No. 449, October Term, 1950. *PETRONE v. UNITED STATES*, 340 U. S. 931;

No. 151, October Term, 1951. *UNITED STATES ET AL. v. GREAT NORTHERN RAILWAY CO.*, 343 U. S. 562;

No. 176, October Term, 1951. *LELAND v. OREGON*, 343 U. S. 790;

No. 517, October Term, 1951. *McGEE, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL. v. EKBERG*, 343 U. S. 970;

No. 543, October Term, 1951. *ON LEE v. UNITED STATES*, 343 U. S. 747;

No. 762, October Term, 1951. *BLOCK v. COLORADO*, 343 U. S. 978; and

No. 788, October Term, 1951. *EIGHT O'CLOCK CLUB ET AL. v. BUDER ET AL.*, 343 U. S. 971. Petitions for rehearing denied.

No. 611, October Term, 1950. *MALOY v. FLORIDA*, 341 U. S. 947. Motion for leave to file a second petition for rehearing denied.

No. 401, October Term, 1951. *JOHANSEN v. UNITED STATES*, 343 U. S. 427; and

No. 414, October Term, 1951. *MANDEL, ADMINISTRATOR, v. UNITED STATES*, 343 U. S. 427. The motions for leave to file briefs of (1) Herbert L. Johnson, and (2) Cora Mae Meyer, Administratrix, etc., as *amici curiae*, in Nos. 401 and 414; and briefs of (1) National Asso-

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ciation of Claimants' Compensation Attorneys; (2) Melvin M. Belli and others; (3) B. A. Green; and (4) Seafarer's International Union, as *amici curiae*, in No. 414 are denied. The petitions for rehearing are denied.

No. 624, October Term, 1951. *CADDEN v. KENTUCKY*, 343 U. S. 976. Motion for leave to file petition for rehearing denied.

No. 714, October Term, 1951. *UNION CARBIDE & CARBON CORP. v. GRAVER TANK & MFG. CO., INC. ET AL.*, 343 U. S. 967. Rehearing denied. MR. JUSTICE BURTON took no part in the consideration or decision of this application.

No. 394, Misc., October Term, 1951. *HOUSE v. HIATT, WARDEN*, 343 U. S. 925;

No. 409, Misc., October Term, 1951. *WELDON v. UNITED STATES*, 343 U. S. 967;

No. 422, Misc., October Term, 1951. *HAMILTON v. UNITED STATES*, 343 U. S. 980;

No. 440, Misc., October Term, 1951. *TAYLOR v. STEELE, SUPERINTENDENT*, 343 U. S. 973;

No. 475, Misc., October Term, 1951. *AYERS v. PARRY ET AL.*, 343 U. S. 980;

No. 481, Misc., October Term, 1951. *LINDSEY v. WATSON ET AL.*, 343 U. S. 969;

No. 486, Misc., October Term, 1951. *LAWRENCE v. UNITED STATES*, 343 U. S. 981;

No. 487, Misc., October Term, 1951. *CASONE v. TENNESSEE*, 343 U. S. 969;

No. 503, Misc., October Term, 1951. *HEWLETT v. CALIFORNIA*, 343 U. S. 981; and

No. 518, Misc., October Term, 1951. *CARPENTER v. ERIE RAILROAD CO.*, 343 U. S. 987. Petitions for rehearing denied.

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No. 570, October Term, 1951. *KAWAKITA v. UNITED STATES*, 343 U. S. 717. Rehearing denied. MR. JUSTICE FRANKFURTER and MR. JUSTICE CLARK took no part in the consideration or decision of this application.

No. 309, Misc., October Term, 1951. *FREAPANE v. ILLINOIS*, 342 U. S. 956. Third petition for rehearing denied.

No. 397, Misc., October Term, 1951. *TATE v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA ET AL.*, 343 U. S. 925. Second petition for rehearing denied.

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Miscellaneous Orders.

No. 111. *ROSENBERG ET AL. v. UNITED STATES*; and

No. 112. *SOBELL v. UNITED STATES*. Orders denying certiorari, *ante*, p. 838, withheld pending the filing and disposition of petitions for rehearing on motions of counsel for petitioners.

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Miscellaneous Orders.

No. 70. *ALGONQUIN GAS TRANSMISSION CO. ET AL. v. NORTHEASTERN GAS TRANSMISSION CO. ET AL.* The motion to withhold the order denying certiorari, *ante*, p. 818, pending the filing and disposition of a petition for rehearing is denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 95. *WOTTLE, ADMINISTRATOR, v. ATCHISON, TOPEKA & SANTA FE RAILWAY CO.* Certiorari, 343 U. S. 963, to the United States Court of Appeals for the Tenth Cir-

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cuit. Dismissed pursuant to stipulation of counsel. *John L. Laskey* for petitioner. *E. C. Iden* for respondent. Reported below: 193 F. 2d 628.

No. 153. *UNITED STATES v. EXCEL PACKING CO., INC.*;

No. 154. *UNITED STATES v. BROWN ET AL.*; and

Nos. 155, 156 and 157. *UNITED STATES v. EXCEL PACKING CO., INC. ET AL.* Appeals from the United States District Court for the District of Kansas. Dismissed on motions of counsel for appellant. *Acting Solicitor General Stern* for the United States. *Emmet A. Blaes* for appellees.

No. 131, Misc. *JERONIS v. STARR, U. S. DISTRICT JUDGE*. Petition for writ of mandamus dismissed on motion of petitioner.

No. 77, Misc. *REED v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied. *W. J. Durham* for petitioner. Reported below: 156 Tex. Cr. R. —, 251 S. W. 2d 734.

No. 138, Misc. *LYLE v. EIDSON, WARDEN*. C. A. 8th Cir. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied. Reported below: 197 F. 2d 327.

No. 140, Misc. *FAUBERT v. MICHIGAN*. C. A. 6th Cir. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 107, Misc. *CRUMMER COMPANY ET AL. v. DUPONT ET AL., TRUSTEES, ET AL.* Motion for leave to file petition for writ of certiorari to the Circuit Court of Appeals for

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the Fifth Circuit denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Robert J. Pleus, Chris Dixie and Joseph P. Lea, Jr.* for petitioners. *Richard W. Ervin*, Attorney General of Florida, *Ralph McLane*, Assistant Attorney General, *Henry P. Adair, Donald Russell, Charles R. Scott* and *H. M. Voorhis* for respondents. Reported below: 196 F. 2d 468.

No. 115, Misc. *WILLIAMS v. ALABAMA*. Motion for leave to file petition for writ of mandamus denied.

No. 116, Misc. *MULKEY v. MICHIGAN*. Motion for leave to file an appeal denied.

No. 127, Misc. *GALLOWAY v. U. S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF INDIANA ET AL.* Motion for leave to file petition for writ of mandamus denied.

No. 129, Misc. *BYERS v. STEELE, WARDEN*. Motion for leave to file petition for writ of habeas corpus denied.

No. 159, Misc. *SCHNEIDER v. TIPTON*. Application denied.

No. 176, Misc. *FUJIMOTO ET AL. v. WIIG, U. S. DISTRICT JUDGE*. Motion for leave to file petition for writ of prohibition or mandamus denied. MR. JUSTICE BLACK would issue a rule to show cause. *Harriet Bouslog* for petitioners.

Certiorari Granted.

No. 230. *RADIO OFFICERS' UNION OF THE COMMERCIAL TELEGRAPHERS UNION, AFL, v. NATIONAL LABOR RELATIONS BOARD*. C. A. 2d Cir. Certiorari granted. *Herbert S. Thatcher and Abner H. Silverman* for petitioner.

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Acting Solicitor General Stern, George J. Bott, David P. Findling, Mozart G. Ratner and Elizabeth W. Weston filed a memorandum for respondent stating that they do not oppose the granting of the petition limited to the question of the interpretation of § 8 (a)(3) of the National Labor Relations Act. Reported below: 196 F. 2d 960.

No. 278. *RAMSPECK ET AL. v. FEDERAL TRIAL EXAMINERS CONFERENCE ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Perlman* for the members of the Civil Service Commission and the National Labor Relations Board, petitioners. *Charles S. Rhyne* and *Eugene J. Bradley* for respondents. Reported below: 91 U. S. App. D. C. 164, 202 F. 2d 312.

No. 287. *POLIZZI v. COWLES MAGAZINES, INC.* C. A. 5th Cir. Certiorari granted. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *John D. Marsh* for petitioner. *Arthur E. Farmer* for respondent. Reported below: 197 F. 2d 74.

No. 301. *NATIONAL LABOR RELATIONS BOARD v. INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA.* C. A. 8th Cir. Certiorari granted. *Acting Solicitor General Stern* and *George J. Bott* for petitioner. *Clif Langsdale* for respondent. Reported below: 196 F. 2d 1.

No. 262. *CALMAR STEAMSHIP CORP. v. UNITED STATES*; and

No. 303. *CALMAR STEAMSHIP CORP. v. SCOTT ET AL.* C. A. 2d Cir. Certiorari granted. *Edwin S. Murphy, Ira A. Campbell and Helen C. Cunningham* for petitioner. *Acting Solicitor General Stern* filed a memorandum

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stating that the Government does not oppose the granting of the petition in No. 262, and also a memorandum for the United States, as *amicus curiae*, in No. 303, agreeing that the petition raises important questions of federal law appropriate for decision by this Court. *Russell T. Mount* for respondents in No. 303. Reported below: 197 F. 2d 795.

Certiorari Denied. (See also *Misc. Nos. 77, 107, 138 and 140, supra.*)

No. 178. *DEPEW PAVING CO., INC. v. UNITED STATES.* Court of Claims. Certiorari denied. *Robert Ash* for petitioner. *Acting Solicitor General Stern* and *Samuel D. Slade* for the United States. Reported below: 122 Ct. Cl. 151, 104 F. Supp. 94.

No. 232. *UNITED STATES v. SCHAEFFER ET AL.* Court of Claims. Certiorari denied. *Philip B. Perlman*, then Solicitor General, and *Acting Solicitor General Stern* for the United States. *Solomon Dimond* for respondents. Reported below: 121 Ct. Cl. 869.

No. 260. *ARON v. SNYDER, SECRETARY OF THE TREASURY, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Harold G. Aron, pro se.* Reported below: 90 U. S. App. D. C. 325, 196 F. 2d 38.

No. 272. *SHELL OIL CO. v. WILKIN ET AL.*; and
No. 297. *WILKIN ET AL. v. SHELL OIL CO.* C. A. 10th Cir. Certiorari denied. *Geo. W. Cunningham* and *Gordon Watts* for petitioner in No. 272. *A. W. Gilliland* and *H. D. Moreland* for petitioners in No. 297 and respondents in No. 272. Reported below: 197 F. 2d 42.

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No. 276. *PENNSYLVANIA RAILROAD Co. v. DONNELLY*. Supreme Court of Illinois. Certiorari denied. *James H. Winston, Edward R. Adams and Theodore Schmidt* for petitioner. *Ezra L. D'Isa* for respondent. Reported below: 412 Ill. 115, 105 N. E. 2d 730.

No. 277. *UNITED STATES v. ABRAMS ET AL., DOING BUSINESS AS CURTIS KEY Co.* C. A. 6th Cir. Certiorari denied. *Solicitor General Perlman* for the United States. *Amos Burt Thompson* for respondents. Reported below: 197 F. 2d 803.

No. 280. *HOBBS v. HOBBS*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Raymond Godbersen* for petitioner. *George A. Hospidor* for respondent. Reported below: 91 U. S. App. D. C. 68, 197 F. 2d 412.

No. 281. *KLEIN v. DEPARTMENT OF REGISTRATION AND EDUCATION OF ILLINOIS ET AL.* Supreme Court of Illinois. Certiorari denied. *Mayer Goldberg* for petitioner. Reported below: 412 Ill. 75, 105 N. E. 2d 758.

No. 285. *R. H. JOHNSON & Co. ET AL. v. SECURITIES AND EXCHANGE COMMISSION ET AL.* C. A. 2d Cir. Certiorari denied. *Orrin G. Judd* for petitioners. *Acting Solicitor General Stern, John F. Davis and Louis Loss* for the Securities and Exchange Commission, respondent. Reported below: 198 F. 2d 690.

No. 286. *HOLLAND COMPANY v. AMERICAN STEEL FOUNDRIES*. C. A. 7th Cir. Certiorari denied. *Casper W. Ooms and L. B. Mann* for petitioner. *George I. Haight and Orrin O. B. Garner* for respondent. Reported below: 196 F. 2d 749.

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No. 288. *SKINNER ET AL. v. DOW CHEMICAL CO.* C. A. 6th Cir. Certiorari denied. *William H. Parmelee* and *Leo T. Wolford* for petitioners. *Clarence B. Zewadski* for respondent. Reported below: 197 F. 2d 807.

No. 324. *ORTMAN, SPECIAL ADMINISTRATOR, v. SMITH ET AL.* C. A. 8th Cir. Certiorari denied. *Tom Kirby* for petitioner. *M. T. Woods* for respondents. Reported below: 198 F. 2d 123.

No. 123. *KAISER-FRAZER CORPORATION v. OTIS & CO.* C. A. 2d Cir. Certiorari denied. Mr. JUSTICE BLACK and Mr. JUSTICE CLARK took no part in the consideration or decision of this application. *John W. Davis, Mark F. Hughes, George Edward Cotter* and *Helmer R. Johnson* for petitioner. *Abe Fortas* and *Milton V. Freeman* for respondent. Reported below: 195 F. 2d 838.

No. 227. *CREEK NATION v. McGHEE ET AL.;*
No. 247. *UNITED STATES v. McGHEE ET AL.;*
No. 245. *UNITED STATES v. THOMPSON ET AL.;* and
No. 246. *UNITED STATES v. RISLING ET AL.* Court of Claims. Certiorari denied. Mr. JUSTICE BLACK took no part in the consideration or decision of these applications. *Paul M. Niebell* for the Creek Nation. *Solicitor General Perlman* for the United States. *Claude Pepper* for respondents in Nos. 227 and 247. *Francis M. Goodwin, Sam Clammer, John W. Preston, Frederic A. Baker* and *Mr. Niebell* for respondents in No. 245. *Reginald E. Foster, Thurman Arnold* and *Walton Hamilton* for respondents in No. 246. Reported below: 122 Ct. Cl. 380, 348, 419.

No. 240. *CRUMMER COMPANY ET AL. v. DUPONT ET AL., TRUSTEES, ET AL.* C. A. 5th Cir. Certiorari denied. Mr. JUSTICE CLARK took no part in the consideration or deci-

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sion of this application. *Robert J. Pleus, Chris Dixie and Joseph P. Lea, Jr.* for petitioners. *Richard W. Ervin*, Attorney General of Florida, *Ralph McLane*, Assistant Attorney General, *Henry P. Adair, Donald Russell, Charles R. Scott* and *H. M. Voorhis* for respondents. Reported below: 196 F. 2d 468.

No. 267. *PARIS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Arthur J. Mandell* for petitioner. *Price Daniel*, Attorney General of Texas, and *Calvin B. Garwood, Jr.*, Assistant Attorney General, for respondent. Reported below: 156 Tex. Cr. R. —, 249 S. W. 2d 217.

No. 271. *WILD, ADMINISTRATRIX, v. ATLANTIC REFINING CO. ET AL.* C. A. 3d Cir. Petition for rehearing on petition for extension of time denied. Certiorari also denied. *Lois G. Forer* for petitioner. *Hugh Lynch, Jr.* for the Atlantic Refining Co., respondent. Reported below: 195 F. 2d 151.

No. 284. *BARBER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 197 F. 2d 815.

No. 27, Misc. *PADILLA v. HIATT, WARDEN*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Edward S. Szukelewicz* for respondent. Reported below: 196 F. 2d 881.

No. 54, Misc. *SLUSSER v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

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No. 75, Misc. DESSAUER *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *Morris Lavine* for petitioner. *Edmund G. Brown*, Attorney General of California, *Frank W. Richards* and *Stanford D. Herlick* for respondent. Reported below: 38 Cal. 2d 547, 241 P. 2d 238.

No. 76, Misc. KIRKLAND *v.* HIATT, WARDEN. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern*, *Assistant Attorney General Murray*, *Beatrice Rosenberg* and *Edward S. Szukelewicz* for respondent. Reported below: 196 F. 2d 219.

No. 105, Misc. JACKSON *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William E. Owen* for petitioner. *Acting Solicitor General Stern*, *Assistant Attorney General Murray* and *Beatrice Rosenberg* for the United States. Reported below: 91 U. S. App. D. C. 60, 198 F. 2d 497.

No. 111, Misc. NIEMOTH *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 112, Misc. ELLIOTT *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 113, Misc. WAGNER *v.* ILLINOIS ET AL. Supreme Court of Illinois. Certiorari denied.

No. 119, Misc. BROUSSARD *v.* CRANOR, SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 120, Misc. JOHNSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 412 Ill. 109, 105 N. E. 2d 766.

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No. 123, Misc. *MEDFORD v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 412 Ill. 136, 105 N. E. 2d 746.

No. 124, Misc. *GEIGER v. BURKE, WARDEN*. Supreme Court of Pennsylvania, Middle District. Certiorari denied. Reported below: 371 Pa. 230, 89 A. 2d 495.

No. 134, Misc. *ASH v. OHIO*. Supreme Court of Ohio. Certiorari denied. *E. Guy Hammond* for petitioner. Reported below: 157 Ohio St. 512, 105 N. E. 2d 867.

No. 137, Misc. *VOLTZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 196 F. 2d 298.

No. 139, Misc. *BISHOP v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 141, Misc. *SPRADING v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward Bennett Williams* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 91 U. S. App. D. C. 417, 198 F. 2d 528.

No. 143, Misc. *O'BRIEN v. MISSOURI*. Supreme Court of Missouri. Certiorari denied. Reported below: 249 S. W. 2d 433.

No. 149, Misc. *COSSENTINO v. NEW YORK*. Supreme Court of New York, Appellate Division, Second Department. Certiorari denied. Reported below: 279 App. Div. 1031, 113 N. Y. S. 2d 238.

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No. 150, Misc. *NOR WOODS v. CALIFORNIA*. District Court of Appeal of California, Fourth Appellate District. Certiorari denied.

No. 155, Misc. *LUSE v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 158, Misc. *CARNEY v. ANDERSON ET AL.* Supreme Court of Mississippi. Certiorari denied. Reported below: 214 Miss. 504, 59 So. 2d 262.

No. 161, Misc. *IN RE ESTATE OF GARRETT*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 371 Pa. 284, 89 A. 2d 531.

No. 133, Misc. *PAONESSA v. NEW YORK*. Petition for writ of certiorari to the Court of Appeals of New York denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (c). *Stephen Bienieck* for petitioner. *Burton C. Meighan* for respondent. Reported below: 304 N. Y. 560, 107 N. E. 2d 68.

Rehearing Denied. (See No. 271, *supra*.)

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Per Curiam Decisions.

No. 13. *UNITED STATES v. BELL AIRCRAFT CORP.* Certiorari, 343 U. S. 913, to the Court of Claims. Argued October 16, 1952. Decided October 27, 1952. *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. *Paul A. Sweeney* argued the cause for the United States. With him on the brief were *Acting Solicitor General Stern*, *Assistant Attorney General Baldridge* and *Morton Hollander*. *Howard C.*

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Westwood argued the cause for respondent. With him on the brief were *Ansley W. Sawyer* and *W. Crosby Roper, Jr.* *John Lord O'Brian* was also of counsel for respondent. Reported below: 120 Ct. Cl. 398, 100 F. Supp. 661.

No. 24. *GULF RESEARCH & DEVELOPMENT CO. ET AL. v. LEAHY, U. S. DISTRICT JUDGE, ET AL.* Certiorari, 343 U. S. 925, to the United States Court of Appeals for the Third Circuit. Argued October 21, 1952. Decided October 27, 1952. *Per Curiam*: The judgment is affirmed by an equally divided Court. THE CHIEF JUSTICE took no part in the consideration or decision of this case. *Leonard S. Lyon* argued the cause for petitioners. With him on the brief were *Richard E. Lyon* and *Thomas Cooch*. *Worthington Campbell* argued the cause for respondents. With him on the brief were *E. Ennalls Berl* and *Mark N. Donohue*. Reported below: 193 F. 2d 302.

No. 25. *CARDOX CORPORATION v. C-O-TWO FIRE EQUIPMENT CO.* Certiorari, 343 U. S. 925, to the United States Court of Appeals for the Seventh Circuit. Argued October 21-22, 1952. Decided October 27, 1952. *Per Curiam*: The judgment is affirmed by an equally divided Court. THE CHIEF JUSTICE took no part in the consideration or decision of this case. *George I. Haight* argued the cause for petitioner. With him on the brief were *Andrew J. Dallstream* and *Frederic H. Stafford*. *R. Morton Adams* argued the cause for respondent. With him on the brief were *Irving Herriott* and *Edward T. Connors*. Reported below: 194 F. 2d 410.

No. 304. *OKLAHOMA CITY-ADA-ATOKA RAILWAY CO. ET AL. v. OKLAHOMA ET AL.* Appeal from the Supreme Court of Oklahoma. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *R. Sturgis Ingersoll* and

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James D. Gibson for the Oklahoma City-Ada-Atoka Railway Co.; and *E. G. Nahler* and *A. J. Baumann* for the St. Louis-San Francisco Railway Co., appellants. *Stephen H. Hart* for appellees. Reported below: 207 Okla. 50, 248 P. 2d 1005.

No. 321. *KORNFEIND, DOING BUSINESS AS CHICAGO-NEBRASKA MOTOR EXPRESS, v. UNITED STATES ET AL.* Appeal from the United States District Court for the Northern District of Illinois. *Per Curiam:* The motion to affirm is granted and the judgment is affirmed. *Joseph E. Keller* for appellant. *Solicitor General Perlman* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission, appellees.

Miscellaneous Orders.

Nos. 132, 166 and 167, Misc. *IN RE FLETCHER.* The papers herein are stricken. THE CHIEF JUSTICE took no part in the consideration or decision of this question.

No. 146, Misc. *DREXEL v. OHIO ET AL.* Motion for leave to file petition for writ of habeas corpus denied.

No. 156, Misc. *WILLIAMS v. HUMPHREY, WARDEN, ET AL.* Motion for leave to file petition for writ of certiorari denied.

No. 160, Misc. *STARNS v. SWYGERT, U. S. DISTRICT JUDGE.* Motion for leave to file petition for writ of mandamus denied.

Certiorari Granted.

No. 293. *UNEXCELLED CHEMICAL CORP. v. UNITED STATES.* C. A. 3d Cir. Certiorari granted. *George Morris Fay* for petitioner. *Acting Solicitor General*

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Stern filed a memorandum for the United States stating that the Government does not oppose the granting of the petition. Reported below: 196 F. 2d 264.

No. 318. NATIONAL LABOR RELATIONS BOARD *v.* ROCKAWAY NEWS SUPPLY CO., INC. C. A. 2d Cir. Certiorari granted. *Acting Solicitor General Stern* and *George J. Bott* for petitioner. *Harry S. Bandler* and *Julius Kass* for respondent. Reported below: 197 F. 2d 111.

No. 320. STONE *v.* NEW YORK, CHICAGO & ST. LOUIS RAILROAD CO. Supreme Court of Missouri. Certiorari granted. *Tyree C. Derrick* and *Karl E. Holderle, Jr.* for petitioner. Reported below: 249 S. W. 2d 442.

No. 322. POPE ET AL. *v.* ATLANTIC COAST LINE RAILROAD CO. Supreme Court of Georgia. Certiorari granted. Counsel are requested to discuss in their briefs and on oral argument the question whether the judgment sought to be reviewed is final within the meaning of 28 U. S. C. § 1257. *Richard M. Maxwell* and *Thomas J. Lewis* for petitioners. *Charles Cook Howell* and *Douglas W. Matthews* for respondent. Reported below: 209 Ga. 187, 71 S. E. 2d 243.

Certiorari Denied. (*See also No. 156, Misc., supra.*)

No. 233. BURNS ET AL. *v.* CAROLINA POWER & LIGHT CO. C. A. 4th Cir. Certiorari denied. *H. Wayne Unger* for petitioners. *Charles F. Rouse* and *A. Y. Arledge* for respondent. Reported below: 193 F. 2d 525.

No. 243. SANSON HOSIERY MILLS, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *George M. Ethridge* for petitioner. *Acting So-*

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lidor General Stern, George J. Bott, David P. Findling, Mozart G. Ratner and Bernard Dunau for respondent. Reported below: 195 F. 2d 350.

No. 299. *JACOBY v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Halsey Sayles* for petitioner. *Robert O. Campbell* for respondent. Reported below: 304 N. Y. 33, 105 N. E. 2d 613.

No. 306. *BATEN v. NONA-FLETCHER MINERAL Co.*; and

No. 307. *BOWERS ET AL. v. NONA-FLETCHER MINERAL Co.* C. A. 5th Cir. Certiorari denied. *G. D. Baten, pro se.* Petitioner Bowers, *pro se.* *W. D. Gordon, pro se,* petitioner in No. 307. *Will E. Orgain* for respondent. Reported below: 198 F. 2d 629.

No. 309. *ELLER, ADMINISTRATOR, v. CINCINNATI, NEW ORLEANS & TEXAS PACIFIC RAILWAY Co.* C. A. 6th Cir. Certiorari denied. *Thomas M. Cooley, II* for petitioner. *Carl M. Jacobs* and *J. Craig Bradley* for respondent. Reported below: 197 F. 2d 652.

No. 310. *TRAMAGLINO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Peter L. F. Sabbatino* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray* and *Beatrice Rosenberg* for the United States. Reported below: 197 F. 2d 928.

No. 311. *WILLIAMS v. PROTESTANT EPISCOPAL THEOLOGICAL SEMINARY IN VIRGINIA.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Austin F. Canfield, Clarence E. Martin* and *Clarence E. Martin, Jr.* for petitioner. *Armistead L. Boothe* for respondent. Reported below: 91 U. S. App. D. C. 69, 198 F. 2d 595.

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No. 312. BOROUGH OF LITTLE FERRY *v.* BERGEN COUNTY SEWER AUTHORITY. Supreme Court of New Jersey. Certiorari denied. *Alfred W. Kiefer* for petitioner. *Walter H. Jones* for respondent. Reported below: 9 N. J. 536, 89 A. 2d 18.

No. 315. UNITED STATES *v.* ADAMS PACKING ASSOCIATION, INC. ET AL. C. A. 5th Cir. Certiorari denied. *Acting Solicitor General Stern* for the United States. *G. L. Reeves* for respondents. Reported below: 197 F. 2d 33.

No. 316. NABORS, DOING BUSINESS AS W. C. NABORS Co., *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *Martin Dies* and *L. J. Benkenstein* for petitioner. *Acting Solicitor General Stern, George J. Bott, David P. Findling, Mozart G. Ratner* and *Samuel M. Singer* for respondent. Reported below: 196 F. 2d 272.

No. 317. WHITTINGTON *v.* MOORE-McCORMACK LINES, INC. C. A. 2d Cir. Certiorari denied. *Charles Andrews Ellis* for petitioner. *John P. Smith* and *Albert P. Thill* for respondent. Reported below: 196 F. 2d 295.

No. 319. ROBERTS DAIRY Co. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. *Joseph J. O'Connell, Jr.* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Lyon, Ellis N. Slack, Lee A. Jackson* and *Harry Marselli* for respondent. Reported below: 195 F. 2d 948.

No. 323. BALDUFF ET AL. *v.* OHIO TURNPIKE COMMISSION ET AL. Supreme Court of Ohio. Certiorari denied. *Arthur M. Sebastian* for petitioners. *Henry J. Crawford,*

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Frank Harrison and John Lansdale, Jr. for the Ohio Turnpike Commission, respondent. Reported below: 158 Ohio St. 168, 107 N. E. 2d 345.

No. 325. *Wooton et al. v. McWilliams, Trustee in Bankruptcy.* C. A. 5th Cir. Certiorari denied. *Seymour Krieger* for petitioners. *T. C. Hannah and M. M. Roberts* for respondent. Reported below: 197 F. 2d 152.

No. 326. *Glenn L. Martin Nebraska Co. v. Culkin et al.* C. A. 8th Cir. Certiorari denied. *J. A. C. Kennedy and George L. DeLacy* for petitioner. *E. K. McDermott* for respondents. Reported below: 197 F. 2d 981.

No. 327. *Kinston Tobacco Board of Trade, Inc. et al. v. Liggett & Myers Tobacco Co. et al.* Supreme Court of North Carolina. Certiorari denied. *Jesse A. Jones* for petitioners. *Bethuel M. Webster and Francis H. Horan* for the Liggett & Myers Tobacco Co.; *James Mullen, Walter E. Rogers and Albion Dunn* for the Kinston Tobacco Co., Inc.; *Horace G. Hitchcock and Victor S. Bryant* for American Suppliers, Inc.; and *William A. Lucas* for the Imperial Tobacco Co., Ltd., respondents. Reported below: 235 N. C. 737, 71 S. E. 2d 21.

No. 313. *Davidson v. United States.* C. A. 9th Cir. Certiorari denied. *Clifton Hildebrand* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Edward S. Szukiewicz* for the United States. Reported below: 197 F. 2d 817.

No. 328. *Centracchio v. Garrity, U. S. Attorney.* C. A. 1st Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Bolling R. Powell, Jr.* for petitioner. *Acting*

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Solicitor General Stern, Assistant Attorney General Lyon, Ellis N. Slack and John Lockley for respondent. Reported below: 198 F. 2d 382.

No. 12, Misc. *HASSON v. HIATT, WARDEN*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Edward S. Szukelewicz* for respondent. Reported below: 195 F. 2d 917.

No. 70, Misc. *BYERS ET AL. v. STEELE, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 197 F. 2d 521.

No. 78, Misc. *KUIKEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Edward S. Szukelewicz* for the United States. Reported below: 196 F. 2d 223.

No. 91, Misc. *CHRONISTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Felicia H. Dubrovsky* for the United States. Reported below: 196 F. 2d 1019.

No. 101, Misc. *SELLERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Anthony P. Nugent* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 197 F. 2d 151.

No. 121, Misc. *ROBINSON v. SWOPE, WARDEN*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray and Beatrice Rosenberg* for respondent. Reported below: 197 F. 2d 633.

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No. 122, Misc. *MARELIA v. BURKE, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 197 F. 2d 856.

No. 136, Misc. *DUNBAR v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 142, Misc. *PURCILLA ET AL. v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 144, Misc. *BOWEN v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: — Md. —, 90 A. 2d 174.

No. 151, Misc. *DEBRUHL v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Henry Lincoln Johnson, Jr.* and *Frank D. Reeves* for petitioner. *Acting Solicitor General Stern*, *Assistant Attorney General Murray* and *Beatrice Rosenberg* for the United States. Reported below: 91 U. S. App. D. C. 125, 199 F. 2d 175.

No. 152, Misc. *BANKS v. NATIONAL ORGANIZATION OF MASTERS, MATES AND PILOTS OF AMERICA, INC.* C. A. 5th Cir. Certiorari denied. *J. Tom Watson* for petitioner. *J. Albert Woll, James A. Glenn, Herbert S. Thatcher* and *John R. Foley* for respondent. Reported below: 196 F. 2d 428.

No. 163, Misc. *CALLAHAN v. GEORGIA*. Supreme Court of Georgia. Certiorari denied. *Oliver A. Seaver* for petitioner. Reported below: 209 Ga. 211, 71 S. E. 2d 86.

No. 165, Misc. *SCHULTZ v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Western District. Certiorari denied.

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No. 170, Misc. O'Dwyer *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied.

No. 171, Misc. SPENCER *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern* for the United States. Reported below: See 177 F. 2d 370.

No. 174, Misc. ALLEN *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William H. Collins* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Murry Lee Randall* for the United States. Reported below: 91 U. S. App. D. C. 197, 202 F. 2d 329.

No. 175, Misc. NORRED *v.* CALIFORNIA. District Court of Appeal of California, First District. Certiorari denied. Reported below: 110 Cal. App. 2d 492, 243 P. 2d 126.

No. 177, Misc. CARPENTER *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 179, Misc. WASHINGTON *v.* FLORIDA. Supreme Court of Florida. Certiorari denied.

No. 181, Misc. BEASON *v.* EIDSON, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 186, Misc. CAMPBELL *v.* CLAUDY, WARDEN, ET AL. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 118, Misc. DUBoIS *v.* MOSSEY ET AL. C. A. 7th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would grant certiorari and reverse this

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judgment on the ground that petitioner has been denied a trial by jury which the Seventh Amendment to the Constitution is intended to guarantee. *Walter L. Clements* for petitioner. *Charles C. Collins* for the State Mutual Farm Ins. Co., respondent. Reported below: 195 F. 2d 56.

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Per Curiam Decisions.

No. 7. GORDON, OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE, *v. HEIKKINEN*. Certiorari, 343 U. S. 903, to the United States Court of Appeals for the Eighth Circuit. *Per Curiam*: The judgment of the Court of Appeals is vacated and the case is remanded to the District Court with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot. *Acting Solicitor General Stern* for petitioner. *Blanch Freedman* for respondent. Reported below: 190 F. 2d 16.

No. 335. ASHTON POWER WRECKER EQUIPMENT Co., INC. *v. MICHIGAN ET AL.* Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the reason that the application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (c). *Frederic T. Harward* for appellant. *Frank G. Millard*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for appellees. Reported below: 332 Mich. 432, 52 N. W. 2d 174.

No. 343. CITY OF ATLANTA *v. ANGLIN ET AL.* Appeal from the Supreme Court of Georgia. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *J. C. Mur-*

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phy and *Henry L. Bowden* for appellant. *Welborn B. Cody* for the Board of Trustees of the Firemen's Pension Fund of Atlanta, appellee. Reported below: 209 Ga. 170, 71 S. E. 2d 419.

No. 353. CHICAGO & NORTH WESTERN RAILWAY Co. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Northern District of Illinois. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *Nye F. Morehouse* and *P. F. Gault* for appellant. *Acting Solicitor General Stern* and *Allen Crenshaw* for the United States and the Interstate Commerce Commission; *William E. Torkelson* for the Public Service Commission of Wisconsin; *Walter J. Mattison* and *Harry G. Slater* for the City of Milwaukee; and *M. L. Bluhm* for the Chicago, Milwaukee, St. Paul & Pacific Railroad Co., appellees.

No. 358. COPPERWELD STEEL Co. ET AL. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Western District of Pennsylvania. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. MR. JUSTICE DOUGLAS is of the opinion that probable jurisdiction should be noted and the case set down for argument. *Elliott W. Finkel* and *Maurice J. Mahoney* for the Copperweld Steel Co.; and *Anthony P. Donadio* for the Baltimore & Ohio Railroad Co., appellants. *Acting Solicitor General Stern*, *Acting Assistant Attorney General Clapp* and *Ralph S. Spritzer* for the United States; and *Allen Crenshaw* for the Interstate Commerce Commission, appellees. Reported below: 106 F. Supp. 283.

No. 387. MAHONEY *v.* PAROLE BOARD OF NEW JERSEY. Appeal from the Supreme Court of New Jersey. *Per Curiam*: The motion to dismiss is granted and the appeal

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is dismissed for the want of a substantial federal question. *Samuel Kagle* for appellant. *Theodore D. Parsons*, Attorney General of New Jersey, and *Eugene T. Urbanik*, Deputy Attorney General, for appellee. Reported below: 10 N. J. 269, 90 A. 2d 8.

No. 128, Misc. *VETTERLI v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to the District Court for resentencing without taking into consideration defendant's failure to testify. *Robert W. Kenny* for petitioner. *Acting Solicitor General Stern*, *Assistant Attorney General Murray*, *Robert W. Ginnane* and *Robert G. Maysack* for the United States. Reported below: 198 F. 2d 291.

Miscellaneous Orders.

No. 6, Original. *UNITED STATES v. CALIFORNIA*. The report of the Special Master dated October 14, 1952, is received and ordered filed. Exceptions, if any, to the Report of the Special Master may be filed by the parties on or before January 9, 1953. MR. JUSTICE JACKSON and MR. JUSTICE CLARK took no part in the consideration or decision of this question.

No. 238. *NATIONAL LABOR RELATIONS BOARD v. GAMBLE ENTERPRISES, INC.* Certiorari, 344 U. S. 814, to the United States Court of Appeals for the Sixth Circuit. The motion of Local No. 24, American Federation of Musicians, for leave to intervene is denied. *Henry Kaiser*, *Gerhard P. Van Arkel* and *Eugene Gressman* were on the motion to intervene. Reported below: 196 F. 2d 61.

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No. 182, Misc. *GEACH v. CHIEF JUSTICE OF CRIMINAL COURT OF COOK COUNTY, ILLINOIS.* Motion for leave to file petition for writ of mandamus denied.

No. 184, Misc. *DUTTON v. RAGEN, WARDEN.* Application denied.

No. 201, Misc. *BLUME v. UNITED STATES.* Motion for leave to file petition for writ of habeas corpus denied.

Certiorari Granted. (See also No. 128, Misc., supra.)

No. 308. *DALEHITE ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari granted. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Thomas Fletcher, Austin Y. Bryan, Jr., Neth L. Leachman, T. E. Mosheim and John R. Brown* for petitioners. *Acting Solicitor General Stern, Assistant Attorney General Baldridge, Paul A. Sweeney, Morton Liftin, Massillon M. Heuser and Eberhard P. Deutsch* for the United States. Reported below: 197 F. 2d 771.

No. 413. *BOLLING ET AL. v. SHARPE ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *George E. C. Hayes, James M. Nabrit, Jr., George M. Johnson and Herbert O. Reid, Jr.* for petitioners.

No. 86, Misc. *ORLOFF v. WILLOUGHBY, COMMANDANT.* C. A. 9th Cir. Certiorari granted. The motion for leave to file brief of Committee to Prevent Abuse of Doctors' Draft Act, as *amicus curiae*, is denied. *David Rein* for petitioner. *Philip B. Perlman*, then Solicitor General, and *Acting Solicitor General Stern* for respondent. Reported below: 195 F. 2d 209.

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Certiorari Denied.

No. 292. GEOTECHNICAL CORPORATION *v.* PURE OIL Co. C. A. 5th Cir. Certiorari denied. *Selim B. Lemle* for petitioner. Reported below: 196 F. 2d 199.

No. 305. ATLANTIC COAST LINE RAILROAD Co. *v.* PIDD. C. A. 5th Cir. Certiorari denied. *Charles Cook Howell* and *G. L. Reeves* for petitioner. *Olin E. Watts* for respondent. Reported below: 197 F. 2d 153.

No. 329. COSTELLO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *George Wolf* and *Jacob W. Friedman* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg* and *John R. Wilkins* for the United States. Reported below: 198 F. 2d 200.

No. 332. CENTRAL CUBA SUGAR Co. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Robert A. Littleton* and *Myles A. Walsh* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Lyon, Ellis N. Slack, Lee A. Jackson* and *Hilbert P. Zarky* for respondent. Reported below: 198 F. 2d 214.

No. 333. THERIOT *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *Robert Ash* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Lyon, Ellis N. Slack* and *S. Dee Hanson* for respondent. Reported below: 197 F. 2d 13.

No. 334. GASWAY *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Gray Thoron* for petitioner. *Price Daniel*, Attorney General of Texas, and *Calvin B. Garwood, Jr.*, Assistant Attorney General, for respondent. Reported below: — Tex. Cr. R. —, 248 S. W. 2d 942.

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No. 337. WESTERN AIR LINES, INC. *v.* CIVIL AERONAUTICS BOARD ET AL. C. A. 9th Cir. Certiorari denied. *Hugh W. Darling* for petitioner. *Acting Solicitor General Stern, Acting Assistant Attorney General Clapp* and *Ralph S. Spritzer* for the Civil Aeronautics Board; and *Albert F. Grisard* for the Bonanza Air Lines, Inc., respondents. Reported below: 196 F. 2d 933.

No. 338. A. M. COLLINS & CO. ET AL. *v.* PANAMA RAILROAD CO. C. A. 5th Cir. Certiorari denied. *John O. Collins* for petitioners. *Paul M. Runnestrand* for respondent. Reported below: 197 F. 2d 893.

No. 339. MONTICELLO TOBACCO CO., INC. *v.* AMERICAN TOBACCO CO. ET AL. C. A. 2d Cir. Certiorari denied. *Philip Handelman* and *Walter H. Schulman* for petitioner. *Horace G. Hitchcock* for the American Tobacco Co. et al.; and *Bethuel M. Webster* and *Francis H. Horan* for Liggett & Myers Tobacco Co. et al., respondents. Reported below: 197 F. 2d 629.

No. 345. DICKINSON *v.* BURNHAM ET AL. C. A. 2d Cir. Certiorari denied. *Samuel Hershenstein* for petitioner. *Myron Scott* for respondents. Reported below: 197 F. 2d 973.

No. 346. CHARLES PECKAT MANUFACTURING CO. *v.* JARECKI, COLLECTOR OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *John E. Hughes* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Lyon, Ellis N. Slack, A. F. Prescott* and *Joseph F. Goetten* for respondent. Reported below: 196 F. 2d 849.

No. 349. DOWNEY *v.* BECK, ADMINISTRATOR. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Thomas S. Tobin* for respondent. Reported below: 198 F. 2d 626.

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No. 350. *PUERTO RICO v. CEMENTERIO BUXEDA, INC.* C. A. 1st Cir. Certiorari denied. *Victor Gutierrez-Franqui*, Attorney General of Puerto Rico, *J. B. Fernandez-Badillo*, Sub-Attorney General, and *Jaime J. Saldaña*, Assistant Attorney General, for petitioner. Reported below: 196 F. 2d 177.

No. 351. *UNITED CONSTRUCTION WORKERS ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 4th Cir. Certiorari denied. *Yelverton Cowherd*, *Hillis Townsend* and *M. E. Boiarsky* for petitioners. *Acting Solicitor General Stern*, *George J. Bott*, *David P. Findling*, *Mozart G. Ratner* and *Bernard Dunau* for respondent. Reported below: 198 F. 2d 391.

No. 352. *MARPES v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Joseph A. Rossi* for petitioner. *Acting Solicitor General Stern*, *Assistant Attorney General Murray*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 198 F. 2d 186.

No. 355. *COOPER v. COOPER.* Court of Appeals of Kentucky. Certiorari denied. *Leslie W. Morris* for petitioner. *Simeon S. Willis* for respondent. Reported below: 248 S. W. 2d 702.

No. 356. *LA REAU, ADMINISTRATOR, v. JONES, ADMINISTRATRIX, ET AL.* C. A. 7th Cir. Certiorari denied. *Ralph F. Berlow* for petitioner. *Harold E. Marks* for Jones, respondent. Reported below: 196 F. 2d 852.

No. 359. *EUNICE RICE MILLING Co. v. EMPLOYERS MUTUAL LIABILITY INSURANCE Co.* C. A. 5th Cir. Certiorari denied. *LeDoux R. Provosty* for petitioner. *R. Emmett Kerrigan* for respondent. Reported below: 198 F. 2d 613.

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No. 360. ATLANTIC COAST LINE RAILROAD Co. v. CHANCE. C. A. 4th Cir. Certiorari denied. *Collins Denny, Jr., J. M. Townsend, M. V. Barnhill, Jr. and Charles Cook Howell* for petitioner. *Oliver W. Hill, Martin A. Martin and Spottswood W. Robinson, III* for respondent. Reported below: 198 F. 2d 549.

No. 361. JONIKAS v. UNITED STATES. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Felicia H. Dubrovsky* for the United States. Reported below: 197 F. 2d 675.

No. 362. NANCY ANN STORYBOOK DOLLS, INC. v. DOLLCRAFT COMPANY ET AL. C. A. 9th Cir. Certiorari denied. *William G. MacKay* for petitioner. *Oscar A. Mellin and Jack E. Hursh* for respondents. Reported below: 197 F. 2d 293.

No. 363. WALKER v. UNITED STATES. C. A. 2d Cir. Certiorari denied. *Peter L. F. Sabbatino and Thomas J. Todarelli* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and John R. Wilkins* for the United States. Reported below: 197 F. 2d 287.

No. 369. UNITED STATES v. McCONVILLE, ADMINISTRATRIX. C. A. 2d Cir. Certiorari denied. *Acting Solicitor General Stern* for the United States. *Copal Mintz* for respondent. Reported below: 197 F. 2d 680.

No. 372. RICE ET AL. v. SAYERS ET AL. C. A. 10th Cir. Certiorari denied. *Emmet A. Blaes* for petitioners. *Harold R. Fatzer, Attorney General of Kansas, and James P. Mize* for respondents. Reported below: 198 F. 2d 724.

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No. 283. *GORDON v. GORDON*. Supreme Court of Florida. Certiorari denied. *Bernard F. Garvey* for petitioner. *S. P. Robineau* for respondent. Reported below: 59 So. 2d 40.

No. 298. *ZEPHYR AIRCRAFT CORP. v. UNITED STATES*. Court of Claims. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Loring M. Black* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Baldridge* and *Samuel D. Slade* for the United States. Reported below: 122 Ct. Cl. 523, 104 F. Supp. 990.

No. 331. *HINES v. CITY OF MAYSVILLE*. Court of Appeals of Kentucky. Certiorari denied. *James A. Cobb* and *George E. C. Hayes* for petitioner. *M. J. Hennessy* for respondent. Reported below: 249 S. W. 2d 23.

No. 342. *DAVENA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *A. M. Mull, Jr.* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Lyon, Ellis N. Slack* and *John Lockley* for the United States. Reported below: 198 F. 2d 230.

No. 344. *MARR, DOING BUSINESS AS MARR DUPLICATOR Co., v. A. B. DICK Co.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Edward D. Bolton* and *M. Neil Andrews* for petitioner. *Charles A. Horsky, Wilbur R. Lester* and *Bruce Bromley* for respondent. Reported below: 197 F. 2d 498.

No. 347. *MILLER v. E. I. duPONT de NEMOURS & Co.* Supreme Court of Oklahoma. Certiorari denied. MR. JUSTICE JACKSON took no part in the consideration or

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decision of this application. *Jack L. Rorschach* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Baldridge, James L. Morrisson and Samuel D. Slade* for respondent. Reported below: 206 Okla. 488, 244 P. 2d 810.

No. 114, Misc. *ALEXANDER v. UNITED STATES*. Court of Claims. Certiorari denied. Reported below: 122 Ct. Cl. 789.

No. 130, Misc. *CLOSE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Murry Lee Randall* for the United States. Reported below: 198 F. 2d 144.

No. 145, Misc. *PIZZO, ADMINISTRATOR, v. GEOTECHNICAL CORPORATION*. C. A. 5th Cir. Certiorari denied. *Milton C. Grace* for petitioner. Reported below: 196 F. 2d 199.

No. 148, Misc. *SALVAGGIO v. BARNETT ET AL.* Court of Civil Appeals of Texas, First Judicial District. Certiorari denied. *Hayden C. Covington* for petitioner. Reported below: 248 S. W. 2d 244.

No. 154, Misc. *EX PARTE HAYSLIP*. Supreme Court of Tennessee, Middle Division. Certiorari denied. Reported below: 193 Tenn. 643, 249 S. W. 2d 882.

No. 162, Misc. *SCOTT ET AL. v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William E. Owen* for petitioners. *Acting Solicitor General Stern, Assistant Attorney General Murray and Beatrice Rosenberg* for the United States. Reported below: 91 U. S. App. D. C. 232, 202 F. 2d 354.

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No. 169, Misc. *KENDALL v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioner. Reported below: 111 Cal. App. 2d 204, 244 P. 2d 418.

No. 172, Misc. *BERG v. CRANOR, SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

No. 173, Misc. *LEWIS v. VIRGINIA*. Supreme Court of Appeals of Virginia. Certiorari denied. *James J. Laughlin* for petitioner. Reported below: 193 Va. 612, 70 S. E. 2d 293.

No. 180, Misc. *BASHAW v. HEINZE, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 183, Misc. *OKULCZYK v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 185, Misc. *EAGLE v. CHERNEY ET AL.* Court of Appeals of New York. Certiorari denied.

No. 189, Misc. *HENDERSON v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 190, Misc. *SCHWIEM v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 191, Misc. *PRIESTLY v. DONALDSON, POSTMASTER GENERAL, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Carl L. Shipley* and *Samuel Resnicoff* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Baldridge* and *Samuel D. Slade* for the Postmaster General, respondent. Reported below: 91 U. S. App. D. C. 138, 198 F. 2d 533.

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No. 193, Misc. *SHOLTER v. CLAUDY, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 197, Misc. *SKELLY v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 200, Misc. *THOMAS v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied.

No. 202, Misc. *BAYNE v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Earl H. Davis* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray and Beatrice Rosenberg* for the United States. Reported below: 91 U. S. App. D. C. 232, 202 F. 2d 354.

No. 157, Misc. *NEWMAN v. LOWERY ET AL.* Petition for writ of certiorari to the Supreme Court of Ohio denied for the reason that application therefor was not made within the time provided by law, 28 U. S. C. § 2101 (c). Reported below: 157 Ohio St. 463, 105 N. E. 2d 643.

No. 192, Misc. *CARENTELLA v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied for the reason that application therefor was not made within the time provided by law. Rule 37 (b)(2) of the Rules of Criminal Procedure. *George F. Callaghan and George M. Crane* for petitioner. Reported below: 198 F. 2d 3.

Rehearing Denied.

No. 70. *ALGONQUIN GAS TRANSMISSION CO. ET AL. v. NORTHEASTERN GAS TRANSMISSION CO. ET AL.*, *ante*, p. 818. Rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

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No. 73. *H. B. ZACHRY Co. v. TERRY*, *ante*, p. 819;
No. 83. *LICHTENSTEIN ET AL. v. FEDERAL TRADE COMMISSION*, *ante*, p. 819;
No. 91. *58TH STREET PLAZA THEATRE, INC. ET AL. v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 820;
No. 96. *JEFFERSON v. CHRONICLE PUBLISHING Co.*, *ante*, p. 803; and
No. 254. *WHITE v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 835. Petitions for rehearing denied.

No. 207. *DIVISION 26 OF THE AMALGAMATED ASSOCIATION OF STREET, ELECTRIC RAILWAY & MOTOR COACH EMPLOYEES OF AMERICA ET AL. v. CITY OF DETROIT ET AL.*, *ante*, p. 805. Motions for leave to file briefs of American Federation of Labor and Congress of Industrial Organizations, as *amici curiae*, denied. Petitions for rehearing also denied.

No. 503, Misc., October Term, 1951. *HEWLETT v. CALIFORNIA*, 343 U. S. 981. Motion for extension of time to file brief in support of a second petition for rehearing and motion for leave to file a second petition for rehearing denied.

No. 10, Misc. *CEPERO v. PAN AMERICAN AIRWAYS, INC.*, *ante*, p. 840;

No. 54, Misc. *SLUSSER v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.*, *ante*, p. 857;

No. 62, Misc. *TIMMONS v. UNITED STATES*, *ante*, p. 844;

No. 69, Misc. *GOLEMON v. TEXAS*, *ante*, p. 847;

No. 71, Misc. *PACKWOOD v. BRIGGS & STRATTON CORP. ET AL.*, *ante*, p. 844; and

No. 108, Misc. *SEVERA v. BOROUGH OF THROOP ET AL.*, *ante*, p. 847. Petitions for rehearing denied.

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Per Curiam Decision.

No. 77. *W. J. DILLNER TRANSFER Co. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Western District of Pennsylvania. *Per Curiam:* Judgment affirmed. *United States v. Tucker Truck Lines*, 344 U. S. 33, decided November 10, 1952. *Ernie Adamson* for appellant. *Daniel W. Knowlton* and *J. Stanley Payne* for the United States and the Interstate Commerce Commission, appellees. Reported below: 101 F. Supp. 506.

Miscellaneous Orders.

No. 113. *TINDER v. UNITED STATES.* It is ordered that William W. Koontz, Esq., of Alexandria, Va., a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 206, Misc. *CHAPMAN v. MICHIGAN.* Motion for leave to file petition for writ of habeas corpus and petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 188, Misc. *FLECK v. SWOPE, WARDEN.* Motion for leave to file petition for writ of habeas corpus denied.

Certiorari Granted. (*See also No. 100, ante, p. 86.*)

No. 52. *TERRY ET AL. v. ADAMS ET AL.* C. A. 5th Cir. Certiorari granted. *Ira J. Allen* for petitioners. Reported below: 193 F. 2d 600.

No. 368. *DE LA RAMA STEAMSHIP CO., INC. v. UNITED STATES.* C. A. 2d Cir. Certiorari granted limited to the

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question of the jurisdiction of the District Court. *Roscoe H. Hupper* for petitioner. *Acting Solicitor General Stern* filed a memorandum for the United States stating that the Government does not oppose the granting of a writ of certiorari in this case limited to the question of jurisdiction. Reported below: 198 F. 2d 182.

Certiorari Denied. (See also No. 206, Misc., supra.)

No. 185. *MILLIKEN v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *John W. Burke, Jr.* for petitioner. *Solicitor General Perlman* filed a memorandum for respondent. Reported below: 196 F. 2d 135.

No. 210. *DUVEEN BROTHERS, INC. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Hugh Satterlee* and *Rollin Browne* for petitioner. *Solicitor General Perlman* filed a memorandum for respondent. Reported below: 197 F. 2d 118.

No. 364. *UNITED MINE WORKERS OF AMERICA, DISTRICT 31, ET AL. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 4th Cir. Certiorari denied. *M. E. Boiarsky* for petitioners. *Acting Solicitor General Stern, George J. Bott, David P. Findling, Mozart G. Ratner* and *Fannie M. Boyls* for respondent. Reported below: 198 F. 2d 389.

No. 366. *VERDERBER v. OHIO*. Supreme Court of Ohio. Certiorari denied. *Milton Carr Ferguson* for petitioner.

No. 367. *SPRINGFIELD INSTITUTION FOR SAVINGS ET AL. v. WORCESTER FEDERAL SAVINGS & LOAN ASSOCIATION ET AL.* Supreme Judicial Court of Massachusetts. Certio-

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rari denied. *Henry P. Fielding*, Assistant Attorney General of Massachusetts, and *Richard Wait* for petitioners. *Charles B. Rugg* for respondents. Briefs of *amici curiae* supporting the petition were filed by *Timothy J. Donovan* and *John P. Clair* for the Department of Banks of Massachusetts; and *Fred N. Oliver* and *M. F. McCarthy* for the National Association of Mutual Savings Banks. Reported below: 329 Mass. 184, 107 N. E. 2d 315.

No. 370. *TISNEROS v. CHICAGO & NORTH WESTERN RAILWAY Co.* C. A. 7th Cir. Certiorari denied. *William C. Wines* for petitioner. *Lowell Hastings* and *Drennan J. Slater* for respondent. Reported below: 197 F. 2d 466.

No. 377. *OYSTER SHELL PRODUCTS CORP., INC. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *John E. Jackson* and *George Link, Jr.* for petitioner. *Acting Solicitor General Stern*, Assistant Attorney General *McInerney* and *Roger P. Marquis* for the United States. Reported below: 197 F. 2d 1022.

No. 4, Misc. *GRASS v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Ivan A. Elliott*, Attorney General of Illinois, for respondent.

No. 87, Misc. *ROLLAND v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Frank G. Millard*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent.

No. 99, Misc. *DUNCAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Wm. Schley Howard* for peti-

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titioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Edward S. Szukelewicz* for the United States. Reported below: 197 F. 2d 935.

No. 147, Misc. *MILLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 164, Misc. *FELORNIA ET AL. v. YOUNG ET AL.* Supreme Court of Utah. Certiorari denied. *O. A. Tangren* for petitioners. *Henry D. Moyle* for respondents. Reported below: — Utah —, 244 P. 2d 862.

No. 168, Misc. *BAILEY v. VIRGINIA*. Supreme Court of Appeals of Virginia. Certiorari denied. *Martin A. Martin, Oliver W. Hill, William Davis Butts and Spottswood W. Robinson, III* for petitioner. *J. Lindsay Almond, Jr.*, Attorney General of Virginia, and *Frederick T. Gray*, Assistant Attorney General, for respondent. Reported below: 193 Va. 814, 71 S. E. 2d 368.

No. 178, Misc. *TARTAR v. HEINZE, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 194, Misc. *GREEN v. GORDON ET AL.* Supreme Court of California. Certiorari denied. *Elizabeth Cassidy* for petitioner. Reported below: 39 Cal. 2d 230, 246 P. 2d 38.

No. 195, Misc. *BEECHER v. LEAVENWORTH STATE BANK ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 198, Misc. *HOUSTON v. SUPERIOR COURT IN AND FOR THE COUNTY OF BUTTE, CALIFORNIA.* Supreme Court of California. Certiorari denied.

No. 203, Misc. *ESTES v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 207, Misc. *PETROSKI v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 208, Misc. *SPARACINO v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 209, Misc. *WILLIAMS v. RAGEN, WARDEN.* Supreme Court of Illinois. Certiorari denied.

No. 210, Misc. *MELL v. WASHINGTON.* Supreme Court of Washington. Certiorari denied.

No. 135, Misc. *CHORAK ET AL. v. R. K. O. RADIO PICTURES, INC. ET AL.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE BLACK, MR. JUSTICE REED, and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Alfred C. Ackerson* for petitioners. *Eugene D. Williams* for respondents. Reported below: 196 F. 2d 225.

No. 187, Misc. *BERTRAND v. RAGEN, WARDEN.* Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (c).

Rehearing Denied.

No. 174. *McGRATH, ATTORNEY GENERAL, v. NATIONAL ASSOCIATION OF MANUFACTURERS OF THE UNITED STATES*

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OF AMERICA ET AL., *ante*, p. 804. Rehearing denied. MR. JUSTICE REED and MR. JUSTICE JACKSON are of the opinion the petition should be granted. MR. JUSTICE CLARK took no part in the consideration or decision of this application.

No. 137. BURLINGTON COUNTY BRIDGE COMMISSION ET AL. *v.* DRISCOLL, GOVERNOR;

No. 184. NONGARD ET AL., TRADING AS KETCHAM & NONGARD, ET AL. *v.* DRISCOLL, GOVERNOR; and

No. 188. BELL *v.* DRISCOLL, GOVERNOR, ET AL., *ante*, p. 838. Petitions for rehearing denied. MR. JUSTICE BLACK took no part in the consideration or decision of these applications.

No. 148. TIDE WATER ASSOCIATED OIL CO. *v.* ROBISON, ON BEHALF OF LOCAL 445, OIL WORKERS INTERNATIONAL UNION, *ante*, p. 804;

No. 189. HARRIS *v.* HARRIS, *ante*, p. 829;

No. 192. TAYLOR *v.* KENTUCKY, *ante*, p. 830;

No. 201. SLENKER ET AL. *v.* GRAND LODGE OF THE STATE OF ILLINOIS OF THE INDEPENDENT ORDER OF ODD FELLOWS, *ante*, p. 830;

No. 260. ARON *v.* SNYDER, SECRETARY OF THE TREASURY, ET AL., *ante*, p. 854;

No. 267. PARIS *v.* TEXAS, *ante*, p. 857;

No. 272. SHELL OIL CO. *v.* WILKIN ET AL., *ante*, p. 854;

No. 326. GLENN L. MARTIN NEBRASKA CO. *v.* CULKIN ET AL., *ante*, p. 866;

No. 82, Misc. PODOLSKI *v.* MICHIGAN, *ante*, p. 845;

No. 116, Misc. MULKEY *v.* MICHIGAN, *ante*, p. 852; and

No. 158, Misc. CARNEY *v.* ANDERSON ET AL., *ante*, p. 860. Petitions for rehearing denied.

344 U. S. Memorandum of FRANKFURTER, J.

No. 111. ROSENBERG ET AL. *v.* UNITED STATES; and

No. 112. SOBELL *v.* UNITED STATES, *ante*, p. 838. Motion for leave to file brief of Dr. W. E. B. Dubois and others, as *amici curiae*, denied. Petitions for rehearing denied. Memorandum filed by MR. JUSTICE FRANKFURTER in No. 111. MR. JUSTICE BLACK adheres to his view that the petitions for certiorari should be granted.

MR. JUSTICE FRANKFURTER.

Petitioners are under death sentence, and it is not unreasonable to feel that before life is taken review should be open in the highest court of the society which has condemned them. Such right of review was the law of the land for twenty years. By § 6 of the Act of February 6, 1889, 25 Stat. 655, 656, convictions in capital cases arising under federal statutes were appealable here. But in 1911 Congress abolished the appeal as of right, and since then death sentences have come here only under the same conditions that apply to any criminal conviction in a federal court. (§§ 128, 238, 240 and 241 of the Judicial Code, 36 Stat. 1087, 1133, 1157.)

The Courts of Appeals are charged by Congress with the duty of reviewing all criminal convictions. These are courts of great authority and corresponding responsibility. The Court of Appeals for the Second Circuit was deeply conscious of its responsibility in this case. Speaking through Judge Frank, it said: "Since two of the defendants must be put to death if the judgments stand, it goes without saying that we have scrutinized the record with extraordinary care to see whether it contains any of the errors asserted on this appeal." 195 F. 2d 583, 590.

After further consideration, the Court has adhered to its denial of this petition for certiorari. Misconception regarding the meaning of such a denial persists despite repeated attempts at explanation. It means, and all that

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it means is, that there were not four members of the Court to whom the grounds on which the decision of the Court of Appeals was challenged seemed sufficiently important when judged by the standards governing the issue of the discretionary writ of certiorari. It also deserves to be repeated that the effective administration of justice precludes this Court from giving reasons, however briefly, for its denial of a petition for certiorari. I have heretofore explained the reasons that for me also militate against noting individual votes when a petition for certiorari is denied. See *Chemical Bank & Trust Co. v. Group of Institutional Investors*, 343 U. S. 982.

Numerous grounds were urged in support of this petition for certiorari; the petition for rehearing raised five additional questions. So far as these questions come within the power of this Court to adjudicate, I do not, of course, imply any opinion upon them. One of the questions, however, first raised in the petition for rehearing, is beyond the scope of the authority of this Court, and I deem it appropriate to say so. A sentence imposed by a United States district court, even though it be a death sentence, is not within the power of this Court to revise.

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Per Curiam Decision.

No. 408. *PENN-DIXIE CEMENT CORP. v. DICKINSON, COMMISSIONER OF FINANCE AND TAXATION, ET AL.* Appeal from the Supreme Court of Tennessee. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Charles C. Moore* for appellant. *Roy H. Beeler*, Attorney General of Tennessee, and *Allison B. Humphreys*, Solicitor General, for appellees. Reported below: 194 Tenn. 412, 250 S. W. 2d 904.

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Miscellaneous Orders.

No. 220, Misc. ADAMS *v.* UNITED STATES. Application denied.

No. 237, Misc. KAUFMAN ET AL. *v.* PINE, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. MR. JUSTICE CLARK took no part in the consideration or decision of this motion. *Irving Moskovitz, Henry G. Fischer, Odell Kominers and Seymour Graubard* for petitioners.

No. 243, Misc. NELSON ET AL. *v.* STEWART, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writ of prohibition or mandamus denied. *Bertram Edises* for petitioners.

Certiorari Granted.

No. 302. DAMERON *v.* BRODHEAD, MANAGER OF REVENUE AND EX OFFICIO TREASURER OF THE CITY AND COUNTY OF DENVER. Supreme Court of Colorado. Certiorari granted. *Acting Solicitor General Stern* for petitioner. *Leonard M. Campbell and John C. Banks* for respondent. Reported below: 125 Colo. 477, 244 P. 2d 1082.

No. 448. GEBHART ET AL. *v.* BELTON ET AL. Supreme Court of Delaware. Certiorari granted. *H. Albert Young, Attorney General of Delaware*, for petitioners. *Louis L. Redding and Thurgood Marshall* for respondents. Reported below: — Del. —, 91 A. 2d 137.

Certiorari Denied.

No. 300. BRANNAN, SECRETARY OF AGRICULTURE, *v.* KASS, TRADING AS BABYLON MILK & CREAM Co. C. A. 2d Cir. Certiorari denied. *Acting Solicitor General Stern*,

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W. Carroll Hunter and Neil Brooks for petitioner. *Harry Polikoff and Edgar J. Goodrich* for respondent. Reported below: 196 F. 2d 791.

No. 314. *MCRAE v. Woods, ACTING HOUSING EXPEDITER*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Stern, John R. Benney, Ed Dupree, A. M. Edwards* and *Nathan Siegel* for respondent. Reported below: 196 F. 2d 496.

No. 381. *AMERICAN PRESIDENT LINES, LTD. v. IMMIGRATION AND NATURALIZATION SERVICE ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Welburn Mayock and W. S. Mayock* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg* and *Felicia H. Dubrovsky* for respondents.

No. 383. *C-O-TWO FIRE EQUIPMENT CO. ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Francis R. Kirkham* for petitioners. *Acting Solicitor General Stern, Acting Assistant Attorney General Clapp* and *Daniel M. Friedman* for the United States. Reported below: 197 F. 2d 489.

No. 385. *WESTERN NEW YORK WATER CO. ET AL. v. ERIE COUNTY WATER AUTHORITY*. Court of Appeals of New York. Certiorari denied. *Jesse Climenko* for petitioners. *Melvin L. Bong and Laurence J. Olmsted* for respondent. Reported below: 304 N. Y. 342, 107 N. E. 2d 479.

No. 397. *ERNEST, TRUSTEE IN BANKRUPTCY, v. RIVERVIEW STATE BANK*. C. A. 10th Cir. Certiorari denied. *Wesley E. Brown, Donald C. Martindell* and *William D. P. Carey* for petitioner. *T. M. Lillard* and *N. E. Snyder* for respondent. Reported below: 198 F. 2d 876.

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No. 398. LOCAL 333B, UNITED MARINE DIVISION OF INTERNATIONAL LONGSHOREMEN'S ASSOCIATION (A. F. L.), ET AL. v. VIRGINIA EX REL. VIRGINIA FERRY CORP. Supreme Court of Appeals of Virginia. Certiorari denied. *Joseph L. Rauh, Jr.* for petitioners. *J. Lindsay Almond, Jr.*, Attorney General of Virginia, and *Barron F. Black*, Special Assistant Attorney General, for respondent. Reported below: 193 Va. 773, 71 S. E. 2d 159.

No. 373. KEMBLE v. UNITED STATES. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Lester J. Schaffer* and *William A. Gray* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 198 F. 2d 889.

No. 400. INTERSTATE COMMERCE COMMISSION ET AL. v. UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Edward M. Reidy* for the Interstate Commerce Commission, *Windsor F. Cousins* and *Hugh B. Cox* for the Pennsylvania Railroad Co., *Charles P. Reynolds* for the Atlantic Coast Line Railroad Co. et al., *Martin A. Meyer, Jr.* for the Virginian Railway Co., and *A. J. Dixon* for the Southern Railway Co., petitioners. *Acting Solicitor General Stern, Acting Assistant Attorney General Clapp* and *Ralph S. Spritzer* for the United States. Reported below: 91 U. S. App. D. C. 178, 198 F. 2d 958.

No. 153, Misc. LOPEZ v. TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *G. C. Mann* for petitioner. *Price Daniel*, Attorney General of Texas, and

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V. F. Taylor and *Calvin B. Garwood, Jr.*, Assistant Attorneys General, for respondent. Reported below: — Tex. Cr. R. —, 252 S. W. 2d 701.

No. 205, Misc. *JOHNSON v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 214, Misc. *BOWMAN v. WASHINGTON*. Supreme Court of Washington. Certiorari denied.

No. 216, Misc. *MALONE v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 218, Misc. *DALE v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 219, Misc. *ELLIS v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

Rehearing Denied.

No. 177. *GAGE v. UNITED STATES*, *ante*, p. 829;

No. 311. *WILLIAMS v. PROTESTANT EPISCOPAL THEOLOGICAL SEMINARY IN VIRGINIA*, *ante*, p. 864;

No. 317. *WHITTINGTON v. MOORE - McCORMACK LINES, INC.*, *ante*, p. 865; and

No. 140, Misc. *FAUBERT v. MICHIGAN*, *ante*, p. 851. Petitions for rehearing denied.

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Miscellaneous Orders.

No. 211, Misc. *LIZZI v. STEELE, WARDEN*; and

No. 223, Misc. *DUNLAP v. STEINER, WARDEN*. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 212, Misc. *GRAHAM v. DOWD, WARDEN, ET AL.*
Motion for leave to file petition for writ of mandamus denied.

Certiorari Granted.

No. 290. *WATSON ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari granted. *A. Calder Mackay* for petitioners. *Acting Solicitor General Stern* filed a memorandum for respondent stating that the petition for writ of certiorari is not opposed. Reported below: 197 F. 2d 56.

No. 296. *ALSTATE CONSTRUCTION CO. v. TOBIN, SECRETARY OF LABOR.* C. A. 3d Cir. Certiorari granted. *Gilbert Nurick* for petitioner. *Acting Solicitor General Stern, William S. Tyson and Bessie Margolin* filed a memorandum stating that respondent does not object to the granting of the writ of certiorari in this case. Reported below: 195 F. 2d 577.

No. 410. *THOMAS v. HEMPT BROTHERS.* Supreme Court of Pennsylvania. Certiorari granted. *Henry C. Kessler, Jr. and Richard W. Galiher* for petitioner. *Sterling G. McNees* for respondent. Reported below: 371 Pa. 383, 89 A. 2d 776.

Certiorari Denied.

No. 382. *TAN ET AL. v. UNITED STATES.* Court of Claims. Certiorari denied. *Prew Savoy* for petitioners. *Acting Solicitor General Stern, Assistant Attorney General Baldridge, Paul A. Sweeney and Herman Marcuse* for the United States. Reported below: 122 Ct. Cl. 662, 102 F. Supp. 552.

No. 386. *DE GUIA ET AL. v. UNITED STATES.* Court of Claims. Certiorari denied. *Ernest Schein* for petition-

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ers. *Acting Solicitor General Stern* for the United States. Reported below: 122 Ct. Cl. 665.

No. 388. *UNITED FRUIT CO. v. W. E. HEDGER TRANSPORTATION CORP.* C. A. 2d Cir. Certiorari denied. *Harold M. Kennedy* for petitioner. *Alfred B. Nathan* for respondent. Reported below: 198 F. 2d 376.

No. 389. *WEATHERS v. FLORIDA.* Supreme Court of Florida. Certiorari denied. *Philip Donald DeHoff* for petitioner.

No. 399. *IN RE VITARI.* Supreme Court of Louisiana. Certiorari denied. *Bentley G. Byrnes* for petitioner.

No. 402. *WESTERN UNION TELEGRAPH CO. v. LESESNE.* C. A. 4th Cir. Certiorari denied. *John H. Waters, William G. H. Acheson and Edward W. Mullins* for petitioner. Reported below: 198 F. 2d 154.

No. 403. *SCHMIDT v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Baldridge and Paul A. Sweeney* for the United States. Reported below: 198 F. 2d 32.

No. 412. *DISTRICT OF COLUMBIA v. CATHOLIC EDUCATION PRESS, INC.* 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. *George E. Hamilton, Jr.* for respondent. Reported below: 91 U. S. App. D. C. 126, 199 F. 2d 176.

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No. 414. UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA-UE ET AL. v. OLIVER CORPORATION. C. A. 8th Cir. Certiorari denied. *Arthur Kinoy and Frank J. Donner* for petitioners. Reported below: 198 F. 2d 672.

No. 416. GOE v. COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *F. T. Weil* for petitioner. *Acting Solicitor General Stern, Assistant Attorney General Lyon, Ellis N. Slack, A. F. Prescott and John R. Benney* for respondent. Reported below: 198 F. 2d 851.

No. 417. WESTWOOD PHARMACAL CORP. ET AL. v. FIELDING ET AL. District Court of Appeal of California, First Appellate District. Certiorari denied. *Moses Lasky* for petitioners. *Earl C. Berger* for respondents. Reported below: 111 Cal. App. 2d 490, 244 P. 2d 968.

No. 418. SOUTHERN PACIFIC Co. v. ERICKSEN. Supreme Court of California. Certiorari denied. *Arthur B. Dunne* for petitioner. *Melvin M. Belli* for respondent. Reported below: 39 Cal. 2d 374, 234 P. 2d 279.

No. 419. UNITED BRICK & CLAY WORKERS OF AMERICA ET AL. v. DEENA ARTWARE, INC. C. A. 6th Cir. Certiorari denied. *J. Albert Woll, Herbert S. Thatcher, James A. Glenn and Joseph E. Finley* for petitioners. *James G. Wheeler* for respondent. Reported below: 198 F. 2d 637.

No. 424. BOORTZ v. AMERICAN MOTORIST INSURANCE Co. C. A. 5th Cir. Certiorari denied. *Walter B. Scott and W. P. McLean* for petitioner. *B. L. Agerton* for respondent. Reported below: 197 F. 2d 900.

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No. 433. PENNSYLVANIA RAILROAD CO. v. PURVIS. C. A. 3d Cir. Certiorari denied. *H. Francis DeLane* and *Hugh B. Cox* for petitioner. *Ernest Ray White* for respondent. Reported below: 198 F. 2d 631.

No. 354. BROWN ET AL. v. INDUSTRIAL ACCIDENT COMMISSION OF CALIFORNIA ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Morris Lavine*, *Mort L. Clopton* and *John L. Kearney* for petitioners. *Everett A. Corten* for the Industrial Accident Commission of California, and *Charles C. Collins* for the American Mutual Liability Insurance Co., respondents.

No. 376. OLNEY v. UNITED STATES. Court of Claims. Certiorari denied. MR. JUSTICE REED and MR. JUSTICE JACKSON are of the opinion certiorari should be granted. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this application. *Charles A. Horsky* and *Amy Ruth Mahin* for petitioner. *Acting Solicitor General Stern*, *Assistant Attorney General Baldridge* and *Paul A. Sweeney* for the United States. Reported below: 123 Ct. Cl. 285, 105 F. Supp. 1005.

No. 213, Misc. BYERS v. UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 215, Misc. GRIFFIN v. WASHINGTON. Supreme Court of Washington. Certiorari denied.

No. 221, Misc. COLLINS v. ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 222, Misc. DEL'MARMOL v. HEINZE, WARDEN, ET AL. Supreme Court of California. Certiorari denied.

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No. 225, Misc. *HANSEN v. BURKE, WARDEN*. Supreme Court of Wisconsin. Certiorari denied. Reported below: 262 Wis. 294, 55 N. W. 2d 6.

No. 226, Misc. *SIMON v. McGEE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 227, Misc. *TILLMAN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 228, Misc. *SHIELDS v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 230, Misc. *ST. JOHN v. REDNOUR, SUPERINTENDENT, ILLINOIS SECURITY HOSPITAL*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 231, Misc. *THOMAS v. MILLARD, ATTORNEY GENERAL, ET AL.* Supreme Court of Michigan. Certiorari denied.

No. 232, Misc. *THOMPSON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 413 Ill. 53, 107 N. E. 2d 866.

No. 234, Misc. *EDDY v. MICHIGAN ET AL.* Supreme Court of Michigan. Certiorari denied.

No. 236, Misc. *HARRIS v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 240, Misc. *MURPHY v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 241, Misc. *MULVEY v. JACQUES, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 199 F. 2d 300.

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No. 244, Misc. *RHEIM v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 217, Misc. *GREEN v. BOTT, GENERAL COUNSEL, NATIONAL LABOR RELATIONS BOARD*. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (c).

Rehearing Denied.

No. 24. *GULF RESEARCH & DEVELOPMENT CO. ET AL. v. LEAHY, U. S. DISTRICT JUDGE, ET AL.*, *ante*, p. 861; and

No. 25. *CARDOX CORPORATION v. C-O-Two FIRE EQUIPMENT Co.*, *ante*, p. 861. Petitions for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of these applications.

No. 51. *ARROWSMITH ET AL., EXECUTORS, ET AL. v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 6;

No. 241. *MOTORS INSURANCE CORP. ET AL. v. ROBINSON, SUPERINTENDENT OF INSURANCE OF OHIO, ET AL.*, *ante*, p. 803;

No. 329. *COSTELLO v. UNITED STATES*, *ante*, p. 874;

No. 353. *CHICAGO & NORTH WESTERN RAILWAY Co. v. UNITED STATES ET AL.*, *ante*, p. 871;

No. 358. *COPPERWELD STEEL CO. ET AL. v. UNITED STATES ET AL.*, *ante*, p. 871; and

No. 173, Misc. *LEWIS v. VIRGINIA*, *ante*, p. 880. Petitions for rehearing denied.

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Per Curiam Decisions.

No. 447. *CROSS v. TUSTIN ET AL.* Appeal from the District Court of Appeal of California, First Appellate District. *Per Curiam*: The appeal is dismissed for the

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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. Reported below: 111 Cal. App. 2d 395, 244 P. 2d 731.

No. 458. *NEWTEX STEAMSHIP CORP. ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Southern District of New York. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *S. S. Eisen* for appellants. *Acting Solicitor General Stern* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; *Harold B. Finn* and *John C. White* for the Harris County Houston Ship Channel Navigation District et al.; and *Mr. Finn* and *Warren Price, Jr.* for the Pan-Atlantic Steamship Corporation, appellees. Reported below: 107 F. Supp. 388.

No. 461. *UNITED STATES v. GROWER-SHIPPIERS VEGETABLE ASSOCIATION OF CENTRAL CALIFORNIA ET AL.* Appeal from the United States District Court for the Northern District of California. *Per Curiam*: Judgment affirmed. THE CHIEF JUSTICE, MR. JUSTICE BLACK, and MR. JUSTICE DOUGLAS are of the opinion that probable jurisdiction should be noted and the case set down for argument. *Acting Solicitor General Stern* for the United States. *George M. Naus* for appellees.

Miscellaneous Orders.

No. 120. *UNITED STATES v. CRESCENT AMUSEMENT CO. ET AL.* The appeal from the United States District Court for the Middle District of Tennessee is dismissed on motion of counsel for the appellant. MR. JUSTICE BLACK and MR. JUSTICE CLARK took no part in the consideration or decision of this motion. *Philip B. Perlman*,

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then Solicitor General, and *Solicitor General Cummings* for the United States. *William Waller* for the Crescent Amusement Co. et al.; and *W. H. Mitchell* for the Muscle Shoals Theatres et al., appellees.

No. 233, Misc. *CALIFORNIA TEXAS OIL CO., LTD. ET AL. v. KIRKLAND*, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. *Leo T. Kissam, Lloyd N. Cutler and Albert E. Van Dusen* for the California Texas Oil Co., Ltd., *George S. Leisure* and *Goldthwaite H. Dorr* for the Socony-Vacuum Oil Co., Inc., *John T. Cahill* and *John F. Sonnett* for the Standard Oil Co. of California, *Oscar John Dorwin, S. A. L. Morgan* and *John J. Wilson* for the Texas Company, and *George W. Ray, Jr., John Noble* and *Lowell Wadmond* for the Arabian American Oil Co., movants. *Acting Solicitor General Stern, Acting Assistant Attorney General Clapp, Leonard J. Emmerglick* and *Ralph S. Spritzer* for the United States in opposition.

No. 242, Misc. *WILLIAMS v. JACKSON, WARDEN*. Motion for leave to file petition for writ of habeas corpus denied.

No. 253, Misc. *SYDOW v. GOLDEN, U. S. MARSHAL, ET AL.* Motion for leave to file petition for writ of habeas corpus denied. *Fyke Farmer* for petitioner.

Certiorari Granted.

No. 404. *ORVIS ET AL. v. McGRANERY, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN*. C. A. 2d Cir. Certiorari granted. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Donald Marks* for petitioners. *Acting Solici-*

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tor General Stern, Assistant Attorney General Kirks, James D. Hill and George B. Searls for respondent. Reported below: 198 F. 2d 708.

No. 422. *BURNS ET AL. v. LOVETT, SECRETARY OF DEFENSE, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Robert L. Carter, Frank D. Reeves and Thurgood Marshall* for petitioners. *Solicitor General Cummings, Assistant Attorney General Murray, Beatrice Rosenberg and Edward S. Szukelewicz* for respondents. Reported below: 91 U. S. App. D. C. 208, 202 F. 2d 235.

No. 439. *LEVINSON ET AL. v. DEUPREE, ANCILLARY ADMINISTRATOR.* C. A. 6th Cir. Certiorari granted. *Charles E. Lester, Jr. and Stephens L. Blakely* for petitioners. *Harry M. Hoffheimer and Robert S. Marx* for respondent. Reported below: 199 F. 2d 760.

Certiorari Denied. (See also No. 447, supra.)

No. 19. *PEREZ v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 401. *COX ET AL. v. KIRBY LUMBER CORP. ET AL.* C. A. 5th Cir. Certiorari denied. *Gilbert T. Adams and E. E. Easterling* for petitioners. *Joyce Cox* for respondents. Reported below: 197 F. 2d 812.

No. 406. *BULLEN ET AL. v. SCOVILLE.* C. A. 9th Cir. Certiorari denied. *William Douglas Sellers* for petitioners. *Newton E. Anderson* for respondent. Reported below: 197 F. 2d 1.

No. 415. *HODGES v. GEORGIA.* Supreme Court of Georgia. Certiorari denied. *Stonewall H. Dyer* for petitioner. Reported below: 209 Ga. 283, 71 S. E. 2d 543.

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No. 421. CALIFORNIA TEXAS OIL CO., LTD. ET AL. v. KIRKLAND, U. S. DISTRICT JUDGE. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Leo T. Kissam, Lloyd N. Cutler and Albert E. Van Dusen* for the California Texas Oil Co., Ltd., *George S. Leisure and Goldthwaite H. Dorr* for the Socony-Vacuum Oil Co., Inc., *John T. Cahill and John F. Sonnett* for the Standard Oil Co. of California, *Oscar John Dorwin, S. A. L. Morgan and John J. Wilson* for the Texas Company, and *George W. Ray, Jr., John Noble and Lowell Wadmond* for the Arabian American Oil Co., petitioners. *Acting Solicitor General Stern, Acting Assistant Attorney General Clapp, Leonard J. Emmerglick and Ralph S. Spritzer* for the United States in opposition. Reported below: 91 U. S. App. D. C. 272, 201 F. 2d 177.

No. 437. RAZETE v. UNITED STATES. C. A. 6th Cir. Certiorari denied. *Harry Kasfir* for petitioner. *Solicitor General Cummings, Assistant Attorney General Murray, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 199 F. 2d 44.

No. 3, Misc. PIANEZZI v. HEINZE, WARDEN. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, and *Doris H. Maier*, Deputy Attorney General, for respondent.

No. 6, Misc. ROBINSON v. LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *Eugene Stanley* for petitioner. Reported below: 221 La. 19, 58 So. 2d 408.

No. 117, Misc. WILLIAMSON v. OKLAHOMA. Court of Criminal Appeals of Oklahoma. Certiorari denied. Petitioner *pro se*. *Mac Q. Williamson*, Attorney General of

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Oklahoma, and *Owen J. Watts*, Assistant Attorney General, for respondent.

No. 247, Misc. *SQUIRES v. RAGEN, WARDEN*. Circuit Court of Winnebago County, Illinois. Certiorari denied.

No. 251, Misc. *THOMPSON v. CRANOR, WARDEN, ET AL.* Supreme Court of Washington. Certiorari denied.

Rehearing Denied.

No. 81. *AIKEN v. RICHARDSON*, *ante*, p. 802. Rehearing denied.

No. 344. *MARR, DOING BUSINESS AS MARR DUPLICATOR Co., v. A. B. DICK Co.*, *ante*, p. 878. Rehearing denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application.

No. 158, Misc. *CARNEY v. ANDERSON ET AL.*, *ante*, p. 860. Motion for leave to file a second petition for rehearing denied.

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Per Curiam Decision.

No. 455. *NORTHERN PACIFIC RAILWAY CO. ET AL. v. MONTANA ET AL.* Appeal from the United States District Court for the District of Montana. *Per Curiam*: The judgment is vacated and the case is remanded to the District Court for further proceedings in the light of *King v. United States*, *ante*, p. 254, decided this day. *Louis E. Torinus, Jr., Eldon M. Martin, Elmer B. Collins and Marcellus L. Countryman, Jr.* for appellants. *Arnold H. Olsen*, Attorney General of Montana, *H. M. Brickett*, Assistant Attorney General, and *Edwin S. Booth* for appellees. Reported below: 106 F. Supp. 778, 786.

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Miscellaneous Orders.

No. 9, Original. *TEXAS v. NEW MEXICO ET AL.* It is ordered that John Raeburn Green, Esquire, of St. Louis, Missouri, be, and he is hereby, appointed special master in this cause, with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem it necessary to call for. The master is directed to hold hearings, take such evidence as may be necessary and, with all convenient speed, to submit a report with recommendations relative to the disposition of the questions raised by the pleadings.

The order entered herein on April 28, 1952, 343 U. S. 932, left open the question of the indispensability of the United States as a party for decision after evidence. In hearing the evidence, the master is directed, so far as is practicable, to hear first evidence bearing on the indispensability of the United States, if the United States does not enter its appearance in the case. He is requested to examine and report on that point, if practicable, separately and prior to his report on the other issues, determining particularly whether effective relief could be granted petitioner without affecting the interest of the United States. The master shall give like consideration to any other allegation of indispensability made by any party defendant.

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

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CHIEF JUSTICE shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

THE CHIEF JUSTICE and MR. JUSTICE BLACK are of the opinion that the present record establishes the indispensability of the United States and requires the dismissal of the complaint.

Price Daniel, Attorney General of Texas, *Jesse P. Luton, Jr.* and *K. B. Watson*, Assistant Attorneys General, and *Eugene T. Edwards* for plaintiff, were on the motion for the appointment of a special master. *Joe L. Martinez*, Attorney General, and *Fred E. Wilson*, Special Assistant Attorney General, for the State of New Mexico, and *Martin A. Threet*, *D. A. Macpherson, Jr.* and *Jean S. Breitenstein* for the Middle Rio Grande Conservancy District et al., defendants, in opposition.

No. 224, Misc. *JERONIS v. JACQUES, WARDEN*. C. A. 6th Cir. Certiorari denied. Motion for leave to file petition for writ of habeas corpus and petition for allowance of an appeal also denied.

No. 263, Misc. *GIBSON v. UNITED STATES*. Motion for leave to file petition for writ of certiorari denied.

No. 265, Misc. *EX PARTE MAYNARD*. Motion for leave to file petition for writs of habeas corpus and certiorari denied.

No. 267, Misc. *BOZELL v. WELCH, SUPERINTENDENT OF LORTON REFORMATORY, ET AL.*; and

No. 268, Misc. *SPRADLING v. EIDSON, WARDEN*. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 276, Misc. *KNETZER v. SCHULTZ*, ACTING U. S. MARSHAL. Motion for leave to file petition for writ of habeas corpus denied. Mr. JUSTICE BLACK, Mr. JUSTICE REED, and Mr. JUSTICE DOUGLAS are of the opinion that the application should be transferred under 28 U. S. C. § 2241 (b). *Donald H. Dalton* and *Manuel M. Wiseman* for petitioner.

No. 271, Misc. *UNITED STATES v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS ET AL.* Motion for leave to file petition for writ of mandamus dismissed on motion of counsel for the petitioner. *Acting Solicitor General Stern* for the United States.

Certiorari Denied. (See also Misc. Nos. 224, 263 and 265, *supra*.)

No. 102. *BRATBURD ET AL. v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. *T. Emmett McKenzie* for petitioners. *Hall Hammond*, Attorney General of Maryland, and *Kenneth C. Proctor*, Assistant Attorney General, for respondent. Reported below: — Md. —, 88 A. 2d 446.

No. 357. *GORDON WOODROFFE CORP. v. UNITED STATES*. Court of Claims. Certiorari denied. *John G. Jackson* for petitioner. *Solicitor General Cummings*, *Assistant Attorney General Baldridge* and *Paul A. Sweeney* for the United States. Reported below: 122 Ct. Cl. 723, 104 F. Supp. 984.

No. 407. *KROSS v. CALIFORNIA*. Superior Court of California, Los Angeles County. Certiorari denied. *Irving I. Erdheim* for petitioner. *Edmund G. Brown*, Attorney General of California, *Frank W. Richards*,

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Assistant Attorney General, and *Stanford D. Herlick*, Deputy Attorney General, for respondent. Reported below: See 112 Cal. App. 2d 602, 247 P. 2d 44.

No. 431. *AUSTRIAN ET AL., TRUSTEES, v. WILLIAMS ET AL.* C. A. 2d Cir. Certiorari denied. *Carl J. Austrian*, *Saul J. Lance* and *Isadore H. Cohen* for petitioners. *Arthur H. Dean* and *Milton Pollack* for Williams, respondent. *Acting Solicitor General Stern* and *Roger S. Foster* filed a memorandum for the Securities & Exchange Commission, as *amicus curiae*, supporting the petition. Reported below: 198 F. 2d 697.

No. 436. *HUMBLE OIL & REFINING CO. ET AL. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *Hiram M. Dow* and *Nelson Jones* for the Humble Oil & Refining Co., *U. M. Rose* and *G. T. Hanners* for Moseley, petitioners. *Rex G. Baker* was also of counsel. *Solicitor General Cummings*, *Assistant Attorney General Murray*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 198 F. 2d 753.

No. 441. *TRADERS COMPRESS CO. v. TOBIN, SECRETARY OF LABOR.* C. A. 10th Cir. Certiorari denied. *John H. Todd* and *C. B. Cochran* for petitioner. *Solicitor General Cummings*, *William S. Tyson* and *Bessie Margolin* filed a memorandum stating that respondent does not oppose the granting of the petition for certiorari. Reported below: 199 F. 2d 8.

No. 248, Misc. *BOOTH v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 2d 991.

No. 249, Misc. *McCULLOUGH v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

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No. 250, Misc. *WESTBURY v. FLORIDA*. Supreme Court of Florida. Certiorari denied.

No. 252, Misc. *TATE v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 256, Misc. *PAPPAS v. RAGEN, WARDEN*. Circuit Court of Rock Island County, Illinois. Certiorari denied.

No. 258, Misc. *CARROLL v. SWENSON, WARDEN*. Court of Appeals of Maryland. Certiorari denied.

No. 257, Misc. *MAHURIN v. EIDSON, WARDEN*. Petition for writ of certiorari to the Supreme Court of Missouri and for other relief denied.

Rehearing Denied.

No. 12. *FEDERAL POWER COMMISSION v. IDAHO POWER Co.*, *ante*, p. 17. Rehearing denied. MR. JUSTICE BURTON and MR. JUSTICE CLARK took no part in the consideration or decision of this application.

No. 10. *UNITED STATES v. HENNING ET AL.*, *ante*, p. 66;

No. 185. *MILLIKEN v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 884;

No. 210. *DUVEEN BROTHERS, INC. v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 884;

No. 314. *MCRAE v. WOODS, ACTING HOUSING EXPEDITER*, *ante*, p. 892;

No. 78, Misc. *KUIKEN v. UNITED STATES*, *ante*, p. 867; and

No. 135, Misc. *CHORAK ET AL. v. R. K. O. PICTURES, INC. ET AL.*, *ante*, p. 887. Petitions for rehearing denied.

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Miscellaneous Orders.

No. 181. CLEMENTS, COMMISSIONER OF WILD LIFE AND FISHERIES OF LOUISIANA, *v.* GOSPODONOVICH ET AL. Appeal from the United States District Court for the Eastern District of Louisiana. Appeal dismissed on motion of all of the parties. *John J. Finnorn* for appellant. Reported below: 108 F. Supp. 234.

No. 275, Misc. DUNLAP *v.* WARDEN, TEXAS PRISON. Motion for leave to file petition for writ of certiorari denied.

Certiorari Granted.

No. 440. UNITED STATES *v.* GILBERT ASSOCIATES, INC. Supreme Court of New Hampshire. Certiorari granted. *Acting Solicitor General Stern* for the United States. Reported below: 97 N. H. 411, 90 A. 2d 499.

Certiorari Denied. (See also No. 275, Misc., supra.)

No. 248. UNITED STATES *v.* PRICE. Court of Claims. Certiorari denied. *Philip B. Perlman*, then Solicitor General, for the United States. *Samuel T. Ansell* for respondent. Reported below: 121 Ct. Cl. 664, 104 F. Supp. 99.

No. 249. UNITED STATES *v.* WATERBURY. Court of Claims. Certiorari denied. *Philip B. Perlman*, then Solicitor General, for the United States. *Samuel T. Ansell* for respondent. Reported below: 121 Ct. Cl. 687.

No. 250. UNITED STATES *v.* PARTRIDGE, EXECUTRIX. Court of Claims. Certiorari denied. *Philip B. Perlman*, then Solicitor General, for the United States. *Samuel T. Ansell* for respondent. Reported below: 121 Ct. Cl. 695.

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No. 379. *DANFORTH v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Cummings, Assistant Attorney General Baldridge* and *Paul A. Sweeney* for the United States. Reported below: 122 Ct. Cl. 785.

No. 396. *CREAMER v. OGDEN UNION RAILWAY & DEPOT CO.* Supreme Court of Utah. Certiorari denied. *Calvin W. Rawlings* and *Harold E. Wallace* for petitioner. *Bryan P. Leverich* for respondent. Reported below: — Utah —, 242 P. 2d 575.

No. 405. *UNION CITY TRANSFER ET AL. v. ADAMS*. Court of Civil Appeals of Texas, Second Supreme Judicial District. Certiorari denied. *John H. Benckenstein* for petitioners. Reported below: 248 S. W. 2d 256.

No. 423. *FAUROT ET AL. v. MOORE ET AL.* C. A. 10th Cir. Certiorari denied. *David C. Shapard, William S. Campbell* and *Wm. McCraw* for petitioners. Reported below: 196 F. 2d 883.

No. 425. *HOLMES PROJECTOR CO. v. UNITED STATES*. Court of Claims. Certiorari denied. *George F. von Kolnitz, Jr.* and *Harold E. Marks* for petitioner. *Solicitor General Cummings, Assistant Attorney General Lyon* and *Ellis N. Slack* for the United States. Reported below: 123 Ct. Cl. 278, 105 F. Supp. 690.

No. 428. *CONSUMER SALES CORP. ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 2d Cir. Certiorari denied. *Bertram J. Dembo* for petitioners. *Solicitor General Cummings, Acting Assistant Attorney General Clapp, Charles H. Weston* and *W. T. Kelley* for respondent. Reported below: 198 F. 2d 404.

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No. 432. *KENNEY v. WABASH RAILROAD Co.* C. A. 5th Cir. Certiorari denied. *Robert Ash* for petitioner. *James J. Morrison* for respondent. Reported below: 196 F. 2d 162.

No. 434. *BRYANT v. UNITED STATES.* Court of Claims. Certiorari denied. *Leon A. Ransom* for petitioner. *Solicitor General Cummings, Assistant Attorney General Baldridge* and *Paul A. Sweeney* for the United States. Reported below: 122 Ct. Cl. 460.

No. 435. *RICHMOND v. ST. LOUIS SOUTHWESTERN RAILWAY Co.* C. A. 5th Cir. Certiorari denied. Reported below: 197 F. 2d 840.

No. 438. *BROWN LAND & ROYALTY Co., INC. v. GREEN ET AL.* C. A. 5th Cir. Certiorari denied. *Frank J. Looney* for petitioner. *Richard C. Cadwallader* for Green et al., respondents. Reported below: 198 F. 2d 74.

No. 449. *UNITED STATES EX REL. DAVERSE v. HOHN, WARDEN.* C. A. 3d Cir. Certiorari denied. *William D. Donnelly* for petitioner. Reported below: 198 F. 2d 934.

No. 452. *MOTOROLA, INC. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied. *Irving A. Jennings* and *Robert N. Denham* for petitioner. *Solicitor General Cummings, George J. Bott, David P. Findling* and *Mozart G. Ratner* for respondent. Reported below: 199 F. 2d 82.

No. 453. *VEAL ET AL. v. LEIMKUEHLER ET AL.* St. Louis Court of Appeals of Missouri. Certiorari denied. Reported below: 249 S. W. 2d 491.

No. 456. *McNISH v. AMERICAN BRASS Co. ET AL.* Supreme Court of Errors of Connecticut. Certiorari denied.

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David R. Lesser for petitioner. *William J. Larkin, Jr.* for the American Brass Co.; and *Margaret C. Driscoll* for the Ansonia Brass Workers Union Local 445, respondents. Reported below: 139 Conn. 44, 89 A. 2d 566.

No. 457. *DWORSKY ET AL., DOING BUSINESS AS FIDELITY FACTORS, v. LEICHTER.* C. A. 3d Cir. Certiorari denied. *Max L. Rosenstein* for petitioners. *George F. Losche* for respondent. Reported below: 197 F. 2d 955.

No. 462. *UNITED HOISTING CO., INC. ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 3d Cir. Certiorari denied. *Edward D. Bolton* for petitioners. *Solicitor General Cummings, John R. Benney and George J. Bott* for respondent. Reported below: 198 F. 2d 465.

No. 464. *FIRST NATIONAL BANK IN HOUSTON ET AL. v. LAKE, TRUSTEE.* C. A. 4th Cir. Certiorari denied. *Hilary W. Gans and Leon Jaworski* for petitioners. *Frank B. Ober* for respondent. Reported below: 199 F. 2d 524.

No. 467. *KELLEY, GLOVER & VALE, INC., TRUSTEE, v. KRAMER ET AL.* C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Arthur J. Goldberg* for respondents. Reported below: 198 F. 2d 392.

No. 409. *AMERICAN SNUFF CO. ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Newell N. Fowler, Ceylon B. Frazer and Robert N. Denham* for petitioners. *Solicitor General Cummings, George J. Bott, David P. Findling, Mozart G. Ratner, Bernard Dunau and Harvey B. Diamond* for respondent. Reported below: 196 F. 2d 1019.

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No. 420. *HOWARD ET AL. v. HOSKINS ET AL.* Motion for an extension of time to file petition for writ of certiorari denied. Petition for writ of certiorari to the Supreme Court of Mississippi denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (c). *Leon A. Ransom* and *Perry W. Howard* for petitioners. Reported below: 214 Miss. 481, 59 So. 2d 263.

No. 523. *UNITED STEELWORKERS OF AMERICA, CIO, LOCAL 2286, ET AL. v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. *Arthur J. Goldberg* and *Thomas E. Harris* for petitioners. *Solicitor General Cummings, Assistant Attorney General Baldridge, Robert L. Stern, Philip Elman, Samuel D. Slade* and *Herman Marcuse* for the United States.

No. 199, Misc. *WILSON v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* Supreme Court of Washington. Certiorari denied. Petitioner *pro se.* *Smith Troy*, Attorney General of Washington, and *Rudolph Naccarato*, Assistant Attorney General, for respondent.

No. 229, Misc. *FARNSWORTH v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cummings, Assistant Attorney General Murray, Beatrice Rosenberg* and *Felicia H. Dubrovsky* for the United States. Reported below: 91 U. S. App. D. C. 121, 198 F. 2d 600.

No. 261, Misc. *PYLE v. KANSAS ET AL.* Supreme Court of Kansas. Certiorari denied.

No. 264, Misc. *NATIONS v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM.* District Court of Brown County, Brownwood, Texas. Certiorari denied.

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No. 266, Misc. *BAUGH v. PENNSYLVANIA ET AL.* Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 269, Misc. *KAMROWSKI v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 412 Ill. 383, 107 N. E. 2d 725.

No. 260, Misc. *LEONARD v. NORTH CAROLINA.* Petition for writ of certiorari to the Supreme Court of North Carolina denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (d); Rule 38½ of the Rules of the Supreme Court. *Robert S. Cahoon* for petitioner. *Harry McMullan*, Attorney General of North Carolina, and *Claude L. Love*, Assistant Attorney General, for respondent. Reported below: 236 N. C. 126, 72 S. E. 2d 1.

Rehearing Denied.

No. 39. *BAUMET ET AL. v. UNITED STATES ET AL.*, *ante*, p. 82;

No. 100. *SWEENEY, SHERIFF, v. WOODALL*, *ante*, p. 86;

No. 381. *AMERICAN PRESIDENT LINES, LTD. v. IMMIGRATION AND NATURALIZATION SERVICE ET AL.*, *ante*, p. 892;

No. 200, Misc. *THOMAS v. CALIFORNIA*, *ante*, p. 881; and

No. 475, Misc., October Term, 1951. *AYERS v. PARRY ET AL.*, 343 U. S. 890. Petitions for rehearing denied.

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Per Curiam Decisions.

No. 218. *MARTINEZ v. NEELLY, SUCCESSOR TO JORDAN, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* Certiorari, 344 U. S. 810, to the United States Court of Appeals for the Seventh Circuit. Argued January 5, 1953. Decided January 12, 1953. *Per Curiam*:

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The judgment is affirmed by an equally divided Court. MR. JUSTICE CLARK took no part in the consideration or decision of this case. *Eugene Cotton* argued the cause and filed a brief for petitioner. *Solicitor General Cummings* argued the cause for respondent. With him on the brief were *Assistant Attorney General Murray, Robert W. Ginnane, Beatrice Rosenberg* and *Kenneth C. Shelver*. Reported below: 197 F. 2d 462.

No. 463. CHICAGO & EASTERN ILLINOIS RAILROAD Co. *v. UNITED STATES ET AL.* Appeal from the United States District Court for the Southern District of Indiana. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. THE CHIEF JUSTICE, MR. JUSTICE BLACK, and MR. JUSTICE REED are of the opinion that probable jurisdiction should be noted and the case set down for argument. *David O. Mathews, Thomas N. Cook, Gerald L. Phelps and John T. Hays* for appellant. *Acting Solicitor General Stern and Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *George S. Dixon and Elbert R. Gilliom* for the National Automobile Transporters Association et al., appellees. Reported below: 107 F. Supp. 118.

Miscellaneous Order.

No. —. TINKOFF *v. UNITED STATES*. The petition to vacate the order denying an extension of time to file petition for writ of certiorari and the motion for an extension of time to file petition for writ of certiorari are denied.

Certiorari Denied.

No. 395. VAUGHAN *v. PETROLEUM CONVERSION CORP.* C. A. 3d Cir. Certiorari denied. *Gerard P. Kavanaugh* for petitioner. *Thomas Cooch* for respondent. Reported below: 196 F. 2d 728.

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No. 450. DENVER & RIO GRANDE WESTERN RAILROAD Co. *v.* McGOWAN. Supreme Court of Utah. Certiorari denied. *Dennis McCarthy* for petitioner. *Calvin W. Rawlings* and *Harold E. Wallace* for respondent. Reported below: — Utah —, 244 P. 2d 628.

No. 468. ERNST *v.* JEWEL TEA CO., INC., DOING BUSINESS AS JEWEL FOOD STORES. C. A. 7th Cir. Certiorari denied. *Thomas D. Nash* for petitioner. *Alvin G. Hubbard* for respondent. Reported below: 197 F. 2d 881.

No. 255, Misc. JAQUISH *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied. *Elizabeth Cassidy* for petitioner.

No. 270, Misc. HUBBARD *v.* KING, SUPERINTENDENT OF MEDICAL FACILITY. C. A. 9th Cir. Certiorari denied.

No. 272, Misc. DUTY *v.* MUNIE, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 278, Misc. DAUPHLEY *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Petitioner *pro se*. *William I. Siegel* for respondent.

No. 279, Misc. ROSS *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 280, Misc. PERKINS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 281, Misc. ALLISON *v.* MUNIE, WARDEN. Circuit Court of Randolph County, Illinois. Certiorari denied.

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Rehearing Denied. (See also No. —, *Tinkoff v. United States, supra.*)

No. 16. UNITED STATES *v. CALTEX (PHILIPPINES), INC. ET AL.*, *ante*, p. 149;

No. 419. UNITED BRICK & CLAY WORKERS OF AMERICA ET AL. *v. DEENA ARTWARE, INC.*, *ante*, p. 897;

No. 219, Misc. ELLIS *v. HEINZE, WARDEN*, *ante*, p. 894; and

No. 486, Misc., October Term, 1951. LAWRENCE *v. UNITED STATES*, 343 U. S. 981. Petitions for rehearing denied.

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Per Curiam Decision.

No. 429. LIONSHHEAD LAKE, INC. *v. TOWNSHIP OF WAYNE*. Appeal from the Supreme Court of New Jersey. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Albert L. Reeves, Jr.* and *William D. Donnelly* for appellant. *James J. Langan* and *Fred G. Stickel, III* for appellee. Reported below: 10 N. J. 165, 89 A. 2d 693.

Miscellaneous Order.

No. 10, Original. ARIZONA *v. CALIFORNIA ET AL.* The motion for leave to file the complaint is granted and process is ordered to issue returnable within 60 days. The motion of the United States for leave to intervene is granted. *Fred O. Wilson*, Attorney General of Arizona, *Alexander B. Baker*, Chief Assistant Attorney General, *John H. Moeur*, *Burr Sutter* and *Perry M. Ling* for complainant. *Edmund G. Brown*, Attorney General of California, *Arvin B. Shaw, Jr.*, Assistant Attorney

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General, *Gilbert F. Nelson*, Deputy Attorney General, *Northcutt Ely, Harry W. Horton, Earl Redwine, James H. Howard, Charles C. Cooper, Jr., Donald M. Keith, Ray L. Chesebro* and *T. B. Cosgrove* for defendants. Attorney General *McGranery* and Solicitor General *Cummings* for the United States.

Certiorari Denied.

No. 443. *DROWN, TRADING AS DROWN LABORATORIES, v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Rollin L. McNitt* and *Edythe Jacobs* for petitioner. Solicitor General *Cummings*, Assistant Attorney General *Murray, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 198 F. 2d 999.

No. 469. *PACIFIC EMPLOYERS INSURANCE CO. v. REED ROLLER BIT CO.* C. A. 5th Cir. Certiorari denied. *John H. Crooker* for petitioner. *J. Vincent Martin* and *J. D. Head* for respondent. Reported below: 198 F. 2d 1.

No. 470. *UNITED MINE WORKERS OF AMERICA ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 6th Cir. Certiorari denied. *Welly K. Hopkins* and *Harrison Combs* for petitioners. Solicitor General *Cummings, George J. Bott, David P. Findling, Mozart G. Ratner, Dominick L. Manoli* and *Margaret M. Farmer* for respondent. Reported below: 195 F. 2d 961.

No. 472. *WAGSTAFF v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James J. Laughlin* for petitioner. Solicitor General *Cummings, Assistant Attorney General Murray, Beatrice Rosenberg* and *Felicia H. Dubrovsky* for the United States. Reported below: 91 U. S. App. D. C. 146, 198 F. 2d 955.

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No. 475. THOMAS, ADMINISTRATRIX, *v.* CHESAPEAKE & OHIO RAILWAY Co. C. A. 4th Cir. Certiorari denied. *Bernard M. Savage* and *William L. Parker* for petitioner. *Strother Hynes* for respondent. Reported below: 198 F. 2d 783.

No. 477. L. A. GOODMAN MANUFACTURING Co. *v.* BORKLAND. Appellate Court of Illinois, First District. Certiorari denied. *Lloyd D. Heth* for petitioner. *Harold A. Smith* for respondent. Reported below: 345 Ill. App. 610, 104 N. E. 2d 347.

No. 478. CENTRAL FRUIT & VEGETABLE Co. ET AL. *v.* ASSOCIATED FRUIT DISTRIBUTORS OF CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied. *J. Manuel Hoppenstein* for petitioners. Reported below: 198 F. 2d 808.

No. 479. CHRYSLER CORPORATION *v.* KANATSER. C. A. 10th Cir. Certiorari denied. *David A. Richardson* for petitioner. Reported below: 199 F. 2d 610.

No. 484. OKLAHOMA CONTRACTING Co., INC. *v.* MAGNOLIA PIPE LINE Co. C. A. 5th Cir. Certiorari denied. *O. R. McGuire* and *William S. Campbell* for petitioner. *Earl A. Brown, Chas. B. Wallace* and *John E. McClure* for respondent. Reported below: 195 F. 2d 391.

No. 486. ADVERTISERS EXCHANGE, INC. *v.* HINKLEY, DOING BUSINESS AS HINKLEY SELF SERVICE GROCERY. C. A. 8th Cir. Certiorari denied. *Louis Fieldman* for petitioner. Reported below: 199 F. 2d 313.

No. 365. DRAGNA *v.* CALIFORNIA. Appellate Department of the Superior Court of California, County of Los Angeles. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should

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be granted. *John Walsh* for petitioner. *Ray L. Chesebro* and *Philip E. Grey* for respondent.

No. 465. *AIR TRANSPORT ASSOCIATES, INC. v. CIVIL AERONAUTICS BOARD.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK, MR. JUSTICE REED, and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Warren E. Miller* for petitioner. *Solicitor General Cummings, Emory T. Nunneley, Jr.* and *O. D. Ozment* for respondent. *George M. Morris* filed a brief for the Aircoach Transport Association, as *amicus curiae*, in support of the petition. Reported below: 91 U. S. App. D. C. 147, 199 F. 2d 181.

No. 480. *DES MARAIS ET AL. v. BECKMAN, ADMINISTRATRIX.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE REED is of the opinion certiorari should be granted. *Edward V. Davis* for petitioners. Reported below: 198 F. 2d 550.

No. 204, Misc. *FRANKFELD ET AL. v. UNITED STATES.* C. A. 4th Cir. Motions for leave to file briefs of National Lawyers Guild and John Abt et al., as *amici curiae*, denied. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Joseph Forer, Royal W. France* and *Harold Buchman* for petitioners. *Acting Solicitor General Stern, Assistant Attorney General Murray, Beatrice Rosenberg, Murry Lee Randall* and *Edward S. Szukiewicz* for the United States. Reported below: 198 F. 2d 679.

No. 262, Misc. *COCHRAN v. MISSOURI ET AL.* Supreme Court of Missouri. Certiorari denied.

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No. 282, Misc. *PUTNAM v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 286, Misc. *BARDELL v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 289, Misc. *BALDRIDGE v. KANE COUNTY CIRCUIT COURT ET AL.* Supreme Court of Illinois. Certiorari denied.

No. 292, Misc. *HABERMANN v. MARTIN, WARDEN*. C. A. 2d Cir. Certiorari denied. Reported below: 199 F. 2d 664.

Rehearing Denied.

No. 407. *KROSS v. CALIFORNIA*, *ante*, p. 908;
No. 447. *CROSS v. TUSTIN ET AL.*, *ante*, p. 900; and
No. 455. *NORTHERN PACIFIC RAILWAY Co. ET AL. v. MONTANA ET AL.*, *ante*, p. 905. Petitions for rehearing denied.

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Per Curiam Decisions.

No. 197. *UNITED STATES v. WILSON, DOING BUSINESS AS COOPERATIVE BUYING SERVICE*; and

No. 198. *UNITED STATES v. PURCHASING CORPORATION OF AMERICA ET AL.* Appeals from the United States District Court for the Eastern District of Louisiana. Argued January 5-6, 1953. Decided February 2, 1953. *Per Curiam*: The judgments are affirmed. MR. JUSTICE DOUGLAS and MR. JUSTICE BURTON dissent. MR. JUSTICE CLARK took no part in the consideration or decision of these cases. *John F. Davis* argued the cause for the United States. With him on the brief were *Acting Solicitor General Stern, Assistant Attorney General*

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Murray, Beatrice Rosenberg and J. F. Bishop. Philip B. Perlman, then Solicitor General, was on the Statements as to Jurisdiction. *Selden S. McNeer* argued the cause for appellees. With him on the brief was *Hobart L. McKeever*.

No. 390. *WARD v. UNITED STATES.* Certiorari, 344 U. S. 814, to the United States Court of Appeals for the Fifth Circuit. Argued January 13, 1953. Decided February 2, 1953. *Per Curiam:* The indictment in this case charged that between the dates of March 30, 1951, and May 31, 1951, petitioner "knowingly" failed to furnish his local Selective Service Board with a correct address where mail might be delivered to him. 50 U. S. C. App. §§ 462 (a), 465 (b); 32 CFR § 1641.3. The record does not support the charge that, during this period, there was deliberate purpose on the part of petitioner not to comply with the Selective Service Act or the regulation issued thereunder. Accordingly, the decision below is reversed. *John M. Coe* and *Ralph E. Powe* argued the cause for petitioner. With them on the brief was *James T. Wright*. *John R. Benney* argued the cause for the United States. With him on the brief were *Solicitor General Cummings*, *Assistant Attorney General Murray*, *Beatrice Rosenberg* and *Carl H. Imlay*. Reported below: 195 F. 2d 441.

No. 459. *NATIONAL LABOR RELATIONS BOARD v. AMERICAN THREAD Co.* On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit; and

No. 460. *NATIONAL LABOR RELATIONS BOARD v. NINA DYE WORKS Co., INC.* On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. *Per Curiam:* The petitions for writs of certiorari are granted and the judgments are reversed. *Labor*

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Board v. Dant, ante, p. 375, decided this day. *Acting Solicitor General Stern* and *George J. Bott* for petitioner. Reported below: 198 F. 2d 137, 362.

No. 503. *HERRIN TRANSPORTATION CO., INC. ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Eastern District of Louisiana. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. MR. JUSTICE BLACK is of the opinion that probable jurisdiction should be noted and the case set down for argument. *Robert A. Ainsworth, Jr.* for appellants. *Acting Solicitor General Stern* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Allan Watkins* for the Atlanta-New Orleans Motor Freight Co. et al., appellees. Reported below: 108 F. Supp. 89.

No. 505. *MALONE FREIGHT LINES, INC. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Northern District of Alabama. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that probable jurisdiction should be noted and the case set down for argument. *James W. Wrape, W. H. Brantley, Jr.* and *Glenn M. Elliott* for appellant. *Acting Solicitor General Stern* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Peyton D. Bibb, Reuben G. Crimm, Allan Watkins* and *Edgar Watkins* for Akers Motor Lines, Inc. et al., appellees. Reported below: 107 F. Supp. 946.

No. 516. *REDWINE, STATE REVENUE COMMISSIONER, ET AL. v. GEORGIA RAILROAD & BANKING CO.* Appeal from the United States District Court for the Northern District of Georgia. *Per Curiam*: The motion to affirm

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is granted and the judgment is affirmed. *Wright v. Georgia Railroad & Banking Co.*, 216 U. S. 420; *Georgia R. Co. v. Redwine*, 342 U. S. 299. MR. JUSTICE BLACK dissents. MR. JUSTICE DOUGLAS is of the opinion that probable jurisdiction should be noted and the case set down for argument. *Eugene Cook*, Attorney General of Georgia, *M. H. Blackshear, Jr.*, Deputy Attorney General, and *Lamar W. Sizemore*, Assistant Attorney General, for Redwine, *Harold Sheats* and *Standish Thompson* for Fulton County, and *Victor Davidson* and *Cleburne E. Gregory, Jr.* for the City of Union Point et al., appellants. *Robert B. Troutman* and *Furman Smith* for appellee.

Miscellaneous Orders.

No. 296. *ALSTATE CONSTRUCTION CO. v. TOBIN, SECRETARY OF LABOR*;

No. 336. *JOHNSON ET AL., DOING BUSINESS AS BRAMHALL COMPANY, v. TOBIN, SECRETARY OF LABOR*; and

No. 380. *PENNINGTON-WINTER CONSTRUCTION CO. v. TOBIN, SECRETARY OF LABOR*. Durkin, present Secretary of Labor, substituted as the party respondent for Tobin.

No. 294, Misc. *CAMPBELL v. PENNSYLVANIA ET AL.*;

No. 295, Misc. *HOWELL v. HANN, WARDEN*;

No. 317, Misc. *HENRY v. BALDI, SUPERINTENDENT, PHILADELPHIA COUNTY PRISON*; and

No. 320, Misc. *RILEY v. STEINBERG, SUPERINTENDENT, ELGIN STATE HOSPITAL*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 308, Misc. *MARSHALL v. UNITED STATES*. Motion for leave to file petition for writ of mandamus and for other relief denied.

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No. 323, Misc. *GEACH v. CRIMINAL COURT OF COOK COUNTY, ILLINOIS*. Motion for leave to file petition for writ of mandamus denied.

Certiorari Granted. (See also Nos. 459 and 460, *supra*.)

No. 508. *UNITED STATES v. INTERNATIONAL BUILDING CO.* C. A. 8th Cir. Certiorari granted. *Solicitor General Cummings* for the United States. *Irl B. Rosenblum* for respondent. Reported below: 199 F. 2d 12.

Certiorari Denied.

No. 466. *MALONE ET AL. v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. *Leo R. Friedman* for petitioners. *Solicitor General Cummings, Assistant Attorney General Murray, Beatrice Rosenberg and Kenneth C. Shelver* for the United States in opposition.

No. 473. *UNITED STATES v. TOWN OF CLARKSVILLE, VIRGINIA.* C. A. 4th Cir. Certiorari denied. *Acting Solicitor General Stern* for the United States. Reported below: 198 F. 2d 238.

No. 485. *PENN v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 8th Cir. Certiorari denied. *Chas. Clafin Allen* for petitioner. *Solicitor General Cummings, Assistant Attorney General Lyon, Ellis N. Slack and Louise Foster* for respondent. Reported below: 199 F. 2d 210.

No. 489. *PLACE v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 6th Cir. Certiorari denied. *Robert M. Drysdale* for petitioner. *Solicitor General Cummings, Assistant Attorney General Lyon, Ellis N. Slack and Melva M. Graney* for respondent. Reported below: 199 F. 2d 373.

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No. 490. *WHETSTONE v. SAUBER, DIRECTOR OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cummings, Assistant Attorney General Lyon, Ellis N. Slack and Fred E. Youngman* for respondent. Reported below: 199 F. 2d 520.

No. 491. *HOXSEY CANCER CLINIC ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Herbert K. Hyde and Roy St. Lewis* for petitioners. *Solicitor General Cummings, Assistant Attorney General Murray, Beatrice Rosenberg and William W. Goodrich* for the United States. Reported below: 198 F. 2d 273.

No. 492. *ONE 1951 FORD PICK-UP 3/4 TON TRUCK ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *David L. Ullman* for the Hammonton Investment & Mortgage Co., petitioner. *Solicitor General Cummings, Assistant Attorney General Murray, Beatrice Rosenberg and Carl H. Imlay* for the United States. Reported below: 199 F. 2d 450.

No. 493. *McGUIRE v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. *Eldridge Hood Young* for petitioner. *Edward D. E. Rollins, Attorney General of Maryland, and Kenneth C. Proctor, Assistant Attorney General*, for respondent. Reported below: — Md. —, 92 A. 2d 582.

No. 510. *W. T. GRANT Co. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 9th Cir. Certiorari denied. *Eugene M. Foley* for petitioner. *Solicitor General Cummings, George J. Bott, David P. Findling, Bernard Dunau and Marcel Mallet-Prevost* for respondent. Reported below: 199 F. 2d 711.

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No. 481. *CLAWSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *William Strong* for petitioner. *Solicitor General Cummings, Assistant Attorney General Lyon, Ellis N. Slack and Fred G. Folsom* for the United States. Reported below: 198 F. 2d 792.

No. 483. *BIGGS v. FEINBERG ET AL.* C. A. 7th Cir. Motion to strike respondent's brief denied. Certiorari also denied. Petitioner *pro se*. *Charles Leviton, Hirsch E. Soble, Jacob Shamberg and John J. Kelly, Jr.* for respondents.

No. 196, Misc. *WHITING v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cummings, Assistant Attorney General Murray, Beatrice Rosenberg and Felicia H. Dubrovsky* for the United States. Reported below: 196 F. 2d 619.

No. 246, Misc. *CLARK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cummings, Assistant Attorney General Murray, Beatrice Rosenberg and Felicia H. Dubrovsky* for the United States.

No. 254, Misc. *McQUAID v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James J. Laughlin* for petitioner. *Solicitor General Cummings, Assistant Attorney General Murray and Beatrice Rosenberg* for the United States. Reported below: 91 U. S. App. D. C. 229, 198 F. 2d 987.

No. 274, Misc. *WOOLLOMES v. HEINZE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 2d 577.

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No. 284, Misc. *KELLS v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 2d 710.

No. 285, Misc. *HENSON v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 2d 952.

No. 287, Misc. *KIRSCH v. RAGEN, WARDEN.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 288, Misc. *KOCIELKO v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 413 Ill. 286, 108 N. E. 2d 770.

No. 296, Misc. *SPENCER v. NEW YORK.* Court of General Sessions of New York, New York County. Certiorari denied.

No. 297, Misc. *MOORE v. NORTH CAROLINA.* Supreme Court of North Carolina. Certiorari denied. Reported below: 236 N. C. 617, 73 S. E. 2d 467.

No. 301, Misc. *BOWEN v. MARYLAND.* Court of Appeals of Maryland. Certiorari denied.

No. 305, Misc. *CHESNEY v. CALIFORNIA.* Appellate Department, Superior Court of California, Los Angeles County. Certiorari denied. *G. G. Baumen* for petitioner.

No. 306, Misc. *O'CONNELL v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 309, Misc. *HOLLY v. PENNSYLVANIA ET AL.* Supreme Court of Pennsylvania, Western District. Certiorari denied.

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No. 313, Misc. *MOSHER v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 316, Misc. *McGHEE v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 318, Misc. *CONNORS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 413 Ill. 386, 108 N. E. 2d 774.

No. 328, Misc. *WALLACE v. HECK, AS ASSEMBLYMAN AND SPEAKER OF THE STATE ASSEMBLY OF NEW YORK*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Nathaniel L. Goldstein*, Attorney General of New York, and *Wendell P. Brown*, Solicitor General, for respondent. Reported below: 199 F. 2d 151.

No. 303, Misc. *HENLEY v. MOORE, WARDEN*. On consideration of the suggestion of a diminution of the record and a motion for a writ of certiorari in that relation, the motion for a writ of certiorari is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit also denied. Reported below: 199 F. 2d 752.

Rehearing Denied.

No. 435. *RICHMOND v. ST. LOUIS SOUTHWESTERN RAILWAY Co.*, *ante*, p. 913. Rehearing denied.

No. 441. *TRADERS COMPRESS Co. v. TOBIN, SECRETARY OF LABOR*, *ante*, p. 909. Durkin, present Secretary of Labor, substituted as the party respondent for Tobin. Rehearing denied.

No. 252, Misc. *TATE v. CALIFORNIA*, *ante*, p. 910. Rehearing denied.

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Miscellaneous Orders.

No. 5, Original, October Term, 1950. *NEW JERSEY v. NEW YORK ET AL.* The motion of the State of New Jersey for leave to file amended and supplemental answer is granted. The motion of the Commonwealth of Pennsylvania for leave to file amended answer is granted. The motion of the City of Philadelphia for leave to intervene is assigned for argument on Monday, March 9, next, twenty minutes to be allowed each party appearing. *Theodore D. Parsons*, Attorney General, *Robert Peacock*, Deputy Attorney General, and *Kenneth H. Murray* for the State of New Jersey, complainant. *Nathaniel L. Goldstein*, Attorney General, *Wendell P. Brown*, Solicitor General, and *Edward L. Ryan*, Assistant Attorney General, for the State of New York, defendant. *Denis M. Hurley*, *John P. McGrath*, *Jeremiah M. Evarts* and *Richard H. Burke* for the City of New York, defendant. *Robert E. Woodside*, Attorney General, *George G. Chandler*, *Bernard G. Segal*, *Wm. A. Schnader* and *Harry F. Stambaugh* for the State of Pennsylvania, intervenor. *Abraham L. Freedman* for the City of Philadelphia.

No. 322, Misc. *ENDERS v. JACQUES, WARDEN, ET AL.* Supreme Court of Michigan. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 302, Misc. *CURTIS v. FORMAN, U. S. DISTRICT JUDGE, ET AL.* Motion for leave to file petition for writ of mandamus or prohibition denied.

No. 333, Misc. *ALLEN v. UNITED STATES.* Motion for leave to file petition for writ of certiorari denied.

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No. 310, Misc. *GERUNDO v. TEETS, WARDEN*;
No. 311, Misc. *EDWARDS v. OVERHOLSER*;
No. 312, Misc. *EMERSON v. CALLAHAN, SHERIFF*;
No. 329, Misc. *POSEY v. DOWD, WARDEN*; and
No. 330, Misc. *GRAHAM v. DOWD, WARDEN*. Motions
for leave to file petitions for writs of habeas corpus denied.

Certiorari Granted. (See also No. 499, ante, p. 630.)

No. 509. *TRANSCONTINENTAL & WESTERN AIR, INC. v. KOPPAL*. C. A. 8th Cir. Certiorari granted limited to
questions 1 and 2 presented by the petition for the writ,
viz.:

“1. Whether in a diversity action for wrongful discharge
by an employee against a carrier subject to the provisions
of the Railway Labor Act, the Act precludes the applica-
tion by the District Court of state law, otherwise con-
trolling, governing the right to bring the action.

“2. Whether the decisions of this Court in *Moore v. Illinois Central R. Co.*, 312 U. S. 630, and *Slocum v. Delaware, L. & W. R. Co.*, 339 U. S. 239, bar the application
of state law requiring an employee to attempt to adjust
his dispute with his employer before he may seek redress
in state courts for alleged breach of a collective bargaining
agreement made pursuant to the Railway Labor Act.”

Gerald B. Brophy, Ruby D. Garrett and Horace G. Hitchcock for petitioner. Reported below: 199 F. 2d 117.

Certiorari Denied. (See also Misc. Nos. 322 and 333,
supra.)

No. 411. *MULLEN v. FITZ SIMONS & CONNELL DREDGE & DOCK CO.* C. A. 7th Cir. Certiorari denied.
Irving Breakstone for petitioner. *Edward B. Hayes* for
respondent. Reported below: 199 F. 2d 557.

No. 504. *STILLEY PLYWOOD CO., INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 4th Cir. Certiorari de-

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nied. *John H. Lumpkin* for petitioner. *Solicitor General Cummings, George J. Bott, David P. Findling* and *Bernard Dunau* for respondent. Reported below: 199 F. 2d 319.

No. 507. *WEISS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Sidney Morse* for petitioner. *Solicitor General Cummings, Assistant Attorney General Baldridge* and *Samuel D. Slade* for the United States. Reported below: 199 F. 2d 454.

No. 513. *SUVER ET AL. v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. *Harrison Combs* for petitioners.

No. 514. *FRIZZELL v. WABASH RAILROAD Co.* C. A. 8th Cir. Certiorari denied. *John R. Baty* for petitioner. *Sam B. Sebree* for respondent. Reported below: 199 F. 2d 153.

No. 519. *SIG ELLINGSON & Co. v. DE VRIES ET AL.* C. A. 8th Cir. Certiorari denied. *Clarence G. Myers* for petitioner. *J. Neil Morton* for respondents. Reported below: 199 F. 2d 677.

No. 520. *SIG ELLINGSON & Co. v. BUTENBACH, DOING BUSINESS AS GARNER SALES Co.* C. A. 8th Cir. Certiorari denied. *Clarence G. Myers* for petitioner. *Alice Elizabeth Culhane Fiddes* for respondent. Reported below: 199 F. 2d 679.

No. 530. *HANSEN MANUFACTURING Co., INC. v. GENERAL TIME CORP.* C. A. 7th Cir. Certiorari denied. *Casper W. Ooms, Ralph G. Lockwood* and *Isidor Kahn* for petitioner. *W. Brown Morton* for respondent. Reported below: 199 F. 2d 259.

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No. 277, Misc. *MAHONEY v. BOWLES ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Andrew W. Carroll* for petitioner. *Vernon E. West, Chester H. Gray* and *Hubert B. Pair* for the District of Columbia; and *Cornelius Doherty* for Bowles, respondents. Reported below: 91 U. S. App. D. C. 155, 202 F. 2d 320.

No. 298, Misc. *GLENN, ADMINISTRATRIX, v. ATLANTIC COAST LINE RAILROAD CO.* C. A. 4th Cir. Certiorari denied. *Henry Hammer* for petitioner. Reported below: 198 F. 2d 232.

No. 299, Misc. *OBIE v. INDIANA.* Supreme Court of Indiana. Certiorari denied. *Tyrah Ernest Maholm* for petitioner. Reported below: 231 Ind. 142, 106 N. E. 2d 452.

No. 304, Misc. *FINK v. MARYLAND.* Court of Appeals of Maryland. Certiorari denied.

No. 314, Misc. *BRENNAN v. UNITED STATES.* Court of Claims. Certiorari denied. Petitioner *pro se.* *Solicitor General Cummings, Assistant Attorney General Baldridge* and *Paul A. Sweeney* for the United States. Reported below: 123 Ct. Cl. 326.

No. 315, Misc. *DE LORENZO v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied.

No. 321, Misc. *SCOTT v. BABB, SHERIFF, ET AL.* C. A. 7th Cir. Certiorari denied. *Herbert M. Wetzel* for petitioner. *Melvin F. Wingersky* for respondents. Reported below: 199 F. 2d 804.

No. 325, Misc. *GADSDEN v. UNITED STATES.* Court of Claims. Certiorari denied. Petitioner *pro se.* *Solicitor*

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tor General Cummings, Assistant Attorney General Baldridge and Paul A. Sweeney for the United States. Reported below: See 119 Ct. Cl. 86, 100 F. Supp. 455.

No. 326, Misc. *HARDMAN v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 332, Misc. *CLARK v. RAGEN, WARDEN.* Circuit Court of Lake County, Illinois. Certiorari denied.

No. 335, Misc. *MALEK v. WARDEN, MICHIGAN STATE PRISON.* Supreme Court of Michigan. Certiorari denied.

No. 324, Misc. *GERUNDO v. CALIFORNIA.* Petition for writ of certiorari to the District Court of Appeal of California, Third Appellate District, denied for the reason that application therefor was not made within the time provided by law. 28 U. S. C. § 2101 (d); Rule 38½ of the Rules of the Supreme Court. Reported below: 112 Cal. App. 2d 797, 863, 247 P. 2d 374, 398.

Rehearing Denied.

No. 9. *KING ET AL., CONSTITUTING THE FLORIDA RAILROAD AND PUBLIC UTILITIES COMMISSION, v. UNITED STATES ET AL., ante*, p. 254. Rehearing denied.

ADDENDA.

Miscellaneous Orders.

No. 404. *ORVIS ET AL. v. McGANERY, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN.* February 4, 1953. Brownell, present Attorney General, substituted for McGanery.

No. 422. *BURNS ET AL. v. LOVETT, SECRETARY OF DEFENSE, ET AL.* February 5, 1953. Wilson, present Secretary of Defense, substituted for Lovett.